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

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 315

[Docket ID OPM–2025–0140]

RIN 3206–AO85

Sunset of the Pathways Presidential Management Fellows Program; Correction

AGENCY: Office of Personnel Management.

ACTION: Correcting amendments.

SUMMARY: The Office of Personnel Management (OPM) is correcting a final rule that published in the **Federal Register** and was effective on August 11, 2025. The document rescinded the regulations on the Pathways Presidential Management Fellows Program and made other conforming amendments. The August 11 final rule resulted in an error in the regulatory text, and this final rule corrects that error.

DATES: This final rule is effective on December 10, 2025.

FOR FURTHER INFORMATION CONTACT: Katika Floyd by telephone at (202) 606–0960; or by email at employ@opm.gov.

SUPPLEMENTARY INFORMATION: In the final rule “Sunset of the Pathways Presidential Management Fellows Program” (90 FR 38604; Aug. 11, 2025), OPM erred in its amendments to regulatory text at 5 CFR 315.713. The final rule removed paragraph (a)(3). As a result, paragraph (a)(2) is now the last paragraph and incorrectly retained the word “and”, which needs to be removed and replaced with a “.” to close out the paragraph. Similarly, paragraph (a)(1) needs to have the word “and” added as it is now the penultimate subparagraph in paragraph (a). This final rule corrects those errors.

Procedural Issues and Regulatory Review

A. Administrative Procedure Act

As explained above, this correcting amendment is necessary to correct an editorial error in the final rule. Therefore, OPM has determined, pursuant to 553(b)(3)(B), that prior notice and opportunity for public comment are impractical and unnecessary. Public comment could not inform this process in any meaningful way. We have further determined that, under 5 U.S.C. 553(d)(3), the agency has good cause to make this correction effective upon publication.

B. Regulatory Flexibility Act

This correcting amendment will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

C. Regulatory Review

OIRA has determined this rule is not a significant regulatory action under E.O. 12866. Therefore, this rule is not an E.O. 14192 regulatory action because it is not significant under E.O. 12866.

D. Federalism

This regulation will not have substantial direct effects on the States, on the relationship between the National Government and the States, or on distribution of power and responsibilities among the various levels of government. Therefore, in accordance with E.O. 13132 (Aug. 10, 1999), it is determined that this rule does not have sufficient federalism implications to warrant preparation of a Federalism Assessment.

E. Civil Justice Reform

This regulation meets the applicable standards set forth in section 3(a) and (b)(2) of E.O. 12988 (Feb. 7, 1996).

F. Unfunded Mandates Reform Act of 1995

This rulemaking will not result in the expenditure by State, local, or tribal governments, in the aggregate, or by the private sector, of more than \$100 million annually (adjusted annually for inflation with the base year 1995). Thus, no written assessment of unfunded mandates is required.

G. Congressional Review Act

OMB’s Office of Information and Regulatory Affairs has determined this rule does not satisfy the criteria listed in 5 U.S.C. 804(2).

H. Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35)

This regulatory action will not impose any reporting or recordkeeping requirements under the Paperwork Reduction Act.

List of Subjects in 5 CFR Part 315

Government employees.

Accordingly, 5 CFR part 315 is corrected by making the following correcting amendments:

PART 315—CAREER AND CAREER- CONDITIONAL EMPLOYMENT

■ 1. The authority citation for part 315 continues to read as follows:

Authority: 5 U.S.C. 1302, 3301, and 3302. E.O. 10577, 19 FR 7521, 3 CFR, 1954–1958 Comp., p. 218; E.O. 14284, 90 FR 17729.

Secs. 315.601 and 315.609 also issued under 22 U.S.C. 3651 and 3652.

Secs. 315.602 and 315.604 also issued under 5 U.S.C. 1104.

Sec. 315.603 also issued under 5 U.S.C. 8151.

Sec. 315.605 also issued under E.O. 12034, 43 FR 1917, 3 CFR, 1978 Comp., p. 111.

Sec. 315.606 also issued under E.O. 11219, 30 FR 6381, 3 CFR, 1964–1965 Comp., p. 303.

Sec. 315.607 also issued under 22 U.S.C. 2560.

Sec. 315.608 also issued under E.O. 12721, 55 FR 31349, 3 CFR, 1990 Comp., p. 293.

Sec. 315.610 also issued under 5 U.S.C. 3304(c).

Sec. 315.611 also issued under 5 U.S.C. 3304(f).

Sec. 315.612 also under E.O. 13473, 73 FR 56703, 3 CFR, 2009 Comp., p. 241.

Sec. 315.613 also issued under 5 U.S.C. 9602.

Sec. 315.710 also issued under E.O. 12596, 52 FR 17537, 3 CFR, 1987 Comp., p. 264.

Subpart G—Conversion to Career or Career-Conditional Employment From Other Types of Employment

§ 315.713 [Amended]

■ 2. Amend § 315.713 by:

■ a. Adding “and” at the end of paragraph (a)(1); and

■ b. Removing “; and” at the end of paragraph (a)(2) and adding a period in its place.

Dated: December 5, 2025.

Office of Personnel Management.

Jerson Matias,

Federal Register Liaison.

[FR Doc. 2025–22411 Filed 12–9–25; 8:45 am]

BILLING CODE 6325–39–P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

14 CFR Part 259

[Docket No. DOT–OST–2025–2349]

RIN 2105–ZA50

Airline Customer Service Commitments for Controllable Flight Disruptions: Unscheduled Maintenance in Response to FAA Airworthiness Directives

AGENCY: Office of the Secretary of Transportation (OST), U.S. Department of Transportation (Department or DOT).
ACTION: Notification of enforcement discretion.

SUMMARY: On November 28, 2025, the Federal Aviation Administration (FAA) issued Emergency Airworthiness Directive (EAD) 2025–24–51 requiring airlines to replace or modify affected elevator aileron computers (ELAC) used in certain Airbus aircraft. Due to the significant impact of the EAD on the fleets of some U.S. airlines, clarity was requested from the Department’s Office of Aviation Consumer Protection (OACP) regarding airlines’ responsibility to provide amenities such as meals and hotels for consumers affected by cancellations or significant delays due to unscheduled maintenance required to comply with the EAD. The largest U.S. airlines have generally committed to provide free rebooking, hotel, and meals to mitigate passenger inconveniences when the cause of a cancellation or significant delay was due to circumstances within the airline’s control. This notice announces that as a matter of enforcement discretion, OACP will not treat cancellations or lengthy delays resulting from unscheduled maintenance in response to an airworthiness directive that cannot be deferred or must be addressed before a flight to be due to circumstances within airline control for the purposes of these types of airlines customer service commitments.

DATES: This enforcement policy is effective December 10, 2025 and remains in effect until further notice or conclusion of the Department’s rulemaking titled Revisions to Cause of Airline Delay Categories (RIN 2105–AF29), whichever occurs first.

ADDRESSES: This notification of enforcement discretion may be viewed online at www.regulations.gov using the docket number listed above. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year. An electronic copy of this document may also be downloaded from the Office of the Federal Register’s website at www.federalregister.gov and the Government Publishing Office’s website at www.GovInfo.gov.

FOR FURTHER INFORMATION CONTACT: John Wood or Blane Workie, Office of Aviation Consumer Protection, U.S. Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590, 202–366–9342 (phone), 202–366–7152 (fax), C70notice@dot.gov (email).

SUPPLEMENTARY INFORMATION: The Department’s regulations require the largest U.S. airlines (Reporting Carriers)¹ to collect and report to the Department’s Bureau of Transportation Statistics (BTS) the causes of airline delays in five broad categories—Air Carrier, National Aviation System (NAS), Extreme Weather, Late-arriving Aircraft, and Security.² The categories for the causes of cancellation are the same, except there is no Late-arriving Aircraft category.³ BTS has published a Reporting Directive with a list of examples of causes for delays and cancellations that it believes are within the control of the air carrier.⁴ According to the BTS Reporting Directive, Reporting Carriers must report maintenance issues using the Air Carrier causal category.⁵ The regulations also provide that maintenance is a circumstance within the control of the airline.⁶

Airlines are also obligated to abide by their customer service commitments, including the commitments the largest U.S. airlines have made in their customer service plans that apply when

cancellations or lengthy delays are due to circumstances within the control of the airline. The largest U.S. airlines that sell tickets have generally committed to provide free rebooking, complimentary hotel accommodations, and meals or meal vouchers to affected passengers in these circumstances. The Department displays airline commitments regarding services and compensation to mitigate passenger inconvenience caused by a delay or cancellation due to circumstances within the control of an airline on its online Airline Cancellation and Delay Dashboard.⁷ The Department has aligned the “controllable” standard for its dashboard with the Air Carrier causal category that airlines use when reporting cancellations and delays to BTS. The FAA Reauthorization Act of 2024 (2024 FAA Act) codified this approach in statute.⁸

BTS is currently engaged in rulemaking to update the causal categories for reportable delays and cancellations, including removing certain actions from the Air Carrier category, as required by section 511 of the 2024 FAA Act.⁹ One such circumstance that must be excluded from the Air Carrier category is unscheduled maintenance.¹⁰ The rulemaking will also address the creation of a new category for tracking delays and cancellations due to instructions from the FAA air traffic control system.¹¹

The Department is issuing this notice to address the question of whether cancellations and delays due to an airline’s compliance with EAD 2025–24–51¹² should be considered within the control of an airline given the congressional mandate to exclude unscheduled maintenance from the air carrier category. Section 511(b) of the 2024 FAA Act states that “[u]nscheduled maintenance, including in response to an airworthiness

⁷ Airline Cancellation and Delay Dashboard, <https://www.transportation.gov/airconsumer/airline-cancellation-delay-dashboard>.

⁸ FAA Reauthorization Act of 2024, Public Law 118–63 (May 16, 2024). Section 506 of the Act added 49 U.S.C. 42308, which reads as follows: “The website on which such dashboard is displayed shall explain the circumstances under which a delay or cancellation is not due to circumstances in the control of the large air carrier . . . consistent with section 234.4 of title 14, Code of Federal Regulations.” (emphasis added). 49 U.S.C. 42308(a)(2).

⁹ Revision to Cause of Airline Delay Categories (RIN: 2105–AF29), <https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202504&RIN=2105-AF29>.

¹⁰ 2024 FAA Act, section 511(b)(7).

¹¹ See id. at section 511(a).

¹² See Federal Aviation Administration EAD No. 2025–24–51 (Nov. 28, 2025), <https://drs.faa.gov/browse/excel/ExternalWindow/DRSDOCID170146585920251129034243.0001>.

¹ Reporting Carriers for calendar year 2025 are as follows: Alaska Airlines, Allegiant Air, American Airlines, Delta Air Lines, Envoy Air, Frontier Airlines, Hawaiian Airlines, JetBlue Airways, PSA Airlines, Republic Airways, SkyWest Airlines, Southwest Airlines, Spirit Airlines, and United Airlines. See 14 CFR 234.2; BTS Technical Reporting Directive #39—Reporting Air Carriers for Calendar Year 2025, Bureau of Transportation Statistics (Dec. 3, 2024), <https://www.bts.gov/sites/bts.dot.gov/files/2024-12/Technical%20Directive%20No%20%2039%20On-Time%202025.pdf>.

² 14 CFR 234.4(a)(17) to (a)(21); 14 CFR 234.4(i).

³ 14 CFR 234.4(a)(16); 14 CFR 234.4(h).

⁴ See id., supra note 2, pages 27–28.

⁵ See id.

⁶ 14 CFR 234.4(h)(1) (“Air carrier cancellations are due to circumstances that were within the control of the air carrier (e.g., lack of flight crew, maintenance, etc.).”).

directive, manifesting outside a scheduled maintenance program that cannot be deferred or must be addressed before flight” is a cause that “shall not” be included in the Air Carrier reporting category. Cancellations and delays due to compliance with EAD 2025–24–51 fall within the carve-out from the Air Carrier category described in section 511(b) because the EAD required unscheduled maintenance that could not be deferred. Therefore, as a matter of enforcement policy, OACP will not take action against airlines that do not provide services, amenities, or compensation promised in their customer service plans to mitigate passenger inconvenience from controllable flight disruptions in instances when flights are delayed or cancelled due to unscheduled maintenance in response to an airworthiness directive that cannot be deferred or must be addressed before flight such as was the case with EAD 2025–24–51.

Regardless of this statement of enforcement discretion, the Department recognizes that airlines will often go beyond what is required by law to care for customers and may still choose to provide meals, hotels, free rebooking, and other amenities to passengers affected by flight disruptions voluntarily as a matter of good customer relations. To determine whether a flight disruption was due to unscheduled maintenance to comply with an airworthiness directive that cannot be deferred or must be addressed before flight like EAD 2025–24–51, OACP would consider whether the delay or cancellation would have occurred *but for* the actions taken to comply with the EAD. We note that, consistent with current DOT regulations and the BTS Reporting Directive, the Department expects airlines to report cancellations and delays due to compliance with EAD 2025–24–51 in the Air Carrier category.

This notice represents guidance and is not meant to bind the airlines in any way. It also does not prejudice the outcome of the Department’s rulemaking titled Revisions to Airline Cause of Delay Categories (RIN 2105–AF29). The notice is intended to address the operational difficulties resulting from airline compliance with a departmental safety rule of immediate applicability and effect, and to clarify existing legal requirements and the Department’s enforcement priorities. It will not be relied upon by the Department as a separate basis for affirmative enforcement action or other administrative penalty.

Issued on December 5, 2025, in Washington, DC, under authority delegated in 49 CFR 1.27(n):

Gregory Zerzan,

General Counsel.

[FR Doc. 2025–22415 Filed 12–9–25; 8:45 am]

BILLING CODE 4910–9X–P

DEPARTMENT OF JUSTICE

Office of the Attorney General

28 CFR Part 0

[Docket No. OAG 195; AG Order No. 6508–2025]

Transfer of the Functions of the Tax Division to the Civil Division and the Criminal Division

AGENCY: Department of Justice.

ACTION: Final rule.

SUMMARY: This rule amends Part 0 of the Department of Justice’s (“Department”) organizational regulations in title 28 of the Code of Federal Regulations to transfer the functions of the Tax Division to the Civil Division and the Criminal Division, as appropriate.

DATES: Effective December 9, 2025.

FOR FURTHER INFORMATION CONTACT:

For the Civil Division: Sarah Welch, Counsel, Civil Division, 950 Pennsylvania Avenue NW, Washington, DC 20530; telephone: (202) 514–2000 (not a toll-free call).

For the Criminal Division: Samuel R. Lyons, Acting Principal Deputy Chief, Tax Section, 1331 F St NW, Washington, DC 20004; telephone: (202) 353–4641 (not a toll-free call).

SUPPLEMENTARY INFORMATION:

I. Summary

On February 11, 2025, President Trump issued Executive Order 14210, *Implementing the President’s “Department of Government Efficiency” Workforce Optimization Initiative*. The President called on Federal agencies to “restore accountability to the American public” by “eliminating waste, bloat, and insularity.” In response to that Executive Order, the Department is working to reorganize its workforce so that it can better serve the American public through more efficient operations. This organizational rule transfers certain functions within the Department to achieve these ends.

II. Regulatory Requirements

In developing this rule, the Department considered numerous statutes and executive orders applicable to the rulemaking process. The

Department’s analysis of the applicability of those statutes and executive orders to this rule is summarized below.

A. Administrative Procedure Act

This rule concerns agency organization, procedure, and practice; is limited to matters of agency management and personnel; and is not a substantive rule. Therefore, this rule is exempt from the requirements of prior notice and comment and a 30-day delay in the effective date. *See* 5 U.S.C. 553(a)(2), (b)(A), (d).

B. Executive Order 12866 (Regulatory Planning and Review), Executive Order 13563 (Improving Regulation and Regulatory Review), and Executive Order 14192 (Unleashing Prosperity Through Deregulation)

This final rule is not a significant regulatory action under section 3(f) of Executive Order 12866, as supplemented by Executive Order 13563. This rule is limited to agency organization, management, and personnel as described by Executive Order 12866, section 3(d)(3), and therefore is not a “regulation” or “rule” as defined by that Executive Order. Accordingly, this action has not been reviewed by the Office of Management and Budget. Further, as this rule relates to agency organization, management, or personnel, it is not subject to the requirements of Executive Order 14192.

C. Executive Order 14294 (Overcriminalization of Federal Regulations)

Executive Order 14294 requires agencies promulgating regulations with criminal regulatory offenses potentially subject to criminal enforcement to explicitly describe the conduct subject to criminal enforcement, the authorizing statutes, and the mens rea standard applicable to each element of those offenses. This final rule does not impose a criminal regulatory penalty and is thus exempt from Executive Order 14924.

D. Regulatory Flexibility Act

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term “small entities” comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. 5 U.S.C. 601.

A Regulatory Flexibility Analysis is not required for this final rule because

the Department is not required to publish a general notice of proposed rulemaking for this matter. 5 U.S.C. 603(a).

E. Paperwork Reduction Act

This final rule does not call for a new or revised collection of information under the Paperwork Reduction Act of 1995, 44 U.S.C. 3501–3520.

F. Executive Order 13132 (Federalism)

A rule has federalism implications under Executive Order 13132 if it has a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. The Department has analyzed this final rule under that Order and determined that this rule does not have federalism implications.

G. Unfunded Mandates Reform Act of 1995

The Unfunded Mandates Reform Act of 1995, 2 U.S.C. 1531–1538, requires Federal agencies to determine whether a rule, if promulgated, will result in the expenditure by State, local, or Tribal governments, in the aggregate, or by the private sector, of \$100 million (adjusted annually for inflation) or more in any one year. 2 U.S.C. 1532(a). This final rule does not require or result in expenditures by any of the above-named entities.

H. Executive Order 12988 (Civil Justice Reform), Plain Language

This final rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988.

I. Executive Order 13175 (Consultation and Coordination With Indian Tribal Governments)

This final rule does not have Tribal implications under Executive Order 13175 because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

J. Congressional Review Act

This rule relates to agency management, personnel, and organization, and does not substantially affect the rights or obligations of non-agency parties. 5 U.S.C. 804(3)(B), (C). This action is accordingly not a “rule” as that term is used in the Congressional Review Act, see 5 U.S.C. 804(3), and the reporting requirement of 5 U.S.C. 801 does not apply.

List of Subjects in 28 CFR Part 0

Authority delegations (Government agencies), Government employees, Organization and functions (Government agencies).

Accordingly, for the reasons stated in the preamble, the Attorney General is amending part 0 of 28 CFR as follows:

PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

■ 1. The authority citation for part 0 continues to read as follows:

Authority: 5 U.S.C. 301; 28 U.S.C. 509, 510, 515–519.

§ 0.1 [Amended]

■ 2. In § 0.1, amend table 1 by removing the entry for “Tax Division.”

■ 3. In § 0.45:

■ a. Revise paragraphs (b) and (d);

■ b. Remove “except as provided in § 0.70(c)(2),” from paragraph (h);

■ c. Add paragraph (m).

The revisions and addition read as follows:

§ 0.45 General functions.

* * * * *

(b) *Court of claims cases*—litigation by and against the United States in the Court of Claims, except cases assigned to the Environment and Natural Resources Division by subpart L of this part.

* * * * *

(d) *Fraud cases*—civil claims arising from fraud on the Government (other than antitrust and land frauds), including alleged claims under the False Claims Act, the Program Fraud Civil Remedies Act of 1986, the Surplus Property Act of 1944, the Anti-Kickback Act, the Contract Settlement Act of 1944, the Contract Disputes Act of 1978, 19 U.S.C. 1592, and common law fraud.

* * * * *

(m) *Civil tax litigation*—prosecution and defense in all courts, other than the Tax Court, of civil suits, and the handling of other matters, arising under the internal revenue laws, and litigation resulting from the taxing provisions of other Federal statutes (except civil forfeiture and civil penalty matters arising under laws relating to liquor, narcotics, gambling, and firearms assigned to the Criminal Division by § 0.55(d)); enforcement of tax liens, and mandamus, injunctions, and other special actions or general matters arising in connection with internal revenue matters; defense of actions arising under 28 U.S.C. 2410 whenever the United States is named as a party to an action as the result of the existence of a Federal tax lien, including the defense of other

actions arising under 28 U.S.C. 2410, if any, involving the same property whenever a tax-lien action is pending under that section; matters involving the immunity of the Federal Government from State or local taxation (except actions to set aside ad valorem taxes, assessments, special assessments, and tax sales of Federal real property, and matters involving payments in lieu of taxes), as well as State or local taxation involving contractors performing contracts for or on behalf of the United States; and appellate proceedings in connection with civil cases enumerated in this paragraph, including petitions to review decisions of the Tax Court of the United States.

■ 4. In § 0.55, remove the phrase “, and tax fraud cases assigned to the Tax Division by subpart N of this part” in paragraph (b) and add paragraph (w) to read as follows:

§ 0.55 General functions.

* * * * *

(w) All criminal proceedings arising under the internal revenue laws.

■ 5. In § 0.65, revise paragraphs (a)(4)(iii) through (v) to read as follows:

§ 0.65 General functions.

(a) * * *

(4) * * *

(iii) Suits and matters involving the foreclosure of mortgages and other liens held by the United States, the same being specifically assigned to the Civil Division;

(iv) Suits arising under 28 U.S.C. 2410 to quiet title or to foreclose a mortgage or other lien, the same being specifically assigned to the Civil Division;

(v) Matters involving the immunity of the Federal Government from State and local taxation specifically delegated to the Civil Division by § 0.45.

* * * * *

Subpart M [Removed and Reserved]

■ 6. Remove and reserve subpart M, consisting of §§ 0.70 and 0.71.

§ 0.160 Offers [Amended]

■ 7. In § 0.160, remove the word “Tax” and add in its place the word “Civil” in paragraph (b).

Appendix to Subpart Y [Amended]

■ 8. Amend Appendix to subpart Y of part 0 by removing the undesignated heading “Tax Division”, Directive No. 83, and Tax Division Directive No. 139.

■ 9. Amend § 0.175 by revising paragraph (b) to read as follows:

§ 0.175 Judicial and administrative proceedings.

* * * * *

(b) The Assistant Attorneys General or any Deputy Assistant Attorney General of the Antitrust Division, the Civil Division, the Civil Rights Division, and the Environment and Natural Resources Division are authorized to exercise the power and authority vested in the Attorney General by 18 U.S.C. 6003 to approve the application of a U.S. Attorney to a Federal court for an order compelling testimony or the production of information in any proceeding before or ancillary to a court or grand jury of the United States when the subject matter of the case or proceeding is within the cognizance of their respective Divisions: Provided, however, that no approval shall be granted unless the Criminal Division indicates that it has no objection to the proposed grant of immunity.

* * * * *

Dated: December 5, 2025.

Pamela Bondi,*Attorney General.*

[FR Doc. 2025–22449 Filed 12–9–25; 8:45 am]

BILLING CODE 4410–12–P; 4410–14–P

DEPARTMENT OF JUSTICE**28 CFR Part 42****[CRT Docket No. 146; AG Order No. 6509–2025]****RIN 1190–AA83****Rescinding Portions of Department of Justice Title VI Regulations To Conform More Closely With the Statutory Text and To Implement Executive Order 14281****AGENCY:** Civil Rights Division, Department of Justice.**ACTION:** Final rule.

SUMMARY: By this rule, the Department of Justice amends its regulations implementing Title VI of the Civil Rights Act of 1964 (“Title VI”) to eliminate disparate-impact liability. These amendments align the conduct prohibited by the Department’s regulations with Title VI’s original public meaning, avoid constitutional concerns, reduce compliance costs, and serve the public interest. In addition, these revisions implement changes directed in Executive Order 14281.

DATES: The rule is effective on December 10, 2025.**FOR FURTHER INFORMATION CONTACT:** R. Jonas Geissler, Deputy Assistant Attorney General, Civil Rights Division, at 202–353–8866.**SUPPLEMENTARY INFORMATION:****I. Executive Summary**

The Department is rescinding portions of its regulations promulgated pursuant to Title VI, 42 U.S.C. 2000d–1, to more closely align its regulations to the language that Congress enacted in Title VI prohibiting intentionally discriminatory conduct, *see* 42 U.S.C. 2000d. There are serious statutory and constitutional concerns with the legality of the Department’s Title VI regulations that go beyond intentional discrimination by prohibiting conduct that has an unintentional disparate impact. This rule accordingly rescinds those portions of the regulations that prohibit conduct having a disparate impact, which are in considerable tension with both the statute and the Constitution and do not sufficiently serve the public interest. First, this rule rescinds the full text of 28 CFR 42.104(b)(2), which currently prohibits the utilization of “criteria or methods of administration which have the effect of subjecting individuals to discrimination because of their race, color, or national origin.” Second, this rule removes the two uses of the phrase “or effect” from 28 CFR 42.104(b)(3). Third, this rule rescinds the full text of 28 CFR 42.104(b)(6). Fourth, this rule rescinds the full text of 28 CFR 42.104(c)(2), which addresses employment practices subject to Federal financial assistance.

The rule’s revisions also conform to Executive Order 14281, *Restoring Equality of Opportunity and Meritocracy*, 90 FR 17537 (Apr. 23, 2025). That Order stated that “[i]t is the policy of the United States to eliminate the use of disparate-impact liability in all contexts to the maximum degree possible to avoid violating the Constitution, Federal civil rights laws, and basic American ideals.” *Id.* at 17537. The Order directed the Attorney General to, among other things, review Title VI regulations and “initiate appropriate action to repeal or amend” these regulations “to the extent they contemplate disparate-impact liability.” *Id.* at 17538. Section 3 of the Order specifically revoked the Presidential approvals of certain Justice Department Title VI regulations that address disparate-impact liability promulgated under 42 U.S.C. 2000d–1. *Id.* Though the Department would take this action independent of Executive Order 14281, the Order supports this action.

The practical impact of this rule’s modifications will be to make clear to Department Federal-funding recipients that the Department’s Title VI regulations do not prohibit conduct or activities that have a disparate impact

and prohibit only intentional discrimination, and the Department thus will not pursue Title VI disparate-impact liability against its Federal-funding recipients.

II. Discussion**A. Statutory History of Title VI**

Title VI of the Civil Rights Act of 1964, as amended, provides: “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” 42 U.S.C. 2000d. Title VI also directs Federal departments and agencies that extend Federal financial assistance to “effectuate the provisions of” Title VI “by issuing rules, regulations, or orders of general applicability.” 42 U.S.C. 2000d–1. The section of the Title VI statute that sets forth the prohibited conduct, 42 U.S.C. 2000d, prohibits specifically intentional discrimination and makes no reference to unintentional disparate effects or impact. *See Alexander v. Sandoval*, 532 U.S. 275, 280 (2001) (“[I]t is . . . beyond dispute—and no party disagrees—that [Title VI] prohibits only intentional discrimination.”). The statute does not explicitly provide any Federal department or agency with authority to prohibit unintentional disparate impact. And despite ample opportunities, Congress has enacted no subsequent amendments to Title VI to impose disparate-impact liability.

B. Regulatory History of Title VI

Pursuant to Executive Order 12250, “[t]he Attorney General shall coordinate the implementation and enforcement by Executive agencies of . . . Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d *et seq.*)” 45 FR 72995, 72995 (Nov. 2, 1980). Accordingly, the Department of Justice acts as the lead Federal agency responsible for defining the nature and scope of Title VI’s prohibition of discrimination on the basis of race, color, and national origin in programs or activities receiving Federal financial assistance. The Order directs the Department, among other things, to “develop standards and procedures for taking enforcement actions and for conducting investigations and compliance reviews.” *Id.* Further, as part of this responsibility, the Order provides that other agencies’ Federal regulations implementing Title VI are also subject to the Attorney General’s approval. *Id.* at 72996.

The Department’s Title VI implementing regulations are codified at

28 CFR 42.101, 42.112. The initial set of model regulations for Title VI were issued by the then-Department of Health, Education, and Welfare on December 4, 1964, which included only one reference to the “effect of” language in the “discrimination prohibited” provision of the rule. See 29 FR 16298, 16299 (Dec. 4, 1964) (provision found at 45 CFR 80.3(b)(2)). The Department adopted these model regulations in 1966, which likewise contained a single instance of the “or effect” language at 28 CFR 42.104(b)(2). 31 FR 10265, 10266 (July 29, 1966). In 1973, the Department substantively amended its regulatory description of prohibited discrimination. See 38 FR 17955 (July 5, 1973). These substantive changes include, among other things, the addition of 28 CFR 42.104(b)(3) (which added the “or effect” language to an additional provision), 28 CFR 42.104(b)(6) (which introduced the “affirmative action” language to the regulations), and 28 CFR 42.104(c)(2) (which extends the rule to Federal financial assistance whose primary objective is not to provide employment). *Id.* at 17955. In 2003, the Department added language regarding “program or activity” to reflect the amendment of Title VI by the Civil Rights Restoration Act of 1987. See 68 FR 51334, 51364 (Aug. 26, 2003); Public Law 100–259, sec. 6, 102 Stat. 28, 31 (1988). Thus, beyond the required updating of the phrase “program or activity” pursuant to the Civil Rights Restoration Act, the Department has not substantively updated its Title VI regulations since 1973—over 50 years ago.

The Department’s implementing regulation describing the scope of prohibited discriminatory conduct, 28 CFR 42.104, currently includes prohibitions on conduct that has an unintentional disparate impact, discussed more fully below.

C. Relevant Supreme Court Decisions

The Supreme Court has found that Title VI, 42 U.S.C. 2000d, does not prohibit facially neutral policies that result in disparate outcomes when there is no discriminatory intent. Rather, it prohibits only intentional discrimination. In 1978, five years after the Department last substantively amended its Title VI regulations, the Supreme Court found that Congress intended Title VI to prohibit “only those racial classifications that would violate the Equal Protection Clause” if committed by a government actor. *Regents of the Univ. of Cal. v. Bakke*, 438 U.S. 265, 287 (1978) (Powell, J., announcing the judgment of the Court); *id.* at 325, 328, 352–53 (Brennan, White,

Marshall, and Blackmun, JJ., concurring in part and dissenting in part); see also *Students for Fair Admissions, Inc. v. President & Fellows of Harvard Coll.*, 600 U.S. 181, 198 n.2 (2023) (“*SFFA*”). Shortly before *Bakke*’s Title VI holding, the Supreme Court held that the Equal Protection Clause requires proof of intentional discrimination and that “a law or other official act” that has a “racially disproportionate impact” alone does not violate that Clause. *Washington v. Davis*, 426 U.S. 229, 239 (1976); see also *Vill. of Arlington Heights v. Metro. Hous. Dev. Corp.*, 429 U.S. 252, 265 (1977) (“Proof of racially discriminatory intent or purpose is required to show a violation of the Equal Protection Clause.”). Taken together, these Supreme Court cases establish that Title VI’s statutory prohibition, like the Equal Protection Clause, extends only to intentional discrimination.

In 2001, the Supreme Court, in *Alexander v. Sandoval*, reaffirmed that settled understanding. 532 U.S. at 280 (“[I]t is . . . beyond dispute . . . that [Title VI] prohibits only intentional discrimination.”). In *Sandoval*, the Supreme Court held that private plaintiffs lacked a private right of action to enforce the Department’s “disparate-impact regulations.” *Id.* at 285–87. Though the Supreme Court had previously found a private cause of action to enforce Title VI’s bar on intentional discrimination, *id.* at 279–80, that conclusion did not extend to enforcing the Department’s “disparate-impact regulations.” *Id.* at 285. As the Supreme Court explained, it is “clear” that “the disparate-impact regulations do not simply apply” the statutory prohibition, as the regulations “forbid conduct that [Title VI] permits,” so it is equally “clear that the private right of action to enforce [Title VI] does not include a private right to enforce these regulations.” *Id.* While the Supreme Court in *Sandoval* “assume[d],” without deciding, that the Department’s disparate-impact regulations were valid, the Court explained that the regulations are in “considerable tension” with the Supreme Court’s Title VI precedents. Similarly, the regulations do not “authoritatively” construe Title VI because the regulations “forbid conduct”—namely, policies that unintentionally result in a disparate impact—that Title VI “permits.” *Id.* at 281–82, 284–85; see also *id.* at 286 n.6 (“[Title VI] permits the very behavior that the regulations forbid.”).

Finally, in 2024, the Supreme Court overruled *Chevron U.S.A. Inc. v. Natural Resources Defense Council, Inc.*, 467 U.S. 837 (1984). See *Loper*

Bright Enters. v. Raimondo, 603 U.S. 369, 409–12 (2024). In reaching that result, the Supreme Court made clear that “statutes . . . have a single, best meaning” that is “‘fixed at the time of enactment.’” *Id.* at 400 (quoting *Wis. Cent. Ltd. v. United States*, 585 U.S. 274, 284 (2018)). Thus, Title VI’s bar on discrimination can have only one meaning. And under Supreme Court precedent, the single, best meaning of Title VI is that it “prohibits only intentional discrimination” and “permits” facially neutral policies that result in disparate outcomes when there is no discriminatory intent. *Sandoval*, 532 U.S. at 280, 286 n.6.

D. Executive Order 14281

On April 23, 2025, the President issued Executive Order 14281. This Order restated the “bedrock principle of the United States . . . that all citizens are treated equally under the law.” 90 FR at 17537. The Order explained that this “principle guarantees equality of opportunity, not equal outcomes,” and “promises that people are treated as individuals, not components of a particular race or group.” *Id.*

That Order also explained that disparate-impact liability “endangers this foundational principle.” *Id.* Disparate-impact liability, the Order reasoned, “all but requires individuals and businesses to consider race and engage in racial balancing to avoid potentially crippling legal liability.” *Id.* As the Order explained, disparate-impact liability “not only undermines our national values, but also runs contrary to equal protection under the law and, therefore, violates our Constitution.” *Id.*

The Order relayed that because of disparate-impact liability’s problems, “[i]t is the policy of the United States to eliminate the use of disparate-impact liability in all contexts to the maximum degree possible to avoid violating the Constitution, Federal civil rights laws, and basic American ideals.” *Id.* The Order directed the Attorney General to, among other things, review Title VI regulations and “initiate appropriate action to repeal or amend” them “to the extent they contemplate disparate-impact liability.” *Id.* at 17538.

Section 3 of the Order also specifically revoked prior Presidential approvals of the disparate-impact regulations promulgated under Title VI, including the presidential approval of July 25, 1966, of 28 CFR 42.104(b)(2) and the presidential approval of July 5, 1973, of 28 CFR 42.104(b)(3), (b)(6)(ii) and (c)(2). *Id.* Section 5 of the Order directed the Attorney General to “initiate appropriate action to repeal or

amend the implementing regulations for Title VI of the Civil Rights Act of 1964 for all agencies to the extent they contemplate disparate-impact liability.” *Id.* Accordingly, this rule revises the Department’s currently existing Title VI regulations to effectuate the Order’s policy and purpose.

In any event, the Department would have independently initiated steps toward making these changes regardless of Executive Order 14281. Even if Executive Order 14281 did not exist, in other words, the Department would have taken steps to adopt the policy to eliminate the use of disparate-impact liability under Title VI. The Order states, and the Department firmly agrees, that a “bedrock principle of the United States is that all citizens are treated equally under the law. This principle guarantees equality of opportunity, not equal outcomes. It promises that people are treated as individuals, not components of a particular race or group. It encourages meritocracy and a colorblind society,” not race-, color-, or national-origin-based favoritism. 90 FR at 17537. And adherence to this principle, including in the issuance of grants, “is essential to creating opportunity, encouraging achievement, and sustaining the American Dream.” *Id.* But imposing disparate-impact liability endangers these policy objectives. Disparate-impact liability also raises serious constitutional concerns, is in considerable tension with the original public meaning of Title VI, creates confusion, increases the costs of compliance, and does not serve the public interest. After considering the relevant issues and factors and weighing the relevant considerations, the Department concludes that these reasons together support eliminating disparate-impact liability from the Department’s Title VI regulations. In any event, the Department concludes that each reason is a separate and independent basis for eliminating disparate-impact liability from the Department’s Title VI regulations.

E. Need for Rulemaking

The Department’s regulation at 28 CFR 42.104, entitled “Discrimination prohibited,” contains several provisions that prohibit conduct or activities causing unintentional disparate impact, without a statutory or constitutional basis for doing so, and in some instances, may encourage or even require unlawful discrimination labeled as “affirmative action.” Section 42.104(b)(2) is the current regulation’s general disparate-impact prohibition, which states that a “recipient . . . may

not . . . utilize criteria or methods of administration which have the effect of subjecting individuals to discrimination because of their race, color, or national origin.” 28 CFR 42.104(b)(2). Beyond that general prohibition, section 42.104(b)(3) addresses a Federal funding recipient’s selection of the site or location of facilities and includes two references to “effect” that extend the scope of prohibited conduct to include conduct with unintentional disparate impact. *Id.* 42.104(b)(3). Section 42.104(b)(6) concerns the use of “affirmative action,” and provides that funding recipients may (and sometimes must) use race, color, or national origin to overcome unintentional disparate “effects,” but does not expressly specify that the funding recipient must narrowly tailor such use nor that this use must serve a compelling governmental interest, as is required to satisfy strict scrutiny. *Id.* 42.104(b)(6). Finally, section 42.104(c) addresses prohibited discriminatory employment practices and extends beyond intentional discrimination to prohibiting conduct that “tends” to have a discriminatory effect. *Id.* 42.104(c)(2).

There are serious statutory and constitutional concerns with the legality of the Department’s Title VI disparate-impact regulations. The Department also has serious policy concerns with its current disparate-impact regulations because they create confusion, undermine public confidence in the nation’s civil rights laws and the rule of law, and produce burdensome litigation and compliance costs.

1. Serious Legal Concerns

There are serious statutory concerns as to whether the Title VI statute authorizes the disparate-impact provisions of the current regulations. As the Supreme Court has made clear, Title VI prohibits “only intentional discrimination” and “permits” facially neutral policies that result in disparate outcomes when there is no discriminatory intent. *Sandoval*, 532 U.S. at 280, 286 n.6. That is the “single, best meaning” of Title VI. *Loper Bright*, 603 U.S. at 400. As summarized above, *Sandoval* calls into serious doubt the legality of the Department’s “disparate-impact regulations.” *Sandoval*, 532 U.S. at 281–82, 284–85 (noting that the Department’s regulations are in “considerable tension” with the Supreme Court’s Title VI precedents); *see also id.* at 286 n.6 (“[Title VI] permits the very behavior that the regulations forbid.”). Although *Sandoval* resolved only the question of private enforceability, subsequent cases

such as *Loper Bright* have made clear that the Department cannot extend Title VI beyond its original public meaning. *See* 603 U.S. at 412–13 (holding that “courts must . . . ensur[e] that [an] agency acts within” its statutory authority). And even in the absence of Supreme Court precedent, the Department would have concluded that the best reading of Title VI is that it prohibits only intentional discrimination.

Title VI authorizes agencies to promulgate regulations “to effectuate” the statute’s prohibition of intentional discrimination. 42 U.S.C. 2000d–1. The current regulations’ extension of prohibited conduct to include conduct with an unintentional disparate impact reaches a vastly broader scope than the statute itself. This scope is too broad to be considered a simple prophylactic measure aimed at preventing intentional discrimination. *See Sandoval*, 532 U.S. at 286 n.6 (“[Title VI] permits the very behavior that the regulations forbid.”). Thus, the disparate-impact regulations do not “effectuate” Title VI. 42 U.S.C. 2000d–1.

There are also serious concerns about whether the Department’s Title VI regulations pass constitutional muster under the Equal Protection Clause. As the Supreme Court recently held in *SFFA*, “the Equal Protection Clause . . . applies without regard to any differences of race, of color, or of nationality—it is universal in its application” and the “guarantee of equal protection cannot mean one thing when applied to one individual and something else when applied to a person of another color.” 600 U.S. at 206 (internal quotation marks omitted) (first quoting *Yick Wo v. Hopkins*, 118 U.S. 356, 369 (1886); and then quoting *Bakke*, 438 U.S. at 289–90 (Powell, J.)). Despite the promises of the Equal Protection Clause, a funding recipient’s risk of disparate-impact liability under the Department’s regulations is triggered by unintentional disparate outcomes, which the recipient may not even know about without investigation. To evaluate and avoid this risk, the funding recipient must incur investigatory costs, such as conducting an impact analysis, and is coerced to proactively consider race, color, and national origin, and potentially use it to change the unintended disparate outcomes. In short, disparate-impact liability encourages and, in some cases, requires covered entities to engage in the intentional use of race and racial balancing to eliminate those disparate outcomes by treating certain racial groups differently from others—the exact conduct the Equal Protection

Clause forbids. *See id.* This serious constitutional concern further confirms that the best reading of Title VI is that it prohibits only intentional discrimination and does not authorize the Department to impose disparate-impact liability. *See Edward J. DeBartolo Corp. v. Fla. Gulf Coast Bldg. & Constr. Trades Council*, 485 U.S. 568, 575 (1988) (“[W]here an otherwise acceptable construction of a statute would raise serious constitutional problems, the Court will construe the statute to avoid such problems unless such construction is plainly contrary to the intent of Congress.” (citing *NLRB v. Catholic Bishop of Chi.*, 440 U.S. 490, 499–501, 504 (1979))).

This use of race, color, or national origin violates the Equal Protection Clause unless it survives review under the “daunting” strict-scrutiny standard. *SFFA*, 600 U.S. at 206; *see also Free Speech Coal., Inc. v. Paxton*, 145 S. Ct. 2291, 2310 (2025) (“Strict scrutiny—which requires a restriction to be the least restrictive means of achieving a compelling governmental interest—is ‘the most demanding test known to constitutional law.’” (quoting *City of Boerne v. Flores*, 521 U.S. 507, 534 (1997))). The use of race, color, or national origin necessitated by the disparate-impact provisions runs into serious issues with the requirement of narrow tailoring to achieve a compelling interest. *SFFA*, 600 U.S. at 206–07.

Similarly, the “affirmative action” provision authorizes and sometimes requires the intentional use of race without requiring that this intentional use be narrowly tailored to serve a recognized compelling interest. Instead, it encourages intentional racial balancing “to overcome the effects of” unintended racial disparities. 28 CFR 42.104(b)(6). Thus, for substantially the same reasons as above, the “affirmative action” provision raises serious constitutional concerns.

As summarized above, there are serious statutory and constitutional concerns with the Department’s disparate-impact regulations. But even if the regulations were legal, the Department finds that eliminating the potential constitutional concerns addressed above would independently justify the amendment of the regulations. *Cf. U.S. Tel. Ass’n v. FCC*, 188 F.3d 521, 528 (D.C. Cir. 1999) (concluding it was not “arbitrary and capricious” to adopt a certain policy in order to “avoid[] raising a non-trivial constitutional question”). And even if the regulations did not raise serious constitutional concerns, the Department finds that eliminating the costs and confusion caused by the mismatch

between the statute and the disparate-impact regulations would independently justify the repeal of the regulations.

2. Serious Policy Concerns

The Department also has serious policy concerns with the Title VI regulations’ imposition of disparate-impact liability. While the Department expresses its policy concerns with disparate-impact liability independent of Executive Order 14281, that Order sets forth many valid policy concerns with disparate-impact liability. As noted in section 1 of the Order,

On a practical level, disparate-impact liability has hindered businesses from making hiring and other employment decisions based on merit and skill, their needs, or the needs of their customers because of the specter that such a process might lead to disparate outcomes, and thus disparate-impact lawsuits. This has made it difficult, and in some cases impossible, for employers to use bona fide job-oriented evaluations when recruiting, which prevents job seekers from being paired with jobs to which their skills are most suited—in other words, it deprives them of opportunities for success.

90 FR at 17537. Moreover, the legal concerns identified above have caused uncertainty and confusion for Federal funding recipients as to whether and when they need to comply with the disparate-impact regulations and when they can or must consider race, color, and national origin. As explained above, *Sandoval* casts substantial doubt on the validity of the disparate-impact regulations that many Federal departments and agencies have promulgated pursuant to Title VI. 532 U.S. at 280–82.

Additionally in practice, and as explained above, disparate-impact liability leads covered entities to engage in racial balancing even as the underlying Title VI statute forbids intentional racial discrimination. This tension tends to create confusion, undermine public confidence in the nation’s civil rights laws, and undermine public confidence in the rule of law itself, as the law seems to both forbid and require the same conduct.

These problems are amplified by the arbitrary nature of the racial and ethnic categories typically used to measure disparate effects, which, by virtue of their arbitrariness, typically lack a meaningful connection to a compelling interest. *See, e.g., SFFA*, 600 U.S. at 216–17 (explaining that the “[racial] categories” utilized by Harvard and University of North Carolina were “themselves imprecise in many ways” and “the use of these opaque racial

categories undermine[d], instead of promote[d], [their] goals”). This confusion undermines the law’s ability to teach principles of nondiscrimination and is evident in, among other things, many of the grant proposals that the Department awarded funds to in past years. Many of the grant proposals explicitly targeted certain racial groups. *See, e.g., OVC FY 2022 Bridging Inequities—Legal Services and Victims’ Rights Enforcement for Underserved Communities* at 5, Off. of Just. Progs. (Apr. 25, 2022), <https://ovc.ojp.gov/sites/g/files/xyckuh226/files/media/document/o-ovc-2022-171291.pdf> (the Department awarding \$5 million FY 2022 to expand access to legal assistance for victims of crime in communities comprised of “Black people, Hispanic and Latino/a/e people, Native American and other Indigenous peoples of North America (including Alaska Natives, Eskimos, and Aleuts), Asian Americans, Native Hawaiians, and Pacific Islanders”). The Department believes that these policy concerns independently justify repealing certain parts of its regulation to cure this confusion, remove the incentive for covered entities to engage in racial balancing, and maintain clarity and public confidence in the nation’s civil rights laws.

The Department has considered the view that looking at disparate effects can sometimes be useful in uncovering or deterring subtle intentional discrimination or intentional indifference to unnecessary and arbitrary barriers. But that view’s alleged benefits are outweighed by the other issues and factors the Department has considered. And in any event, the concern is mitigated by the fact that eliminating disparate-impact liability does not preclude the use of data on disparate outcomes to help prove intentional discrimination. Indeed, under the Department’s Title VI regulations, which the current changes do not alter, “recipients should have available for the Department racial and ethnic data showing the extent to which members of minority groups are beneficiaries of federally assisted programs.” 28 CFR 42.106(b). Both the Department and private litigants rely on such data as a potential indicator of intentional discrimination. This use of statistical disparity to help establish, as an evidentiary matter, liability for *intentional* discrimination materially differs from using it to impose liability for an unintentional disparate impact.

The Department has also considered the alternative of trying to adopt a modified version of disparate-impact liability, for example, by requiring

covered entities to remedy unintentional discrimination for only certain types of cases in education or housing. But any version of imposing liability for unintentional discrimination is inconsistent with Title VI's original public meaning. Regardless, even a modified version of disparate-impact liability would not eliminate the Department's serious legal and policy concerns. The Department determines that any benefits from a regulation adopting alternative versions of disparate-impact liability are outweighed by the Department's legal and policy concerns. And even if possible, developing such a rule would not solve the confusion or rule-of-law concerns expressed above, nor reduce the compliance and litigation costs that covered entities face. The Department believes that the better course is to avoid the complexities, costs, and litigation associated with this alternative, even if eliminating disparate-impact liability ultimately would leave some problems unaddressed and others inadequately addressed.

The Department has additionally considered the potential reliance interests of funding recipients and others on the disparate-impact regulations. The *Sandoval* decision in 2001, however, cast serious doubt on the continuing viability of the

regulations more than 20 years ago. At least since *Sandoval*, the Department's enforcement of its Title VI disparate-impact regulations has been minimal and sporadic. And Executive Order 14281 also directed all agencies to "deprioritize enforcement of all statutes and regulations to the extent they include disparate-impact liability," including specifically the Department's Title VI disparate-impact regulations. 90 FR at 17538. The Department accordingly believes that any reliance interests should be minimal and do not outweigh the Department's legal and other policy concerns. Further, each of the Department's concerns, whether considered cumulatively or separately, outweighs any reliance interests.

The Department notes that *Sandoval* has also led to a divergence between Title VI enforcement by private plaintiffs and enforcement by Federal departments and agencies. After *Sandoval*, private plaintiffs can enforce only Title VI's statutory prohibition on intentional discrimination, while the Department could continue to pursue disparate-impact liability. Repealing the disparate-impact regulations would eliminate this incongruent enforcement.

Overall, after considering the relevant issues and factors and weighing the relevant considerations, the Department finds that, regardless of the legality of the Department's disparate-impact

regulations, the above summarized policy concerns, when viewed separately or cumulatively, independently justify the repeal of its disparate-impact regulations.

III. Regulatory Amendments

This rule's regulatory changes address the concerns regarding the statutory authority that the Supreme Court questioned in *Sandoval* and the other legal and policy concerns discussed above, harmonize the implementing regulations' scope with the conduct that Congress intended Title VI to prohibit, promote consistent enforcement among private plaintiffs and Federal departments and agencies, and provide much needed clarity to the courts and Federal funding recipients and beneficiaries.

For the reasons summarized above, the Department amends the following provisions in its Title VI implementing regulation that explain the particular types of discrimination prohibited, located at 28 CFR 42.104.

A. Table Summarizing Amendments

The table below indicates the exact wording changes. For each section indicated in the left column, the text shown in the middle column is removed and the text shown in the right column is added:

Section	Remove	Add
42.104(b)(2)	Full text of paragraph: "(2) A recipient . . . or national origin."	"[Removed]".
42.104(b)(3)	"or effect" from both places.	
42.104(b)(6)	Full text of paragraph (6), subparts (i) and (ii).	
42.104(c)(1)	"(1)" from "(c) Employment practice. (1) Whenever a primary objective of the".	
42.104(c)(2)	Full text of paragraph: "(2) In regard to . . . of beneficiaries."	

B. Section-by-Section Analysis

Section 42.104(b)(2)

Section 42.104(b)(2) is the current regulation's general prohibition of conduct with unintentional disparate impact. It expands prohibited conduct from purposeful discrimination to imposed liability on Federal funding recipients who "utilize criteria or methods of administration which have the effect of subjecting individuals to discrimination." Because section 42.104(b)(2)'s only purpose is to extend the scope of Title VI to reach unintentional disparate-impact discrimination, this rule deletes this paragraph in its entirety. It thus amends the Department's Title VI implementing regulations to conform to the scope of coverage Congress intended when it enacted Title VI and to address the legal and policy considerations and

determinations described in this document. The rule replaces paragraph (b)(2) with a placeholder to maintain the numbering accuracy of previous citations and other references to parts of this section.

Section 42.104(b)(3)

Section 42.104(b)(3) addresses a Federal funding recipient's or applicant's selection of the site or location of facilities. It provides that a funding recipient may not make selections with the "purpose or effect" of discriminating, or "with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of" Title VI or the Department's implementing regulations. The paragraph's two references to "effect" extend its scope to unintentional disparate impacts. This rule deletes both "or effect" references

to conform paragraph (b)(3) more closely to the scope of coverage Congress intended when it enacted Title VI and to address the legal and policy considerations and determinations described in this document.

Section 42.104(b)(6)

Section 42.104(b)(6) deals with "affirmative action." Paragraph (b)(6)(ii) authorizes affirmative action even in the absence of a finding of prior discrimination in a program "to overcome the effects of conditions which resulted in limiting participation by persons of a particular race, color, or national origin." This provision points not to intentional discrimination, but rather to the unintentional "effects of conditions." It consequently encourages intentional racial classifications, racial preferences, and other race-based actions without specifying the

compelling governmental interest and narrow tailoring that the Equal Protection Clause demands. This section has long been unlawful under an Equal Protection Clause analysis.

Paragraph (b)(6)(i) requires that a recipient “must take affirmative action to overcome the effects of prior discrimination” if, in “administering a program,” the funding “recipient has previously discriminated against persons on the ground of race, color, or national origin.” This provision goes beyond the Equal Protection Clause, which permits in limited circumstances, but does not mandate, a government to take narrowly tailored action to remedy the effects of its identified past discrimination. *See, e.g., Bakke*, 438 U.S. at 307 (Powell, J.). Moreover, even putting aside the mandatory language, this provision does not expressly require narrow tailoring to counter particular past discrimination, but rather just “affirmative action to overcome the effects of prior discrimination.” This provision accordingly promotes potentially illegal race, color, and national origin discrimination. Moreover, in some instances, it may even coerce recipients to consider and use race preferences when the recipient does not want to. This is contrary to the Department’s goal of promoting and defending a culture of nondiscrimination and is destructive to the public’s understanding of and faith in the nation’s civil rights laws. This rule, therefore, removes paragraph (b)(6).

Section 42.104(c)

Section 42.104(c) addresses prohibited discriminatory employment practices. Paragraph (c)(1) prohibits intentionally discriminatory employment practices in a program when a primary objective of the Federal financial assistance that program receives is to provide employment. Paragraph (c)(2) extends the prohibition on discrimination to employment practices of the funding recipient even when the financial assistance “does not have providing employment as a primary objective” if discrimination in the non-funded “employment practices tends, on the ground of race, color, or national origin, to exclude persons from participation in, to deny them the benefits of or to subject them to discrimination under the program receiving Federal financial assistance.” This paragraph does not prohibit only intentional discrimination but rather extends the prohibition to conduct that “tends” to have a discriminatory effect.

Moreover, the Department notes that paragraph (c)(2)’s extension to

employment practices where the Federal funding’s primary objective is not to provide employment conflicts with the statutory limitation found in 42 U.S.C. 2000d–3. That section states that “[n]othing contained in [Title VI] shall be construed to authorize action under [Title VI] by any department or agency with respect to any employment practice of any employer, employment agency, or labor organization except where a primary objective of the Federal financial assistance is to provide employment.” 42 U.S.C. 2000d–3; *see also Johnson v. Transp. Agency, Santa Clara Cnty.*, 480 U.S. 616, 627–28 n.6 (1987) (citing the statutory limitation and noting Congress’s intent that Title VI not “impinge” on Title VII, which prohibits discriminatory employment practices). The rule deletes paragraph (c)(2) to amend the regulation so that it more closely adheres to the scope of conduct Congress prohibited with Title VI and to address the legal and policy considerations and determinations described in this document. This rule makes no change to the current text of paragraph (c)(1) except for a technical edit to reflect the removal of paragraph (c)(2).

IV. Severability

The Department’s position is that each of the amendments serve a vital, related, but distinct purpose. The Department also confirms that each of the amendments is intended to operate independently of each other and that the potential invalidity of one amendment should not affect the other amendments. The Department would adopt any of the amendments independent to, and regardless of, the invalidity of a separate amendment.

V. Regulatory Certifications

Administrative Procedure Act

The Department issues this final rule without prior public notice and comment or a delayed effective date pursuant to the Administrative Procedure Act’s exception for rules “relating to agency management or personnel or to public property, loans, grants, benefits, or contracts.” 5 U.S.C. 553(a)(2).

Title VI concerns non-discrimination conditions on the receipt of Federal financial assistance, and more particularly to the receipt of Federal “[g]rants and loans,” “property,” “personnel” and “[a]ny Federal agreement, arrangement, or other contract which has as one of its purposes the provision of assistance.” 28 CFR 42.102(c); *see also* 28 CFR 42.105 (requiring funding recipient sign

contractual assurance of compliance with Title VI); *Cummings v. Premier Rehab Keller, P.L.L.C.*, 596 U.S. 212, 217–18 (2022) (observing that Congress enacted Title VI “[p]ursuant to its authority to ‘fix the terms on which it shall disburse federal money’” (internal citation omitted)). *Cf. Education Programs or Activities Receiving or Benefitting from Federal Financial Assistance*, 82 FR 46655, 46655 (Oct. 6, 2017) (invoking the section 553(a)(2) exception to amend Title IX regulations to “promote consistency in the enforcement of Title IX for [the Department of Agriculture] financial assistance recipients”); *Preserving Community and Neighborhood Choice*, 85 FR 47899 (Aug. 7, 2020) (invoking the exception to repeal Housing and Urban Development rule regarding Federal grantees); *Participation by Minority Business Enterprise in Department of Transportation Programs*, 53 FR 18285 (May 23, 1988) (invoking the exception to expand coverage of Department of Transportation regulation regarding Federal Aviation Administration’s airport financial assistance program); *Nondiscrimination on the Basis of Handicap in Federally Assisted Programs—Suspension of Guidelines with Respect to Mass Transportation*, 46 FR 40687 (Aug. 11, 1981) (invoking the exception to suspend Department of Justice guidelines regarding prohibiting disability discrimination in transportation programs and activities receiving Federal financial assistance).

Indeed, invoking 5 U.S.C. 553(a)(2) is consistent with the U.S. Office for Management and Budget’s (OMB) definition for Federal financial assistance under 2 CFR 200.1, which defines Federal financial assistance with the same categories as the Administrative Procedure Act’s exception for rules “relating to agency management or personnel or to public property, loans, grants, benefits, or contracts.” 5 U.S.C. 553(a)(2). With potentially limited exceptions not applicable to the Department, all the forms of Federal financial assistance set forth under 2 CFR 200.1 that the Department administers would fall under the “public property, loans, grants, benefits, or contracts” exception. Thus, the Department issues this final rule without prior public notice and comment or a delayed effective date under 5 U.S.C. 553(a)(2).

Executive Orders 12866 and 13563 (Regulatory Review)

The Department has determined that this rulemaking is a “significant regulatory action” under section 3(f) of

Executive Order 12866, 58 FR 51735, 51738 (Sep. 30, 1993), but it is not an “economically significant” action.

Accordingly, this rule has been submitted to the Office of Management and Budget (“OMB”) for review.

This regulation has been drafted and reviewed in accordance with Executive Order 12866 section 1(b), *id.* at 51735, and in accordance with Executive Order 13563 section 1(b), 76 FR 3821, 3821 (Jan. 18, 2011), which supplements and reaffirms the principles of Executive Order 12866. These Executive Orders direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. 58 FR at 51735; 76 FR at 3821.

Executive Order 13563 also recognizes that some benefits and costs are difficult to quantify and provides that, where appropriate and permitted by law, agencies may consider and discuss qualitatively values that are difficult or impossible to quantify. *Id.*

As explained in the preamble, the regulatory modifications this rule makes are necessary to conform Department regulations to Executive Order 14281, address serious concerns regarding the Department’s Title VI regulation that the Supreme Court raised in *Sandoval*, harmonize the implementing regulation’s scope with the scope of conduct that Congress intended Title VI to prohibit, promote consistency in enforcement among private plaintiffs and Federal departments and agencies, and provide much needed clarity to courts and Federal funding recipients and beneficiaries regarding the scope of the Department’s Title VI regulations. Indeed, with respect to section 42.104(c) of the Department’s Title VI-implementing regulations, the changes this rule makes are clearly necessary to bring the regulations into compliance with 42 U.S.C. 2000d–3. In short, this rule is necessary to conform the Department’s regulation to existing statutory law, as interpreted by the Supreme Court.

Data limitations make the costs and benefits of the rule difficult to quantify. While not representing the monetary impact of the rule, more generally the Department of Justice issued approximately 21,600 separate awards totaling approximately \$19.6 billion over the past four years. In FY2023 alone, the Department issued approximately 5,900 separate awards totaling \$5.7 billion. The Department’s Title VI related, active investigations and compliance reviews regarding these funds and their recipients totaled just over 100 for FY2020 through FY2024.

The Department does not track which of its investigations and compliance reviews involve solely allegations of disparate-impact discrimination. For enforcement actions that relate to both intentional discrimination and conduct having an unintentional disparate impact, the Department does not track and cannot reliably quantify the costs attributable to the varying disparate-impact portions of enforcement actions. That the existence of a disparate impact is sometimes a factor that may be considered in determining whether discrimination was intentional further impedes monetizing costs and benefits. Therefore, the overall cost effect on the Department is difficult to quantify. The deregulatory action should decrease the Department’s enforcement costs, however. It should also have the benefit, also difficult to quantify, of bringing the Department’s conduct in line with the law. Similarly, the Department is unable to quantify how funding recipients will respond to the regulatory changes. But the deregulatory action should result in greater flexibility and lower compliance costs for recipients.

The Department recognizes that a funding recipient may receive Federal funds from sources other than, and in addition to, the Department. Because of the Department’s unique role in the interpretation and enforcement of Title VI, as discussed above, the Department expects that this rule will cause other Federal departments and agencies to consider similarly revising their Title VI regulations. Regardless, the Department does not envision that this rule will appreciably increase administrative costs or compliance costs for funding recipients who must also adhere to the regulations of another department or agency. The deregulatory action the Department takes here does not create any new obligations for funding recipients. On the contrary, by eliminating disparate-impact liability from the regulation, it eliminates a source of regulatory confusion, narrows and makes more specific the conduct prohibited, and thus lessens the costs of compliance and potential liability. Moreover, recipients who receive funds for the same program or activity from more than one Federal entity already enter into separate contractual assurances with each funding entity, *see, e.g.*, 28 CFR 42.105. These contractual assurances already impose varying requirements that each Federal funding source deems necessary. Funding recipients will continue to be held to the most stringent contractual assurance and regulation.

Based on the analysis of the practical qualitative costs and benefits noted

above, the Department believes that this rule is consistent with the principles of Executive Orders 12866 and 13563, including the requirements that, to the extent permitted by law, the Department adopt a regulation only upon a reasoned determination that its benefits justify its costs and choose a regulatory approach that maximizes net benefits. *See* 58 FR at 51735; 76 FR at 3821.

Executive Order 14192 (Unleashing Prosperity Through Deregulation)

Executive Order 14192 requires an agency, unless prohibited by law, to identify at least 10 existing regulations to be repealed when the agency publicly proposes for notice and comment or otherwise promulgates a new regulation. 90 FR 9065, 9065 (Jan. 31, 2025). In furtherance of this requirement, section 3(c) of the Order requires that “any new incremental costs associated with new regulations shall, to the extent permitted by law, be offset by the elimination of existing costs associated with at least 10 prior regulations.” *Id.* By revising the Department’s current Title VI regulations, which extend prohibited conduct to include unintentional disparate impacts and thus expand the scope of those regulations to a vastly broader range of conduct than the statute prohibits, this rule eliminates unnecessary regulation. Accordingly, the Department expects this rule to be a deregulatory action under Executive Order 14192.

Executive Order 14294 (Fighting Overcriminalization in Federal Regulations)

Executive Order 14294 requires agencies promulgating regulations with criminal regulatory offenses potentially subject to criminal enforcement to “explicitly describe the conduct subject to criminal enforcement, the authorizing statutes, and the mens rea standard applicable to” each element of those offenses. 90 FR 20363, 20363 (May 9, 2025). This rule does not impose a criminal regulatory penalty and is thus exempt from Executive Order 14294 requirements.

Executive Order 13132 (Federalism)

This rule will not have a substantial, direct effect on the relationship between the national government and the states, on distribution of power and responsibilities among various levels of government, or on states’ policymaking discretion. States that choose to receive Federal financial assistance from the Department do so voluntarily and agree to comply with relevant statutory requirements as a condition of receiving such funding. This rule does not subject

states or any other funding recipients or beneficiaries to new obligations. This rule amends and clarifies existing regulations that are required by statute. Therefore, in accordance with section 6 of Executive Order 13132, 64 FR 43255, 43257–58 (Aug. 4, 1999), the Department has determined that these amendments do not have sufficient Federalism implications to warrant the preparation of a federalism summary impact statement.

Executive Order 12988 (Civil Justice Reform)

This rule meets the applicable standards set forth in sections 3(a) and (b)(2) of Executive Order 12988 to specify provisions in clear language. See 61 FR 4729, 4731–32 (Feb. 5, 1996). Pursuant to section 3(b)(1)(I) of the Executive Order, *id.* at 4731, nothing in this proposed or any previous rule (or in any administrative policy, directive, ruling, notice, guideline, guidance, or writing) directly relating to the Program that is the subject of this proposed rule is intended to create any legal or procedural rights enforceable against the United States.

Regulatory Flexibility Act

This rule does not require a regulatory flexibility analysis under the Regulatory Flexibility Act, 5 U.S.C. 603, 604, because, for the reasons described above, no notice of proposed rulemaking is required under 5 U.S.C. 553. See *Or. Trollers Ass'n v. Gutierrez*, 452 F.3d 1104, 1123–24 (9th Cir. 2006) (noting that the RFA does not apply when an agency validly invokes an exception to the public comment requirements of 5 U.S.C. 553). Further, the Department, in accordance with 5 U.S.C. 605(b), has reviewed these regulations and certifies that the rule's changes will not have a significant economic impact on a substantial number of small entities, in large part because these regulatory changes do not impose any new substantive obligations on Federal funding recipients. The rule amends and clarifies existing regulations that are required by Title VI. The rule merely brings the Department into compliance with the Equal Protection Clause and harmonizes the scope of its regulations to conform with the scope of Title VI, which does not prohibit unintentional disparate impact. All Federal funding recipients have been bound by the existing standards that will remain in place after this rule since their initial promulgation.

Unfunded Mandates Reform Act of 1995

The Unfunded Mandates Reform Act of 1995 (“UMRA”), 2 U.S.C. 1501 *et seq.*, requires agencies to prepare several analytic statements before proposing any rule that may result in annual expenditures of \$100 million by state, local, or tribal governments, or the private sector. 2 U.S.C. 1532(a). The UMRA also, however, excludes from its coverage any proposed or final Federal regulation that “establishes or enforces any statutory rights that prohibit discrimination on the basis of race, color, religion, sex, national origin, age, handicap, or disability.” 2 U.S.C. 1503(2). Accordingly, this rulemaking is not subject to the provisions of the UMRA.

Congressional Review Act

This rule is not a “major rule” as defined by the Congressional Review Act, 5 U.S.C. 804(2). This rule will not result in an annual effect on the economy of \$100 million or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of companies based in the United States to compete with foreign-based companies in domestic and export markets. The rule merely narrows the scope of the Department’s Title VI regulations to conform them to the scope of Title VI and the Equal Protection Clause. Doing so does not impose any new obligations on any recipients of Federal funding.

Paperwork Reduction Act of 1995

This rule will not impose additional reporting or recordkeeping requirements under the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.*

List of Subjects for 28 CFR Part 42

Administrative practice and procedure, Civil rights, Equal employment opportunity, Grant programs.

Accordingly, for the reasons set forth above, and by the authority vested in me as the Attorney General by law, part 42 of title 28 of the Code of Federal Regulations is amended as follows:

PART 42—NONDISCRIMINATION; EQUAL EMPLOYMENT OPPORTUNITY; POLICIES AND PROCEDURES

Subpart C—Nondiscrimination in Federally Assisted Programs—Implementation of Title VI of the Civil Rights Act of 1964

■ 1. The authority citation for subpart C of part 42 is revised to read as follows:

Authority: 42 U.S.C. 2000d, 2000d–1, 2000d–7; E.O. 12250, 45 FR 72995, 3 CFR, 1980 Comp., p. 298; E.O. 14281, 90 FR 17537.

■ 2. In § 42.104:

- a. Remove and reserve paragraph (b)(2);
- b. Revise paragraph (b)(3);
- c. Remove paragraph (b)(6); and
- d. Revise paragraph (c).

The revisions read as follows:

§ 42.104 Discrimination prohibited.

* * * * *
(b) * * *

(3) In determining the site or location of facilities, a recipient or applicant may not make selections with the purpose of excluding individuals from, denying them the benefits of, or subjecting them to discrimination under any program to which this subpart applies, on the ground of race, color, or national origin; or with the purpose of defeating or substantially impairing the accomplishment of the objectives of the Act or this subpart.

* * * * *

(c) *Employment practices.* Whenever a primary objective of the Federal financial assistance to a program to which this subpart applies is to provide employment, a recipient of such assistance may not (directly or through contractual or other arrangements) subject any individual to discrimination on the ground of race, color, or national origin in its employment practices under such program (including recruitment or recruitment advertising, employment, layoff or termination, upgrading, demotion or transfer, rates of pay or other forms of compensation, and use of facilities). That prohibition also applies to programs as to which a primary objective of the Federal financial assistance is to assist individuals, through employment, to meet expenses incident to the commencement or continuation of their education or training, or to provide work experience which contributes to the education or training of the individuals involved. The requirements applicable to construction employment under any such program shall be those specified in or pursuant to part III of Executive Order 11246 or any Executive order which supersedes it.

Dated: December 5, 2025.

Pamela Bondi,
Attorney General.

[FR Doc. 2025–22448 Filed 12–9–25; 8:45 am]

BILLING CODE 4410–13–P

DEPARTMENT OF HOMELAND SECURITY**Coast Guard****33 CFR Part 100**

[Docket No. USCG–2025–0919]

Special Local Regulations; Marine Events Within the Southwest Coast Guard District**AGENCY:** Coast Guard, DHS.**ACTION:** Notification of enforcement of regulation.

SUMMARY: The Coast Guard will enforce a special local regulation on the waters of Mission Bay, CA, during the Mission Bay Parade of Lights on December 13, 2025. This special local regulation is necessary to provide for the safety of the participants, crew, sponsor vessels of the event, and general users of the waterway. During the enforcement period, persons and vessels are prohibited from entering, transiting through, or anchoring within this regulated area unless authorized by the Captain of the Port Sector San Diego or their designated representative.

DATES: The regulations in 33 CFR 100.1101 will be enforced for the location identified in Table 1 to § 100.1101, Item number 6, from 6 p.m. through 8 p.m. on December 13, 2025.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notification of enforcement, email Lieutenant Shelley Delgado, Waterways Management, U.S. Coast Guard Sector San Diego, CA; email MarineEventsSD@uscg.mil.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the special local regulations in 33 CFR 100.1101 for the location identified in Item No. 6 in Table 1 to § 100.1101, from 6 p.m. until 8 p.m. on December 13, 2025, for the Mission Bay Parade of Lights in Mission Bay, CA. This action is being taken to provide for the safety of life on the navigable waterways during the event. Our regulation for recurring marine events in the San Diego Captain of the Port Zone, § 100.1101, Item No. 6 in Table 1 to § 100.1101, specifies the location of the regulated area for the Mission Bay Parade of Lights, which encompasses portions of Mission Bay. Under the provisions of § 100.1101, persons and vessels are prohibited from entering into, transiting through, or anchoring within this regulated area unless authorized by the Captain of the Port, or his designated representative. The Coast Guard may be assisted by other Federal, State, or local law

enforcement agencies in enforcing this regulation.

In addition to this document in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of this enforcement period via the Local Notice to Mariners and marine information broadcasts.

R.C. Tucker,*Captain, U.S. Coast Guard, Captain of the Port Sector San Diego.*

[FR Doc. 2025–22439 Filed 12–9–25; 8:45 am]

BILLING CODE 9110–04–P**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 165**

[Docket Number USCG–2025–1052]

RIN 1625–AA00**Fixed and Moving Safety Zone; Vicinity of the M/V SAMPOGRACHT; Houston Ship Channel and Seabrook, TX****AGENCY:** Coast Guard, Department of Homeland Security.**ACTION:** Temporary final rule.

SUMMARY: The Coast Guard is establishing a moving safety zone and a fixed safety zone around the M/V SAMPOGRACHT in the navigable waters of the Houston Ship Channel and its vicinity. The safety zones are needed to protect personnel, vessels, and the marine environment from potential hazards associated with the transfer of rubber tire gantry cranes. Entry of vessels or persons into these zones is prohibited unless specifically authorized by the Captain of the Port Houston-Galveston or a designated representative.

DATES: This rule is effective without actual notice from December 10, 2025 through December 23, 2025. For purposes of enforcement, actual notice will be used from December 6, 2025 through December 10, 2025.

ADDRESSES: To view available documents go to <https://www.regulations.gov> and search for USCG–2025–1052.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, contact ENS Ryan Bowman, Sector Houston-Galveston Waterways Management Division, U.S. Coast Guard; telephone 713–398–5823, or email HoustonWWM@uscg.mil.

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

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

II. Background and Authority

The Coast Guard received notification that M/V SAMPOGRACHT will be transporting rubber tire gantry cranes to Seabrook, TX. The Captain of the Port Houston-Galveston (COTP) has determined that potential hazards associated with the transfer of rubber tire gantry cranes starting December 6, 2025, will be a safety concern for anyone within a 100-yard radius while the M/V SAMPOGRACHT is in transit and for anyone within 25-yard radius while the M/V SAMPOGRACHT is moored. This rule is needed to protect persons, property, and the marine environment within the navigable waters of the safety zones while the M/V SAMPOGRACHT transits to and unloads in Seabrook, Texas. Therefore, the COTP is issuing this rule under the authority in 46 U.S.C. 70034, which is needed to protect personnel, vessels, and the marine environment in the navigable waters around the safety zones.

The Coast Guard is issuing this rule without prior notice and comment. As is authorized by 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it is impracticable and contrary to the public interest. The Coast Guard received all relevant information for the transfer of the rubber tire gantry cranes and the need for the safety zone on November 14, but we must establish this safety zone by December 6, 2025, to protect personnel, vessels, and the marine environment. Therefore, we do not have enough time to solicit and respond to comments.

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

III. Discussion of the Rule

This rule establishes two temporary safety zones from 5 a.m. on December 6, 2025 until 4 p.m. on December 23, 2025. The safety zones include a moving safety zone, covering all navigable waters within 100 yards of the M/V SAMPOGRACHT general cargo ship, and a fixed safety zone, covering all navigable waters within 25 yards of M/V SAMPOGRACHT. No vessel or person

will be permitted to enter the safety zone without obtaining permission from the COTP or their designated representative.

Moving Safety Zone: This area includes all waters within 100 yards of the M/V SAMPOGRACHT as the vessel transits from the Gulf of Mexico through the Houston Ship Channel. The approximate start position is 29°19'01.21" N, 094°38'38.1" W, located in the Gulf of America off the coast of Galveston, Texas.

Fixed Safety Zone: This area includes all waters within 25 yards of the M/V SAMPOGRACHT once the M/V SAMPOGRACHT is moored at Bayport Terminal in Seabrook, Texas, at approximate position 29°36'18.61" N, 095°0'25.12" W. The COTP may terminate enforcement of this safety zone prior to December 23, 2025, depending on the progress of the crane offloading operation.

IV. Regulatory Analyses

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

A. Impact on Small Entities

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

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

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

B. Collection of Information

This rule will not call for a new collection of information under the

Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

C. Federalism and Indian Tribal Governments

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

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

D. Unfunded Mandates Reform Act

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

E. Environment

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

This rule is a safety zone. It is categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket.

List of Subjects in 33 CFR Part 165

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

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

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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

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

■ 2. Add § 165.T08–1052 to read as follows:

§ 165.T08–1052 Fixed and Moving Safety Zone; Vicinity of the M/V SAMPOGRACHT, Houston Ship Channel and Seabrook, TX.

(a) *Location.* The following areas are safety zones:

(1) *Moving Safety Zone:* All waters within a 100-yard radius of the M/V SAMPOGRACHT, as the vessel transits from the approximate coordinates 29°19'01.21" N, 094°38'38.1" W, off the coast of Galveston, TX, and proceeds through the Houston Ship Channel to the assigned docking station.

(2) *Fixed Safety Zone:* All waters within a 25-yard radius of the M/V SAMPOGRACHT, while moored, at the Bayport Terminal in Seabrook, Texas.

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

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

(2) To seek permission to enter, contact the COTP or the COTP's representative on VHF–FM channel 16 or by telephone at (866) 539–8114. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Enforcement periods.* This section will be enforced from 5 a.m. on December 6, 2025, through 4 p.m. on December 23, 2025, unless cancelled earlier by the COTP.

Nicole D. Rodriguez,

Captain, U.S. Coast Guard, Captain of the Port Sector Houston-Galveston.

[FR Doc. 2025–22438 Filed 12–9–25; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY**Coast Guard****33 CFR Part 165****[Docket Number USCG–2025–1042]****RIN 1625–AA00****Safety Zone; Detroit River, Detroit, MI****AGENCY:** Coast Guard, Department of Homeland Security.**ACTION:** Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for navigable waters within a 300-yard radius of Cullen Plaza in Detroit, Michigan. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards associated with a two-day drone show event. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port, Detroit.

DATES: This rule is effective from December 11 through December 12, 2025. It is subject to enforcement from 6 p.m. through 7:45 p.m. each day.

ADDRESSES: To view available documents, go to <https://www.regulations.gov> and search for USCG–2025–1042.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, contact Tracy M. Girard, Sector Detroit Waterways Management Division, U.S. Coast Guard; telephone 313–347–3007, or email tracy.m.girard@uscg.mil.

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

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

II. Background and Authority

The Coast Guard received notification that a drone show will be launched from the shore's edge in the Detroit River, adjacent to Cullen Plaza, Detroit, MI. Hazards from drone displays include falling hazards, fire hazards, and drone debris. The Captain of the Port Detroit (COTP) has determined that potential hazards associated with drones are a safety concern for anyone within 300-yard radius of the drone display. Therefore, the COTP is issuing this rule under the authority in 46 U.S.C. 70034, which is needed to protect personnel, vessels, and the marine environment in

the navigable waters within the safety zone.

The Coast Guard is issuing this rule without prior notice and comment. As is authorized by 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it is impracticable. The Coast Guard was notified of this event on October 31, 2025, but we must establish this safety zone by December 11, 2025, to protect personnel, vessels, and the marine environment. Therefore, we do not have enough time to solicit and respond to comments.

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

III. Discussion of the Rule

This rule establishes a safety zone from 6 p.m. on December 11, 2025, until 7:45 p.m. on December 12, 2025, and is enforced from 6 p.m. until 7:45 p.m. each evening. The safety zone will cover all U.S. navigable waters within a 300-yard radius of the launch site. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or their designated representative.

IV. Regulatory Analyses

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

A. Impact on Small Entities

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

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

Small businesses may send comments to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards by calling 1–888–REG–FAIR (1–888–734–3247). The

Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

B. Collection of Information

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

C. Federalism and Indian Tribal Governments

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

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

D. Unfunded Mandates Reform Act

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

E. Environment

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

This rule is a safety zone. It is categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Record of Environmental Consideration supporting this determination will be available in the docket.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping

requirements, Security measures, Waterways.

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

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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

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

■ 2. Add § 165.T09–1042 to read as follows:

§ 165.T09–1042 Safety Zone; Detroit River, Detroit, MI.

(a) *Location.* The following area is a safety zone: All U.S. waters of the Detroit River within a 300-yard radius of Cullen Plaza in Detroit, MI, at position 42°19'47.6" N, 083°01'54.7" W. These coordinates are based on the North American Datum 83 (NAD 83).

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

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

(2) To seek permission to enter, contact the COTP or the COTP's representative on VHF–FM channel 16 or by telephone at (313) 568–9560. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Enforcement periods.* This section will be enforced from 6 p.m. until 7:45 p.m. each day on December 11, 2025, and December 12, 2025.

Dated: December 5, 2025.

Richard P. Armstrong,

Captain, U.S. Coast Guard, Captain of the Port Detroit.

[FR Doc. 2025–22416 Filed 12–9–25; 8:45 am]

BILLING CODE 9110–04-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 54

[WC Docket Nos. 10–90, 23–328, 16–271, 14–58, and 09–197; WT Docket No. 10–208; FCC 25–61; FR ID 320214]

Connect America Fund, Alaska Connect Fund, Connect America Fund—Alaska Plan et al.

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Federal Communications Commission (Commission) further refines the Alaska high-cost mobile-support programs to ensure efficient use of scarce universal service funds that will bring 5G–NR to Americans living, working, and traveling in Alaska. This document grants in part a Petition for Reconsideration and Clarification by GCI Communications Corp. (GCI) of the Alaska Connect Fund (ACF), granting it in part by modifying and clarifying several of its rules. These actions help better realign the requirements and expectations of the ACF with its intended universal service goals. This document also makes a clarifying correction to one ACF rule to better reflect its purpose expressed in the *Alaska Connect Fund Order*.

DATES: Effective January 9, 2026.

FOR FURTHER INFORMATION CONTACT: Matthew Warner, Wireless Telecommunications Bureau, Competition and Infrastructure Policy Division, at Matthew.Warner@fcc.gov or (202) 418–2419; Grant B. Lukas, Wireless Telecommunications Bureau, Competition and Infrastructure Policy Division, at Grant.Lukas@fcc.gov or (202) 418–1057; and ACF@fcc.gov or AK.Plan@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Order on Reconsideration and Clarification and Order* in WC Docket Nos. 10–90, 23–328, 16–271, 14–58, 09–197; and WT Docket No. 10–208; FCC 25–61; adopted on September 25, 2025, and released on September 26, 2025. The full text of this document is available at <https://docs.fcc.gov/public/attachments/FCC-25-61A1.pdf>.

Final Regulatory Flexibility Analysis. As required by the Regulatory Flexibility Act of 1980, as amended (RFA), the Federal Communications Commission published an Initial Regulatory Flexibility Analysis (IRFA) in the Alaska Connect Fund Notice of Proposed Rulemaking (*Alaska Connect*

Fund NPRM), released in October 2023. The Commission sought written public comment on the proposals in the *Alaska Connect Fund NPRM*, including comment on the IFRA. No comments were filed addressing the IFRA. In November 2024, the Commission released the Alaska Connect Fund Report and Order and Further Notice of Proposed Rulemaking (*Alaska Connect Fund Order*) and published a FRFA, as well as an IRFA for the Further Notice of Proposed Rulemaking (*FNPRM*). On January 5, 2025, GCI Communication Corp. (GCI) filed a Petition for Clarification and Reconsideration of the Alaska Connect Fund Order (GCI ACF Petition), which included issues impacting small entities. The Wireless Telecommunications Bureau (WTB) then sought public comment on GCI's petition in a *Public Notice* released March 19, 2025. One party filed comments in response to the GCI ACF Petition. No relevant issues impacting small entities were raised in comments to the GCI ACF Petition. This Final Regulatory Flexibility Analysis (FRFA) incorporates the FRFA for the *Alaska Connect Fund Order*, and reflects the actions the Commission takes in the *Order on Reconsideration and Clarification* to revise certain rules established by the *Alaska Connect Fund Order*, conforms to the RFA, and it (or summaries thereof) will be published in the **Federal Register**.

Paperwork Reduction Act. This document does not contain new or modified information collection requirements as required by the Paperwork Reduction Act of 1995, Public Law 104–13. In addition, the Commission notes that pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, see 44 U.S.C. 3506(c)(4), we previously sought specific comment on how the Commission might further reduce the information collection burden for small business concerns with fewer than 25 employees.

Congressional Review Act. The Commission has determined, and the Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget, concurs, that this rule is non-major under the Congressional Review Act, 5 U.S.C. 804(2). The Commission will send a copy of this Order on Reconsideration and Clarification, Waiver Order, and Order to Congress and the Government Accountability Office pursuant to 5 U.S.C. 801(a)(1)(A).

I. Introduction

In this Order, the Commission further refines its Alaska high-cost mobile-

support programs to ensure efficient use of scarce universal service funds that will bring 5G–NR to Americans living, working, and traveling in Alaska. To this end, the item addresses a Petition by GCI Communication Corp. (GCI) seeking reconsideration and clarification of various aspects of the *Alaska Connect Fund Order*, which the Commission adopted last year. Like its Alaska Plan predecessor, the *Alaska Connect Fund Order* established a high-cost universal service support program designed to address the distinct challenges of providing mobile voice and broadband service in the hard-to-serve rural and remote areas of Alaska. The Alaska Connect Fund (ACF) will provide ongoing and certain support through 2034 to mobile wireless providers that currently receive high-cost support pursuant to the Alaska Plan. The refinements to the ACF adopted will better ensure the continued deployment of affordable and reliable high-speed broadband services to communities throughout Alaska.

The Commission grants in part and denies in part the GCI ACF Petition by making certain modifications and providing further clarification of ACF rules and requirements for mobile providers. Specifically, the Commission (1) clarifies certain details of mobile providers' performance plan requirements and commitments; (2) provides additional clarification regarding the deployment goals of 5G–NR at 35/3 Mbps for single-support areas and 5/1 Mbps for duplicate-support areas, while denying GCI's request to limit the ACF deployment goals solely to areas with Broadband Serviceable Locations (BSLs); (3) clarifies the extent of the Wireless Telecommunications Bureau's (WTB's or Bureau's) discretion to determine a mobile provider's ineligibility for the ACF due to noncompliance with its Alaska Plan commitments; (4) modifies and clarifies rules governing the categorization of eligible and ineligible areas; (5) clarifies that providers have no service obligations for areas that are deemed ineligible for ACF support; (6) eliminates and modifies several compliance obligations regarding the annual infrastructure data filing requirement for ACF mobile providers, the ACF speed test data submission deadline, and the reasonably comparable rate requirement; and (7) addresses the extent to which ACF support and obligations will transfer as a result of mergers or other transactions among participating providers. Finally, the Commission corrects one rule to

better reflect the *Alaska Connect Fund Order*.

II. Background

In 2016, the Commission adopted the Alaska Plan, establishing flexible universal service rules in order to account for distinct conditions in Alaska, in recognition that rural and high-cost areas of Alaska are some of the hardest and most costly to serve in the country. The Alaska Plan—built on a proposal submitted by the Alaska Telephone Association (ATA)—addressed support for both fixed and mobile voice and broadband service in high-cost areas in the state of Alaska. Given the distinct climate and geographic conditions of Alaska, the Commission found it to be in the public interest to offer Alaska providers the option of receiving fixed amounts of high-cost support over ten years in exchange for participants' individualized commitments to maintain or improve fixed and mobile broadband service in the state. The Alaska Plan was expected to bring broadband to as many as 111,302 fixed locations and 133,788 mobile consumers by the end of the 10-year term on December 31, 2026.

Due to the approaching end of support under the Alaska Plan, on January 4, 2023, ATA petitioned for the next version of the Alaska Plan to ensure ongoing support and help bring 5G to remote Alaska. On November 1, 2024, the Commission adopted the *Alaska Connect Fund Order*, establishing a new high-cost support program—the ACF—that would provide ongoing and certain support for mobile wireless services in Alaska through 2034. The ACF will play an important role in ensuring that Alaskans have access to reliable, advanced mobile service, particularly in upgrading networks to 5G and encouraging deployment to unserved and underserved areas. The Commission adopted a two-phase approach for mobile service. The approach balanced the importance of giving mobile providers certainty of funding in particular areas to help meet the Commission's goals of 5G deployment, with the need to ensure funding is not being used for last generation technologies (*e.g.*, 2G and 3G). It also targeted funding to areas where it is needed the most and addressed concerns of duplicate support. The framework the Commission adopted for mobile support relies on the improved mobile coverage data obtained in the Broadband Data Collection (BDC), which is reflected on the Commission's National Broadband Map, and which

provides the most comprehensive picture to date of where mobile broadband service is and is not available across the country, including Alaska.

The Commission extended support for a set period for mobile providers that: (1) participated in the Alaska Plan and (2) choose to opt into the ACF, subject to conditions set forth in the *Alaska Connect Fund Order*. The terms and goals for mobile support under the ACF are based on whether an eligible area has only one subsidized provider (single-support areas) or multiple subsidized providers (duplicate-support areas). For eligible areas where there is a single subsidized provider, the current provider will continue receiving support through the end of 2034 and will be expected to enter into a new performance plan providing for 5G service where technically and financially feasible. For eligible areas with multiple subsidized providers, the Commission adopted a two-phase approach to resolve the problem of duplicative support: (1) an ACF Mobile Phase I that extends support for the mobile providers receiving support in these duplicate-support areas under the current Alaska Plan until December 31, 2029; and (2) an ACF Mobile Phase II that would provide a single provider in those areas with support through the end of 2034. The Commission delegated authority to the WTB to implement and administer various components of the mobile portion of the ACF. For example, the Commission delegated authority to WTB to review and approve performance plans for mobile ACF support. The Commission also delegated authority to WTB in coordination with the Office of Economics and Analytics (OEA) to develop and publish a map of areas eligible to receive ACF mobile support. Finally, the Commission delegated authority to WTB to implement accountability and oversight measures for mobile-support recipients.

On January 30, 2025, GCI filed the GCI ACF Petition, seeking guidance and adjustments to various aspects of the mobile portion of the *Alaska Connect Fund Order*. WTB sought public comment on the GCI ACF Petition in a Public Notice released March 19, 2025. In its subsequent filings, GCI both proposed specific edits to the Commission's rules consistent with its reconsideration petition and included additional changes to the rules. One other party—the Alaska Remote Carrier Coalition (ARCC)—filed comments in response to the GCI ACF Petition.

III. Alaska Connect Fund Order on Reconsideration and Clarification

The Commission grants in part and denies in part the relief requested in the GCI ACF Petition, as provided below.

A. Performance Plan Deployment Goals and Commitments

A competitive eligible telecommunications carrier (ETC) previously receiving support under the Alaska Plan must be subject to a performance plan approved by WTB in order to continue receiving support as part of the ACF (extended support). In the performance plan, the provider must commit to specific deployment obligations and performance requirements sufficient to demonstrate that support is being used in the public interest and in accordance with § 54.318(f) of the Commission's rules and the requirements adopted by the Commission for the ACF.

In the *Alaska Connect Fund Order*, the Commission established different performance goals for single-support and duplicate-support areas. For single-support areas, mobile wireless providers are expected to use ACF support to upgrade service to 5G-New Radio (NR) at 35/3 megabits per second (Mbps), where technically and financially feasible, by the end of December 2034. For duplicate-support areas, mobile wireless providers are expected to use ACF support to work on extending service to 4G LTE at 5/1 Mbps, where technically and financially feasible, by the end of December 2029 (*i.e.*, by the end of ACF Mobile Phase I). Providers are required to submit performance plans no later than September 1, 2026, based on BDC data standards and availability data as of December 31, 2024.

1. Clarifications of Performance Plan Requirements

In the GCI ACF Petition, GCI requests that the Commission clarify several aspects of the performance plan requirements adopted in the *Alaska Connect Fund Order*. Specifically, GCI requests: (i) clarification that performance plans may include multiple technology and speed commitments within a census tract; (ii) clarification that performance plans may include older technologies, at least for interim goals, and (iii) clarification that performance plans and service requirements may take into account available backhaul capacity for fixed and mobile performance goals. The Commission addresses these issues in turn.

Multiple technology and speed commitments within a census tract. GCI

requests clarification that performance plans do not need to include the same technology and speed throughout a census tract. To the extent necessary, the Commission clarifies accordingly. In the *Alaska Connect Fund Order*, the Commission stated that ACF performance plans must “(1) include the name of the census tract that the provider commits to serve; (2) include the minimum technology level and speed in an outdoor stationary environment that the provider commits to provide; (3) specify the number of hex-9s committed to be covered within each census tract at the committed-to technology and speed levels, which shall be no less than the provider's coverage in the Alaska Plan, minus any ineligible areas; and (4) specify how many additional hex-9s committed to within each census tract at the committed-to technology and speed levels are comparable hex-9s.” The language does not require performance plans to include only a single technology and speed throughout a census tract. To the contrary, multiple references to “the committed-to technology and speed levels” for hex-9s within each census tract indicate that a provider may have multiple technology and speed commitments in a given census tract. Consistent with the intent of the *Alaska Connect Fund Order* and language in § 54.318(f)(1), the Commission clarifies that a single census tract may have multiple areas and commitments. In such cases, a mobile provider would list the same census tract separately in its performance plan for each differing technology and speed commitment. Individual hex-9s, however, will be limited to a single technology. WTB will release a Public Notice providing guidance on what to include in the performance plans and their format.

Use of older technologies. Additionally, GCI requests that the Commission clarify whether performance plans can include older technologies, at least for interim milestones, to accommodate the time and expense needed to deploy 5G. The Commission makes this clarification, with certain adjustments below. As noted in the *Alaska Connect Fund Order*, the Commission delegated authority to WTB to negotiate individualized performance plans with each mobile provider. Section 54.318(f)(7) of the Commission's rules further provides that WTB “may approve lower technology . . . than the minimum technology . . . specified in this section, in some areas[,] as warranted on a case-by-case basis.” As

part of these negotiations, WTB can consider all relevant and practical circumstances, including middle-mile mapping data and backhaul capacity. The *Alaska Connect Fund Order* also states that “[w]here a hex-9 is more than 50 miles from a microwave or fiber node, this factor alone weighs heavily in favor of allowing a lesser commitment.”

The Commission clarifies that, while WTB in its discretion may approve a lower technology than the minimum specified in § 54.318 of the Commission's rules on a case-by-case basis, a mobile provider must demonstrate to WTB why upgrading to 5G-NR at 35/3 Mbps (for single-support areas) or extending to 4G at 5/1 Mbps (for duplicate-support areas) is not technically or financially feasible and articulate the reasons warranting an exception as a notation under the proposed performance plan for each census tract. Where WTB approves a lower technology commitment in a provider's performance plan, the mobile provider also must annually certify, by census tract, that the basis on which it qualified for a lower technology commitment still applies in the previous calendar year and to describe on FCC Form 481 the efforts that it has taken to improve conditions that served as the basis for the lower technology commitment.

WTB will prioritize those commitment areas that did not receive an upgrade during the Alaska Plan in providers' ACF performance plans, with a presumption against approving older technology in those areas at the interim milestone. The Commission finds this additional clarification from WTB to be necessary because some areas with 2G and 3G commitments may remain underserved without an upgrade to their mobile service for an extended duration—from January 2017, when the Alaska Plan began, through the interim milestone for single-support areas of the ACF, which does not end until December 31, 2031. Such a 15-year trajectory would be unacceptable given the Commission's adoption of the *Alaska Plan Order* and *Alaska Connect Fund Order* dedicated to bringing advanced telecommunications capability universally to remote, high-cost areas of Alaska during that time. WTB will have a strong presumption against approving a technology commitment lower than 4G LTE at 5/1 Mbps for any milestone. Should any technology concerns remain following these clarifications, providers may raise them with WTB in the course of their negotiations over their individual performance plans.

Monthly Usage Goals Accounting for Available Backhaul Capacity. GCI requests that the Commission follow its precedent in the Alaska Plan and clarify that performance plans and service requirements may take into account available backhaul capacity for fixed and mobile performance goals. The Commission grants GCI's request to the extent that the Commission clarifies that WTB will consider available backhaul capacity when negotiating individualized performance plans with each mobile provider; however, while this consideration is consistent with the Alaska Plan, the Commission denies GCI's request to the extent that it seeks to have the ACF follow how the Alaska Plan operates.

GCI requests that the ACF, "like the Alaska Plan, must recognize simultaneous capacity limitations of microwave and satellite backhaul and permit providers that must use such facilities to commit to lower monthly usage allowances." In its request for clarification on this issue, GCI contends that the amount of available throughput in Alaska is limited by the state's middle mile infrastructure, so that providers cannot meet the national standard for monthly usage allowances in all areas. GCI notes that microwave and satellite facilities typically have less capacity than fiber facilities because throughput must be shared simultaneously by multiple users, including higher-priority users such as health care providers, schools, libraries, and government entities. GCI urges that fixed and mobile providers need flexibility in their performance obligations to account for these limitations.

The Commission grants GCI's request in part and clarify that WTB may accept lesser commitments taking into account available backhaul capacity for mobile provider performance goals. The *Alaska Connect Fund Order* permits WTB to approve performance plans with lesser commitments than the minimum technology and speeds on a case-by-case basis. WTB can negotiate individualized performance plans with each mobile provider, and can consider all relevant and practical circumstances, among other considerations, including middle-mile mapping data and wireline affiliate commitments in the relevant area to help assess a mobile provider's proposed commitment in single-support areas at the ACF support levels.

While its action is consistent with Alaska Plan precedent, the Commission denies GCI's request to the extent that GCI is requesting that the ACF process work the same as the Alaska Plan process. Performance plans for the

Alaska Plan explicitly list the backhaul available and often allowed ubiquitous, extensive leeway for microwave backhaul. Due to current middle mile map information available to it from the Alaska Plan, the Commission now has more information than it had when the Alaska Plan was adopted in 2016, and staff can use that information to assess which providers have fiber and microwave backhaul that reach competitive transport areas. Moreover, the middle-mile information indicates the capacity on each link. A blanket, lesser standard for microwave transport, as was typical in the Alaska Plan, would not be appropriate for the ACF where there may be a multiple gigabits per second (Gbps) link within reach of a rural community.

2. 5G Deployment Goals for Areas With Broadband Serviceable Locations

GCI requests that the Commission clarify that 5G-NR at 35/3 Mbps will not be the speed goal for all areas covered by a provider under the ACF and amend § 54.318(f)(2) to limit the 35/3 Mbps goal to eligible hex-9s in a mobile provider's support area with a BSL. The Commission grants GCI's petition in part to reconsider the 5G-NR at 35/3 Mbps deployment goals set forth in the *Alaska Connect Fund Order*, but declines GCI's request to limit deployment goals solely to areas with BSLs.

The *Alaska Connect Fund Order* requires mobile providers to improve upon and extend their Alaska Plan coverage. In the Alaska Plan, providers committed to cover a specified number of Alaskans. However, in the ACF, the Commission found that "the population-based approach in the Alaska Plan can be too limiting to effectively meet the program's mandate to ensure mobile network coverage is available where Alaskans live, work, and travel" and instead adopted an area-based approach. Specifically, the Commission directed that in their single-support coverage areas, mobile providers "are expected to use Alaska Connect Fund support to upgrade service beyond the service commitment level they made in the Alaska Plan, with an ultimate goal of achieving 5G-NR at 35/3 Mbps . . . where technically and financially feasible, by the end of December 2034." In their duplicate-support areas, providers are expected to use ACF support to work on extending service to 4G LTE at 5/1 Mbps, where technically and financially feasible, by the end of December 2029 (*i.e.*, by the end of ACF Mobile Phase I).

GCI argues that the goal for all areas cannot reasonably be 5G at 35/3 Mbps

due to "fall-off" in speeds in the farthest reaches of the mobile signal from the broadband cell site, and it petitions for a reduction of the 35/3 Mbps service goal coverage area. GCI argues that the ACF's approach "spreads support over a much broader area, including areas with low or no population density." Because cell site signals weaken the farther the signal gets from the cell site, GCI argues that "[s]ome outlying areas will be covered at data speeds even below 7/1 Mbps, and some will only have coverage sufficient for voice or text." GCI argues that "[e]xtending 35/3 Mbps to every location that has voice service today, many of which areas have only light or occasional levels of human activity, would require providers to build more infrastructure than necessary to provide the basic connectivity those areas need, such as to summon help if needed." ARCC observes that the Commission has an "unrealistic expectation of 35/3 speed at every hex edge." In its *GCI ACF Petition Reply*, GCI asks the Commission to amend § 54.318(f)(2) such that only hex-9s with BSLs would be subject to the 35/3 Mbps goal.

The Commission dismisses GCI's requested amendment to § 54.318(f)(2) of the Commission's rules on procedural grounds. As an initial matter, GCI failed to raise this request for an amendment of the rule in its Petition. Under the Commission's rules, petitions for reconsideration in rulemaking proceedings must be filed within 30 days of publication of the final rule in the **Federal Register**. In its GCI ACF Petition, GCI requests the Commission to "clarify or reconsider the [5G-NR 35/3 Mbps] goal for 'all areas' and provide that in considering performance plans, it recognizes that performance decreases with distance from the cell site and that it may not be cost-effective to add cell sites." Thus, the GCI ACF Petition merely asks for the "flexibility to propose, and have the Wireless Telecommunications Bureau . . . approve, performance plans that provide for less than 35/3 Mbps service at the [cell] edge." GCI did not raise its request for a rule amendment of § 54.318(f)(2) to eliminate the ACF's technology and speed requirements for hex-9s without BSLs until its Petition Reply, submitted on April 29, 2025. Thus, because GCI failed to request the partial elimination of the technology and speed commitments until April 29—almost three months after the statutory deadline for filing a petition for reconsideration (*i.e.*, January 30)—the Commission must dismiss the request as untimely. In addition, the Commission finds that GCI's Petition

Reply arguments were fully considered and rejected by the Commission in the *Alaska Connect Fund Order* and are therefore not properly before the Commission for reconsideration.

Procedural deficiencies aside, the Commission denies GCI's proposed change to limit deployment goals to areas with BSLs because it would ultimately amount to less service for the same amount of support, undermining the goals of the program. GCI's proposed modification of the goals is not needed to ensure BSLs are covered, nor is it necessary for hex-9s without BSLs to be allowed lesser or no commitments. BSLs, especially in areas with a high density of BSLs, are more likely to be targeted for coverage due to the economic incentives of covering BSLs and the availability of high-cost support for providing fixed service to BSLs. Although the presence of BSLs is a relevant consideration when evaluating where mobile coverage needs to improve, it is not the *only* relevant consideration. Many areas where Americans work and travel do not have BSLs. If the Commission limited mobile providers' service commitments to hex-9s with BSLs, then valuable areas where Americans work and travel—such as roads—may not see any service improvements by the end of 2034. As observed in the *Alaska Connect Fund Order*, “[a] concentration of BSLs is necessarily evidence that an area is valuable to its users, but the absence of BSLs does not always indicate that an area does not need to be covered by mobile networks.” In explicitly rejecting the approach that GCI advocates, the Commission observed that “[t]hrough the Commission now has the Fabric, which provides information on where people live and work, people frequently travel in and visit areas where there are no Fabric locations, such as along roads, snow mobile routes, hunting areas, bodies of water, or hiking trails.” The Commission also emphasized that “covering certain bodies of water is important to meet the ‘work and travel’ aspect of our universal service goals for Alaskans,” and those areas do not have BSLs. Finally, the Commission observes that GCI seemingly appended to its request for reconsideration of the 5G–NR 35/3 Mbps single-support goal a similar request for reconsideration of the 5/1 Mbps goal for duplicate support areas. The Commission interprets GCI's language as such, and deny this request for the same reasons as discussed above.

While the Commission denies GCI's specific relief as requested, it amends § 54.318(f)(6) of the Commission's rules and offers mobile providers additional clarification of the “technically and

financially feasible” standard. The mobile providers have expressed concern that the “technically and financially feasible” standard does not provide enough guidance for them to determine where WTB will expect 35/3 Mbps service. The Commission believes that this uncertainty could impede performance plan negotiations, and therefore, the Commission provides additional clarification regarding where it expects providers to commit to providing 35/3 Mbps service. The Commission begins by reiterating that mobile providers must maintain and improve their Alaska Plan service. In single-support areas, the Commission expects providers to provide 5G–NR where infrastructure and transport pricing makes 5G–NR-based services technically and financially feasible. Based on its internal staff analysis of provider spectrum holdings, link budget, and a standard ITU–R propagation model (Sub-6 GHz), the Commission generally expects a provider to extend 5G–NR at 35/3 Mbps to all portions of its service areas within a 1.5-mile radius of its cell sites unless it can otherwise demonstrate that doing so is technically and financially infeasible, as described below. This expectation is only applicable where the provider has access to fiber or microwave backhaul and to competitive transport pricing rates. This 5G–NR at 35/3 Mbps expectation is also subject to the consideration of other circumstances as warranted and agreed to by WTB. Where a mobile provider previously committed to cover an area in the Alaska Plan, it is expected to upgrade that area to at least 5G–NR at 7/1 Mbps in eligible areas of the ACF. The Commission finds this standard will add clarity to mobile providers' planning and is achievable within the budget and timeline of the ACF, while building upon the success of the Alaska Plan.

Although the Commission finds it adequately addresses ARCC's concerns about the 5G deployment obligations with the amendments and clarifications it makes to the “technically and financially feasible” standard as described above, the Commission rejects the argument that 5G–NR provides inherently less coverage than 4G LTE when controlling for all other variables.

The Commission also amends 54.318(f)(6) to clarify instances where 5G–NR is not required. ACF is a broadband plan, but as a user gets farther away from the cell site, the mobile data service becomes slower and a voice-only service area exists between the broadband data service area and the area where there is no service at all—

i.e., voice-only areas that exist beyond the cell edge of a provider's broadband data commitment area, based on Alaska Plan service areas. These areas are important for public safety, but are not a part of the broadband data commitments. Accordingly, for voice-only areas that exist beyond the cell edge of the mobile commitment areas—based on Alaska Plan service areas—mobile providers do not need to upgrade those areas to 5G–NR or commit to a minimum data speed and may maintain the facilities and voice service already in place, unless otherwise committed to in the ACF. These public safety voice-only areas are distinguishable from the 2G/voice-only areas that were part of some mobile providers' commitments in the Alaska Plan, the latter of which are required to be upgraded as part of mobile providers' ACF commitments. Mobile providers will be able to demonstrate to WTB other reasons why it is not technically and financially feasible to meet these expectations during performance plan discussions, and may propose alternatives. The Commission also reiterates that “[w]here a hex-9 is more than 50 miles from a microwave or fiber node, this factor alone weighs heavily in favor of allowing a lesser commitment” than 5G–NR. In addition, mobile providers providing support in duplicate-support areas do not need to commit to 5G–NR upgrades. WTB also may approve lower technology and speeds than the minimum technology and speeds specified in § 54.318, as warranted, on a case-by-case basis.

B. Standards for Determining Ineligibility for ACF Support Due to Alaska Plan Noncompliance

GCI asserts that WTB has too much discretion to determine ineligibility for ACF support based on Alaska Plan noncompliance and requests that the Commission make two key changes. First, GCI requests that the Commission “clarify that using the ‘cure year’ to come into full compliance with Alaska Plan commitments is not grounds to eliminate a mobile provider from ACF eligibility or reduce its support, even if some support is delayed pending verification of compliance.” Second, GCI requests that the Commission modify the rule to “establish a *de minimis* threshold [of 5 percent] for meeting the 10-year performance commitments, below which an Alaska Plan provider will not be disqualified.” The Commission grants GCI's petition with respect to limiting WTB's delegated authority to determine ineligibility for the ACF until after the cure year of the Alaska Plan and grants

GCI's petition in part regarding the *de minimis* threshold.

The *Alaska Connect Fund Order* states that WTB may deem an Alaska Plan mobile provider ineligible for the ACF if it determines that the mobile provider failed to comply with its public interest obligations or other terms and conditions of the Alaska Plan, failed to satisfy its other Alaska Plan commitments, or failed to meet a build-out milestone. The *Alaska Connect Fund Order* also allows WTB to determine whether an Alaska Plan mobile provider is ineligible for the ACF for specific coverage areas, or to delay its ACF support until the provider meets its outstanding obligations under the Alaska Plan or BDC.

GCI claims that the *Alaska Connect Fund Order* lacks guidance about when a failure to complete Alaska Plan commitments by the 2026 deadline will result in ineligibility for the ACF. GCI expresses concern that WTB's authority would permit it to "disqualify GCI or any other potential ACF participant from ACF participation for missing Alaska Plan commitments by even one [population count]," or "disqualify that provider from the later competitive selection processes, even if the Commission decides to permit bids from entities with no proven track record of deploying mobile service in Alaska." GCI argues that its requested changes would "ensure that the most qualified providers will be able to continue to work to expand mobile coverage, while still maintaining the Alaska Plan's enforcement regime." ARCC "supports [Commission] clarification when the [Commission] can exercise its best and reasoned judgment on the issue."

The Commission grants GCI's request regarding use of the cure year and clarifies that WTB is not to make a determination on ACF eligibility until after the cure year of the Alaska Plan. Under the Alaska Plan, upon notification that the mobile provider has not met its final milestone, the mobile provider has twelve months from the date of the final milestone deadline to come into full compliance (cure year). This cure year allows the Alaska Plan mobile provider to meet their final milestone commitments without being penalized for noncompliance during that twelve-month period. Under the ACF, an Alaska Plan mobile provider may be deemed ineligible to participate in the ACF if WTB determines that the provider has failed to comply with its Alaska Plan obligations, including failing to meet its Alaska Plan build-out milestones. WTB may determine whether an Alaska Plan mobile provider is ineligible for ACF based on the

mobile provider's compliance with its Alaska Plan and Broadband Data Collection obligations. The Commission reads these provisions together as authorizing WTB to determine an Alaska Plan mobile provider's eligibility based on its compliance with, among other things, its Alaska Plan final milestone commitments, and that Alaska Plan mobile providers cannot be penalized (and thus found noncompliant) for failing to meet their final milestone commitments until after the expiration of the twelve-month period from the final milestone deadline. The Commission therefore finds that a reasonable interpretation of the Alaska Plan and ACF rules together supports the clarification that WTB will refrain from determining an Alaska Plan mobile provider's ACF eligibility until after the twelve-month cure period. While the Commission expects mobile providers to fulfill their commitments, given that the penalties under the Alaska Plan are not assessed until after the cure year concludes on December 31, 2027, it finds that date to be an appropriate time for WTB to initiate its determination of whether a mobile provider is ineligible for the ACF. As such, the Commission clarifies that WTB will not determine whether an Alaska Plan provider is ineligible for the ACF until after December 31, 2027. WTB therefore will have until December 15, 2028—subject to reasonable extensions by WTB, not to go beyond July 1, 2029—to notify mobile providers that they are ineligible for the ACF due to Alaska Plan noncompliance. If WTB determines that an Alaska Plan mobile provider did not meet its Alaska Plan buildout obligations after the commencement of the ACF, and also determines that the mobile provider is not eligible to receive ACF mobile support, WTB can take all actions necessary to recover all ACF support dating back to January 1, 2027.

The Commission also grants in part GCI's request to limit ACF ineligibility to mobile providers that miss more than a *de minimis* amount of their Alaska Plan commitments. While mobile providers are expected to fully meet their Alaska Plan commitments, ineligibility for the ACF is a serious additional penalty that is reserved only for the mobile providers that WTB finds to have more than *de minimis* noncompliance. If a mobile provider misses any of its Alaska Plan commitments, the Universal Service Administration Company (USAC) will recover 1.89 times for each equivalent person for which the mobile provider has missed providing the committed-to

service. This penalty remains unchanged and applies to *de minimis* noncompliance at the final Alaska Plan milestone. However, WTB's delegation of authority *could* allow it to limit eligibility in ACF if a compliance gap in Alaska Plan is greater than *de minimis*. While the Commission limits WTB's authority to find a mobile provider to be ineligible to situations in which the provider has greater than *de minimis* noncompliance in the Alaska Plan, it does not define that threshold as 5% noncompliance as GCI requests. The Commission leaves that determination to WTB based on its assessment of the circumstances after the cure year concludes.

C. Clarification and Reconsideration of Eligible Areas Designations

1. Modification of Areas Eligible for ACF Support To Make Untestable Hexes Eligible

GCI requests that the Commission reconsider the requirement that hex-9s that cannot be tested are ineligible for ACF support. The Commission denies GCI's request and affirms its determination that areas that are untestable are not eligible for ACF support, but it clarifies that this ineligibility determination applies only to areas that are permanently untestable and not to areas that are only temporarily untestable.

In the *Alaska Connect Fund Order*, the Commission explained that areas that are inaccessible or unsafe for testing are ineligible for ACF support in order to "ensure that support is targeted to areas where it is needed the most while maintaining accountability for how funds are used." GCI requests that the Commission reconsider its decision to eliminate eligibility for untestable hex-9s, arguing that there is no rationale for eliminating support for those areas when hexes covered by the same cell sites are eligible. ARCC agrees that "hex testing challenges should not eliminate hexes from inclusion" and contends that finding inaccessible hexes ineligible for support misses the point with the goal of ubiquitous mobile service.

GCI claims that the large number of hex-9s in its current Alaska Plan service area makes it impossible to assess whether every hex-9 is testable. GCI further argues the Commission should not eliminate support for those areas because the testability of a hex-9 is not a proxy for whether that area is where Alaskans "live, work, or travel"—*i.e.*, areas without any human activity. GCI adds that a number of hexes may be practically difficult to test for security

and safety reasons, weather events, or objections from local communities. Though it acknowledges that the *Alaska Connect Fund Order* offers the possibility of performing testing using an uncrewed aircraft (UA), or drone, as an alternative to on-the-ground-testing, GCI maintains that there will still be areas where this alternative will not be a viable option. GCI also argues that to the extent that untestable hexes are not areas with human activity, the Commission should find these areas to be eligible for ACF support anyway because “[s]uch areas are incidentally covered[] and excluding them as ineligible does not reduce the cost to serve adjacent, supported areas.” To this end, GCI proposes the amendment of § 54.318(c)(2) and the deletion of §§ 54.318(c)(1)(iii) and 54.318(i)(4) of the Commission’s rules. GCI also asks the Commission to clarify that the speed testing conducted will be outdoors/stationary, consistent with the BDC.

The Commission reaffirms the fundamental principle in its rules that areas that are untestable are not eligible for ACF support and clarifies how this principle would apply. Generally, if a mobile provider cannot prove it is providing service, then it cannot receive support for that service. The Commission reiterates, however, that the principle applies to areas that are not available for testing on a permanent basis except as described below. In the *Alaska Connect Fund Order*, the Commission stated that “[h]ex-9s that are inaccessible *during all seasons* or are a safety hazard to test *at all times of the year* are ineligible for support.” As such, temporarily blocked trails, the inability to test due to weather events, or the presence of construction projects do not render an area ineligible because those areas would become testable at a later date. If an area can be tested using a UA, then such areas would be deemed eligible for ACF support. If an area is permanently restricted from speed testing and a UA also cannot be used to test the area, but the area is nonetheless an area where people live, work, or travel and would use the service, then the Commission directs WTB to work with the ACF participant about the specific areas of concern (e.g., military bases) to determine whether they should be considered eligible for support. The Commission also clarifies that any hex-9 with a BSL would be defined as accessible. Finally, the Commission responds to GCI’s request and confirms that outdoor/stationary data sets will be used for speed tests.

2. Categorization of Areas as Ineligible, Single-, or Duplicate-Support Areas Based on Broadband Data Collection Availability Data as of December 31, 2024

In its Petition, GCI requests that the Commission confirm that the categorization of hex-9s as ineligible, single-, or duplicate-support areas will be fixed based on BDC availability data as of December 31, 2024. The Commission grants the GCI ACF Petition in part, and will base its determination of all ineligible and duplicate-support areas on BDC availability data as of December 31, 2024. Given that single-support areas may evolve over the course of the ACF, the Commission declines to determine single-support areas based solely on BDC availability data as of December 31, 2024.

The Commission’s rules provide that all areas of Alaska are eligible for ACF support except: (1) areas previously ineligible under the Alaska Plan; (2) “competitive areas” based on mobile providers’ BDC availability data as of December 31, 2024; and (3) “[a]reas deemed inaccessible or unsafe for testing by [WTB], in coordination with [OEA], and reflected in the Eligible-Areas Map.” Section 54.318(c)(2) permits WTB to “periodically update the map(s) throughout the course of the Alaska Connect Fund, as necessary.” The *Alaska Connect Fund Order* requires WTB to “compare BDC availability data as of December 31, 2026 with subsequent BDC availability data to ensure that mobile voice and mobile broadband service levels [from the Alaska Plan] are maintained or improve in all previously served areas.” The Commission notes that the Alaska Plan does not end until December 31, 2026, and the cure period does not end until December 31, 2027. WTB can require the filing of updated performance plans and resolve Eligible-Areas classifications of hexes throughout the life of the ACF, as needed.

In its Petition, GCI argues that it is critical for the Commission to clarify that “an area cannot become ineligible, or become ‘duplicate,’ based on BDC availability data for service initiated after December 31, 2024.” GCI contends that “if BDC updates can . . . convert a single-support area into a duplicate-support area, the planning basis for the two-support-area structure is lost” and hinders multi-year investment recovery planning. GCI explains that providers plan deployments and order equipment upgrades up to five years in advance and need certainty as to the ACF

support they will receive for serving specific areas.

ARCC supports GCI’s request for a firm date in determining the eligibility status of hexes, although ARCC states it is still evaluating whether December 31, 2024, is the best date for the Commission to establish as the fixed date. ARCC asserts that providers need certainty to support efforts to invest and maintain facilities and be confident that the amount of support will not change over time. Responding to ARCC, GCI states there is no clear alternative date to December 31, 2024, “if the Eligible-Areas Map(s) will be published with the relevant categorization by October 2025.” GCI notes that June 30, 2025 BDC data is filed September 1, 2025, leaving Commission staff little time to analyze and vet the data, and create the maps.

Based on its review of the record, the Commission grants in part GCI’s request and amends § 54.318(c)(1)(iii) and (d)(1)(ii) to set a firm date for determining all ineligible—including “untestable hexes”—and duplicate-support areas. The Commission also grants GCI’s request in part that the Commission determine all untestable areas using BDC availability data as of December 31, 2024. All ineligible areas and duplicate-support areas would be determined using BDC availability data as of December 31, 2024. Additionally, any area that is discovered to be “untestable” after the initial Eligible-Areas Map is finalized will count against the provider achieving its commitments, as all eligible areas of the ACF will be formally established after the initial Eligible-Areas Map is finalized. The Commission is persuaded by GCI’s and ARCC’s arguments that providers need certainty in the amount of support they will receive and which areas are eligible for that support for their future network planning. Most of the types of ineligible areas were already locked as of December 31, 2024, and with the addition of the untestable areas, which were the only ineligible areas that were previously not locked using BDC availability data as of December 31, 2024, all of the ineligible areas will be known when the ACF begins for network planning purposes. While duplicate-support areas will be set using BDC availability data as of December 31, 2024, these areas could become single-support areas after December 31, 2029, after the Commission takes action on the Further Notice. The Commission finds that setting all ineligible areas and duplicate support areas with BDC availability data as of December 31, 2024, removes the possibility of the hex-9s where a provider could lose support from

becoming subject to change or found ineligible during the course of the ACF. For example, a provider could plan deployments only to later find some of its support threatened based on the subsequent change of a hex-9 from eligible to ineligible, or find that an area is ineligible or unexpectedly included in the competitive process because of information revealed later. Ultimately, as most ineligible areas were either known from the Alaska Plan or set with December 31, 2024 data, the Commission finds that adding the financial certainty of setting a firm date for the only two remaining types of areas where a provider could lose support—untestable areas and duplicate support areas—outweighs the advantages of allowing classifications of those hex-9s to remain subject to change.

Finally, because the Commission grants GCI's request, it deletes § 54.318(i)(4), and it amends §§ 54.318(h)(6) and 54.318(k)(3) of its rules. It will no longer be possible for untestable areas to become ineligible after the ACF begins. The Commission deletes § 54.318(i)(4) because that paragraph wholly addressed a situation which can no longer arise: areas found to be ineligible because they were found to be untestable after the ACF had begun. The Commission amends § 54.318(h)(6) by deleting the sentence: "If this noncompliance is discovered for the interim milestone testing, the mobile provider may identify, in an updated performance plan, comparable hex-9s that it will serve." This language is part of the comparable area process that allowed providers to retain support if they were serving areas that later became ineligible. Because all untestable areas will now be defined before the ACF begins, this language is no longer necessary. The Commission amends § 54.318(k)(3) to allow for areas that are later discovered to be untestable to be deemed noncompliant without also becoming ineligible. While § 54.320(d), which mandates loss of support for the failure of an eligible telecommunications carrier to meet build-out milestones, remains applicable to any noncompliance, a potential permanent reduction of support can no longer be triggered by an area becoming ineligible after the ACF begins.

The Commission, however, denies GCI's request with respect to single-support areas. ACF single-support areas will need to be updated with more recent data, given that the initial map of a mobile provider's Alaska Plan coverage may not be known until December 31, 2026, or later, at which

point "uncovered areas [which could] become 'single-support areas' under the comparable service area mechanism" may also need to be adjusted as mobile providers cannot claim as comparable areas the areas they were already covering pursuant to the Alaska Plan. As such, the Commission does not affix the single-support areas to use of BDC availability data as of December 31, 2024.

3. Modifications to "Competitive Areas" Eligible for Support

The ACF has two types of "competitive areas"—*i.e.*, areas that offer unsubsidized 5G–NR service and areas with three or more providers offering at least 4G LTE mobile service with at least one unsubsidized 4G LTE provider—and mobile providers are prohibited from using ACF support in those competitive areas. GCI requests that the Commission make competitive areas with unsubsidized 4G and areas served by AT&T's FirstNet eligible to use ACF support. The Commission denies GCI's petition to reconsider the ineligibility of competitive areas and reaffirms the decision in the *Alaska Connect Fund Order* to deem "competitive areas" ineligible for use of extended support.

a. Areas With Three 4G LTE Providers With at Least One Unsubsidized Provider

For competitive 4G LTE areas, GCI argues that one unsupported 4G LTE provider should not render a hex-9 ineligible because the Commission's *5G Fund Second Report & Order* did not similarly make 4G areas ineligible. The Commission in the *Alaska Connect Fund Order* determined that competitive areas should be ineligible because they would receive mobile service without any ACF support. The Commission reaffirms the Commission's decision, and it denies GCI's request to deem these hex-9s eligible for ACF support.

The *Alaska Connect Fund Order* deems "competitive," and thus ineligible for use of support, "[a]reas with three or more mobile providers—with at least one of those mobile providers being unsubsidized—offering at least 4G LTE service at minimum speeds of 5/1 Mbps in an outdoor stationary environment based on mobile providers' Broadband Data Collection availability data as of December 31, 2024."

GCI asks the Commission to "modify eligibility to consider only whether a hex-9 is already served by unsubsidized 5G at 7/1 Mbps or was ineligible under the Alaska Plan." GCI argues that, in the

Alaska Connect Fund Order, the Commission "does not explain why it deviates from the approach the Commission recently took in the *5G Fund 2d Report and Order*, . . . nor does the *Order* explain why Alaska would require a different approach," but the Commission notes that the 5G Fund follows a different approach. The 5G Fund considers 4G LTE service in weighing bids during the auction and, most importantly, determined that the Commission should not provide high-cost support for the deployment of 4G LTE networks, which is not the case in Alaska. Unlike the 5G Fund, the ACF supports 4G LTE deployments by extending support of the Alaska Plan, which supports 4G LTE service through December 31, 2026. Moreover, the ACF, unlike the 5G Fund, supports 4G LTE commitments. These are material differences from the *5G Fund Second Report and Order* that warrant exclusion of areas with 4G LTE competition from eligibility for ACF support.

GCI's argument that "[a] single, unsupported 4G provider should not render a hex ineligible," misstates the ACF "competitive area" rule. If an ACF provider and a "single, unsupported 4G LTE provider" both provide service to a hex-9, and no other mobile provider offers service to that hex, then the hex-9 would not meet the definition of "competitive area" and could be eligible for support. The area is deemed competitive, and therefore ineligible for support, if at least *three* providers serve that hex-9, with each providing at least 4G LTE service at 5/1 Mbps and one being an unsubsidized mobile provider. The presence of several mobile providers, including at least one unsubsidized mobile provider, providing at least 4G LTE at 5/1 Mbps is evidence that there is a private-sector case for the area. The *Alaska Connect Fund Order* reasoned that where "three mobile providers of at least 4G LTE service at 5/1 Mbps in an area—with at least one of those mobile providers being unsubsidized—there are private sector incentives to offer advanced mobile services to those areas." For these reasons, the Commission denies GCI's request.

b. Classification of AT&T's FirstNet Areas

GCI asks the Commission to make areas served by AT&T's FirstNet network eligible to use ACF support by treating the areas as "subsidized." As explained below, the Commission believes GCI's request would frustrate the goals outlined in the *Alaska Connect Fund Order*. The Commission affirms that FirstNet is considered

“unsubsidized” for purposes of the ACF and denies GCI’s request.

In the *Alaska Connect Fund Order*, the Commission stated that “[f]or purposes of the Alaska Connect Fund an ‘unsubsidized provider’ is one that does not receive Alaska Plan support.” Even though the Commission has never defined AT&T’s FirstNet service areas as “subsidized” for high-cost purposes, GCI contends that the Commission’s decision is arbitrary and capricious for concluding that such areas should be deemed “unsubsidized” for purposes of the ACF because FirstNet was constructed with public funds and receives uniform nationwide user fees as implicit support. GCI also argues that FirstNet should not be considered to be an unsubsidized provider because its service would be potentially unavailable in the case of emergencies, given that first responders receive priority access to the network over consumers. ARCC supports GCI’s position, stating that GCI “corrects a misunderstanding in Alaska with the assertion that ‘FirstNet should not be considered ‘unsubsidized’ or otherwise remove an area from eligibility.’”

The Commission denies GCI’s request to deem FirstNet areas “subsidized” and, thus, continues to prohibit the use of ACF support in areas where AT&T provides FirstNet service, including 5G–NR service. First and most simply, these areas would receive service without ACF support, so making them eligible for support is not a prudent use of high-cost support. Second, allowing ACF support to be used in FirstNet areas would effectively allow high-cost support to subsidize ACF mobile providers’ competition with AT&T, and, as the Commission observed in the *Alaska Connect Fund Order*, “the universal service program [is] not intended to subsidize competition.” Finally, if the Commission considered AT&T’s FirstNet areas to be “subsidized” for the ACF, it would entirely undermine the 5G–NR “competitive areas” exclusion, which excludes all areas with an unsubsidized mobile provider offering 5G–NR at minimum speeds of 7/1 Mbps based on mobile providers’ BDC availability data as of December 31, 2024, because AT&T was the only unsubsidized mobile provider of 5G–NR at 7/1 Mbps service in Alaska as of December 31, 2024. For all of these reasons, the Commission denies GCI’s request.

4. No Removal of Support in Newly Ineligible Areas Until the Commission Adopts the Methodology for Support Per Hexagon

GCI requests that the Commission reconsider and not direct the removal of any portion of mobile providers’ support attributed to hex-9s determined to be ineligible due to the presence of an unsubsidized competitor, as it is premature until the Commission adopts a deaveraging methodology to determine the support-per-hex-9 for such areas. To clarify that the Commission will delay the removal of support until it adopts a deaveraging methodology, GCI requests a revision to the comparable areas requirement by amending § 54.318(h) and deleting § 54.318(i)(3) in order to make the comparable areas requirement permissive instead of mandatory. The Commission grants GCI’s requests in part and denies in part as follows.

In the *Alaska Connect Fund Order*, the Commission determined that it would allow mobile-provider participants that will no longer receive support for a newly ineligible area to continue receiving the same level of support if they cover a comparable number of hex-9s elsewhere. Mobile providers that are unable to have comparable areas approved by WTB through their performance plans will have a proportional amount of the support that the mobile provider was receiving in the newly ineligible areas phased down. In the *Alaska Connect Fund FNPRM*, the Commission sought comment on a methodology to determine a support amount for areas where more than one mobile provider had been receiving support for overlapping areas. The Commission also noted that this methodology could be used to determine support amounts to claw back for areas that it deemed ineligible in the event that support did not shift to a comparable area. The Commission delegated authority to WTB to resolve support amounts per area after the comment cycle of the *FNPRM* concluded, which occurred on March 4, 2025. WTB has not yet resolved this issue.

GCI states that the Commission “should not direct removal of support for hexes that become ineligible due to unsubsidized competitors,” “[p]ending determination of the deaveraging methodology in the *FNPRM*.” GCI also states, “the Commission also should not eliminate support from Alaska as a result of competitive selection among duplicate providers.”

The Commission does not prejudice the outcome of the Further Notice, and WTB cannot remove support before the

support amounts per hex-9 are known. The Commission grants GCI’s petition to the extent that it asks for a delay in the removal of support for newly ineligible areas until the Commission adopts a deaveraging methodology to determine the support-per-hex-9 for such areas. The Commission agrees with GCI that such a delay is reasonable because the Commission will need to know the amount of support per hex before it can direct that such support be removed. The Commission also partially grants GCI’s recommended addition to the comparable areas rule—*i.e.*, § 54.318(h)—because it clarifies that the only support that will be subject to claw back is the support attributed to areas deemed newly ineligible. GCI’s edits make explicit that the rule only applies to support that the mobile provider was receiving in the areas deemed newly ineligible for the mobile provider.

The Commission denies GCI’s other suggested edits to the Commission’s rules related to its request for reconsideration. GCI recommends deleting the rule that would phase down support if a mobile provider’s comparable areas are not approved—§ 54.318(i)(3)—and GCI also recommends changing the word “must” to “may” in the comparable areas rule. The Commission finds that these changes would upend the ACF comparable areas process, making the need to provide service to comparable areas in the ACF optional in order to receive the same level of support. If the Commission were to delete § 54.318(i)(3), then a mobile provider would not have its support phased down if it did not have comparable areas approved in its performance plan. GCI’s proposed change would allow the mobile provider to retain its Alaska Plan support and allow it to provide less service and coverage for the same amount of support. Moreover, because GCI did not adequately raise the issue of effectively eliminating or making permissive the comparable areas regime in its Petition, the Commission also dismisses this request as untimely. The Commission accordingly denies the request to delete 54.318(i)(3) of the Commission’s rules. GCI’s proposed edit to the comparable areas rule, changing “must” to “may” in § 54.318(h) is also an attempt to make the comparable areas process optional instead of mandatory, and the Commission denies that requested change as well. These changes are also unnecessary to effectuate grant of GCI’s request to delay any phase down in support until the methodology for determining each

mobile provider's support per hex-9 is determined.

D. Clarification Regarding Service Obligations for Areas Ineligible for ACF Support

GCI requests clarification that mobile providers do not have ACF service obligations in areas where they are prohibited from using ACF support. GCI recommends that the Commission make clear that the *Alaska Connect Fund Order* does not require a mobile provider to continue to serve areas where it is not eligible for ACF support, and it argues that removal of this requirement would comport with the Commission's recent practice for other high-cost programs. The Commission grants GCI's request for clarification that mobile providers do not have service obligations for areas where they cannot use ACF support.

Under the *Alaska Connect Fund Order*, mobile support recipients must continue to maintain the minimum service levels—to the same areas—that they achieved under the Alaska Plan, in order to maintain the progress made under the Alaska Plan. This requirement includes all Alaska Plan public interest obligations, such as continuing to provide voice service, as required by all ETCs, to maintain at least the same level of data service they are providing to their previous coverage areas as of the end of the Alaska Plan, and to improve service consistent with their approved performance plans through the end of ACF. Where mobile providers no longer receive support, they are to remove those areas from their performance plans.

In its Petition, GCI expresses confusion about whether the *Alaska Connect Fund Order* imposes any obligation on a mobile provider to continue serve areas where it no longer receives support. GCI states that although the *Alaska Connect Fund Order* “implies that it does not impose any obligation on a mobile provider to continue to serve areas for which it no longer receives support,” it also “suggests that a provider electing to receive ACF support must ‘continue to maintain the minimum service levels—to the same areas—that they achieved under the Alaska Plan.’” GCI argues the Commission should follow its practice with other high-cost initiatives and expressly state that a provider is not required to continue serving areas where it no longer receives support.

The Commission agrees with GCI that mobile providers do not have ACF service obligations in areas where they are prohibited from using ACF support and find that clarification to be in the

public interest by resolving any confusion on the part of ACF mobile providers. Accordingly, the Commission amends § 54.308(e) of its rules to clarify that mobile providers that receive ACF support “must provide service at the same minimum service levels as required under the Alaska Plan and may not provide less coverage or provide service using a less advanced technology than the provider committed to under the Alaska Plan. For areas supported under the Alaska Plan that are ineligible for support under the Alaska Connect Fund, providers must continue to provide service to the extent of their Alaska Plan commitments, but do not have Alaska Connect Fund service obligations for those areas and are prohibited from using Alaska Connect Fund support to serve those areas.” The Commission also amends its rules to add a new sentence to the end of § 54.318(e), stating: “A mobile provider does not have Alaska Connect Fund obligations in areas where it is prohibited from using Alaska Connect Fund support for service, and it is prohibited from using Alaska Connect Fund support to provide service in areas other than its own single-support or duplicate-support areas or other eligible areas, as defined in paragraph (d)(1)(iii) of this section.”

E. Modification of Implementation and Compliance Obligations of the ACF

1. Elimination of Annual Infrastructure Data Filing Requirement

GCI requests modification of the ACF rules to eliminate the annual infrastructure data filing requirement for ACF mobile providers. The Commission finds elimination of this requirement to be in the public interest and thus grants GCI's request. The *Alaska Connect Fund Order* requires recipients of mobile support to annually submit all the infrastructure data that providers would submit as part of the BDC mobile verification process to verify their coverage in areas for which they receive support. GCI asks the Commission to reconsider this annual requirement because it “is unduly burdensome” and the *Alaska Connect Fund Order* does not justify the requirement other than citing “‘FCC staff's experience in implementing the mobile BDC processes’” and “‘accountability of high-cost funds.’” GCI argues that, “if these reasons justified the annual [data submission] requirement, the Commission would also have adopted the requirement for the 5G Fund, which it did not.” To effectuate this request, GCI recommends that the Commission either amend the language of

§ 54.318(j)(1) to accord with § 1.7006(c) of the Commission's rules—*i.e.*, to state that a mobile service provider must submit infrastructure information only in response to a verification request from the Commission—or delete § 54.318(j) in its entirety. GCI asserts that the “upon request” approach under the BDC rules already permits Commission staff to request verification data if there is a concern about a provider's coverage.

After considering GCI's proposals, the Commission grants GCI's request and deletes § 54.318(j) of the Commission's rules. The Commission finds that modifying the language of 54.318(j) to use the “upon request” approach of § 1.7006(c) as GCI proposes simply restates the authority Commission staff already has to request data from broadband mobile providers subject to BDC audits and verifications. The Commission believes that the more prudent approach is to delete § 54.318(j) to eliminate the annual filing requirement for ACF mobile providers. In addition, granting GCI's request to delete § 54.318(j) is consistent with the spirit of the Commission's *Delete, Delete, Delete* proceeding, which the Commission initiated to alleviate duplicative or unnecessary regulations that impose disproportionate costs on businesses, particularly small businesses.

2. Reconsideration of the ACF Mobile Speed Test Deadline

GCI asks the Commission to modify the ACF speed test requirement by adjusting the deadline to submit speed test data to five months after providers receive their sample grid cells to be tested. The Commission grants GCI's petition to adopt language clarifying that the deadline for providers to submit required mobile speed test data under the ACF is no later than five months from the date they receive their final hex-9 grid samples.

Pursuant to the *Alaska Connect Fund Order*, mobile providers receiving more than \$5 million annually in ACF funds are required to conduct drive tests and submit those data to the Commission when they submit their required milestone certifications, which are due no later than 60 days after the end of each mobile provider's commitment milestone deadline. GCI petitions the Commission to instead “requir[e] speed tests results to be submitted five months after providers receive their samples.” GCI notes that it would be impossible for providers to submit their speed test results “along with” their milestone certifications, given that certifications are required no later than two months

after milestones are due, but the hex-9 samples needed to begin testing may be provided up to four months after milestones are due. To effectuate this request, GCI asks the Commission to amend § 54.318(k)(1) of its rules as follows: “A mobile provider receiving more than \$5 million annually in Alaska Connect Fund support must submit speed test data within five months of receipt of the final sample grid cells for speed testing.”

The Commission agrees that adopting GCI’s proposed language for mobile speed tests, making the deadline for submitting speed test data five months after obligated providers receive their hex-9 samples, is in the public interest, and it grants reconsideration on this point. The Commission finds that a five-month deadline will ensure mobile providers obligated to meet this requirement have the time they need to adequately perform their drive tests without prejudicing the Commission’s ability to assess carriers’ compliance. Further, the Commission finds that GCI’s proposed amendment to § 54.318(k) of its rules is consistent with the speed testing requirement process that was carried out in the Alaska Plan. Though the Commission adopted an identical speed testing requirement in the *Alaska Plan Order*, WTB subsequently waived the original March 1, 2022 deadline for submitting Alaska Plan drive-test data and extended it six months to September 30, 2022, in response to arguments that providers would not have enough time to test their random sample of grids once WTB provided them. The Commission notes that several circumstances were present that contributed to the six-month extension in the *Alaska Drive Test Extension Order* that do not apply here, and therefore agrees with GCI that five months is a more appropriate deadline in this case. The Commission avoids that result here by granting GCI’s request and adopting its suggested amendment to § 54.318(k).

3. Reconsideration of the Reasonably Comparable Price Requirement To Permit Providers To Use Their Own Anchorage Plans To Meet the Comparable Pricing Benchmark

GCI seeks reconsideration of the prohibition on ACF mobile providers citing their own service plans in Anchorage as evidence of their compliance with the reasonably comparable rate requirement. GCI claims that this prohibition effectively only applies to GCI, as it is the only Alaska Plan mobile carrier that serves Anchorage, and requests an amendment to § 54.308(f)(4) to remove this

prohibition. The Commission grants the request to remove the prohibition.

In the *Alaska Connect Fund Order*, providers are prohibited from citing their own plans in Anchorage as evidence that they are providing reasonably comparable rates. Section 254(b)(3) of the Communications Act of 1934, as amended, establishes the universal service principle that consumers in all regions of the nation, including “rural, insular, and high-cost areas,” should have access to advanced communications that are reasonably comparable to those services and rates available in urban areas. In the *Alaska Connect Fund Order*, the Commission required every participating mobile provider to certify its compliance with this statutory obligation in annual compliance filings and to demonstrate its compliance by showing that it publishes, on its publicly accessible website, at least one mobile broadband plan and at least one stand-alone voice plan that are: (1) substantially similar to a service plan offered by at least one different mobile wireless service provider in the Cellular Market Area (CMA) for Anchorage, Alaska, and (2) offered for the same or a lower rate than the matching plan in the CMA for Anchorage. However, the Commission included the caveat that providers could not cite to their own plans in Anchorage as evidence of meeting the reasonably comparable rate condition.

GCI argues that prohibiting a mobile provider from citing to its own plans as evidence of compliance with the reasonably comparable requirement is inconsistent with other high-cost support programs, such as the Alaska Plan, as well as the requirements for ACF fixed providers. GCI claims that this prohibition effectively only applies to GCI, as it is the only Alaska Plan mobile carrier that serves Anchorage. GCI also argues that the prohibition is unneeded, considering Anchorage market conditions are highly competitive. GCI maintains that its plans “are offered statewide, so by definition its rates in supported areas are the same as its rates in Anchorage.” The Commission received no other feedback on this prohibition or GCI’s proposal.

The Commission grants GCI’s request to reconsider the prohibition on mobile providers citing their own plans in Anchorage as evidence of compliance with the reasonably comparable rate condition. To the extent that the Commission was concerned with incentivizing artificially high pricing throughout the state, any mobile provider’s plan will face competitive pressures in Anchorage. If a mobile

provider were to raise its rates in Anchorage, which contains more than one third of Alaska’s population, then it increases the risk of losing subscribers in Alaska’s most populated market. As evidence that competition in the Anchorage market is sufficient to restrain prices, when the reasonably comparable rate demonstration was due in the Alaska Plan in 2022, GCI could have cited to its own plan, but instead, demonstrated that it was offering plans with reasonably comparable rates by submitting a competitor’s Anchorage mobile-service plans. Moreover, while the first reasonably comparable rate demonstration is not due until December 31, 2029, at the moment, GCI, as it observes, is the only mobile provider affected by this rule and may continue to be the only mobile provider affected by this condition throughout the course of the ACF. Consequently, the Commission finds persuasive GCI’s arguments permitting mobile providers to use their own Anchorage service plans as evidence of compliance with the reasonably comparable requirements and grants GCI’s request for reconsideration of this condition. Accordingly, the Commission strikes this requirement from § 54.308(f)(4).

F. Treatment of Transactions Between ACF Supported Providers

GCI seeks clarification of how ACF support will be impacted by transactions among ACF mobile providers, and requests that the acquiring mobile provider be guaranteed to receive the acquired mobile provider’s ACF support. Specifically, GCI argues that the Commission should make two clarifications to give mobile providers certainty to make performance commitments and ensure that there is a continuation of service after the transaction. First, GCI proposes that for situations “where a transaction closes before the resolution of a duplicate-support area, the acquiring company should continue to receive all of the ACF support for the formerly duplicate-support area.” GCI claims that this proposal would be consistent with the Commission’s approach for the Alaska Plan. GCI also proposes that “if duplicate-support areas are eliminated due to a merger or other transaction, the area should be reclassified as [a] single-support [area]” because it no longer needs a competitive selection process to determine a single mobile provider. Under this proposal, the provider would submit a revised performance plan that reflects the requirements for the reclassified areas. Second, for situations where “a transaction closes after the competitive selection process,” GCI

proposes that “the successor mobile provider should be permitted to continue to receive ACF support at the competitively selected level, subject to the commitments entered into by its predecessor.” To effectuate these clarifications, GCI proposes adding a new paragraph at the end of § 54.318 of the Commission’s rules. The Commission denies GCI’s request to provide blanket guarantees of post-transaction support transfers. It, instead, maintains that such transfers of ACF support between participating Alaska ETCs will be addressed on a case-by-case basis as such transactions come before the Commission for review.

Although the Commission had considered the effects of transactions between participating mobile providers on their Alaska Plan support, the *Alaska Connect Fund Order* was silent on the matter. Under the Alaska Plan, WTB was authorized to permit a participating provider transferring some or all of its Alaska customers to another ETC to also transfer a “proportionate amount of its Alaska Plan support” to that ETC, and to determine the extent of the proportionate amount of support and specific performance obligations to be transferred.

The Commission denies GCI’s request and finds no need to amend the rules for transactions involving the potential transfer of ACF support and obligations, as the Commission’s statutory transaction review authority already provides the means to sufficiently address these matters as they arise. Unlike the Alaska Plan, the ACF does not just acknowledge that there could be duplicate support, but makes different rules for duplicate-support areas. As part of this different treatment, there are unresolved issues regarding how to address duplicate-support in the *FNPRM* that could be affected if the Commission were to grant GCI’s request. Given the different regulatory regime of the duplicate support areas and the unsettled resolution of the related issues from the Further Notice, the Commission denies GCI’s request for clarification regarding transactions between ACF providers. As such, the Commission emphasizes that it will determine the extent to which ACF support and obligations will transfer among providers on a fact-specific, case-by-case basis for each transaction.

IV. Order

Section 54.318(d)(1)(i) of the Commission’s rules currently reads: “Support areas are areas covered by one Alaska Plan mobile-provider participant.” The *Alaska Connect Fund Order*, however, specifically defined

areas that are covered by only one Alaska Plan mobile-provider participant in Alaska as “single-support areas.” The text of § 54.318(d)(1)(i), in its current form, is inconsistent with the Commission’s intent and the structure and content of § 54.318(d). Section 54.318 also generally does not employ the term “support area” in other paragraphs, without a modifier, but rather uses either “single-support area,” or “duplicate-support area.” Further, the *Alaska Connect Fund Order* comprehensively articulates the geographic-area approach to ACF mobile support and uses specific modifiers for the three types of areas.

To ensure that the existing rule is fully consistent with the text and intent of the *Alaska Connect Fund Order*, the Commission finds good cause to amend it without notice and comment by adding the inadvertently omitted word “single” before “support.” The revised rule would read: “Single-support areas are areas covered by one Alaska Plan mobile-provider participant.” Because the rule as currently codified has been interpreted consistently with the text of the *Alaska Connect Fund Order* since its adoption, the Commission finds that this change would be of negligible impact.

V. Final Regulatory Flexibility Analysis

As required by the Regulatory Flexibility Act of 1980, as amended (RFA), the Federal Communications Commission (Commission) published an Initial Regulatory Flexibility Analysis (IRFA) in the *Alaska Connect Fund Notice of Proposed Rulemaking (Alaska Connect Fund NPRM)*, released in October 2023. The Commission sought written public comment on the proposals in the *Alaska Connect Fund NPRM*, including comment on the IRFA. No comments were filed addressing the IRFA. In November 2024, the Commission released the *Alaska Connect Fund Report and Order* and Further Notice of Proposed Rulemaking (*Alaska Connect Fund Order*) and published a FRFA, as well as an IRFA for the Further Notice of Proposed Rulemaking (*FNPRM*). On January 5, 2025, GCI Communication Corp. (GCI) filed a Petition for Clarification and Reconsideration of the *Alaska Connect Fund Order* (GCI ACF Petition), which included issues impacting small entities. The Wireless Telecommunications Bureau (WTB) then sought public comment on GCI’s petition in a *Public Notice* released March 19, 2025. One party filed comments in response to the GCI ACF Petition. No relevant issues impacting small entities were raised in comments

to the GCI ACF Petition. This Final Regulatory Flexibility Analysis (FRFA) incorporates the FRFA for the *Alaska Connect Fund Order*, and reflects the actions the Commission takes in the *Order on Reconsideration and Clarification* to revise certain rules established by the *Alaska Connect Fund Order*, conforms to the RFA, and it (or summaries thereof) will be published in the **Federal Register**.

A. Need for, and Objectives of, the Order on Reconsideration and Order

In the *Alaska Connect Fund Order*, the Commission adopted new rules establishing a new high-cost support program—Alaska Connect Fund (ACF)—that would provide ongoing and certain support for fixed and mobile wireless services in Alaska through 2034. For mobile service, the Commission adopted two separate approaches, which set goals and terms based on whether an area eligible for funding has one single or multiple subsidized providers. The ACF initially extends support for a set period for mobile providers that (1) participated in the prior high-cost funding program, the Alaska Plan, and (2) choose to opt into the ACF, subject to conditions set forth in the *Alaska Connect Fund Order*. For eligible areas where there is only one subsidized provider (single-support areas), the current provider will continue receiving support through the end of 2034 and will be expected to enter into a new performance plan providing for 5G service where technically and financially feasible. For eligible areas with multiple subsidized providers (duplicate-support areas), the Commission adopted a two-phased approach to resolve duplicative support: (1) an ACF Mobile Phase I that extends support for the mobile providers receiving support in these duplicate-support areas under the current Alaska Plan until December 31, 2029; and (2) an ACF Mobile Phase II that would provide a single provider in those areas with support through the end of 2034. The *Alaska Connect Fund Order* also delegated authority to the Wireless Telecommunications Bureau (WTB) to implement and administer various components of the mobile portion of the ACF. These actions were taken to address the inherent challenges in providing service to remote areas of Alaska. The Commission also recognized that there are areas of Alaska that still lack high-quality affordable broadband, where residents may be deprived of the opportunity to keep up with the advancements in technology that Americans living elsewhere benefit from. This framework allows for a

period of certainty of support so that the mobile-provider participants of the Alaska Plan can continue their network planning and making their contractual arrangements in the short term, thereby continuing to build on the progress and momentum of the Alaska Plan.

In response to GCI's requests, the *Order on Reconsideration and Clarification* modifies and provides further clarification on the ACF rules for mobile providers. The Commission clarifies several aspects of mobile providers' performance plan requirements and commitments, including: whether providers can have multiple technology and speed commitments within a census tract; the circumstances where WTB may approve the use of older technologies in a provider's performance plan; and whether and to what extent WTB will consider the availability of backhaul capacity when negotiating individualized performance plans with providers. The Commission grants GCI's requests in part to reconsider the deployment goals of 5G-NR at 35/3 Mbps for single-support areas and 5/1 Mbps for duplicate-support areas by providing additional clarification on the expectations for meeting these goals and on exceptions allowing for lesser commitments. The Commission also clarifies WTB's delegated authority to find a provider ineligible for ACF participation due to noncompliance with its Alaska Plan commitments. In addition, the *Order on Reconsideration and Clarification* modifies and clarifies rules governing the categorization of eligible and ineligible areas, and confirms that providers have no service obligations for areas that are determined to be ineligible for ACF support. The Commission also addresses GCI's requests to modify several compliance obligations by eliminating the annual infrastructure data filing requirement for ACF mobile providers, revising the ACF speed test data submission deadline to the date five months after a provider receives its sample grid cells to be tested, and removing a prohibition on the reasonably comparable rate

requirement to allow ACF providers to cite their own Anchorage plans as evidence of compliance with the reasonably comparable rate requirement. Finally, the *Order on Reconsideration and Clarification* clarifies that the Commission will consider how ACF support and obligations are affected by transactions between ACF supported providers on a case-by-case basis for each transaction. These modifications and clarifications to the Commission's rules will meet the its long-standing objectives of alleviating confusion and reducing difficulties resulting from participating in or complying with the ACF and its requirements, while still ensuring the continued deployment of affordable, reliable, high-speed broadband services to communities throughout Alaska in a fiscally responsible manner. Additionally, this item also furthers the Commission's overarching goal to reduce regulatory burden on telecommunications providers.

B. Summary of Significant Issues Raised by Public Comments in Response to the IRFA and Public Notice

No comments were filed addressing the impact of the proposed rules on small entities.

C. Response to Comments by the Chief Counsel for Advocacy of the Small Business Administration

Pursuant to the Small Business Jobs Act of 2010, which amended the RFA, the Commission is required to respond to any comments filed by the Chief Counsel for Advocacy of the Small Business Administration (SBA), and provide a detailed statement of any change made to the proposed rules as a result of those comments. The Chief Counsel did not file any comments in response to the proposed rules in this proceeding.

D. Description and Estimate of the Number of Small Entities to Which the Amended Rules Will Apply

The RFA directs agencies to provide a description of, and where feasible, an

estimate of the number of small entities that may be affected by the rules adopted herein. The RFA generally defines the term "small entity" as having the same meaning as under the Small Business Act. In addition, the term "small business" has the same meaning as the term "small business concern" under the Small Business Act." A "small business concern" is one which: (1) is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the SBA.

The Commission's actions, over time, may affect small entities that are not easily categorized at present. The Commission therefore describes three broad groups of small entities that could be directly affected by its actions. In general, a small business is an independent business having fewer than 500 employees. These types of small businesses represent 99.9% of all businesses in the United States, which translates to 34.75 million businesses. Next, "small organizations" are not-for-profit enterprises that are independently owned and operated and not dominant their field. While the Commission does not have data regarding the number of non-profits that meet that criteria, over 99 percent of nonprofits have fewer than 500 employees. Finally, "small governmental jurisdictions" are defined as cities, counties, towns, townships, villages, school districts, or special districts with populations of less than fifty thousand. Based on the 2022 U.S. Census of Governments data, the Commission estimates that at least 48,724 out of 90,835 local government jurisdictions have a population of less than 50,000.

The actions taken in the *Order on Reconsideration and Clarification* will apply to small entities in the industries identified in the chart below by their six-digit North American Industry Classification System codes and corresponding SBA size standard.

Regulated industry	NAICS code	SBA size standard	Total firms	Small firms	% Small firms in industry
All Other Information Services	519190	1,500 employees	704	556	78.98
All Other Telecommunications	517810	\$40 million	1,079	1,039	96.29
Cable and Other Subscription Programming	515210	\$47 million	378	149	39.42
Media Streaming Distribution Services, Social Networks, and Other Media Networks and Content Providers.	516210	\$47 million	6,417	5,710	88.98
Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing.	334220	1,250 employees	656	624	95.12
Satellite Telecommunications	517410	\$47 million	275	242	88.00
Telecommunications Resellers	517121	1,500 employees	1,386	1,375	99.21
Wired Telecommunications Carriers	517111	1,500 employees	3,054	2,964	97.05

Regulated industry	NAICS code	SBA size standard	Total firms	Small firms	% Small firms in industry
Wireless Telecommunications Carriers (except Satellite)	517112	1,500 employees	2,893	2,837	98.06

Based on currently available U.S. Census data regarding the estimated number of small firms in each identified industry, the Commission concludes

that the adopted rules will impact a substantial number of small entities. Where available, the Commission provides additional information

regarding the number of potentially affected entities in the above identified industries, and information for other affected entities, as follows.

Affected entity	SBA size standard (1,500 employees)		
	Total number FCC Form 499A filers	Small firms	Percent small entities
Competitive Local Exchange Carriers (CLECs)	3,729	3,576	95.90
Incumbent Local Exchange Carriers (Incumbent LECs)	1,175	917	78.04
Interexchange Carriers (IXCs)	113	95	84.07
Local Exchange Carriers (LECs)	4,904	4,493	91.62
Local Resellers	222	217	97.75
Other Toll Carriers	74	71	95.95
Prepaid Card Providers	47	47	100.00
Toll Resellers	411	398	96.84
Telecommunications Resellers	633	615	97.16
Wired Telecommunications Carriers	4,682	4,276	91.33
Wireless Telecommunications Carriers (except Satellite)	585	498	85.13

Cable Companies and Systems (Rate Regulation). The Commission has developed its own small business size standard for the purpose of cable rate regulation. Under the Commission’s rules, a “small cable company” is one serving 400,000 or fewer subscribers nationwide. Based on industry data, there are about 420 cable companies in the U.S. Of these, only seven have more than 400,000 subscribers. In addition, under the Commission’s rules, a “small system” is a cable system serving 15,000 or fewer subscribers. Based on industry data, there are about 4,139 cable systems (headends) in the U.S. Of these, about 639 have more than 15,000 subscribers. Accordingly, the Commission estimates that the majority of cable companies and cable systems are small under this size standard.

Cable System Operators (Telecom Act Standard). The Communications Act of 1934, as amended, contains a size standard for a “small cable operator,” which is “a cable operator that, directly or through an affiliate, serves in the aggregate fewer than one percent of all subscribers in the United States and is not affiliated with any entity or entities whose gross annual revenues in the aggregate exceed \$250,000,000.” For purposes of the Telecom Act Standard, the Commission determined that a cable system operator that serves fewer than 498,000 subscribers, either directly or through affiliates, will meet the definition of a small cable operator. Based on industry data, only six cable

system operators have more than 498,000 subscribers. Accordingly, the Commission estimates that the majority of cable system operators are small under this size standard.

Wired Broadband Internet Access Service Providers (Wired ISPs). According to Commission data on internet access services as of June 30, 2024, nationwide there were approximately 2,204 providers of connections over 200 kbps in at least one direction using various wireline technologies.

Wireless Broadband Internet Access Service Providers (Wireless ISPs or WISPs). According to Commission data on internet access services as of June 30, 2024, nationwide there were approximately 1,157 fixed wireless and 52 mobile wireless providers of connections over 200 kbps in at least one direction.

E. Description of Economic Impact and Projected Reporting, Recordkeeping, and Other Compliance Requirements for Small Entities

The RFA directs agencies to describe the economic impact of proposed rules on small entities, as well as projected reporting, recordkeeping and other compliance requirements, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for preparation of the report or record.

The reconsiderations and clarifications to the *Alaska Connect*

Fund Order that the Commission makes in today’s *Order on Reconsideration and Clarification* will modify the reporting, recordkeeping, and/or other compliance obligations on small entities. The *Alaska Connect Fund Order*, in part, adopted public interest obligations, performance requirements, and reporting and certification requirements for small and other mobile participants of the ACF that are described in the FRFA published with the *Alaska Connect Fund Order*. The Commission incorporates those requirements, with the following modifications. While recipients of ACF support for mobile services shall continue to be subject to the reporting obligations set forth in §§ 54.308, 54.313, 54.314, 54.320(d), 54.321 of the Commission’s rules, as amended, § 54.318, and be subject to the requirements in §§ 54.9, 54.10, and 54.11 of the Commission’s rules, such recipients are no longer required to submit on an annual basis all of the infrastructure data that providers would submit as part of the BDC mobile verification process for all cell sites and antennas that serve an ACF mobile support recipient’s supported area for coverage. Further, ACF mobile participants are no longer prohibited from citing to their own plans in Anchorage as evidence of compliance with the reasonably comparable rate requirement. An Alaska Plan mobile provider that opts into the ACF may have its fund support delayed, or may be deemed ineligible to participate in

the ACF, if the WTB determines, after December 31, 2027 but before December 15, 2028 (subject to reasonable extensions by WTB, not to go beyond July 1, 2029), that the mobile provider has failed to comply with the public interest obligations or other terms and conditions of the Alaska Plan or its Alaska Plan commitments, or failed to meet its Alaska Plan build-out final milestone by greater than a *de minimis* amount. Additionally, mobile providers required to submit speed test data for ACF support must submit such data within five months of receipt of the final sample grid cells for speed testing.

Accordingly, the modifications to the requirements and rules of the ACF made in this *Order on Reconsideration and Clarification* did not change or impact the cost of compliance analysis and estimates for small and other providers made in the *Alaska Connect Fund Order*. As such, the Commission anticipates that the modifications to be implemented will have minimal cost implications, because the Commission expects that much of the required information is already collected to ensure compliance with the terms and conditions of support for other high-cost programs. The Commission further notes that at this time, the record does not provide sufficient information to allow it to determine whether small entities will be required to hire additional attorneys, engineers, consultants or other professionals to comply with the modified rules adopted today.

F. Discussion of Steps Taken To Minimize the Significant Economic Impact on Small Entities, and Significant Alternatives Considered

The RFA requires an agency to provide, “a description of the steps the agency has taken to minimize the significant economic impact on small entities . . . including a statement of the factual, policy, and legal reasons for selecting the alternative adopted in the final rule and why each one of the other significant alternatives to the rule considered by the agency which affect the impact on small entities was rejected.”

The Commission has taken several steps in the *Order on Reconsideration and Clarification* to minimize the economic impact of compliance with the *Alaska Connect Fund Order* for small entities. The Commission provides further clarification on several ACF requirements for mobile providers, thereby reducing potential confusion on the part of small and other providers that may have occurred if the requests were denied. These include clarification

on performance plan goals and obligations, eligibility standards for ACF participation, categorization of support areas, service obligations for areas deemed ineligible for support, and treatment of transactions between ACF supported providers. Additionally, the Commission modifies the existing ACF rules to make compliance easier for providers, by eliminating the infrastructure annual data filing requirement, providing a reasonable deadline for the mobile speed test requirements, and also allowing an additional category of evidence to be used to demonstrate compliance with the reasonably comparable price requirement. Alternatively, the Commission considered, for example, retaining the existing rules regarding the filing requirement, however, its decision to eliminate this requirement reduces compliance burdens for small and other entities and is also in keeping with the objectives of the Commission’s *Delete, Delete, Delete* initiative to reduce unnecessary regulations that would strain the limited resources of ACF mobile providers. The updated rules have thus reduced the compliance burden for small and other providers, particularly when compared to taking the alternative of maintaining the rules that were originally adopted in the *Alaska Connect Fund Order*. The system adopted for the ACF was inherently designed with consideration to small businesses, as the eligible participants for ACF extended support fall under the SBA size standard for small businesses as wireless telecommunications carriers.

VI. Ordering Clauses

Accordingly, *it is ordered* that, pursuant to the authority contained in sections 1–5, 254, 301, 332, and 405 of the Communications Act of 1934, as amended, 47 U.S.C. 151–155, 254, 301, 332, 405, and § 1.429 of the Commission’s rules, 47 CFR 1.429, that the Petition for Clarification and Reconsideration filed by GCI Communications Corp. *is granted in part, denied in part, and dismissed in part*, to the extent described herein.

It is further ordered that, pursuant to the authority contained in sections 1–5, 254, 301, and 332 of the Communications Act of 1934, as amended, 47 U.S.C. 151–155, 254, 301, 332, and 5 U.S.C. 553(b), that the *Order on Reconsideration and Clarification and Order, is adopted*.

It is further ordered that the amendments part 54 of the Commission’s rules, 47 CFR part 54, *are adopted*, and effective thirty (30) days after publication in the **Federal Register**.

It is further ordered that the Office of the Secretary *shall send* a copy of the *Order on Reconsideration and Clarification and Order*, including the Final Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration.

It is further ordered that the Commission *shall send* a copy of the *Order on Reconsideration and Clarification and Order* to Congress and the Government Accountability Office pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A).

List of Subjects in 47 CFR Part 54

Alaska, Communications common carriers, Internet, Reporting and recordkeeping requirements, Telecommunications, Telephone, Universal service.

Federal Communications Commission.

Marlene Dortch,
Secretary.

Final Rules

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 54 as follows:

PART 54—UNIVERSAL SERVICE

- 1. The authority citation for part 54 continues to read as follows:

Authority: 47 U.S.C. 151, 154(i), 155, 201, 205, 214, 219, 220, 229, 254, 303(r), 403, 1004, 1302, 1601–1609, and 1752, unless otherwise noted.

- 2. Amend § 54.308 by revising the introductory text of paragraph (e) and paragraph (f)(4) to read as follows:

§ 54.308 Broadband public interest obligations for recipients of high-cost support.

* * * * *

(e) *Minimum provision of service.* Mobile providers receiving support from the Alaska Connect Fund must provide service at the same minimum service levels as required under the Alaska Plan and may not provide less coverage or provide service using a less advanced technology than the provider committed to under the Alaska Plan. For areas supported under the Alaska Plan that are ineligible for support under the Alaska Connect Fund, providers must continue to provide service to the extent of their Alaska Plan commitments, but do not have Alaska Connect Fund service obligations for those areas and are prohibited from using Alaska Connect Fund support to serve those areas.

* * * * *

(f) * * *

(4) The Wireless Telecommunications Bureau may employ alternative benchmarks or dates appropriate for specific competitive Eligible Telecommunications Carriers in assessing carrier offerings.

* * * * *

■ 3. Amend § 54.318 by revising paragraphs (a)(1), (c)(1)(iii), (d)(1)(i) and (ii), (e), (f)(6), (h) introductory text, (h)(6), removing and reserving paragraphs (i)(4) and (j), and revising paragraphs (k)(1) and (3) to read as follows:

§ 54.318 Alaska Connect Fund for competitive eligible telecommunications carriers receiving mobile support.

(a) * * *

(1) An Alaska Plan mobile provider that opts into the Alaska Connect Fund may have its Alaska Connect Fund support delayed, or may be deemed ineligible to participate in the Alaska Connect Fund, if the Wireless Telecommunication Bureau determines, after December 31, 2027, but before December 15, 2028—subject to reasonable extensions by WTB, not to go beyond July 1, 2029—that the mobile provider has failed to comply with the public interest obligations or other terms and conditions of the Alaska Plan or its Alaska Plan commitments, or failed to meet its Alaska Plan build-out final milestone by greater than a *de minimis* amount.

* * * * *

(c) * * *

(1) * * *

(iii) Areas deemed inaccessible or unsafe for testing by the Wireless Telecommunications Bureau, in coordination with the Office of Economics and Analytics, and reflected in the Eligible-Areas Map, as described in paragraph (c)(2) of this section, based on mobile providers' Broadband Data Collection availability data as of December 31, 2024.

* * * * *

(d) * * *

(1) * * *

(i) Single-support areas are areas covered by one Alaska Plan mobile-provider participant.

(ii) Duplicate-support areas are areas covered by two or more Alaska Plan mobile provider participants, based on mobile providers' Broadband Data Collection availability data as of December 31, 2024.

* * * * *

(e) *Use of support.* Support allocated through the Alaska Connect Fund may only be used to provide mobile voice and mobile broadband service in

eligible areas. Alaska Connect Fund recipients may use their support for both operating expenses and capital expenses for deploying, upgrading, and maintaining mobile voice and broadband-capable networks, including middle-mile improvements needed to those ends. As long as an Alaska Connect Fund recipient is providing service to its awarded area consistent with its public interest obligations service expenditures will be eligible for support. Expenditures for middle-mile facilities may occur outside of eligible areas, so long as they are necessary to provide mobile voice and broadband service in the areas where the Alaska Connect Fund recipient receives support. A mobile provider does not have Alaska Connect Fund obligations in areas where it is prohibited from using Alaska Connect Fund support for service, and it is prohibited from using Alaska Connect Fund support to provide service in areas other than its own single-support or duplicate-support areas or other eligible areas, as defined in paragraph (d)(1)(iii) of this section.

(f) * * *

(6) Alaska Connect Fund mobile providers are required to maintain and improve upon their Alaska Plan service in eligible single- and duplicate-support areas. Subject to exceptions, where a mobile provider previously committed to cover an area in the Alaska Plan, it is expected to upgrade that area to at least 5G-NR at 7/1 Mbps in areas that remain eligible in the Alaska Connect Fund. In addition, mobile providers in single-support areas are expected to provide 5G-NR at speeds of 35/3 Mbps only to portions of their anticipated coverage area that are within a 1.5-mile radius around their cell sites and only where the provider has access to fiber- or microwave-based backhaul and competitively priced transport rates. Further, for voice-only areas that exist beyond the cell edge of the mobile commitment areas—based on Alaska Plan service areas—mobile providers do not need to upgrade those areas to 5G-NR or commit to a minimum data speed and may maintain the facilities and voice service already in place, unless otherwise committed to in the Alaska Connect Fund. Providers in single-support areas are to report to WTB the progress they have made beyond Alaska Plan service levels by December 31, 2029, and to meet their commitments by the December 31, 2031 interim milestone and the December 31, 2034 final milestone. Providers in duplicate-support areas are expected to work to extend at least 4G LTE at 5/1 Mbps in

an outdoor stationary environment to areas where they do not currently offer it by the end of December 2029. During performance plan discussions, mobile providers may also demonstrate to WTB other reasons why it is not technically and financially feasible to meet these expectations and may propose alternatives. Where cell sites are more than 50 miles away from a fiber or microwave node, this factor weighs heavily in favor of allowing a lesser commitment.

* * * * *

(h) *Comparable areas.* Mobile providers that received support under the Alaska Plan for coverage of newly ineligible areas and that wish to retain their support level must, for any support attributed to such newly ineligible areas, use their Alaska Connect Fund support to cover a comparable number of otherwise uncovered hex-9s elsewhere, subject to claw back in their support if they do not do so. Mobile providers must incorporate their comparable areas into their performance plans under the Alaska Connect Fund for Wireless Telecommunications Bureau approval. Specifically, each mobile provider must remove the ineligible hex-9s from its commitment, and in a separate category in the performance plan, specify how many comparable hex-9s it commits to cover, by census tract.

* * * * *

(6) If a mobile provider discovers that some areas are inaccessible during required speed testing or during an audit, the mobile provider will be in noncompliance for those hex-9s, and potentially additional hex-9s if the inaccessible hex-9s were selected through random sampling.

* * * * *

(k) * * *

(1) A mobile provider receiving more than \$5 million annually in Alaska Connect Fund support must submit speed test data within five months of receipt of the final sample grid cells for speed testing.

* * * * *

(3) If a hex-9 is determined to be untestable and this is discovered during speed testing of a provider's commitments, the hex-9—and any hex-9s represented by that hex-9—will be counted as noncompliant with the provider's commitments.

* * * * *

Proposed Rules

Federal Register

Vol. 90, No. 235

Wednesday, December 10, 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-2025-5386; Project Identifier MCAI-2025-01227-A]

RIN 2120-AA64

Airworthiness Directives; Extra Aerobatic Aircraft GmbH Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for all Extra Aerobatic Aircraft GmbH (Extra) Model EXTRA NG airplanes. This proposed AD was prompted by reports of the canopy opening or detaching in flight because of a partially or improperly locked canopy. This proposed AD would require replacing the canopy placards and revising the Limitations Section of the Pilot Operating Handbook/Airplane Flight Manual (POH/AFM). 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 26, 2026.

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

- *Federal eRulemaking Portal:* Go to [regulations.gov](https://www.regulations.gov). Follow the instructions for submitting comments.

- *Fax:* (202) 493-2251.

- *Mail:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

AD Docket: You may examine the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2025-5386; 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 Extra Aerobatic Aircraft GmbH material identified in this proposed AD, contact Extra Aerobatic Aircraft GmbH, Schwarze Heide 21, 46569 Hünxe, Germany; phone: +49 2858 9137 0; email: engineering@ExtraAircraft.com.

- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 901 Locust, Kansas City, MO 64106. For information on the availability of this material at the FAA, call (817) 222-5110.

FOR FURTHER INFORMATION CONTACT:

Doug Rudolph, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (816) 329-4059; email: doug.rudolph@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-2025-5386; Project Identifier MCAI-2025-01227-A” at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

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

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act

(FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as “PROPIN.” The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Doug Rudolph, 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 European Union Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2025-0156, dated July 21, 2025 (EASA AD 2025-0156) (also referred to as the MCAI), to correct an unsafe condition on Extra Aerobatic Aircraft GmbH Model EXTRA NG airplanes, all serial numbers. The MCAI states that there are reports of canopies opening or detaching during flight. Further investigation determined that, in most cases, the root cause was a partially or improperly locked canopy. This condition, if not detected and corrected, could result in canopy separation, possibly leading to damage to the airplane structure, loss of control of the airplane, or injuries to people on the ground.

To address the unsafe condition, the MCAI requires replacing the canopy placards and revising the Limitations Section by adding reference to new canopy placards in the POH/AFM. This can be accomplished by incorporating Revision 16 or later of the Extra Aerobatic Aircraft GmbH POH/AFM.

You may examine the MCAI in the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2025-5386.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EXTRA Aerobatic Aircraft GmbH Service Bulletin No. SB-NG-1-24, Issue A, dated December 19,

2024. This material specifies procedures for revising the Limitations Section of the POH/AFM to include the newly mandated placard. Compliance shall be accomplished by incorporating Revision 16 or later approved revisions of the POH/AFM. 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 NPRM after determining that the unsafe condition described previously is likely to exist or develop on other products of the same type design.

Proposed AD Requirements in This NPRM

This proposed AD would require accomplishing the actions specified in the material already described. This proposed AD also requires revising the Limitations Section of the existing POH/AFM.

The owner/operator (pilot) holding at least a private pilot certificate may revise the existing POH/AFM, as applicable, for your airplane and must enter compliance with the applicable paragraph of this proposed AD into the airplane maintenance records in accordance with 14 CFR 43.9(a) and 91.417(a)(2)(v).

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 30 airplanes of U.S. registry.

The FAA estimates the following costs to comply with this proposed AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Replace canopy placards	1 work-hour × \$85 per hour = \$85	\$10	\$95	\$2,850
Revise POH/AFM	1 work-hour × \$85 per hour = \$85	0	85	2,550

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

Extra Aerobatic Aircraft GmbH: Docket No. FAA–2025–5386; Project Identifier MCAI–2025–01227–A.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by January 26, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Extra Aerobatic Aircraft GmbH Model EXTRA NG airplanes, certificated in any category.

(d) Subject

Joint Aircraft System Component (JASC) Code 1100, Placards and Markings

(e) Unsafe Condition

This AD was prompted by reports of the canopy opening or detaching in flight because of a partially or improperly locked canopy. The FAA is issuing this AD to detect and address placards/design that did not provide adequate positive canopy locking or confirmation. The unsafe condition, if not addressed, could result in canopy separation, possibly leading to damage to the airplane structure, loss of control of the airplane, or injuries to people on the ground.

(f) Compliance

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

(g) Required Actions

(1) For airplanes without canopy placard part number (P/N) EX–01106.01–Canopy installed, within 3 months or 25 hours time-in-service, whichever occurs first after the effective date of this AD, replace the affected canopy placards at the front and rear canopy handles in accordance with the INSTRUCTIONS, steps 1 and 2, in EXTRA Aerobatic Aircraft GmbH Service Bulletin No. SB–NG–1–24, Issue A, dated December 19, 2024 (EXTRA SB–NG–1–24).

(2) Before next flight, after the replacement of the affected canopy placards required by paragraph (g)(1) of this AD, revise the Limitations Section of the existing pilot’s operating handbook/airplane flight manual (POH/AFM) to include canopy placard P/N EX–01106.01–Canopy in accordance with the

INSTRUCTIONS, step 3, in EXTRA SB-NG-1-24. The owner/operator (pilot) holding at least a private pilot certificate may revise the existing POH/AFM for your airplane and must enter compliance with the applicable paragraph of this AD into the airplane maintenance records in accordance with 14 CFR 43.9(a) and 91.417(a)(2)(v).

(3) Amending the existing POH/AFM by incorporating a later POH/AFM revision that includes information identical to that required by paragraph (g)(2) is an acceptable method to comply with the requirements of paragraph (g)(2) of this AD.

(h) Installation Prohibition

As of the effective date of this AD, do not replace any canopy placard with a placard that is not P/N EX-01106.01-Canopy.

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

(j) Additional Information

For more information about this AD, contact Doug Rudolph, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (816) 329-4059; email: doug.rudolph@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 the AD specifies otherwise.

(i) EXTRA Aerobatic Aircraft GmbH Service Bulletin No. SB-NG-1-24, Issue A, dated December 19, 2024.

(ii) [Reserved]

(3) For Extra Aerobatic Aircraft GmbH material identified in this AD, contact Extra Aerobatic Aircraft GmbH, Schwarze Heide 21, 46569 Hünxe, Germany; phone: +49 2858 9137 0; email: engineering@ExtraAircraft.com.

(4) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 901 Locust, Kansas City, MO 64106. 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. 2025-22445 Filed 12-9-25; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2025-5027; Project Identifier MCAI-2025-00023-A]

RIN 2120-AA64

Airworthiness Directives; Piaggio Aviation S.p.A. Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for certain Piaggio Aviation S.p.A. (Piaggio) Model P-180 airplanes. This proposed AD was prompted by a report of chafing in the flap transmission shafts. This proposed AD would require inspecting the flap transmission shaft for chafing or any damage (surface abrasions, grooves or rubbing tracks, and metallic smears or transfers), measuring specific gaps, and, depending on findings, accomplishing applicable corrective actions. 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 26, 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-2025-5027; 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 Piaggio Aerospace material identified in this AD, contact Piaggio, P180 Customer Support, via Pionieri e Aviatori d'Italia, snc—16154 Genoa, Italy; phone: +39 331 679 74 93; email: technicalsupport@piaggioaerospace.it.
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 901 Locust, Kansas City, MO 64106. 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-2025-5027.

FOR FURTHER INFORMATION CONTACT: Frank Huynh, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (404) 983-5288; email: frank.huynh@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-2025-5027; Project Identifier MCAI-2025-00023-A” at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to regulations.gov, including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this 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 Frank Huynh, 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 European Union Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2025-0014, dated January 13, 2025 (EASA AD 2025-0014) (also referred to as the MCAI), to correct an unsafe condition on certain serial-numbered Piaggio Model P-180 airplanes.

The MCAI states that an occurrence was reported where, during scheduled airplane maintenance, chafing was detected on the flap transmission shafts. A subsequent investigation identified a limited clearance between flap transmission shafts 1 and 7 and the wing rib at wing station 440 and between flap transmission shaft 7 and the cabin door seal inflation system pneumatic pipe. This condition, if not

detected and corrected, could affect the integrity of the flap transmission and lead to reduced control of the airplane.

To address the unsafe condition, the MCAI requires inspecting the flap transmission shafts, measuring specific gaps, and, depending on the findings, accomplishing corrective actions.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA-2025-5027.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed Piaggio Aerospace Service Bulletin 80-0498, Revision 0, dated August 2, 2024 (Piaggio SB 80-0498, Revision 0). This material specifies procedures for inspecting the flap transmission shaft for chafing or any damage (surface abrasions, grooves or rubbing tracks, and metallic smears or transfers), measuring specific gaps, and depending on findings, accomplishing applicable 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.

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 NPRM after determining that the unsafe condition described previously is likely to exist or develop on other products of the same type design.

Proposed AD Requirements in This NPRM

This proposed AD would require accomplishing the actions specified in the material already described, except as discussed under “Differences Between this Proposed AD and the Referenced Material.”

Differences Between This Proposed AD and the Referenced Material

The referenced material requires contacting Piaggio for approved repair instructions. This proposed AD would require contacting either the Manager, International Validation Branch, FAA; EASA; or Piaggio’s EASA Design Organization Approval (DOA), for approved repair instructions.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 98 airplanes 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
Initial inspection of flap transmission shafts	28 work-hours × \$85 per hour = \$2,380	\$0	\$2,380	\$233,240

The FAA estimates the following costs to do any necessary rework, repairs or replacements that would be required based on the results of the

proposed inspection. Any corrective action that may be needed as a result of the proposed inspection can vary from airplane to airplane. The agency has no

way of determining the number of airplanes that might need this rework, repairs, or replacements:

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Repetitive inspections of flap transmission shafts	28 work-hours × \$85 per hour = \$2,380, per inspection.	\$0	\$2,380, per inspection.
Rework of wing rib(s)	40 work-hours × \$85 per hour = \$3,400, per rework.	0	\$3,400, per rework.
Repair of pneumatic pipe	20 work-hours × \$85 per hour = \$1,700, per repair.	0	\$1,700, per repair.
Replacement of flap transmission shaft (all four)	20 work-hours × \$85 per hour = \$1,700	21,282	\$22,982.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA’s authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII:

Aviation Programs, describes in more detail the scope of the Agency’s authority.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section

44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds

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

Regulatory Findings

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

Piaggio Aviation S.p.A.: Docket No. FAA–2025–5027; Project Identifier MCAI–2025–00023–A.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by January 26, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Piaggio Aviation S.p.A. Model P–180 airplanes, serial numbers 1002, 1004 through 3016, and 3018, certificated in any category.

(d) Subject

Joint Aircraft System Component (JASC) Code 2700, Flight Control System.

(e) Unsafe Condition

This AD was prompted by a report of chafing in the flap transmission shafts. The FAA is issuing this AD to detect and address chafing or any damage (surface abrasions, grooves or rubbing tracks, and metallic smears or transfers) in the flap transmission shafts. The unsafe condition, if not addressed, could affect the integrity of the flap transmission, which could lead to reduced control of the airplane.

(f) Compliance

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

(g) Required Actions

(1) Within 220 hours time-in-service (TIS) after the effective date of this AD, inspect the outboard and inboard flap transmission shafts (#1 and #7) at the crossing holes and openings on wing rib 440 and inspect the left-hand (LH) inboard flap transmission shaft (#7) and the pneumatic pipe for chafing or any damage (surface abrasions, grooves or rubbing tracks, and metallic smears or transfers). Additionally, measure the gaps between the outboard and inboard flap transmission shafts (#1 and #7) and their respective crossing holes and openings on wing rib 440, and the gap between the LH inboard flap transmission shaft (#7) and the pneumatic pipe. Perform these actions in accordance with the ACCOMPLISHMENT INSTRUCTIONS, paragraph B. PROCEDURE/MODIFICATION, steps (10) and (11) in Piaggio Aerospace Service Bulletin 80–0498, Revision 0, dated August 2, 2024 (Piaggio SB 80–0498, Revision 0).

(2) If chafing or any damage (surface abrasions, grooves or rubbing tracks, and metallic smears or transfers) (referred to as discrepancies) is found during the inspections required by paragraph (g)(1) of this AD, perform any rework, repair, replacement, and repetitive inspections, as applicable, as specified in paragraphs (g)(2)(i) through (iv) of this AD.

(i) If no discrepancies are found or discrepancies are found that meet the criteria in Case 1 of paragraph 14 of Part A, paragraph B. PROCEDURE/MODIFICATION, of the ACCOMPLISHMENT INSTRUCTIONS section in Piaggio SB 80–0498, Revision 0, no further action is required by this AD.

(ii) If discrepancies are found that meet the criteria in Case 2 of paragraph 14 of Part A, paragraph B. PROCEDURE/MODIFICATION, of the ACCOMPLISHMENT INSTRUCTIONS section in Piaggio SB 80–0498, Revision 0, accomplish the actions of paragraph (g)(2)(ii)(A) and (B):

(A) Repetitively perform the inspections of paragraph (g)(1) at intervals not to exceed 220 hours TIS until the rework required by paragraph (g)(2)(ii)(B) of this AD is done.

(B) Within 660 hours TIS after the initial inspection required by paragraph (g)(1) of this AD, rework the wing rib(s) 440 (LH part number (P/N) 80–201367–001, right-hand (RH) P/N 80–201367–002) in accordance

with Steps 14 through 21 of Part A and Part B, paragraph B. PROCEDURE/MODIFICATION, of the ACCOMPLISHMENT INSTRUCTIONS section in Piaggio SB 80–0498, Revision 0.

(iii) If discrepancies are found that meet the criteria in Case 3 of paragraph 14 of Part A, paragraph B. PROCEDURE/MODIFICATION, of the ACCOMPLISHMENT INSTRUCTIONS section in Piaggio SB 80–0498, Revision 0, accomplish the actions of paragraph (g)(2)(iii)(A) and (B):

(A) Repetitively perform the inspections of paragraph (g)(1) of this AD at intervals not to exceed 110 hours TIS until the rework required by paragraph (g)(2)(iii)(B) of this AD is done.

(B) Within 220 hours TIS after the initial inspection required by paragraph (g)(1) of this AD, rework the wing rib(s) 440 (LH P/N 80–201367–001, RH P/N 80–201367–002) in accordance with Steps 14 through 21 of Part A and Part B, paragraph B. PROCEDURE/MODIFICATION, of the ACCOMPLISHMENT INSTRUCTIONS section in Piaggio SB 80–0498, Revision 0.

(iv) If discrepancies are found that meet the criteria in Case 4 of paragraph 14 of Part A, paragraph B. PROCEDURE/MODIFICATION, of the ACCOMPLISHMENT INSTRUCTIONS section in Piaggio SB 80–0498, Revision 0, before further flight, perform the following:

(A) Rework the wing rib(s) 440 (LH P/N 80–201367–001, RH P/N 80–201367–002) in accordance with Steps 14 through 21 of Part A and Part B, paragraph B. PROCEDURE/MODIFICATION, of the ACCOMPLISHMENT INSTRUCTIONS section in Piaggio SB 80–0498, Revision 0.

(B) Repair the pneumatic pipe (P/N 80–207493–401) in accordance with Steps 22 through 42 of Part B, paragraph B. PROCEDURE/MODIFICATION, of the ACCOMPLISHMENT INSTRUCTIONS section in Piaggio SB 80–0498, Revision 0.

(C) Replace any damaged transmission shaft with an airworthy one.

(3) If clearance cannot be obtained during Steps 21, 41, or 42 of Part B, paragraph B. PROCEDURE/MODIFICATION, of the ACCOMPLISHMENT INSTRUCTIONS section in Piaggio SB 80–0498, Revision 0, as required by paragraphs (g)(2)(ii)(B), (g)(2)(iii)(B), or (g)(2)(iv)(B) of this AD, contact the Manager, International Validation Branch, FAA; the European Union Aviation Safety Agency (EASA); or Piaggio’s EASA Design Organization Approval (DOA) for approved repair instructions, and before further flight, perform the repair. If the repair is approved by the DOA, the approval must include the DOA-authorized signature.

(h) No Reporting Requirement

Although Piaggio Aerospace Service Bulletin 80–0498, Revision 0, specifies to submit certain information to the manufacturer, this AD does not include that requirement.

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

(j) Additional Information

For more information about this AD, contact Frank Huynh, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (404) 983-5288; email: frank.huynh@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 the AD specifies otherwise.

(i) Piaggio Aerospace Service Bulletin 80-0498, Revision 0, dated August 2, 2024.

(ii) [Reserved]

(3) For Piaggio Aerospace material identified in this AD, contact Piaggio Aviation S.p.A., P180 Customer Support, via Pionieri e Aviatori d'Italia, snc—16154 Genoa, Italy; phone: +39 331 679 74 93; email: technicalsupport@piaggioaerospaace.it.

(4) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 901 Locust, Kansas City, MO 64106. 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 18, 2025.

Steven W. Thompson,

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

[FR Doc. 2025-22444 Filed 12-9-25; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2025-5244; Airspace Docket No. 25-AGL-8]

RIN 2120-AA66

Amendment of Jet Routes J-70 and J-94 and Amendment of Very High Frequency Omnidirectional Range Federal Airways V-30, V-55, V-84, V-170, and V-274 and Revocation of Jet Routes J-547 and J-548 in the Vicinity of Pullman, MI

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend Jet Routes J-70 and J-94; amend Very High Frequency Omnidirectional Range (VOR) Federal Airways V-30, V-55, V-84, V-170, and V-274; and revoke Jet Routes J-547 and J-548 in the vicinity of Pullman, MI. The FAA is proposing this action due to the planned decommissioning of the VOR portion of the Pullman, MI, VOR/Distance Measuring Equipment (DME) navigational aid (NAVAID). This NAVAID is being decommissioned as part of the FAA's VOR Minimum Operational Network (MON) program.

DATES: Comments must be received on or before January 26, 2026.

ADDRESSES: Send comments identified by FAA Docket No. FAA-2025-5244 and Airspace Docket No. 25-AGL-8 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, Policy Directorate, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267-8783.

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

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

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

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 Operations Support Group, Central Service Center, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX 76177.

Incorporation by Reference

Jet Routes are published in paragraph 2004 and VOR Federal Airways are published in paragraph 6010 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document proposes to amend the current version of that order, FAA Order JO 7400.11K, dated August 4, 2025, and effective September 15, 2025. These updates would be published 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.

Background

The FAA is planning to decommission the VOR portion of the Pullman, MI, VOR/DME in September of

2026. The Pullman VOR is one of the candidate VORs identified for discontinuance by the FAA's VOR MON program and listed in the final policy statement notice, "Provision of Navigation Services for the Next Generation Air Transportation System (NextGen) Transition to Performance-Based Navigation (PBN) (Plan for Establishing a VOR Minimum Operational Network)," published in the **Federal Register** on July 26, 2016 (81 FR 48694), Docket No. FAA-2011-1082.

Although the VOR portion of the Pullman VOR/DME is planned for decommissioning, the co-located DME portion of the NAVAID is being retained. The DME portion is being retained in support of current and future NextGen PBN procedures. The Air Traffic Service (ATS) routes affected by the planned decommissioning of the Pullman VOR are J-70, J-94, J-547, J-548, V-30, V-55, V-84, V-170, and V-274.

J-70 currently extends between the Hoquiam, WA, VOR/Tactical Air Navigation (VORTAC) and the Kennedy, NY, VOR/DME. A portion of J-70, between the Badger, WI, VOR/DME and the Salem, MI, VORTAC will become unusable with the decommissioning of the Pullman VOR.

J-94 currently extends between the Mustang, NV, VORTAC and the O'Neill, NE, VORTAC and between the Dubuque, IA, VORTAC and the Flint, MI, VORTAC. A portion of J-94, between the Northbrook, IL, VOR/DME and the Flint VORTAC will become unusable with the decommissioning of the Pullman VOR. Additionally, the FAA proposes to revoke the portion between the Dubuque VORTAC and the Northbrook VOR/DME as this portion is overlaid by J-82, J-84, J-94, J-100, and J-128.

J-547 currently extends between the Northbrook, IL, VOR/DME and the Flint, MI, VORTAC. The entire route will become unusable with the decommissioning of the Pullman VORTAC. Due to this, the FAA is proposing to revoke J-547 in its entirety.

J-548 currently extends between the Pullman, MI, VOR/DME and the Traverse City, MI, VOR/DME. The entire route will become unusable with the decommissioning of the Pullman VORTAC. Due to this, the FAA is proposing to revoke J-548 in its entirety.

V-30 currently extends between the Badger, WI, VOR/DME and the Pullman, MI, VOR/DME and between the Philipsburg, PA, VORTAC and the Solberg, NJ, VOR/DME. A portion of J-30, between the Badger VOR/DME and the Pullman VOR/DME will become unusable with the decommissioning of

the Pullman VOR. The FAA proposes to revoke the affected portion.

V-55 currently extends between the Dayton, OH, VOR/DME and the Fort Wayne, IN, VORTAC, between the Keeler, MI, and the Pullman, MI, VOR/DME and between the Grand Forks ND, VOR/DME and the Bismark, ND VOR/DME. A portion of V-55, between the Keeler, MI, VOR/DME and the Pullman VOR/DME will become unusable with the decommissioning of the Pullman VOR. The FAA is proposing to revoke the affected portion.

V-84 currently extends between the Northbrook, IL, VOR/DME and the Pullman, MI, VOR/DME and between Geneseo, NY, VOR/DME and the Syracuse, NY, VORTAC. A portion of V-84, between the Northbrook, IL, VOR/DME and the Pullman, MI, VOR/DME will become unusable with the decommissioning of the Pullman VOR. The FAA is proposing to revoke the affected portion.

V-170 currently extends between the Jamestown, ND, VOR/DME and the Sioux Falls, SD, VORTAC, between the Rochester, MN, VOR/DME and the Salem, MI, VORTAC and between the Slate Run, PA, VORTAC and the INT Andrews, MD, VORTAC 060° and Baltimore, MD, VORTAC 165° radials (POLLA, MD, FIX). A portion of V-170, between the Badger, WI, VOR/DME and the Salem VORTAC will become unusable with the decommissioning of the Pullman VOR. The FAA is proposing to revoke the affected portion.

V-274 currently extends between the Pullman, MI, VOR/DME and the Saginaw, MI, VOR/DME. A portion of V-274, between the Pullman VOR/DME and the Victory, MI, VOR/DME will become unusable with the decommissioning of the Pullman VOR. The FAA is proposing to revoke the affected portion.

To overcome the gaps created in the airways and enroute structures, pilots may circumnavigate the affected area in the high-altitude stratum via the use of adjacent Jet Routes (including J-36, J-146, and J-34). Due to previous VOR decommissionings, there are no VOR Federal airways that remain in the low altitude stratum to circumnavigate the affected area. However, pilots may request air traffic control radar vectors through the area. Additionally, Instrument Flight Rules (IFR) pilots equipped with Area Navigation Performance-Based Navigation capabilities could also navigate point to point using the existing fixes that will remain in place to support continued operations via High Altitude Area Navigation Route Q-42, or via Low Altitude Area Navigation Routes T-215,

T-217 and T-265. Visual flight rules (VFR) pilots who elect to navigate via the airways through the affected area could also take advantage of the adjacent VOR Federal airways or ATC services listed previously.

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 to amend Jet Routes J-70 and J-94 and amend VOR Federal Airways V-30, V-55, V-84, V-170, and V-274 and revoke Jet Routes J-547 and J-548 in the vicinity of Pullman, MI.

J-70: J-70 currently extends between the Hoquiam, WA, VOR/VORTAC and the Kennedy, NY, VOR/DME. A portion of J-70, between the Badger, WI, VOR/DME and the Salem, MI, VORTAC will become unusable with the decommissioning of the Pullman, MI, VOR. As amended, J-70 would extend between the Hoquiam VORTAC and the Badger, WI, VOR/DME and between the Salem, MI, VORTAC and the Kennedy VOR/DME.

J-94: J-94 currently extends between the Mustang, NV, VORTAC and the O'Neill, NE, VORTAC and between the Dubuque, IA, VORTAC and the Flint, MI, VORTAC. A portion of J-94, between the Northbrook, IL, VOR/DME and the Flint VORTAC will become unusable with the decommissioning of the Pullman, MI, VOR. Additionally, the FAA proposes to revoke the portion between the Dubuque VORTAC and the Northbrook VOR/DME as this portion is overlaid by J-82, J-84, J-94, J-100, and J-128. As amended, J-94 would extend between the Mustang VORTAC and the O'Neill, NE, VORTAC.

J-547: J-547 currently extends between the Northbrook, IL, VOR/DME and the Flint, MI, VORTAC. The entire route will become unusable with the decommissioning of the Pullman, MI, VORTAC. Due to this, the FAA is proposing to revoke J-547 in its entirety.

J-548: J-548 currently extends between the Pullman, MI, VOR/DME and the Traverse City, MI, VOR/DME. The entire route will become unusable with the decommissioning of the Pullman VOR. Due to this, the FAA is proposing to revoke J-548 in its entirety.

V-30: V-30 currently extends between the Badger, WI, VOR/DME and the Pullman, MI, VOR/DME and between the Philipsburg, PA, VORTAC and the Solberg, NJ, VOR/DME. A portion of V-30, between the Badger VOR/DME and the Pullman VOR/DME will become unusable with the decommissioning of the Pullman VOR. The FAA proposes to revoke the affected portion. As amended, V-30 would extend between the Philipsburg VORTAC and the Solberg VOR/DME.

V-55: V-55 currently extends between the Dayton, OH, VOR/DME and the Fort Wayne, IN, VORTAC, between the Keeler, MI, and the Pullman, MI, VOR/DME and between the Grand Forks, ND, VOR/DME and the Bismarck, ND, VOR/DME. A portion of V-55, between the Keeler, MI, VOR/DME and the Pullman VOR/DME will become unusable with the decommissioning of the Pullman VOR. The FAA is proposing to revoke the affected portion. As amended, V-55 would extend between the Dayton VOR/DME and the Keeler VOR/DME and between the Grand Forks VOR/DME and the Bismarck VOR/DME.

V-84: V-84 currently extends between the Northbrook, IL, VOR/DME and the Pullman, MI, VOR/DME and between Geneseo, NY, VOR/DME and the Syracuse, NY, VORTAC. A portion of V-84, between the Northbrook, IL, VOR/DME and the Pullman, MI, VOR/DME will become unusable with the decommissioning of the Pullman VOR. The FAA is proposing to revoke the affected portion. As amended, V-84 would extend between the Geneseo VOR/DME and the Syracuse VORTAC.

V-170: V-170 currently extends between the Jamestown, ND, VOR/DME and the Sioux Falls, SD, VORTAC, between the Rochester, MN, VOR/DME and the Salem, MI, VORTAC and between the Slate Run, PA, VORTAC and the INT Andrews, MD, VORTAC 060° and Baltimore, MD, VORTAC 165° radials (POLLA, MD, Fix). A portion of V-170, between the Badger, WI, VOR/DME and the Salem VORTAC will become unusable with the decommissioning of the Pullman VOR. The FAA is proposing to revoke the affected portion. As amended, V-170 would extend between the Jamestown VOR/DME and the Badger VOR/DME and between the Slate Run VORTAC and the INT Andrews VORTAC 060° and Baltimore VORTAC 165° radials. The airspace within R-5802 is excluded when active.

V-274: V-274 currently extends between the Pullman, MI, VOR/DME and the Saginaw, MI, VOR/DME. A portion of V-274, between the Pullman VOR/DME and the Victory, MI, VOR/DME will become unusable with the decommissioning of the Pullman VOR. The FAA is proposing to revoke the affected portion. As amended, V-274 would extend between the Victory VOR/DME and the Saginaw VOR/DME.

Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and

routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1G, “FAA National Environmental Policy Act Implementing Procedures” prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

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

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

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

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

§ 71.1 [Amended]

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

Paragraph 2004 Jet Routes.

* * * * *

J-70 [Amended]

From Hoquiam, WA; Seattle, WA; Ephrata, WA; Mullan Pass, ID; Lewistown, MT; Dickinson, ND; Aberdeen, SD; Gopher, MN; INT Gopher 109° and the Badger, WI, 312° radials; to Badger. From Salem, MI; Jamestown, NY; Wilkes-Barre, PA; Stillwater, NJ; LaGuardia, NY; to Kennedy, NY.

* * * * *

J-94 [Amended]

From Mustang, NV; Lovelock, NV; Battle Mountain, NV; Lucin, UT; Rock Springs, WY; Scottsbluff, NE; to O'Neill, NE.

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J-547 [Removed]

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J-548 [Removed]

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Paragraph 6010 VOR Federal Airways.

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V-30 [Amended]

From Philipsburg, PA; Selinsgrove, PA; East Texas, PA; INT East Texas 095° and Solberg, NJ, 264° radials; to Solberg.

* * * * *

V-55 [Amended]

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

* * * * *

V-84 [Amended]

From Geneseo, NY; INT Geneseo 091° and Syracuse, NY, 240° radials; to Syracuse.

* * * * *

V-170 [Amended]

From Jamestown, ND; Aberdeen, SD; to Sioux Falls, SD. From Rochester, MN; Nodine, MN; Dells, WI; INT Dells 097° and Badger, WI, 304° radials; to Badger. From Slate Run, PA; Selinsgrove, PA; Ravine, PA; INT Ravine 125° and Modena, PA, 318°

radials; Modena; Dupont, DE; INT Dupont 223° and Andrews, MD, 060° radials; to INT Andrews 060° and Baltimore, MD, 165° radials. The airspace within R-5802 is excluded when active.

* * * * *

V-274 [Amended]

From Victory, MI; to Saginaw, MI.

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

Alex W. Nelson,

Acting Manager, Rules and Regulations Group.

[FR Doc. 2025-22414 Filed 12-9-25; 8:45 am]

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Notices

Federal Register

Vol. 90, No. 235

Wednesday, December 10, 2025

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

DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

[Docket No. FSIS–2022–0015]

Availability of Guideline for Label Approval

AGENCY: Food Safety and Inspection Service (FSIS), U.S. Department of Agriculture (USDA).

ACTION: Notice of availability and response to comments.

SUMMARY: On March 18, 2024, FSIS published a label approval guideline to help establishments meet new requirements for use of voluntary U.S.-origin label claims on FSIS-regulated products established by the final rule, *Voluntary Labeling of FSIS-Regulated Products with U.S.-Origin Claims* (89 FR 19470, March 18, 2024). FSIS is announcing updates to this guideline and responding to comments received on the guideline.

ADDRESSES: A downloadable version of the guideline is available to view and print at: <https://www.fsis.usda.gov/policy/fsis-guidelines>.

FOR FURTHER INFORMATION CONTACT: Rachel Edelstein, Assistant Administrator, Office of Policy and Program Development, by telephone at (202) 205–0495.

SUPPLEMENTARY INFORMATION:

Background

FSIS is responsible for ensuring that meat, poultry, and egg products are safe, wholesome, and properly labeled. The Agency administers a regulatory program for meat products under the Federal Meat Inspection Act (FMIA) (21 U.S.C. 601 *et seq.*), for poultry products under the Poultry Products Inspection Act (PPIA) (21 U.S.C. 451 *et seq.*), and for egg products under the Egg Products Inspection Act (EPIA) (21 U.S.C. 1031 *et seq.*). FSIS also provides voluntary reimbursable inspection services under

the Agricultural Marketing Act (AMA) (7 U.S.C. 1622 and 1624) for eligible products not requiring mandatory inspection under the FMIA, PPIA, and EPIA.

Under the FMIA, PPIA, and EPIA, any meat, poultry, or egg product is misbranded if its labeling is false or misleading (21 U.S.C. 601(n)(1); 21 U.S.C. 453(h)(1); 21 U.S.C. 1036(b)). In particular, no product or any of its wrappers, packaging, or other containers shall bear any false or misleading marking, label, or other labeling; and no statement, word, picture, design, or device which conveys any false impression or gives any false indication of origin or quality or is otherwise false or misleading shall appear in any marking or other labeling (9 CFR 317.8(a)), 381.129(b), 590.411(f)(1)). FSIS has similar authority under the AMA concerning the false or misleading labeling of products receiving voluntary inspection services (7 U.S.C. 1622(h)(1)).

On March 18, 2024, FSIS published the final rule, *Voluntary Labeling of FSIS-Regulated Products with U.S.-Origin Claims* (89 FR 19470). The final rule amended FSIS labeling regulations to allow two specific voluntary U.S.-origin label claims, “Product of USA” and “Made in the USA,” to be generically approved¹ for use on single ingredient FSIS-regulated products (*i.e.*, products produced under FSIS mandatory or voluntary inspection services) derived from animals born, raised, slaughtered, and processed in the United States. Under the final rule, the two voluntary label claims “Product of USA” and “Made in the USA” are also generically approved for use on multi-ingredient FSIS-regulated products if: (1) All FSIS-regulated products in the multi-ingredient product are derived from animals born, raised, slaughtered, and processed in the United States; (2) all other ingredients, other than spices and flavorings, are of domestic origin; and (3) the preparation and processing steps for the multi-ingredient product have occurred in the United States. Also under the final rule, label claims other

than “Product of USA” or “Made in the USA” that indicate that a preparation or processing step of an FSIS-regulated product is of U.S. origin are generically approved for use, but such claims will need to include the preparation and processing steps that occurred in the United States upon which the claim is made.²

On March 18, 2024, FSIS also announced the availability of the revised *FSIS Guideline on Label Approval* (89 FR 19470). FSIS published the revised guideline to help establishments meet the new requirements for use of voluntary U.S.-origin label claims on FSIS-regulated products and to provide examples of claims and the types of documentation that establishments may maintain to support use of the claims. FSIS requested comments on the guideline, and the Agency received three comments within the scope of the guideline updates during the 60-day comment period. On April 30 and May 15, 2024, FSIS hosted public webinars to provide an overview of the final rule and information about related labeling guidance.³ During the webinars, FSIS received several participant comments on the guideline. Since publication of the final rule, FSIS also has received several questions about the guideline through askFSIS, the Agency’s Web-based and telephone-based application for addressing technical and policy-related questions.⁴

After review and consideration of all comments, FSIS has made changes to the guideline to clarify and update information on the use of voluntary U.S.-origin label claims. These changes to the guideline are summarized below and are discussed in more detail in FSIS’ responses to comments. The revised guideline is available at the FSIS guideline web page at: <https://www.fsis.usda.gov/policy/fsis-guidelines>. Although comments will no longer be accepted on this guideline

² The final rule applies to products sold in the domestic market. For products exported from the United States, FSIS will continue to verify that labeling requirements for the applicable country are met, as shown in the FSIS Export Library, available at: <https://www.fsis.usda.gov/inspection/import-export/import-export-library>.

³ Webinar recordings and FSIS presentation materials are available at: <https://www.fsis.usda.gov/news-events/events-meetings/voluntary-labeling-fsis-regulated-products-u-s-origin-claims>.

⁴ <https://www.fsis.usda.gov/contact-us/askfsis>.

¹ Labels that are generically approved under FSIS regulations may be used in commerce without prior submission to the Agency for approval. Products must bear all required labeling features and comply with the Agency’s labeling regulations to be eligible for generic approval (9 CFR 412.2).

through www.regulations.gov, FSIS will update the document as necessary if new information becomes available.

Summary of Changes to the Guideline

For purposes of voluntary U.S.-origin label claims under FSIS regulations,

- FSIS is clarifying that the meaning of “raised” is “from birth to slaughter.”
- FSIS is clarifying that the term “harvested” may be used to mean “slaughtered.”
- FSIS is clarifying that for purposes of meeting the requirements for use of the voluntary U.S.-origin label claims “Product of USA” or “Made in the USA” on multi-ingredient products, the requirement that “all other ingredients other than spices and flavorings” in the product must be of domestic origin does not include sub-ingredients of an ingredient (e.g., the soybean or wheat sub-ingredient in a soy sauce ingredient).
- FSIS is clarifying the definitions of “spices” and “flavorings.”
- FSIS is clarifying that multi-ingredient products made with edible natural casings that are processed (e.g., cleaned) outside the United States are eligible for use of the voluntary U.S.-origin label claims “Product of USA” or “Made in the USA,” provided that the product meets all other requirements under the rule.
- FSIS is clarifying that “Product of North America” is allowed as a voluntary label claim on products if the claim is truthful and not misleading and complies with the FSIS requirements in 9 CFR 317.8(b)(1) and 9 CFR 381.129(b)(2) for use of label terms having geographical significance (i.e., the animal from which the product was derived was born, raised, slaughtered, and processed in North America).
- FSIS is clarifying that a voluntary multi-country origin label claim that includes the United States and a foreign country (e.g., “Product of USA and Canada”) is allowed on products, provided (1) the animal from which the product was derived was born, raised, slaughtered, and processed in either the United States or the listed foreign country; (2) in the case of a multi-ingredient product, all other ingredients (other than spices and flavorings) are of the origin of either the United States or the listed foreign country; and (3) the claim is accompanied by qualifying language describing the preparation and processing steps that occurred in the United States (e.g., “Product of USA and Canada, Packaged in the USA”).
- FSIS is clarifying that, as with the claims “processed” and “manufactured,” the term “produced” may not be used as a stand-alone label

claim to describe the preparation and processing steps of a product that occurred in the United States, as this term does not provide meaningful consumer information about the actual preparation and processing steps of the product that occurred in the United States.

- FSIS is providing additional examples of voluntary U.S.-origin label claims that may be used to describe the preparation and processing steps of a product that occurred in the United States (e.g., “Cooked in the U.S.A.”).
- FSIS is clarifying the final rule’s effect on the label display of certain U.S. State endorsement program logos.
- FSIS is clarifying that, under the final rule at the amended subsections 9 CFR 317.8(b)(1) and 9 CFR 381.129(b)(2), statements, words, pictures, designs, or devices depicting the United States, or a U.S. State or territory, may be used on the labels of products without a qualifying statement only if the animal from which the meat or poultry product was derived was born, raised, slaughtered, and processed in the United States, or U.S. State or territory. If the product does not meet these requirements, the depiction must be accompanied by a qualifying statement.
- FSIS is providing additional examples of the types of documentation that may be maintained to support a voluntary U.S.-origin label claim.
- FSIS is making a few editorial changes throughout the guideline for readability and clarity.

Summary of Comments and FSIS Responses

During the comment period for the guideline announced in the **Federal Register**, FSIS received three comments on the updated label approval guideline from one U.S. trade association representing the meat industry, one foreign trade association representing the meat industry, and one foreign country. Other comments were outside the scope of the updated guideline and discussed general opposition to the final rule by restating specific concerns included in the comments they submitted in response to the proposed rule. FSIS is not addressing those comments here. After the end of the comment period, FSIS also received from the public several askFSIS questions on the updated guideline. Finally, FSIS received several participant questions during the Agency’s April and May 2024 public webinars on the final rule and updated

label guideline.⁵ A summary of the relevant issues raised by these comments and questions and the Agency’s responses follows.

Definition of “Raised”

Comment: One foreign country and a few askFSIS submitters asked FSIS to clarify the definition of “raised” under the final rule for the purposes of determining whether an animal from which an FSIS-regulated product was derived was “raised” in the United States.

Response: FSIS has updated the guideline to clarify that “raised” means “raised from birth to slaughter” for the purposes of meeting the requirement for use of the voluntary U.S.-origin label claims “Product of USA” and “Made in the USA” under 9 CFR 412.3(a) and (b). Therefore, a claim of “raised” or “born and raised” is allowed under 9 CFR 412.3(c) as a voluntary U.S.-origin label claim other than “Product of USA” and “Made in the USA” when the animal from which the product was derived was raised in the United States for the entirety of its life (i.e., from birth to slaughter). When the animal was raised in the United States for a period less than from birth to slaughter, the claim must be accompanied by a truthful description of the length of time the animal was raised in the United States (e.g., the label claim “raised for at least 30 days in the USA” on a single ingredient beef chuck roast.)

Use of “Harvested” to Mean “Slaughtered”

Comment: A few askFSIS submitters asked whether FSIS will accept use of the term “harvested” to mean “slaughtered” to describe the preparation and processing steps of an FSIS-regulated product to accompany voluntary U.S.-origin label claims.

Response: FSIS has updated the guideline to clarify that the term “harvested” may be used to mean “slaughtered” for the purposes of meeting the requirements for use of voluntary U.S.-origin label claims.

Domestic Sourcing of Sub-Ingredients

Comment: A few askFSIS submitters asked whether the sub-ingredients of ingredients in FSIS-regulated multi-ingredient products must be of domestic origin for such products to be eligible for the voluntary U.S.-origin label claims, “Product of USA” and “Made in the USA.”

⁵ Webinar recordings and FSIS staff presentation materials are available at: <https://www.fsis.usda.gov/news-events/events-meetings/voluntary-labeling-fsis-regulated-products-u-s-origin-claims>.

Response: FSIS has updated the guideline to clarify that for purposes of meeting the requirements under 9 CFR 412.3(b) for use of the voluntary label claims “Product of USA” and “Made in the USA” on multi-ingredient products, the requirement that “all other ingredients other than spices and flavorings” in the product must be of domestic origin does not include sub-ingredients of an ingredient. For example, if a pork sausage product labeled with the claim “Made in the USA” contains the ingredient soy sauce, the soy sauce needs to be of domestic origin, but the “sub-ingredients” of the soy sauce (e.g., soybeans or wheat), need not be of domestic origin. FSIS is making this change because the source of sub-ingredients may not be available to establishments using the U.S.-origin label claim or to FSIS inspectors verifying the claim meets labeling requirements.

Definition of “Spices” and “Flavorings”

Comment: One trade association, a few askFSIS submitters, and a few webinar participants asked FSIS to clarify the definitions of “spices” and “flavorings” for the purpose of meeting the final rule requirements that all other ingredients (i.e., ingredients that are not FSIS-regulated products), other than spices and flavorings, must be of domestic origin for an FSIS-regulated multi-ingredient product label to bear the voluntary claims “Product of USA” or “Made in the USA”.

Response: The terms “spices” and “flavorings” are defined in 9 CFR 317.2(f)(i)(A) and (B) and 381.118(c)(1) and (2). FSIS is using these definitions for the purposes of meeting the final rule requirements for the labeling of multi-ingredient FSIS-regulated products with the voluntary claims “Product of USA” or “Made in the USA”, as well as compliance with other FSIS regulations that use these terms. FSIS has updated the guideline to clarify the definitions and provide citations to these regulations.

Edible Natural Casings

Comment: A few webinar participants and askFSIS submitters asked whether the Agency will consider an edible natural casing to be an ingredient for the purposes of meeting the requirement under 9 CFR 412.3(b) that all other ingredients (i.e., ingredients that are not FSIS-regulated products) in a multi-ingredient product, other than spices and flavorings, must be of domestic origin for the product label to bear the voluntary U.S.-origin claims “Product of USA” or “Made in the USA.”

Response: Under the final rule, edible natural casings from animals born, raised, slaughtered, and processed in the United States are considered to be of domestic origin for purposes of meeting the final rule requirements for use of the voluntary U.S.-origin claims “Product of USA” and “Made in the USA” on FSIS-regulated multi-ingredient products. However, FSIS recognizes that most edible natural casings produced in the United States are exported to foreign countries to be processed (e.g., cleaned), then imported back to the United States for use as an ingredient in multi-ingredient meat products. Therefore, FSIS has updated the guideline to clarify that multi-ingredient FSIS-regulated products made with edible natural casings that are processed outside the United States are eligible for label use of the voluntary U.S.-origin claims “Product of USA” or “Made in the USA,” provided that the product meets all other requirements under 9 CFR 412.3(b) for use of such claims. For example, a multi-ingredient pork sausage product may be labeled with the voluntary claim “Product of USA” if the product’s edible natural casing was produced by an animal born, raised, processed, and slaughtered in the United States, but the casing was sent outside the U.S. to be processed (e.g., for further cleaning), provided that all other FSIS-regulated ingredients are derived from animals born, raised, slaughtered, and processed exclusively in the United States; all other ingredients, other than spices and flavorings, are of domestic origin; and the preparation and processing steps for the product occurred in the United States.

“Product of North America” and Multi-Country Origin Claims

Comment: A few askFSIS submitters asked whether under the final rule “Product of North America” is allowed as a voluntary label claim on an FSIS-regulated product when the animal from which the product was derived was born, raised, and slaughtered in North America, all product ingredients are of North America origin, and all processing steps occurred in North America. A few askFSIS submitters also asked whether multi-country claims that include the United States are allowed as voluntary label claims on FSIS-regulated products.

Response: FSIS has updated the guideline to clarify that, while it is not a U.S.-origin claim, “Product of North America” is allowed as a voluntary label claim on FSIS-regulated products if it is truthful and not misleading and complies with the FSIS labeling

requirements in 9 CFR 317.8(b)(1) and 9 CFR 381.129(b)(2) (e.g., all animals from which the product was derived were born, raised, slaughtered, and processed in North America).

FSIS also has updated the guideline to clarify that voluntary multi-country label claims that include the United States are allowed for use on FSIS-regulated products, provided (1) the animal from which the product was derived was born, raised, slaughtered, and processed in the United States or the foreign country, and (2) the claim includes a qualifying statement describing all the preparation and processing steps that occurred in the United States. For example, a single ingredient pork product derived from an animal born, raised, and slaughtered in the United States and Canada, and the meat then processed in the United States or Canada, may bear the label claim “Product of USA and Canada,” provided the claim is accompanied by qualifying language describing the preparation and processing steps that occurred in the U.S. (e.g., “Product of USA and Canada, packaged in the United States”).

Voluntary U.S.-Origin Claims Other Than “Product of USA” and “Made in the USA”

Comment: A few askFSIS submitters asked whether “Produced in the USA” is allowed under the final rule. One foreign country asked for confirmation whether “Processed in the United States” is allowed as a voluntary U.S.-origin claim.

Response: The final rule allows for the use of voluntary U.S.-origin label claims other than “Product of USA” or “Made in the USA,” provided that the claim includes a description to indicate which preparation and processing steps occurred in the United States (9 CFR 412.3(c)). As stated in the final rule, this description needs to provide consumers meaningful information about the U.S.-origin components of the product’s preparation and processing (89 FR 19470, 19475). Also as stated in both the final rule and draft guideline published in March 2024, the generalized claims “Processed in the United States” and “Manufactured in the United States” are so broad as to not provide consumers meaningful information about what preparation and processing steps occurred in the United States (89 FR 19470, 19475). FSIS has updated the guideline to add “Produced in the United States” as a claim that is so broad as to not provide consumers meaningful information about which preparation and processing steps occurred in the United States.

Therefore, “Produced in the United States” and “Processed in the United States” are not approved for use as standalone voluntary U.S.-origin label claims.

FSIS also notes that if a label claim is so broad as to not provide meaningful information about what preparation and processing steps of a product occurred in the United States (e.g., “Processed in the United States,” “Manufactured in the United States,” or “Produced in the United States”), the claim is not approved, even if the claim is combined with a claim that does provide meaningful preparation and processing information. For example, “Processed and Packaged in the USA” would not be approved for use as a voluntary label claim on an FSIS-regulated product; however, “Sliced and Packaged in the USA” would be approved as a voluntary U.S.-origin label claim.

Comment: One trade association asked FSIS to provide in the guideline additional examples of voluntary U.S.-origin label claims other than “Product of USA” and “Made in the USA” that may be used to indicate the preparation and processing steps of an FSIS-regulated product that occurred in the United States. Specifically, the commenter asked FSIS to clarify whether the voluntary label claim “Cooked (in the United States)” is allowed under the final rule.

Response: As discussed in the final rule, voluntary U.S.-origin label claims other than “Product of USA” or “Made in the USA” may be used on FSIS-regulated products, provided they include descriptions that provide meaningful consumer information about which preparation and processing steps occurred in the United States (89 FR 19470, 19475; see 9 CFR 412.3(c)). FSIS has updated the guideline to include additional examples of descriptions that provide consumers meaningful information about the U.S. preparation and processing steps of FSIS-regulated products, including “cooked.”

U.S. State Endorsement Programs

Comment: One trade association and several askFSIS submitters requested clarification on the final rule’s effect on U.S. State agriculture endorsement program (“State endorsement program”) logos. The trade association specifically stated that FSIS should exempt such program logos (e.g., “Go Texan”) from the new requirements for use of voluntary U.S.-origin label claims. The commenter argued that the State endorsement program logo labeling option is essential to address the burden of the final rule’s requirements for

voluntary “Product of USA” and “Made in the USA” label claims.

Response: Under the requirements at 9 CFR 412.3(a), (b), and (d) for the use of the voluntary claims “Product of (U.S. State)” or “Made in (U.S. State),” if a State endorsement program logo includes the statement “Product of (U.S. State)” or “Made in (U.S. State),” the product must meet the final rule requirements for the label use of the voluntary claims “Product of (U.S. State)” or “Made in (U.S. State).” For example, a single ingredient poultry product labeled with a State endorsement program logo that includes the statement “Product of (U.S. State)” must be derived from an animal born, raised, slaughtered, and processed in that State.

Further, if a State endorsement program logo includes the image of the State’s flag, the logo may be used on the label of an FSIS-regulated product without a qualifying statement only if the product meets the final rule requirements for label display of the U.S. flag, or a U.S. State or territory flag. Specifically, under 9 CFR 412.3(e), the standalone label use of a State endorsement program logo that includes the image of the State’s flag will need to meet the requirements for use of voluntary “Product of (U.S. State)” and “Made in (U.S. State)” label claims. However, if the product does not meet all requirements under 9 CFR 412.3(e), a State endorsement program logo that includes the State’s flag image may be used to designate the State origin of components of an FSIS-regulated product’s preparation and processing as long as the logo is accompanied by a description of the preparation and processing steps that occurred in the State upon which the claim is being made. For example, a beef product that does not meet all requirements for a voluntary “Product of (U.S. State)” claim may be labeled with a State endorsement program logo that includes the image of the State’s flag, but the logo must be accompanied by a description of the preparation and processing steps that occurred in the state (e.g., “beef harvested and packaged in (U.S. State).”

Finally, if a State endorsement program logo does not include the statement “Product of (U.S. State)” or “Made in (U.S. State),” and does not include an image of the State flag or other geographic emblematic design, the logo may be used on the label of an FSIS-regulated product if the establishment maintains supporting documentation for use of the logo. The guideline provides information about what kinds of documentation are sufficient to support the logo use. The

final rule concerns voluntary U.S.-origin label claims. Establishments can choose to use a voluntary U.S.-origin label claim for which a particular product is eligible or not make any type of U.S.-origin label claim (see 89 FR 19470, 19478).

Depictions of Geographical Significance

Comment: A few askFSIS submitters commented generally about the effect of the final rule on various types of geographic depictions of the United States, or a U.S. State or territory, on the labels of FSIS-regulated products (e.g., the display of the map of the Commonwealth of Virginia on a label of a poultry product).

Response: FSIS has updated the guideline to clarify that, under the final rule at the amended subsections 9 CFR 317.8(b)(1) and 9 CFR 381.129(b)(2), statements, words, pictures, designs, or devices depicting the United States, or a U.S. State or territory, may be used on the labels of FSIS-regulated products only if the animal from which the meat or poultry product was derived was born, raised, slaughtered, and processed in the depicted geographical location. For the purposes of using statements, words, pictures, designs, or devices depicting the United States, or a U.S. State or territory, on a multi-ingredient FSIS-regulated product, under 9 CFR 317.8(b)(1) and 381.129(b)(2), other ingredients in the product need not be of domestic origin. If the product does not meet these requirements, the depiction must be accompanied by a qualifying statement describing the preparation and processing steps of the animal from which the product was derived that occurred in the United States, or U.S. State or territory. For example, a label for a multi-ingredient poultry patty product derived from an animal that was born, raised, slaughtered, and partially processed in North Carolina, then packaged in Arizona, that includes the outline of the State of Arizona must be accompanied by a qualifying statement describing the preparation and processing steps that occurred in Arizona (e.g., “Packaged in Arizona”).

Exported Products

Comment: One trade association asked about the use of the voluntary “Product of USA” label claim to meet requirements for products exported from the United States. Specifically, the commenter asked the Agency to clarify whether pressure-sensitive labels or stamps are acceptable under the final rule for the purpose of meeting export requirements. The commenter further stated that it is unclear whether the

“Product of USA” statement may be used on labels intended for use on both products for the U.S. market and exported products.

Response: As explained in the final rule, the regulatory requirements for voluntary U.S.-origin label claims do not apply to products intended for export from the United States (89 FR 19470, 19478). Additional export requirements maintained by foreign countries that have been officially communicated to FSIS by the importing country can be accessed in the FSIS Export Library.⁶ All products intended for the domestic market must meet the requirements under the final rule for use of voluntary U.S.-origin label claims, including “Product of USA.” As with all FSIS-regulated products labeled either for the domestic market or export from the United States, manufacturers may use pressure sensitive stickers on existing labeling material to cover inaccurate and/or misleading labeling information with corrected text.⁷

Recordkeeping Requirements

Comment: One trade association argued that the guideline describes recordkeeping and traceability requirements that are nearly unattainable for establishments that choose to use a voluntary U.S.-origin label claim. Specifically, the commenter stated that maintaining documented traceability of products from derived animals’ U.S. birth, raising, slaughter, and processing are unreasonable in the absence of a mandatory animal identification system and an effective traceability program.

Response: The final rule established general recordkeeping requirements that provide flexibility for establishments that choose to use a voluntary U.S.-origin label claim on FSIS-regulated products. The final rule includes examples of the types of documentation that may be maintained to support a voluntary U.S.-origin label claim (9 CFR 412.3(f)). Establishments may choose which types of documentation to maintain, based on the particular U.S.-origin claim they seek to use and other considerations relevant to the product (89 FR 19470, 19483). As published with the final rule, the label guideline also provided examples of the types of documentation that may be maintained to support a voluntary U.S.-origin label claim. In response to the comment, FSIS

has updated the guideline to provide an additional example of supporting documentation.

Additional Public Notification

Public awareness of all segments of rulemaking and policy development is important. Consequently, FSIS will announce this **Federal Register** publication online through the FSIS web page located at: <http://www.fsis.usda.gov/federal-register>. FSIS also will make copies of this publication available through the FSIS Constituent Update, which is used to provide information regarding FSIS policies, procedures, regulations, **Federal Register** notices, FSIS public meetings, and other types of information that could affect or would be of interest to our constituents and stakeholders. The Constituent Update is available on the FSIS web page. Through the web page, FSIS can provide information to a much broader, more diverse audience. In addition, FSIS offers an email subscription service which provides automatic and customized access to selected food safety news and information. This service is available at: <https://www.fsis.usda.gov/subscribe>. Options range from recalls to export information, regulations, directives, and notices. Customers can add or delete subscriptions themselves and have the option to password protect their accounts.

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USDA is an equal opportunity provider, employer, and lender.

Done at Washington, DC.

Denise Eblen,

Deputy Administrator.

[FR Doc. 2025-22378 Filed 12-9-25; 8:45 am]

BILLING CODE 3410-DM-P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[S-378-2025]

Foreign-Trade Zone 40; Application for Subzone; Atlantic Veal & Lamb, LLC; Creston and Sterling, Ohio

An application has been submitted to the Foreign-Trade Zones (FTZ) Board by the Cleveland Cuyahoga County Port Authority, grantee of FTZ 40, requesting subzone status for the facilities of Atlantic Veal & Lamb, LLC, located in Creston and Sterling, Ohio. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the FTZ Board (15 CFR part 400). It was formally docketed on December 5, 2025.

The proposed subzone would consist of the following sites: *Site 1* (35.5 acres) 2416 E West Salem Road, Creston; and *Site 2* (2.93 acres) 6658 Zigler Road, Sterling. A notification of proposed production activity has been submitted and (will be published separately for public comment). The proposed subzone would be subject to the existing activation limit of FTZ 40.

In accordance with the FTZ Board’s regulations, Juanita Chen of the FTZ Staff is designated examiner to review the application and make recommendations to the Executive Secretary.

Public comment is invited from interested parties. Submissions shall be addressed to the FTZ Board’s Executive

⁶ FSIS Export Library, available at: <https://www.fsis.usda.gov/inspection/import-export/import-export-library>.

⁷ See *FSIS Guideline on Pressure Sensitive Stickers*, May 2020, available at: https://www.fsis.usda.gov/sites/default/files/media_file/2021-02/FSIS-GD-2020-0004_0.pdf.

Secretary and sent to: ftz@trade.gov. The closing period for their receipt is January 20, 2026. Rebuttal comments in response to material submitted during the foregoing period may be submitted through February 3, 2026.

A copy of the application will be available for public inspection in the "Online FTZ Information Section" section of the FTZ Board's website, which is accessible via www.trade.gov/ftz.

For further information, contact Juanita Chen at juanita.chen@trade.gov.

Dated: December 5, 2025.

Elizabeth Whiteman,

Executive Secretary.

[FR Doc. 2025-22381 Filed 12-9-25; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; West Coast Fisheries Participation Survey

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 NOAA.PRA@noaa.gov. Please reference OMB Control Number 0648-0749 in the subject line of your comments. All comments received are part of the public record and will generally be posted on <https://www.regulations.gov> without change. Do not submit Confidential Business Information or otherwise sensitive or protected information.

FOR FURTHER INFORMATION CONTACT:

Requests for additional information or specific questions related to collection activities should be directed to National Oceanic and Atmospheric Administration, National Marine Fisheries Service, Dan Holland, Research Economist, 2725 Montlake Blvd. East, Seattle, WA 98112-2097, dan.holland@noaa.gov, (206) 302-1752.

SUPPLEMENTARY INFORMATION:

I. Abstract

This request is for a revision and extension of an existing information collection. This survey updates the 2023 survey to remove a question regarding identity in underserved groups and provide multiple choice answer options for two questions that were previously open-ended in order to reduce response time.

This collection is sponsored by the Northwest Fisheries Science Center (NWFSC), National Oceanic and Atmospheric Administration. The overall purpose of collecting these data is to develop stakeholder-based societal inputs relative to fisheries participation, but these survey data will also increase the capacity of NOAA to respond effectively to relevant mandates and executive orders that guide social science activities within the National Marine Fisheries Service (NEPA, MFCMA and its National Standard 8, and Executive Order (E.O.) 12898).

Fishing livelihoods are both centrally dependent on ecosystems and part of the forces acting on these ecosystems, including resident marine species. Alongside social factors like economics and management, fisheries population fluctuations shape fishing livelihoods. However, the decisions fishermen make regarding which fisheries to access and when to access them are not fully understood, particularly within the food web frameworks offered up by ecosystem-based approaches to research and management. An understanding and predictive capacity for these movements of fishermen across fisheries in the context of ecological and social variability presents a significant gap in management-oriented knowledge. Managing fisheries in a way that enhances their socioeconomic value, mitigates risks to ecosystems and livelihoods, and facilitates sustainable adaptation, requires this fundamental knowledge.

For this reason, the NWFSC seeks to conduct a follow-up U.S. mail survey, replicating the surveys administered during 2017, 2020, and 2023. This survey updates the 2023 survey to remove a question regarding identity in underserved groups and provide

multiple choice answer options for two questions that were previously open-ended in order to reduce response time. The survey will be voluntary, and contacted individuals may decline to participate. Respondents will be asked to answer questions about their motivations for fishing and factors that affect participation in the suite of West Coast commercial fisheries. Fishing and non-fishing employment information will also be collected. This survey is essential because data on smaller scale fishing practices, values, participation decisions and fishing livelihoods are sparse; yet they are critical to the development of fishery ecosystem models that account for non-pecuniary fishing benefits, as well as the ways in which fishing practices shape individual and community well-being.

II. Method of Collection

The information described in the survey will be collected primarily through the use of completed paper surveys sent via U.S. mail, with an option for web-based input available to mail survey recipients. NWFSC staff will contract a private research survey firm to mail out the survey via U.S. mail, and NWFSC scientists will be responsible for analyzing the data and disseminating the findings generated by the survey. This approach has demonstrated effective response and minimal burden in 2017, 2020, and 2023.

III. Data

OMB Control Number: 0648-0749.

Form Number(s): None.

Type of Review: Regular submission [revision and extension of a current information collection].

Affected Public: Individuals or households.

Estimated Number of Respondents: 908.

Estimated Time per Response: 15 minutes.

Estimated Total Annual Burden Hours: 227.

Estimated Total Annual Cost to Public: \$0.

Respondent's Obligation: Voluntary.

Legal Authority: National Marine Fisheries Service (NEPA, MFCMA and its National Standard 8, and Executive Order (E.O.) 12898.

IV. Request for Comments

We are soliciting public comments to permit the Department/Bureau to: (a) Evaluate whether the proposed information collection is necessary for the proper functions of the Department, including whether the information will have practical utility; (b) Evaluate the

accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used; (c) Evaluate ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this information collection request. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Sheleen Dumas,

Departmental PRA Compliance Officer, Office of the Under Secretary for Economic Affairs, Commerce Department.

[FR Doc. 2025-22386 Filed 12-9-25; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Telecommunications and Information Administration

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Tribal Broadband Connectivity Program (TBCP) and Native Entities Grant Program (NEGP)

AGENCY: National Telecommunications and Information Administration (NTIA), 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 help 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 by mail to Jennifer Duane, Director, Grants Management, Administration, and Compliance, Office of Internet Connectivity and Growth, National Telecommunications and Information Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Room 4874, Washington, DC 20230, or by email to broadbandusa@ntia.gov. Please reference "TBCP and NEGP Application Forms Comment" 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 Jennifer Duane, Director, Grants Management, Administration, and Compliance, via telephone at (202) 482-1763, or via email at jduane@ntia.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

The Infrastructure Investment and Jobs Act, 2021 (Infrastructure Act), which was adopted on November 15, 2021, provided \$65 billion of funding for programs to close the digital divide and ensure that all Americans have access to affordable, reliable, high-speed internet. NTIA administers multiple broadband connectivity grant programs funded by the Infrastructure Act. Under the Native Entities Grant Program (NEGP), which brings together the set-asides authorized under 47 U.S.C. 1723(i) (Digital Equity Capacity Grant Program) and 1724(j) (Digital Equity Competitive Grant Program), NTIA is required to reserve not less than five percent (5%) of total program funds for Indian Tribes, Alaska Native entities, and Native Hawaiian organizations (collectively referred to as "Native Entities"). These set-asides ensure that Native communities have direct access to funding to advance broadband adoption, digital skills development, and access to devices and public connectivity resources.

Likewise, the Tribal Broadband Connectivity Program (TBCP), authorized by the Consolidated Appropriations Act, 2021, adopted on December 27, 2020, (CAA) as amended by the Infrastructure Act, Division F, Title II, Section 60201, Public Law 117-58, 135 Stat. 429 (Nov. 15, 2021), provides new federal funding for grants

to eligible entities to expand access to and adoption of: (i) Broadband service on Tribal Land; or (ii) for programs that promote the use of broadband to access remote learning, telework, or telehealth resources.

NTIA intends to release Notice of Funding Opportunities (NOFOs) in spring 2026 for both NEGP and TBCP to support Tribal broadband access. NTIA is working on reforms across these programs to reduce red tape for Tribal governments, promote flexibility, and align NTIA's grant opportunities to better serve Tribal connectivity. These reforms will be reflected in the forthcoming NOFOs.

NTIA will use the information collected from each applicant to effectively review the proposed applications and budgets from Indian Tribes, Alaska Native Entities, and Native Hawaiian organizations for NEGP, and from Tribal Governments, Tribal Colleges or Universities, Tribal organizations, or Alaska Native Corporations for TBCP.

II. Method of Collection

NTIA will collect data through both electronic and mail submission.

III. Data

OMB Control Number: 0660-XXXX.
Form Number(s): TBD.

Type of Review: Regular submission for a new information collection.

Affected Public (NEGP): Indian Tribes, Alaska Native Entities, and Native Hawaiian organizations.

Affected Public (TBCP): Tribal Governments, Tribal Colleges or Universities, Tribal organizations, or Alaska Native Corporations.

Estimated Number of Respondents: 700.

Estimated Time per Response: 10 hours for applicants.

Estimated Total Annual Burden Hours: 7,000 hours.

Estimated Total Annual Cost to Public: \$321,426.00.

Respondent's Obligation: Mandatory.

Legal Authority: Section 60305 of the Infrastructure Investment and Jobs Act of 2021 (IIJA), Public Law 117-58, 135 Stat. 429 (November 15, 2021); Consolidated Appropriations Act, 2021, Division N, Title IX, Section 905(c), Public Law 116-260, 134 Stat. 1182 (Dec. 27, 2020) (Act), as amended by the IIJA.

IV. Request for Comments

We are soliciting public comments to permit the Department/Bureau to:

(a) Evaluate whether the proposed information collection is necessary for the proper functions of the Department,

including whether the information will have practical utility.

(b) Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used.

(c) Evaluate ways to enhance the quality, utility, and clarity of the information to be collected.

(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. 2025-22401 Filed 12-9-25; 8:45 am]

BILLING CODE 3510-60-P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

[Docket No.: PTO-P-2025-0512]

Grant of Interim Extension of the Term of U.S. Patent No. 7,319,099; Bitopertin (GlyT1 inhibitor) Oral Tablets

AGENCY: United States Patent and Trademark Office, Commerce.

ACTION: Notice of interim patent term extension.

SUMMARY: The United States Patent and Trademark Office has issued a certificate under 35 U.S.C. 156(d)(5) for a one-year interim extension of the term of U.S. Patent No. 7,319,099 ('099 patent).

FOR FURTHER INFORMATION CONTACT: Ali Salimi, Senior Legal Advisor, Office of Patent Legal Administration, at 571-272-0909 or ali.salimi@uspto.gov; or Andrea S. Grossman, Legal Advisor, Office of Patent Legal Administration, at (571) 270-3314 or andrea.grossman@uspto.gov.

SUPPLEMENTARY INFORMATION: 35 U.S.C. 156 generally provides that the term of a patent may be extended for a period of up to five years, if the patent claims a product, or a method of making or using a product, that has been subject to certain defined regulatory review. 35 U.S.C. 156(d)(5) generally provides that the term of such a patent may be extended for no more than five interim periods of up to one year each, if the approval phase of the regulatory review period (RRP) is reasonably expected to extend beyond the expiration date of the patent.

On December 1, 2025, Hoffman-La Roche, Inc., the patent owner of record of the '099 patent, timely filed an application under 35 U.S.C. 156(d)(5) for an interim extension of the term of the '099 patent. The '099 patent claims the human drug product Bitopertin (GlyT1 inhibitor) oral tablets. The application indicates that the approval phase for the regulatory period, as described in 35 U.S.C. 156(g)(1)(B)(ii), for NDA 220707 for the human drug product Bitopertin (GlyT1 inhibitor) oral tablets is ongoing before the Food and Drug Administration for permission to market and use the product commercially.

Review of the patent term extension application indicates that, except for permission to market or use the product commercially, the '099 patent would be eligible for an extension of the patent term under 35 U.S.C. 156, and that the patent should be extended for one year as required by 35 U.S.C. 156(d)(5)(B).

Because it appears reasonable to expect the approval phase of the RRP to continue beyond the expiration date of the patent, *i.e.*, December 17, 2025, interim extension of the '099 patent's term under 35 U.S.C. 156(d)(5) is appropriate.

An interim extension under 35 U.S.C. 156(d)(5) of the term of U.S. Patent No. 7,319,099 is granted for a period of one year from the original expiration date of the patent.

Charles Kim,

Deputy Commissioner for Patents, United States Patent and Trademark Office.

[FR Doc. 2025-22424 Filed 12-9-25; 8:45 am]

BILLING CODE 3510-16-P

CONSUMER FINANCIAL PROTECTION BUREAU

[Docket No. CFPB-2025-0049]

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 extend the Office of Management and Budget's (OMB's) approval for an existing information collection titled "Home Mortgage Disclosure Act (Regulation C)" approved under OMB Control Number 3170-0008.

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-2025-0049 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: Home Mortgage Disclosure Act (Regulation C).

OMB Control Number: 3170-0008.

Type of Review: Extension of an information collection.

Affected Public: Individuals and households.

Estimated Number of Respondents: 136.

Estimated Total Annual Burden Hours: 1,510,960.

Abstract: The Home Mortgage Disclosure Act (HMDA) requires certain

depository institutions and for-profit, non-depository institutions to collect, report, and disclose data about originations and purchases of mortgage loans. Additionally, these institutions must report mortgage loan applications that do not result in originations (for example, applications that are denied or withdrawn). The Bureau's Regulation C (12 CFR part 1003) implements HMDA. The purpose of the information collection is:

- To help determine whether financial institutions are serving the housing needs of their communities;
- To assist public officials in distributing public-sector investment so as to attract private investment to areas where it is needed; and
- To assist in identifying possible discriminatory lending patterns and enforcing antidiscrimination statutes.

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. 2025-22442 Filed 12-9-25; 8:45 am]

BILLING CODE 4810-AM-P

CONSUMER FINANCIAL PROTECTION BUREAU

[Docket No. CFPB-2025-0050]

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 extend the Office of Management and

Budget's (OMB's) approval for an existing information collection titled "Registration of Mortgage Loan Originators (Regulation G)" approved under OMB Control Number 3170-0005.

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-2025-0050 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: Registration of Mortgage Loan Originators (Regulation G).
OMB Control Number: 3170-0005.
Type of Review: Extension of an information collection.
Affected Public: Private sector: Businesses or other for-profits.
Estimated Number of Respondents: 261,638.
Estimated Total Annual Burden Hours: 249,628.
Abstract: Regulation G (12 CFR part 1007 *et seq.*) implements the Secure and Fair Enforcement for Mortgage Licensing Act (the S.A.F.E. Act, 12 U.S.C. 5101 *et seq.*) which contains the Federal registration requirement with respect to any covered financial institutions and their employees who

act as residential mortgage loan originators (MLOs). Regulation G requires covered institutions to register with the Nationwide Mortgage Licensing System and Registry, to obtain a unique identifier, to maintain this registration, and to disclose to consumers the unique identifier. Regulation G also requires the covered financial institutions employing these MLOs to adopt and to follow written policies and procedures ensuring their employees comply with these requirements and disclose the unique identifiers of their MLOs.

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. 2025-22441 Filed 12-9-25; 8:45 am]

BILLING CODE 4810-AM-P

CONSUMER FINANCIAL PROTECTION BUREAU

[Docket No. CFPB-2025-0048]

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 extend the Office of Management and Budget's (OMB's) approval for an existing information collection titled "Truth in Savings (Regulation DD)" approved under OMB Control Number 3170-0004.

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-2025-0048 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: Truth in Savings (Regulation DD).

OMB Control Number: 3170-0004.

Type of Review: Extension of an information collection.

Affected Public: Private sector: Businesses or other for-profits.

Estimated Number of Respondents: 171.

Estimated Total Annual Burden Hours: 561,632.

Abstract: The Truth in Savings Act (TISA), 12 U.S.C. 4301 *et seq.*, was enacted to enhance economic stability, improve competition between depository institutions, and strengthen consumer ability to make informed decisions regarding deposit accounts by requiring uniformity in the disclosure of interest rates and fees. TISA assists consumers in comparing deposit accounts offered by depository institutions, principally through the disclosure of fees, the annual percentage yield, the interest rate, and other account terms. TISA and Regulation DD require depository institutions to

disclose yields, fees, and other terms concerning deposit accounts to consumers at account opening, upon request, and when changes in terms occur. Depository institutions that provide periodic statements are required to include information about fees imposed, interest earned, and the annual percentage yield earned during those statement periods. TISA and Regulation DD mandate the methods by which institutions determine the account balance on which interest is calculated. They also contain rules about advertising deposit accounts and overdraft services. Regulation DD requires depository institutions subject to TISA to retain evidence of compliance with the regulation. These recordkeeping requirements ensure that records that might contain evidence of violations of TISA remain available to Federal enforcement agencies, as well as to private litigants.

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. 2025-22440 Filed 12-9-25; 8:45 am]

BILLING CODE 4810-AM-P

DEPARTMENT OF EDUCATION

2025–2026 Award Year Deadline Dates for Reports and Other Records Associated With the Free Application for Federal Student Aid (FAFSA), the Federal Supplemental Educational Opportunity Grant Program (FSEOG) Program, the Federal Work-Study (FWS) Program, the Federal Pell Grant (Pell Grant) Program, the William D. Ford Federal Direct Loan (Direct Loan) Program, and the Teacher Education Assistance for College and Higher Education (TEACH) Grant Program

AGENCY: Federal Student Aid, Department of Education.

ACTION: Notice.

SUMMARY: The Secretary announces deadline dates for the receipt of documents and other information from applicants and institutions participating in certain Federal student aid programs authorized under title IV of the Higher Education Act of 1965, as amended (HEA), for the 2025–2026 award year. These programs, administered by the Department of Education (Department), provide financial assistance to students attending eligible postsecondary educational institutions to help them pay their educational costs. The Federal student aid programs (title IV, HEA programs) covered by this deadline date notice are the Pell Grant, Direct Loan, TEACH Grant, and Campus-Based (FSEOG and FWS) programs. Assistance Listing Numbers: 84.007 FSEOG Program; 84.033 FWS Program; 84.063 Pell Grant Program; 84.268 Direct Loan Program; and 84.379 TEACH Grant Program.

DATES: Deadline and Submission Dates: See Tables A and B at the end of this notice.

FOR FURTHER INFORMATION CONTACT: Heather Hall Lewis, U.S. Department of Education, Federal Student Aid Telephone: (202) 453-6519. Email: Heather.HallLewis@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: *Table A—2025–2026 Award Year Deadline Dates by Which a Student Must Submit the FAFSA Form, by Which the Institution Must Receive the Student's Institutional Student Information Record (ISIR) or FAFSA Submission Summary, and by Which the Institution Must Submit Verification Outcomes for Certain Students.*

Table A provides information and deadline dates for receipt of the FAFSA

form, corrections to and signatures for the FAFSA form, ISIRs, and FAFSA Submission Summary, and verification documents.

The deadline date for the receipt of a FAFSA form by the Department's FAFSA Processing System (FPS) is June 30, 2026, regardless of the method that the applicant uses to submit the FAFSA form. The deadline date for the receipt of corrections, notices of change of address or institution, or requests for a duplicate FAFSA Submission Summary is September 12, 2026.

For all title IV, HEA programs, an ISIR or FAFSA Submission Summary for the student must be received by the institution no later than the student's last date of enrollment for the 2025–2026 award year or September 19, 2026, whichever is earlier. Note that a FAFSA form must be submitted and an ISIR or FAFSA Submission Summary received for the dependent student for whom a parent is applying for a Direct PLUS Loan.

Except for students selected for Verification Tracking Groups V4 and V5, verification documents must be received by the institution no later than 120 days after the student's last date of enrollment for the 2025–2026 award year or September 19, 2026, whichever is earlier. For students selected for Verification Tracking Groups V4 and V5, institutions must submit identity verification results no later than 60 days following the institution's first request to the student to submit the documentation or October 28, 2025 (60 days after the release of the Verification of Identity functionality in the FAFSA Partner Portal) for the 2025–2026 Award Year, whichever is later.

For all title IV, HEA programs except for (1) Direct PLUS Loans that will be made to parent borrowers, and (2) Direct Unsubsidized Loans that will be made to dependent students who have been determined by the institution, pursuant to section 479A(a) of the HEA, to be eligible for such a loan without providing parental information on the FAFSA, the ISIR or FAFSA Submission Summary must have an official Student Aid Index (SAI) and the ISIR or FAFSA Submission Summary must be received by the institution no later than the earlier of the student's last date of enrollment for the 2025–2026 award year or September 19, 2026. For the two exceptions mentioned above, the ISIR or FAFSA Submission Summary must be received by the institution by the same dates noted in this paragraph, but the ISIR or FAFSA Submission Summary is not required to have an official SAI.

For a student who is requesting aid through the Pell Grant, FSEOG, or FWS

programs or for a student requesting Direct Subsidized Loans, who does not meet the conditions for a late disbursement under 34 CFR 668.164(j), a valid ISIR or valid FAFSA Submission Summary must be received by the institution by the student's last date of enrollment for the 2025–2026 award year or September 19, 2026, whichever is earlier.

In accordance with 34 CFR 668.164(j)(4)(i), an institution may not make a late disbursement of title IV, HEA program funds later than 180 days after the date of the institution's determination that the student was no longer enrolled. Table A provides that, to make a late disbursement of title IV, HEA program funds, an institution must receive a valid ISIR or valid FAFSA Submission Summary no later than 180 days after its determination that the student was no longer enrolled, but not later than September 19, 2026.

Table B—2025–2026 Award Year Deadline Dates by Which an Institution Must Submit Disbursement Information for the Pell Grant, Direct Loan, and TEACH Grant Programs.

For the Pell Grant, Direct Loan, and TEACH Grant programs, Table B provides the earliest disbursement date, the earliest dates for institutions to submit disbursement records to the Department's Common Origination and Disbursement (COD) System, and deadline dates by which institutions must submit disbursement and origination records.

For the 2025–2026 Award Year, an institution must submit Pell Grant, Direct Loan, and TEACH Grant disbursement records to COD, no later than November 30, 2026 or 15 days after making the disbursement or becoming aware of the need to adjust a previously reported disbursement, whichever is later. In accordance with 34 CFR 668.164(a), title IV, HEA program funds are disbursed on the date that the institution: (a) credits those funds to a student's account in the institution's general ledger or any subledger of the general ledger; or (b) pays those funds to a student directly. Title IV, HEA program funds are disbursed even if an institution uses its own funds in advance of receiving program funds from the Department.

An institution's failure to submit disbursement records within the required timeframe may result in the Department rejecting all or part of the reported disbursement. Such failure may also result in an audit or program review finding or the initiation of an adverse action, such as a fine or other penalty for such failure, in accordance

with subpart G of the General Provisions regulations in 34 CFR part 668.

Deadline Dates for Enrollment Reporting by Institutions.

In accordance with 34 CFR 674.19(f), 682.610(c), 685.309(b), and 690.83(b)(2), upon receipt of an enrollment report from the Secretary, institutions must update all information included in the report and return the report to the Secretary in a manner and format prescribed by the Secretary and within the timeframe prescribed by the Secretary. Consistent with the *National Student Loan Data System (NSLDS) Enrollment Reporting Guide*, the Secretary has determined that institutions must report at least every two months. Institutions may find the *NSLDS Enrollment Reporting Guide* in the "Knowledge Center" via Federal Student Aid's (FSA) Partner Connect website at: <https://fsapartners.ed.gov/knowledge-center>.

Other Sources for Detailed Information.

We publish a detailed discussion of the FAFSA application process in the Application and Verification Guide volume of the 2025–2026 *Federal Student Aid Handbook* and in Volume 6 of the 2025–2026 *FAFSA Specifications Guide*.

Information on the institutional reporting requirements for the Pell Grant, Direct Loan, Federal Work-Study, and TEACH Grant programs is included in the 2025–2026 *Common Origination and Disbursement (COD) Technical Reference*. Also, see the *NSLDS Enrollment Reporting Guide*.

You may access these publications by visiting the "Knowledge Center" via FSA's Partner Connect website at: <https://fsapartners.ed.gov/knowledge-center>.

Additionally, the 2025–2026 award year reporting deadline dates for the Federal Perkins Loan, FWS, and FSEOG programs were published in the **Federal Register** on May 22, 2025 (90 FR 21909).

Applicable Regulations: The following regulations apply:

- (1) Student Assistance General Provisions, 34 CFR part 668.
- (2) Federal Pell Grant Program, 34 CFR part 690.
- (3) William D. Ford Direct Loan Program, 34 CFR part 685.
- (4) Teacher Education Assistance for College and Higher Education Grant Program, 34 CFR part 686.
- (5) Federal Work-Study Programs, 34 CFR part 675.
- (6) Federal Supplemental Education Opportunity Grant Program, 34 CFR part 676.

Accessible Format: On request to the program contact person listed under **FOR**

FURTHER INFORMATION CONTACT, individuals with disabilities can obtain this document in an accessible format. The Department will provide the requestor with an accessible format that may include Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, braille, large print, audiotape, or 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.

Program Authority: 20 U.S.C. 1070a, 1070b–1070b–4, 1070g, 1070h, 1087a–1087j, 1087aa–1087ii, and 1087–51–1087–58.

Richard Lucas,

Acting Chief Operating Officer, Federal Student Aid.

TABLE A—2025–2026 AWARD YEAR DEADLINE DATES BY WHICH A STUDENT MUST SUBMIT THE FAFSA FORM, BY WHICH THE INSTITUTION MUST RECEIVE THE STUDENT’S INSTITUTIONAL STUDENT INFORMATION RECORD (ISIR) OR FAFSA SUBMISSION SUMMARY, AND BY WHICH THE INSTITUTION MUST SUBMIT VERIFICATION OUTCOMES FOR CERTAIN STUDENTS

Who submits?	What is submitted?	Where is it submitted?	What is the deadline date for receipt?
Student	FAFSA— fafsa.gov (original or renewal)	Electronically to the Department’s FAFSA Processing System (FPS).	June 30, 2026.
Student	A paper original FAFSA	To the address printed on the FAFSA	June 30, 2026.
Student	Electronic corrections to the FAFSA using fafsa.gov .	Electronically to the Department’s FPS	September 12, 2026. ¹
Student through an Institution.	Electronic corrections to the FAFSA	Electronically to the Department’s FPS using the FAFSA Partner Portal.	September 12, 2026. ¹
Student	Paper corrections to the FAFSA using a FAFSA Submission Summary, including change of mailing and email addresses and change of institutions.	To the address printed on the FAFSA Submission Summary.	September 12, 2026.
Student	A FAFSA Submission Summary with an official SAI calculated by the Department’s FPS, except for Parent PLUS Loans and Direct Unsubsidized Loans made to a dependent student under HEA section 479A(a), for which the FAFSA Submission Summary does not need to have an official SAI.	To the institution	The earlier of: —The student’s last date of enrollment for the 2025–2026 award year; or —September 19, 2026. ²
Student through FPS	An ISIR with an official SAI calculated by the Department’s FPS, except for Parent PLUS Loans and Direct Unsubsidized Loans made to a dependent student under HEA section 479A(a), for which the ISIR does not need to have an official SAI.	To the institution from the Department’s FPS.	
Student	Valid FAFSA Submission Summary (Pell Grant, FSEOG, FWS, and Direct Subsidized Loans).	To the institution	Except for a student meeting the conditions for a late disbursement under 34 CFR 668.164(j), the earlier of: —The student’s last date of enrollment for the 2025–2026 award year; or —September 19, 2026. ²
Student through FPS	Valid ISIR (Pell Grant, FSEOG, FWS, and Direct Subsidized Loans).	To the institution from the Department’s FPS.	
Student	Valid FAFSA Submission Summary (Pell Grant, FSEOG, FWS, and Direct Subsidized Loans).	To the institution	For a student receiving a late disbursement under 34 CFR 668.164(j)(4)(i), the earlier of: —180 days after the date of the institution’s determination that the student withdrew or otherwise became ineligible; or —September 19, 2026. ²
Student through FPS	Valid ISIR (Pell Grant, FSEOG, FWS, and Direct Subsidized Loans).	To the institution from the Department’s FPS.	
Student	Verification documents	To the institution	The earlier of: ³ —120 days after the student’s last date of enrollment for the 2025–2026 award year; or —September 19, 2026. ²

TABLE A—2025–2026 AWARD YEAR DEADLINE DATES BY WHICH A STUDENT MUST SUBMIT THE FAFSA FORM, BY WHICH THE INSTITUTION MUST RECEIVE THE STUDENT’S INSTITUTIONAL STUDENT INFORMATION RECORD (ISIR) OR FAFSA SUBMISSION SUMMARY, AND BY WHICH THE INSTITUTION MUST SUBMIT VERIFICATION OUTCOMES FOR CERTAIN STUDENTS—Continued

Who submits?	What is submitted?	Where is it submitted?	What is the deadline date for receipt?
Institution	Identity verification results for a student selected for verification by the Department and placed in Verification Tracking Group V4 or V5.	Electronically to the Department’s FPS using the FAFSA Partner Portal.	The later of: —60 days following the institution’s first request to the student to submit the required V4 or V5 identity documentation; or —when the FAFSA Partner Portal Verification of Identity function is made available for the 2025–2026. Award Year. ⁴

¹ The deadline for electronic transactions is 11:59 p.m. (Central Time) on the deadline date. Transmissions must be completed and accepted before 12:00 midnight to meet the deadline. If transmissions are started before 12:00 midnight but are not completed until after 12:00 midnight, those transmissions do not meet the deadline. In addition, any transmission submitted on or just prior to the deadline date that is rejected may not be reprocessed because the deadline will have passed by the time the user gets the information notifying them of the rejection.

² The date the ISIR/FAFSA Submission Summary transaction was processed by FPS is considered to be the date the institution received the ISIR or FAFSA Submission Summary regardless of whether the institution has downloaded the ISIR from its Student Aid Internet Gateway (SAIG) mailbox or when the student submits the FAFSA Submission Summary to the institution.

³ Although the Secretary has set this deadline date for the submission of verification documents, if corrections are required, deadline dates for submission of paper or electronic corrections and, for Pell Grant applicants and applicants selected for verification, deadline dates for the submission of a valid FAFSA Submission Summary or valid ISIR to the institution must still be met. An institution may establish an earlier deadline for the submission of verification documents for purposes of the Campus-Based programs and the Direct Loan Program, but it cannot be later than this deadline date.

⁴ Note that changes to previously submitted identity verification results must be updated within 30 days of the institution becoming aware that a change has occurred.

TABLE B—2025–2026 AWARD YEAR DEADLINE DATES BY WHICH AN INSTITUTION MUST SUBMIT DISBURSEMENT INFORMATION FOR THE PELL GRANT, DIRECT LOAN AND TEACH GRANT PROGRAMS ¹

Which program?	What is submitted?	Under what circumstances is it submitted?	Where is it submitted?	What are the deadlines for disbursement and for submission of records and information?
Pell Grant, Direct Loan, and TEACH Grant Programs.	An origination or disbursement record.	The institution has made or intends to make a disbursement.	To the Common Origination and Disbursement (COD) System using the Student Aid Internet Gateway (SAIG); or to the COD System using the COD website at: https://cod.ed.gov .	The earliest disbursement date for the Pell Grant is January 31, 2025. The earliest disbursement date for Direct Loan Program is October 1, 2024. The earliest disbursement date for TEACH Grant Program is January 1, 2025. The earliest submission date for anticipated disbursement information is March 23, 2025. The earliest submission date for actual disbursement information is March 23, 2025, but no earlier than: (a) 7 calendar days prior to the disbursement date under the advance payment method or the Heightened Cash Monitoring Payment Method 1 (HCM1); or (b) The disbursement date under the reimbursement or the Heightened Cash Monitoring Payment Method 2 (HCM2).
Pell Grant and TEACH Grant Programs.	An origination or disbursement record.	The institution has made a disbursement and will submit records on or before the deadline submission date.	To COD using SAIG; or to COD using the COD website at: https://cod.ed.gov .	The deadline submission date ² is the later of: (a) November 30, 2025; (b) 15 calendar days after the institution makes a disbursement. Submission of Pell Grant and TEACH Grant disbursement information must occur no later than September 30, 2026.
Direct Loan Program.	An origination or disbursement record.	The institution has made a disbursement and will submit records on or before the deadline submission date.	To COD using SAIG; or to COD using the COD website at: https://cod.ed.gov .	The deadline submission date ² is the later of: (a) November 30, 2025; or (b) 15 calendar days after the institution makes a disbursement. Submission of Direct Loan disbursement information must occur no later than July 30, 2027.

TABLE B—2025–2026 AWARD YEAR DEADLINE DATES BY WHICH AN INSTITUTION MUST SUBMIT DISBURSEMENT INFORMATION FOR THE PELL GRANT, DIRECT LOAN AND TEACH GRANT PROGRAMS¹—Continued

Which program?	What is submitted?	Under what circumstances is it submitted?	Where is it submitted?	What are the deadlines for disbursement and for submission of records and information?
Pell Grant Program	A downward (decrease) adjustment to an origination or disbursement record.	It is after the deadline submission date	To COD using SAIG; or to COD using the COD website at: https://cod.ed.gov .	No later than the earlier of: (a) 15 calendar days after the institution becomes aware of the need to make an adjustment to previously reported data; or (b) September 30, 2031. ² No request for extension to the deadline submission date is required.
TEACH Grant and Direct Loan Programs.	A downward (decrease) adjustment to an origination or disbursement record.	It is after the deadline submission date	To COD using SAIG; or to COD using the COD website at https://cod.ed.gov .	No later than 15 calendar days after the institution becomes aware of the need to make an adjustment to previously reported data. No request for extension to the deadline submission date is required.
Pell Grant Program	An upward (increase) adjustment to an origination or disbursement record.	It is after the deadline submission date and the institution has received approval of its request for an extension to the deadline submission date. Requests for extensions to the established submission deadlines may be made for reasons including, but not limited to: (a) A program review or initial audit finding under 34 CFR 690.83; (b) A late disbursement under 34 CFR 668.164(j); or (c) Disbursements previously blocked as a result of another institution failing to post a downward adjustment.	Via the COD website at: https://cod.ed.gov .	No later than the earlier of: (a) 15 calendar days after the institution becomes aware of the need to make an adjustment to previously reported data; or (b) When the institution is fully reconciled and is ready to submit all additional data for the program and the award year; or (c) September 30, 2031.
TEACH Grant and Direct Loan Programs.	An upward (increase) adjustment or a new origination or disbursement record.			No later than the earlier of: (a) 15 calendar days after the institution becomes aware of the need to make an adjustment to previously reported data; or (b) When the institution is fully reconciled and is ready to submit all additional data for the program and the award year.
Pell Grant Program	An origination or disbursement record.	It is after the deadline submission date and the institution has received approval of its request for an extension to the deadline submission date based on a natural disaster, other unusual circumstances, or an administrative error made by the Department.	Via the COD website at: https://cod.ed.gov .	The earlier of: (a) A date designated by the Secretary after consultation with the institution; or (b) February 1, 2027.
Pell Grant Program	An origination or disbursement record.	It is after the deadline submission date and the institution has received approval of its request for administrative relief to extend the deadline submission date based on a student's reentry to the institution within 180 days after initially withdrawing. ³	Via the COD website at: https://cod.ed.gov .	The earlier of: (a) 15 days after the student reenrolls; or (b) May 3, 2027.

¹ A COD Processing Year is a period of time in which institutions are permitted to submit Direct Loan records to the COD System that are related to a given award year. For a Direct Loan, the period of time includes loans that have a loan period covering any day in the 2025–2026 award year.

² Transmissions must be completed and accepted before the designated processing time on the deadline submission date. The designated processing time is published annually via an electronic announcement posted to the Knowledge Center via FSA's Partner Connect website at: <https://fsapartners.ed.gov/knowledge-center>. If transmissions are started at the designated time, but are not completed until after the designated time, those transmissions will not meet the deadline. In addition, any transmission submitted on or just prior to the deadline date that is rejected may not be reprocessed because the deadline will have passed by the time the user gets the information notifying him or her of the rejection.

³ Applies only to students enrolled in clock-hour and nonterm credit-hour educational programs.

Note: The COD System must accept origination data for a student from an institution before it accepts disbursement information from the institution for that student. Institutions may submit origination and disbursement data for a student in the same transmission. However, if the origination data is rejected, the disbursement data is rejected.

DEPARTMENT OF EDUCATION**[Docket No.: ED–2025–SCC–0845]****Agency Information Collection Activities; Comment Request; DC School Choice Incentive Program****AGENCY:** Office of Elementary and Secondary Education (OESE), Department of Education (ED).**ACTION:** Notice.**SUMMARY:** In accordance with the Paperwork Reduction Act (PRA) of 1995, the Department is proposing an extension without change of a currently approved information collection request (ICR).**DATES:** Interested persons are invited to submit comments on or before February 9, 2026.**ADDRESSES:** To access and review all the documents related to the information collection listed in this notice, please use <http://www.regulations.gov> by searching the Docket ID number ED–2025–SCC–0845. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at <http://www.regulations.gov> by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. If the [regulations.gov](http://www.regulations.gov) site is not available to the public for any reason, the Department will temporarily accept comments at ICDocketMgr@ed.gov. Please include the docket ID number and the title of the information collection request when requesting documents or submitting comments. Please note that comments submitted after the comment period will not be accepted. Written requests for information or comments submitted by postal mail or delivery should be addressed to the School and Community Improvement Programs, U.S. Department of Education, 400 Maryland Ave. SW, LBJ, Room 4B129, Washington, DC 20202–1200.**FOR FURTHER INFORMATION CONTACT:** For specific questions related to collection activities, please contact Beth Yeh, 202–987–1588.**SUPPLEMENTARY INFORMATION:** The Department, in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection

requirements and provide the requested data in the desired format. The Department is soliciting comments on the proposed information collection request (ICR) that is described below. The Department is especially interested in public comment addressing the following issues: (1) is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: DC School Choice Incentive Program.*OMB Control Number:* 1810–0774.*Type of Review:* An extension without change of a currently approved ICR.*Respondents/Affected Public:* Individuals and Households.*Total Estimated Number of Annual Responses:* 3,000.*Total Estimated Number of Annual Burden Hours:* 1,000.*Abstract:* The DC Opportunity Scholarship Program (OSP) is currently authorized under the Scholarships for Opportunity and Results Act (SOAR). Under the SOAR Act, the US Department of Education awards a grant to a non-profit to administer scholarships to students who reside in the District of Columbia and come from households whose incomes do not exceed 185% of the poverty line (300% of the poverty line for returning students). The current administrator of the OSP is Serving Our Children (SOC). Under the law, priority is given to siblings of students in the program, and students who are currently attending low-performing schools, as defined by Title I. To assist in the student selection and assignment process, the information collected is used to determine the eligibility of those students who are interested in the available scholarships.**Ross Santy,***Chief Data Officer, Office of Planning, Evaluation and Policy Development*

[FR Doc. 2025–22433 Filed 12–9–25; 8:45 am]

BILLING CODE 4000–01–P**DEPARTMENT OF EDUCATION****[Docket No.: ED–2025–SCC–0845]****Agency Information Collection Activities; Comment Request; DC School Choice Incentive Program; Withdrawal****AGENCY:** Office of the Chief Data Officer (OCDO), Office of Planning, Evaluation and Policy Development (OPEPD), Department of Education (ED).**ACTION:** Notice, withdrawal.**SUMMARY:** The Department of Education published a collection of information notice in the **Federal Register** on December 5, 2025, that contained errors. With this notice, we are withdrawing the notice (90 FR 56138). A new 60-day **Federal Register** Notice is also being published in this issue of the **Federal Register** to replace the incorrect notice.**FOR FURTHER INFORMATION CONTACT:** Ross Santy, Chief Data Officer, at ross.santy@ed.gov or (202) 245–7384.**SUPPLEMENTARY INFORMATION:** The **Federal Register** Notices published for DC School Choice Incentive Program included incorrect information. The incorrect 60-day **Federal Register** Notice (90 FR 56138) was published on December 5, 2025. A new 60-day **Federal Register** Notice is also being published in this issue of the **Federal Register** to replace the incorrect notice.**Ross Santy,***Chief Data Officer, Office of Planning, Evaluation and Policy Development.*

[FR Doc. 2025–22432 Filed 12–9–25; 8:45 am]

BILLING CODE 4000–01–P**DEPARTMENT OF ENERGY****Environmental Management Site-Specific Advisory Board, Savannah River Site****AGENCY:** Office of Environmental Management, Department of Energy.**ACTION:** Notice of open meeting.**SUMMARY:** This notice announces an in-person/livestreamed meeting of the Environmental Management Site-Specific Advisory Board (EM SSAB), Savannah River Site. The Federal Advisory Committee Act requires that public notice of this meeting be announced in the **Federal Register**.**DATES:** Tuesday, January 27, 2026; 9 a.m.–4 p.m. EST.**ADDRESSES:** Advanced Manufacturing Collaborative, 4345 Trolley Line Road, Aiken, South Carolina 29801. This meeting will be held in-person at the Advanced Manufacturing Collaborative

and streamed on YouTube, no registration is necessary. The link for the livestream can be found on the following website: <https://www.youtube.com/@SRSCAB/streams>.

FOR FURTHER INFORMATION CONTACT: James Tanner, Office of External Affairs, U.S. Department of Energy, Savannah River Operations Office, P.O. Box A, Aiken, SC 29802; Phone: (803) 646-2167; or Email: james.tanner@srs.gov.

SUPPLEMENTARY INFORMATION:

Purpose of the Board: The purpose of the Board is to provide advice and recommendations concerning the following EM site-specific issues: clean-up activities and environmental restoration; waste and nuclear materials management and disposition; excess facilities; future land use and long-term stewardship. The Board may also be asked to provide advice and recommendations on other EM program components. The Board also provides an avenue to fulfill public participation requirements outlined in the National Environmental Policy Act (NEPA), the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the Resource Conservation and Recovery Act (RCRA), Federal Facility Agreements, Consent Orders, Consent Decrees and Settlement Agreements.

Tentative Agenda: (agenda topics are subject to change; please contact Juanita Campbell at juanita.campbell@srs.gov for the most current agenda)

- Chair Update
- Agency Updates
- Program Presentations to the Board
- Board Business
- Public Comments

Public Participation: The meeting is open to the public and public comment can be given orally or in writing. Fifteen minutes are allocated during the meeting for public comment and those wishing to make oral comment will be given a minimum of two minutes to speak. Written comments received at least two working days prior to the meeting will be provided to the members and included in the meeting minutes. Written comments received within two working days after the meeting will be included in the minutes. For additional information on public comment and to submit written comment, please contact srscitizensadvisoryboard@srs.gov. The EM SSAB, Savannah River Site, welcomes the attendance of the public at its meetings and will make every effort to accommodate persons with physical disabilities or special needs. If you require special accommodations due to a disability, please contact

srscitizensadvisoryboard@srs.gov at least seven days in advance of the meeting.

Meeting conduct: The Designated Federal Officer is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Questioning of board members or presenters by the public is not permitted.

Minutes: Minutes will be available at the following website: www.cab.srs.gov.

Signing Authority: This document of the Department of Energy was signed on December 8, 2025, by David Borak, Committee Management Officer, pursuant to delegated authority from the Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on December 8, 2025.

Jennifer Hartzell,

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

[FR Doc. 2025-22456 Filed 12-9-25; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Agency Information Collection

AGENCY: U.S. Department of Energy.

ACTION: Notice of request for comments.

SUMMARY: The Department of Energy (DOE) invites public comment on a proposed collection of information that DOE is developing for submission to the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1995.

DATES: Comments regarding this proposed information collection must be received on or before January 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, please advise the DOE Desk Officer at OMB of your intention to make a submission as soon as possible. The Desk Officer may be telephoned at (202) 881-9493.

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 information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

FOR FURTHER INFORMATION CONTACT: Jeremy Simpson, Office of Integrated Strategies, (240) 446-0003, Jeremy.simpson@ee.doe.gov.

SUPPLEMENTARY INFORMATION: *Comments are invited on:* (a) Whether the extended collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency’s estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

This information collection request contains:

- (1) *OMB No.:* 1910-NEW;
 - (2) *Information Collection Request Title:* EERE Small Businesses and Startups Impact Evaluation Data Collection;
 - (3) *Type of Request:* new;
 - (4) *Purpose:* The information collected through this effort is needed as an input to an evaluation study that will produce an analysis of the impact EERE’s funding has had on small businesses between 2008 and 2024. The results of this evaluation study will be used by DOE leadership to understand the impact to date and opportunities for improvement in financial awards provided to small businesses. Respondents to this data collection effort will small businesses and startup companies that have applied for financial assistance, SBIR/STTR grants and prize funding from EERE between 2008 and 2024, and will include both award recipients and applicants who did not receive funding. This is planned to be a one-time data collection effort.
 - (5) *Annual Estimated Number of Respondents:* 9,000;
 - (6) *Annual Estimated Number of Total Responses:* 9,000;
 - (7) *Annual Estimated Number of Burden Hours:* 13,500;
 - (8) *Annual Estimated Reporting and Recordkeeping Cost Burden:* \$751,275.
- Statutory Authority:* Foundations for Evidence-based Policymaking Act of 2018 (Pub. L. 115-435; Jan. 14, 2019).

Signing Authority

This document of the Department of Energy was signed on November 19, 2025, by Audrey Robertson, Assistant Secretary of Energy, Office of Energy Efficiency and Renewable Energy, pursuant to delegated authority from the Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on December 8, 2025.

Jennifer Hartzell,

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

[FR Doc. 2025-22455 Filed 12-9-25; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Project No. 15310-001]

**Neptune Pumped Storage 1, LLC;
Notice of Surrender of Preliminary Permit**

Take notice that Rye Development, LLC, on behalf of Neptune Pumped Storage 1, LLC, permittee for the proposed Elephant Rock Pumped Storage Project No. 15310, has requested that its preliminary permit be terminated. The permit was issued on February 15, 2024, and would have expired on January 31, 2028.¹ The project would have been located near the Sixes River in Curry County, Oregon.

The preliminary permit for Project No. 15310 will remain in effect until the close of business, thirty days from the date of this notice. But, if the Commission is closed on this day, then the permit remains in effect until the close of business on the next day in which the Commission is open.² New applications for this site may not be submitted until after the permit surrender is effective.

(Authority: 18 CFR 2.1)

¹ *Neptune Pumped Storage 2, LLC*, 186 FERC ¶ 61,111 (2024).

² 18 CFR 385.2007(a)(2) (2025).

Dated: December 5, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025-22450 Filed 12-9-25; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Project No. 12613-007]

Tygart LLC; Notice of Intent To Prepare an Environmental Assessment

On December 26, 2024, Tygart LLC filed an application to amend the license for the Tygart Hydroelectric Project No. 12613. The unconstructed project will be located at the U.S. Army Corps of Engineers' (Corps) Tygart Dam on the Tygart River in Taylor County, West Virginia. The project will occupy federal lands managed by the Corps.

The licensee proposes the following design modifications to the unconstructed project: (1) reconfiguration of the project intake to include a fish exclusion net; (2) reconfiguration of the turbine units to include three vertical Kaplan turbines; and (3) reconfiguration of the powerhouse and penstock to accommodate modified turbine design. The proposed changes would not result in any changes to installed or hydraulic capacity of the project. On October 2, 2025, Commission staff issued a Notice of Application for Non-Capacity License Amendment Accepted for Filing, and Soliciting Comments, Motions to Intervene and Protests. No comments, motions to intervene, or protests were received in response to the Commission's notice.

This notice identifies Commission staff's intention to prepare an environmental assessment (EA) under the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) for the project.¹ Commission staff plans to issue an EA by January 9, 2026. Revisions to the schedule may be made as appropriate. The EA will be issued for a 30-day comment period. All comments filed on the EA will be reviewed by staff and considered in the Commission's final decision on the proceeding.

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*.

¹ The unique identification number for documents relating to this environmental review is EAXX-019-20-000-1761560256.

Any questions regarding this notice may be directed to Elizabeth Moats at 202-502-6632 or *Elizabeth.OsierMoats@ferc.gov*. (Authority: 18 CFR 2.1)

Dated: December 5, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025-22451 Filed 12-9-25; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Project No. 2212-059]

Domtar Paper Company, LLC; Notice of Availability of Environmental Assessment

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's (Commission or FERC) regulations, 18 CFR part 380, Commission staff reviewed Domtar Paper Company, LLC's application for non-capacity amendment of the Rothschild Hydroelectric Project No. 2212 and have prepared an Environmental Assessment (EA) for the project.¹ The licensee proposes to replace the existing timber crib spillway section with two hydraulically actuated overhead hinged crest gates mounted on a reinforced concrete crest structure with reinforced concrete piers. Additionally, a reinforced concrete labyrinth crest structure and reinforced concrete stilling basins would be constructed for both spillways. The project is located on the Wisconsin River in Marathon County, Wisconsin and does not occupy federal lands.

The EA contains Commission staff's analysis of the potential environmental effects of the proposed action, alternatives to the proposed action, and concludes that the proposed amendment, with appropriate environmental measures, would not constitute a major federal action that would significantly affect the quality of the human environment.

The EA may be viewed on the Commission's website at <http://www.ferc.gov> using the "elibrary" link. Enter the docket number (P-2212) in the docket number field to access the document. For assistance, contact FERC Online Support at *FERCOnlineSupport@ferc.gov* or toll-

¹ The unique identification number for documents relating to this environmental review is EAXX-019-20-000-1750232650.

free at 1-866-208-3676, or for TTY, (202) 502-8659.

You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

All comments must be filed by January 5, 2026 5:00 p.m. Eastern Time.

The Commission strongly encourages electronic filing. Please file comments 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. 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-2212-059.

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 Aneela Mousam at 202-502-8357 or aneela.mousam@ferc.gov.

(Authority: 18 CFR 2.1)

Dated: December 5, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025-22452 Filed 12-9-25; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER20-2878-023.

Applicants: Pacific Gas and Electric Company.

Description: Compliance filing: WDT SA 275: WDT3 CCSF Settlement

Compliance Filing to be effective 12/6/2025.

Filed Date: 12/5/25.

Accession Number: 20251205-5169.

Comment Date: 5 p.m. ET 12/26/25.

Docket Numbers: ER26-107-000.

Applicants: Hardin Solar Energy LLC.

Description: Report Filing:

Supplemental Filing to Filing of Amended Assignment, Co-Tenancy, and Shared FA to be effective N/A.

Filed Date: 12/5/25.

Accession Number: 20251205-5175.

Comment Date: 5 p.m. ET 12/26/25.

Docket Numbers: ER26-668-000.

Applicants: Midcontinent

Independent System Operator, Inc.
Description: 205(d) Rate Filing: 2025-12-05_SA 4125 UE-Kelso 2 Solar 2nd Rev GIA (J1299) to be effective 12/3/2025.

Filed Date: 12/5/25.

Accession Number: 20251205-5095.

Comment Date: 5 p.m. ET 12/26/25.

Docket Numbers: ER26-669-000.

Applicants: Pacific Gas and Electric Company.

Description: 205(d) Rate Filing: TO: Transmission Access Charge Balancing Account Adjustment (TACBAA) 2026 to be effective 3/1/2026.

Filed Date: 12/5/25.

Accession Number: 20251205-5108.

Comment Date: 5 p.m. ET 12/26/25.

Docket Numbers: ER26-670-000.

Applicants: ISO New England Inc., Central Maine Power Company.

Description: 205(d) Rate Filing: ISO New England Inc. submits tariff filing per 35.13(a)(2)(iii): ISO-NE/CMP; First Revised ETUIA-ISONE/CMP-20-01 to be effective 11/10/2025.

Filed Date: 12/5/25.

Accession Number: 20251205-5212.

Comment Date: 5 p.m. ET 12/26/25.

Docket Numbers: ER26-671-000.

Applicants: Aron Energy Prepay 64 LLC.

Description: Initial Rate Filing:

Baseline new to be effective 12/6/2025.

Filed Date: 12/5/25.

Accession Number: 20251205-5217.

Comment Date: 5 p.m. ET 12/26/25.

Docket Numbers: ER26-672-000.

Applicants: Aron Energy Prepay 65 LLC.

Description: Initial Rate Filing:

Baseline new to be effective 12/6/2025.

Filed Date: 12/5/25.

Accession Number: 20251205-5220.

Comment Date: 5 p.m. ET 12/26/25.

Docket Numbers: ER26-673-000.

Applicants: Aron Energy Prepay 66 LLC.

Description: Initial Rate Filing:

Baseline new to be effective 12/6/2025.

Filed Date: 12/5/25.

Accession Number: 20251205-5224.

Comment Date: 5 p.m. ET 12/26/25.

Docket Numbers: ER26-674-000.

Applicants: Aron Energy Prepay 67 LLC.

Description: Initial Rate Filing:

Baseline new to be effective 12/6/2025.

Filed Date: 12/5/25.

Accession Number: 20251205-5228.

Comment Date: 5 p.m. ET 12/26/25.

Docket Numbers: ER26-675-000.

Applicants: New England Power Company.

Description: Tariff Amendment:

2025-12-05 Notice of Cancellation of SA TSA-NEP-101 Between NEP and Vitol to be effective 2/4/2026.

Filed Date: 12/5/25.

Accession Number: 20251205-5233.

Comment Date: 5 p.m. ET 12/26/25.

Docket Numbers: ER26-676-000.

Applicants: Aron Energy Prepay 68 LLC.

Description: Initial Rate Filing:

Baseline new to be effective 12/6/2025.

Filed Date: 12/5/25.

Accession Number: 20251205-5237.

Comment Date: 5 p.m. ET 12/26/25.

Docket Numbers: ER26-677-000.

Applicants: Midcontinent Independent System Operator, Inc.

Description: 205(d) Rate Filing: 2025-

12-05 Att X—Improvements and Clarification filing to be effective 2/4/2026.

Filed Date: 12/5/25.

Accession Number: 20251205-5266.

Comment Date: 5 p.m. ET 12/26/25.

The filings are accessible in the Commission's eLibrary system (<http://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 5, 2025

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025–22453 Filed 12–9–25; 8:45 am]

BILLING CODE 6717–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–1211; FR ID 321274]

Information Collection Being Reviewed by the Federal Communications Commission

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection burden on small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written PRA comments should be submitted on or before 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 Cathy Williams, FCC, via email PRA@fcc.gov and to Cathy.Williams@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Cathy Williams at (202) 418–2918.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060–1211.

Title: Sections 96.17; 96.21; 96.23; 96.25; 96.33; 96.35; 96.39; 96.41; 96.43; 96.45; 96.51; 96.57; 96.59; 96.61; 96.63; 96.67, Commercial Operations in the 3550–3650 MHz Band.

Form Number: N/A.

Type of Review: Extension of a currently approved information collection.

Respondents: Business or other for-profit entities, state, local, or tribal government and not for profit institutions.

Number of Respondents: 110,782 respondents; 226,099 responses.

Estimated Time per Response: .25 to 1 hour.

Frequency of Response: One-time and on occasion reporting requirements; other reporting requirements—as-needed basis for equipment safety certification that is no longer in use, and consistently (likely daily) responses automated via the device.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for, these collections are contained in 47 U.S.C. 151, 152, 154(i), 154(j), 155(c), 302(a), 303, 304, 307(e), and 316 of the Communications Act of 1934.

Total Annual Burden: 64,561 hours.

Total Annual Cost: \$13,213,975.

Needs and Uses: The FCC adopted an Order on Reconsideration and Second Report and Order, FCC 16–55, that amends rules established in the First Report and Order, FCC 15–47, for commercial use of 150 megahertz in the 3550–3700 MHz (3.5 GHz) band and a new Citizens Broadband Radio Service, on April 28, 2016, published at 81 FR 49023 (July 26, 2016). The rule changes and information requirements contained in the First Report and Order are also approved under this Office of Management and Budget (OMB) control number and have not changed since they were last approved by OMB.

The Commission also received approval from OMB for the information collection requirements contained in FCC 16–55. The amendments contained in the Second Report and Order create additional capacity for wireless broadband by adopting a new approach to spectrum management to facilitate more intensive spectrum sharing between commercial and federal users and among multiple tiers of commercial users. The Spectrum Access System (SAS) will use the information to authorize and coordinate spectrum use for Citizen Broadband Radio Service Devices (CBSDs). The Commission will use the information to coordinate among the spectrum tiers and determine

Protection Areas for Priority Access Licensees (PALs).

The following is a description of the information collection requirements for is approved under this collection:

Section 96.25(c)(1)(i) requires PALs to inform the SAS if a CBSD is no longer in use.

Section 96.25(c)(2)(i) creates a default protection contour for any CBSD at the outer limit of the PAL Protection Area, but allows a PAL to self-report a contour smaller than that established by the SAS. These rules which contain information collection requirements are designed to provide for flexible use of this spectrum, while managing three tiers of users in the band, and create a low-cost entry point for a wide array of users. The rules will encourage innovation and investment in mobile broadband use in this spectrum while protecting incumbent users. Without this information, the Commission would not be able to carry out its statutory responsibilities.

Federal Communications Commission.

Marlene Dortch,
Secretary.

[FR Doc. 2025–22412 Filed 12–9–25; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–1199; FR ID 321273]

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: 3060-1199.

Title: Section 15.407(j), U-NII Operator Filing Requirement.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Businesses or other for-profit.

Number of Respondents and

Responses: 5 respondents; 5 responses.

Estimated Time per Response: 32 hours.

Frequency of Response: On occasion, one-time reporting requirement, recordkeeping and third-party disclosure requirements.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this Information collection is contained in 47 U.S.C. 154(i), 302, 303, 303(r), and 307.

Total Annual Burden: 160 hours.

Total Annual Cost: No cost.

Needs and Uses: The Commission will submit this information collection to the Office of Management and Budget (OMB) after this 60-day comment period in order to obtain the full year three-year clearance from them.

The Commission's Rules to Permit Unlicensed National Information Infrastructure (U-NII) in the 5 GHz Band, Section 15.407(j) of the FCC rules, established filing requirements for U-NII operators that deploy a collection of more than one thousand outdoor access points with the 5.15-5.25 GHz band.

Subsequently, parties must submit a letter to the Commission acknowledging that, should harmful interference to licensed services in this band occur, they will be required to take corrective action. Corrective actions may include reducing power, turning off devices, changing frequency bands, and/or further reducing power radiated in the vertical direction. This material shall be submitted to Laboratory Division, Office of Engineering and Technology, Federal Communications Commission, 7435 Oakland Mills Road, Columbia, MD 21046 Attn: U-NII Coordination, or via website at <https://www.fcc.gov/labhelp> with the SUBJECT LINE: "U-NII-1 Filing".

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2025-22387 Filed 12-9-25; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (Act) (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the applications are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at <https://www.federalreserve.gov/foia/request.htm>. Interested persons may express their views in writing on the standards enumerated in paragraph 7 of the Act.

Comments received are subject to public disclosure. In general, comments received will be made available without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would not be appropriate for public disclosure.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Benjamin W. McDonough, Deputy Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551-0001, not later than December 26, 2025.

A. Federal Reserve Bank of Kansas City (Jeffrey Imgarten, Assistant Vice President) 1 Memorial Drive, Kansas City, Missouri 64198-0001. Comments can also be sent electronically to KCApplicationComments@kc.frb.org;

1. *Michael P. Langley Directed Trust dated February 16, 2021, Camarillo, California; John M. Langley Directed Trust dated February 16, 2021, Houston, Texas; James L. Langley Directed Trust dated February 16, 2021, Beaufort, South Carolina; Annette L. Langley Directed Trust dated February 16, 2021, Aurora, Colorado; Barbara A. Fisher Directed Trust dated February 16, 2021, Wintersville, Ohio; Jeanette M. Roberts Directed Trust dated February 16, 2021, Bloomington, Ohio; Roseanne M. Martin Directed Trust dated February 16, 2021, Steubenville, Ohio; Mark A. Langley Directed Trust dated February 16, 2021, Lancaster, Massachusetts; Stephen A. Langley Directed Trust dated February 16, 2021, Okayama, Japan; Mark A. Langley, Lancaster, Massachusetts; Jeanette M. Roberts, Bloomington, Ohio; Annette L. Langley, Aurora, Colorado, and AMG National Trust Bank, Boulder, Colorado, as trustees and trust advisors of the aforementioned trusts; to become members of the James W. Langley Family Control Group, a group acting in concert, to retain voting shares of Citizens Investment Company, and thereby indirectly retain voting shares of North Valley Bank, both of Thornton, Colorado.*

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,

Associate Secretary of the Board.

[FR Doc. 2025-22446 Filed 12-9-25; 8:45 am]

BILLING CODE 6210-01-P

FEDERAL TRADE COMMISSION

[File No. 241 0098]

The Boeing Company and Spirit AeroSystems Holdings, Inc.; Analysis of Proposed Agreement Containing Consent Orders To Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed consent agreement; request for comment.

SUMMARY: The consent agreement in this matter settles alleged violations of Federal law prohibiting unfair methods of competition. The attached Analysis of Proposed Agreement Containing Consent Orders to Aid Public Comment describes both the allegations in the complaint and the terms of the consent order—embodied in the consent agreement—that would settle these allegations.

DATES: Comments must be received on or before January 9, 2026.

ADDRESSES: Interested parties may file comments online or on paper by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Please write: “Boeing and Spirit AeroSystems; File No. 241 0098” on your comment and file your comment online at <https://www.regulations.gov> by following the instructions on the web-based form. If you prefer to file your comment on paper, please mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Mail Stop H-144 (Annex A), Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT: James Southworth (202-326-2822), Mergers I Division, Bureau of Competition, Federal Trade Commission, 400 7th Street SW, Washington, DC 20024.

SUPPLEMENTARY INFORMATION: Pursuant to section 6(f) of the Federal Trade Commission Act, 15 U.S.C. 46(f), and FTC Rule § 2.34, 16 CFR 2.34, notice is hereby given that the above-captioned consent agreement containing a consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of 30 days. The following Analysis of Proposed Agreement Containing Consent Orders to Aid Public Comment describes the terms of the consent agreement and the allegations in the complaint. An electronic copy of the full text of the consent agreement package can be obtained from the FTC website at this web address: <https://www.ftc.gov/news-events/commission-actions>.

The public is invited to submit comments on this document. For the Commission to consider your comment, we must receive it on or before January 9, 2026. Write “Boeing and Spirit AeroSystems; File No. 241 0098” on your comment. Your comment—including your name and your State—will be placed on the public record of this proceeding, including, to the extent

practicable, on the <https://www.regulations.gov> website.

Because of the agency’s heightened security screening, postal mail addressed to the Commission will be delayed. We strongly encourage you to submit your comments online through the <https://www.regulations.gov> website. If you prefer to file your comment on paper, write “Boeing and Spirit AeroSystems; File No. 241 0098” on your comment and on the envelope, and mail your comment by overnight service to: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Mail Stop H-144 (Annex A), Washington, DC 20580.

Because your comment will be placed on the publicly accessible website at <https://www.regulations.gov>, you are solely responsible for making sure your comment does not include any sensitive or confidential information. In particular, your comment should not include sensitive personal information, such as your or anyone else’s Social Security number; date of birth; driver’s license number or other State identification number, or foreign country equivalent; passport number; financial account number; or credit or debit card number. You are also solely responsible for making sure your comment does not include sensitive health information, such as medical records or other individually identifiable health information. In addition, your comment should not include any “trade secret or any commercial or financial information which . . . is privileged or confidential”—as provided by section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule § 4.10(a)(2), 16 CFR 4.10(a)(2)—including competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

Comments containing material for which confidential treatment is requested must be filed in paper form, must be clearly labeled “Confidential,” and must comply with FTC Rule § 4.9(c). In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request and must identify the specific portions of the comment to be withheld from the public record. See FTC Rule § 4.9(c). Your comment will be kept confidential only if the General Counsel grants your request in accordance with the law and the public interest. Once your comment has been posted on <https://www.regulations.gov>—as legally required by FTC Rule § 4.9(b)—we

cannot redact or remove your comment from that website, unless you submit a confidentiality request that meets the requirements for such treatment under FTC Rule § 4.9(c), and the General Counsel grants that request.

Visit the FTC website at <https://www.ftc.gov> to read this document and the news release describing this matter. The FTC Act and other laws the Commission administers permit the collection of public comments to consider and use in this proceeding, as appropriate. The Commission will consider all timely and responsive public comments it receives on or before January 9, 2026. For information on the Commission’s privacy policy, including routine uses permitted by the Privacy Act, see <https://www.ftc.gov/site-information/privacy-policy>.

Analysis of Proposed Agreement Containing Consent Orders To Aid Public Comment

I. Introduction

The Federal Trade Commission (“Commission”) has accepted, subject to final approval, an Agreement Containing Consent Orders (“Consent Agreement”) designed to remedy the anticompetitive effects resulting from The Boeing Company’s (“Boeing”) proposed acquisition of Spirit AeroSystems Holdings, Inc. (“Spirit”). Pursuant to an Agreement and Plan of Merger, dated June 30, 2024, Boeing will acquire all the outstanding voting shares of Spirit in exchange for shares of Boeing common stock representing an equity value of approximately \$4.7 billion (the “Acquisition”). The total value of the Acquisition is approximately \$8.3 billion, including the assumption of Spirit’s debt.

The Commission’s Complaint alleges that the Acquisition, if consummated, would violate section 7 of the Clayton Act, as amended, 15 U.S.C. 18, and section 5 of the FTC Act, as amended, 15 U.S.C. 45, by substantially lessening competition in: (1) the worldwide market for large commercial aircraft and (2) the United States market for military aircraft. In each relevant market, the Acquisition would provide Boeing with the ability and incentive to limit competing aircraft manufacturers’ access to critically important Spirit-supplied aerostructures.

The proposed Decision and Order (“Order”) will remedy the Acquisition’s likely anticompetitive effects in the large commercial aircraft market by requiring Boeing and Spirit (collectively, the “Respondents”) to divest (1) Spirit’s business operations primarily relating to supplying Airbus

SE (“Airbus”) with aerostructures, wherever located (the “Airbus Assets”), to Airbus, and (2) Spirit’s Subang, Malaysia aerostructures business that currently supplies aerostructures to, among others, Boeing and Airbus, to Composites Technology Research Malaysia Sdn. Bhd. (“CTRM”) (the “CTRM Assets”).

The Order will remedy the alleged violations in the military aircraft market by requiring Boeing to (1) act as a non-discriminatory merchant supplier of Spirit aerostructures rather than favor its own military aircraft business by both continuing to support Spirit’s current non-Boeing defense customers and by offering to supply Spirit aerostructures to rival military aircraft manufacturers for future military aircraft, and (2) protect competitors’ competitively sensitive information from improper use or disclosure.

The Consent Agreement has been placed on the public record for 30 days for receipt of comments from interested persons. Comments received during this period will become part of the public record. After 30 days, the Commission will again evaluate the Consent Agreement, along with the comments received, to make a final decision as to whether it should withdraw from the Consent Agreement, modify it, or make final the Order.

II. The Respondents

Boeing is a Delaware corporation with its principal place of business in Arlington, Virginia. Boeing is a leading global aerospace and defense company that designs, develops, manufactures, sells, and services commercial jetliners, as well as numerous high-priority programs for the United States Department of War (“DoW”) and other U.S. Government agencies, including military aircraft, weapon systems, spacecraft, space launch systems, and human space flight systems.

Spirit is a Delaware corporation with its principal place of business in Wichita, Kansas. Spirit is the largest independent supplier of aerostructures in the world. The company designs, develops, and manufactures large complex aerostructures, including fuselages and integrated fuselage sections, wings and wing components, nacelles, and pylons. Spirit supplies these aerostructures, which are custom designed for specific aircraft, to manufacturers of large commercial aircraft, military aircraft, and business/regional jets. Spirit primarily supplies aerostructures for large commercial aircraft. It currently supplies products for Boeing’s 737, 767, 777, and 787 as well as Airbus’ A220, A320/321, and

A350 families of large commercial aircraft. Spirit also designs and builds aerostructures for military aircraft, including Boeing’s KC-46A, P-8A Poseidon, and B-52 bomber, Lockheed Martin’s CH-53K King Stallion, and Northrop Grumman’s B-21 Raider, as well as multiple classified development programs.

III. The Products and Structure of the Markets

Boeing and its chief rival, Airbus, are the only two significant suppliers of large commercial aircraft in the world. Large commercial aircraft are jet engine-powered airplanes used to transport passengers and/or cargo over long distances. These aircraft are designed to carry 100 or more passengers for distances of more than 2,000 nautical miles. Customers, including commercial airlines, air cargo carriers, and aircraft leasing companies, do not have any close substitute for large commercial aircraft. Boeing and Airbus together account for over 95 percent of large commercial aircraft delivered annually worldwide.

Military aircraft have specialized, high-performance designs and employ advanced military-specific technologies that enable these aircraft to perform specialized functions and unique missions that no other aircraft can perform. The DoW relies on multiple types of military aircraft for essential national defense capabilities, including fighters, bombers, attack aircraft, support aircraft, and reconnaissance and surveillance aircraft. Each type of military aircraft purchased by DoW has unique capabilities and is designed specifically to perform its given mission(s).

Boeing is one of only three U.S. companies with the relevant design, development, and manufacturing experience and capability to provide most types of military aircraft, and national security considerations and other factors limit DoW’s ability to procure military aircraft from foreign suppliers. Boeing is developing, supplying or supporting multiple U.S. military aircraft, including the F-47, F/A-18EF Super Hornet, F-15EX, B-1, B-52, P-8A Poseidon, KC-46A Pegasus, VC-25, T-7A Red Hawk, C-17 Globemaster, MQ-25, MQ-28, CH-47 Chinook, MH-139A Grey Wolf, AH-64E Apache, and AH-6 Little Bird.

IV. Entry

New entry into the two markets at issue would not be timely, likely, or sufficient in magnitude, character, and scope to deter or counteract the anticompetitive effects of the

Acquisition. There are significant barriers to entry into the development, manufacture, certification, and sale of both large commercial and military aircraft. It would be extremely difficult and costly for a new entrant to establish the technological expertise and specialized facilities necessary to compete successfully in either of these markets.

V. Effects of the Acquisition

The Acquisition would give Boeing the ability and incentive to raise the cost or otherwise degrade rivals’ access to competitively significant inputs for their competing aircraft. Spirit currently supplies essential aerostructures to multiple competitors of Boeing, including Airbus, Northrop Grumman, and Lockheed Martin. Aerostructures are critical inputs for all aircraft, as their design and manufacture impact the performance and overall cost of the aircraft. Depending on the significance of the structure provided, it can also account for a material proportion of the total production cost of the aircraft. Once an aircraft manufacturer has selected a supplier to design and build a large or complex aerostructure, switching suppliers would be extremely time-consuming, impose significant costs, and create significant risks. Moreover, Spirit is differentiated from most other potential suppliers of aerostructures, especially other U.S. suppliers of classified defense aerostructures, in terms of its scale, experience, and capabilities.

Absent the protections of the Consent Agreement, after the Acquisition, Boeing would have the ability and incentive to disadvantage competing aircraft manufacturers by denying or limiting their access to Spirit’s aerostructure products and technologies, which would lessen the ability of Boeing’s rivals to compete successfully. Boeing could also gain access to proprietary competitively sensitive information relating to its competitors and exploit it to its own advantage.

VI. The Order and the Order To Maintain Assets

The Order and the Order to Maintain Assets effectively remedy the competitive concerns raised by the Acquisition in both markets at issue.

A. Large Commercial Aircraft

Pursuant to the Order, the Respondents are required to divest to Airbus the Airbus Assets, which, except for specified Excluded Assets (including certain retained intellectual property (“IP”) and certain real property),

include all property and assets that Airbus requires to manufacture the products that Spirit currently supplies to Airbus, including (1) Spirit's Kinston business, (2) Spirit's St. Nazaire business, (3) Spirit's Morocco business, (4) Spirit's Prestwick business, (5) Spirit's A220 pylon production line, and (6) the Airbus portion of Spirit's Belfast business. Furthermore, the Order requires the Respondents to divest Spirit's assets relating to its Subang, Malaysia operations, which currently supplies Airbus and Boeing with aerostructures, to CTRM.

Both Airbus and CTRM have extensive experience and knowledge relating to the respective businesses they will acquire and possess the requisite financial resources, expertise, and capabilities to seamlessly transfer and operate the divested assets in a competitive manner. The Respondents must accomplish these divestitures no later than ten days after the Acquisition is consummated. The Order further allows the Commission to appoint a divestiture trustee in the event the parties fail to divest the Airbus Assets or the CTRM Assets.

The Order contains several provisions to help ensure that the divestitures are successful. The Order requires Boeing to provide required transitional services to Airbus and CTRM to assist them in manufacturing various products during the transitional period. Also, under the Order and the Order to Maintain Assets, the Commission has appointed ALCIS Advisers GmbH ("ALCIS") as the Monitor to oversee these divestitures and to ensure that the Respondents comply with all the provisions of the Order relating to commercial aerostructures. ALCIS has significant experience acting as a monitor in other complex transactions in the United States and Europe. The Commission issued an Order to Maintain Assets that requires Respondents to operate and maintain the Airbus Assets in the normal course of business for the brief transition period until the Commission approves the final Order.

B. Military Aircraft

The Order will remedy the alleged violations in the military aircraft market by requiring: (1) Boeing to provide continued support to non-Boeing military aircraft prime contractors that Spirit is currently supplying with Defense Aerostructures; (2) Spirit Defense Aerostructure Business to respond to any commercially reasonable requests for follow-on work related to current Spirit third-party prime contractor programs; (3) Boeing, whenever it has taken steps to compete

to be the prime contractor for a competitive military aircraft program, to make Spirit's Defense Aerostructure Services available on a non-discriminatory basis to third-party competing prime contractors on commercially fair and reasonable price terms; (4) Boeing to maintain the financial viability and competitiveness of Spirit's non-Boeing Defense Aerostructure Business; and (5) Boeing to establish firewalls to ensure that any confidential information that Spirit's Defense Aerostructure Business receives from third-party military aircraft prime contractors is not shared in a manner that harms competition.

The Order also provides that the Under Secretary of War for Acquisition and Sustainment shall appoint a compliance officer to oversee Boeing's compliance with the military aircraft-related aspects of the Order. The compliance officer will have all the necessary investigative powers to perform his or her duties, including the right to interview Respondents' personnel, inspect Respondents' facilities, and require Respondents to provide documents, data, and other information. The compliance officer has the authority to retain third-party advisors, at Respondents' expense, as appropriate to perform his or her duties. Access to these resources will ensure that the compliance officer is fully capable of overseeing the implementation of, and compliance with, the Order. The Order also requires Boeing to establish and operate a compliance program and develop written procedures and protocols to comply with the requirements of the Order and requires that the Respondents shall bear all the costs of monitoring, complying, and enforcing the Consent Order. Finally, the Order specifies that it will terminate ten years from the date it is issued.

The purpose of this analysis is to facilitate public comment on the proposed Consent Agreement, and it is not intended to constitute an official interpretation of the proposed Consent Agreement or to modify its terms in any way.

By direction of the Commission.

April J. Tabor,

Secretary.

[FR Doc. 2025-22410 Filed 12-9-25; 8:45 am]

BILLING CODE 6750-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS-10492]

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information (including each proposed extension or reinstatement of an existing collection of information) and to allow 60 days for public comment on the proposed action. Interested persons are invited to send comments regarding our burden estimates or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments must be received by February 9, 2026.

ADDRESSES: When commenting, please reference the document identifier or OMB control number. To be assured consideration, comments and recommendations must be submitted in any one of the following ways:

1. *Electronically.* You may send your comments electronically to <http://www.regulations.gov>. Follow the instructions for "Comment or Submission" or "More Search Options" to find the information collection document(s) that are accepting comments.

2. *By regular mail.* You may mail written comments to the following address: CMS, Office of Strategic Operations and Regulatory Affairs, Division of Regulations Development, Attention: Document Identifier: ___/ OMB Control Number: ___, Room C4-26-05, 7500 Security Boulevard, Baltimore, Maryland 21244-1850.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, please access the CMS PRA website by copying and pasting the following web address into your web browser: <https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing>.

FOR FURTHER INFORMATION CONTACT: William N. Parham at (410) 786-4669.

SUPPLEMENTARY INFORMATION:

Contents

This notice sets out a summary of the use and burden associated with the following information collections. More detailed information can be found in each collection's supporting statement and associated materials (see **ADDRESSES**).

Under the PRA (44 U.S.C. 3501-3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. The term "collection of information" is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA requires federal agencies to publish a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice.

Information Collections

1. *Type of Information Collection Request:* Revision of a currently approved collection; *Title of Information Collection:* Coverage of Certain Preventive Services Under the Affordable Care Act: Data Submission Requirements to Receive the Federally-facilitated Exchange User Fee Adjustment; *Use:* The Patient Protection and Affordable Care Act, Public Law 111-148, enacted on March 23, 2010, and the Health Care and Education Reconciliation Act, Public Law 111-152, enacted on March 30, 2010 [collectively, the "Affordable Care Act" (ACA)], provides the authority for the U.S. Department of Health and Human Services (HHS) to charge user fees to issuers participating in Federally-facilitated Exchanges (FFE) and State-based Exchanges on the Federal platform (SBE-FPs). Additionally,

section 2713 of the Public Health Service Act (PHS Act) requires coverage without cost sharing of certain preventive health services, including certain contraceptive services, in non-exempt, non-grandfathered group health plans and health insurance coverage, including issuers participating in the FFEs and SBE-FPs. The final rule "Coverage of Certain Preventive Services Under the Affordable Care Act" (78 FR 39870) set forth regulations regarding coverage for certain preventive services under section 2713 of the PHS Act. The final regulations (78 FR 39870) establish rules under which the third party administrator (TPA) of a self-insured group health plan will provide or arrange for a third party to provide separate contraceptive coverage to plan participants and beneficiaries without cost sharing, premium, fee, or other charge to plan participants or beneficiaries or to the eligible organization or its plan under a process to accommodate qualifying objections to contraceptive coverage.

The final rules (78 FR 39870) also require the submission of certain information to HHS and the adjustment of user fees to compensate issuers, as well as standards to fund the payments for the contraceptive services that are provided for participants and beneficiaries in self-insured plans of eligible organizations under the accommodation described previously, through an adjustment to the user fees payable by issuers. HHS requires this information to ensure that these FFE (or SBE-FP) user fee adjustments reflect payments for contraceptive services provided under this accommodation and that the adjustment is applied to the appropriate participating issuer.

This document describes the data collection requirements related to this adjustment, collected via a webform. This revision includes a decrease in burden, with the total estimated issuer and TPA burden and associated costs decreasing based on past years of experience with the program demonstrating a decreasing number of participants. *Form Number:* CMS-10492 (OMB Control Number: 0938-1285); *Frequency:* Annually; *Affected Public:* Private Sector, Business or other for-profit and not-for-profit institutions; *Number of Respondents:* 235; *Number of Responses:* 315; *Total Annual Hours:* 1,340. (For policy questions regarding

this collection, contact Mohinee Mukherjee at 404-562-0151.)

William N. Parham, III,

Director, Division of Information Collections and Regulatory Impacts, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2025-22426 Filed 12-9-25; 8:45 am]

BILLING CODE 4120-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket Nos. FDA-2024-E-1290; FDA-2024-E-1291; and FDA-2024-E-1292]

Determination of Regulatory Review Period for Purposes of Patent Extension; FILSUEVZ

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or the Agency) has determined the regulatory review period for FILSUEVZ and is publishing this notice of that determination as required by law. FDA has made the determination because of the submission of applications to the Director of the U.S. Patent and Trademark Office (USPTO), Department of Commerce, for the extension of a patent which claims that human drug product.

DATES: Anyone with knowledge that any of the dates as published (see **SUPPLEMENTARY INFORMATION**) are incorrect may submit either electronic or written comments and ask for a redetermination by February 9, 2026. Furthermore, any interested person may petition FDA for a determination regarding whether the applicant for extension acted with due diligence during the regulatory review period by June 8, 2026. See "Petitions" in the **SUPPLEMENTARY INFORMATION** section for more information.

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 Nos. FDA-2024-E-1290; FDA-2024-E-1291; and FDA-2024-E-1292] for "Determination of Regulatory Review Period for Purposes of Patent Extension; FILSUVEZ." 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 § 10.20 (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: Jack Dan, Office of Regulatory Policy, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6200, Silver Spring, MD 20993, 240-402-6940.

SUPPLEMENTARY INFORMATION:

I. Background

The Drug Price Competition and Patent Term Restoration Act of 1984 (Pub. L. 98-417) and the Generic Animal Drug and Patent Term Restoration Act (Pub. L. 100-670) generally provide that a patent may be extended for a period of up to 5 years so long as the patented item (human drug or biological product, animal drug product, medical device, food additive, or color additive) was subject to regulatory review by FDA before the item was marketed. Under these acts, a product's regulatory review period forms the basis for determining the amount of extension an applicant may receive.

A regulatory review period consists of two periods of time: a testing phase and an approval phase. For human drug

products, the testing phase begins when the exemption to permit the clinical investigations of the drug becomes effective and runs until the approval phase begins. The approval phase starts with the initial submission of an application to market the human drug product and continues until FDA grants permission to market the drug product. Although only a portion of a regulatory review period may count toward the actual amount of extension that the Director of USPTO may award (for example, half the testing phase must be subtracted as well as any time that may have occurred before the patent was issued), FDA's determination of the length of a regulatory review period for a human drug product will include all of the testing phase and approval phase as specified in 35 U.S.C. 156(g)(1)(B).

FDA has approved for marketing the human drug product, FILSUVEZ (birch triterpenes), indicated for the treatment of wounds associated with dystrophic and junctional epidermolysis bullosa (EB) in adult and pediatric patients 6 months of age and older. Subsequent to this approval, the USPTO received patent term restoration applications for FILSUVEZ (U.S. Patent Nos. 8,828,444; 9,352,041; and 9,827,214) from Amarty Pharmaceuticals Designated Activity Company and the USPTO requested FDA's assistance in determining these patents' eligibility for patent term restoration. In a letter dated June 27, 2025, FDA advised the USPTO that this human drug product had undergone a regulatory review period and that the approval of FILSUVEZ represented the first permitted commercial marketing or use of the product. Thereafter, the USPTO requested that FDA determine the product's regulatory review period.

II. Determination of Regulatory Review Period

FDA has determined that the applicable regulatory review period for FILSUVEZ is 1,929 days. Of this time, 935 days occurred during the testing phase of the regulatory review period, while 994 days occurred during the approval phase. These periods of time were derived from the following dates:

1. *The date an exemption under section 505(i) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 355(i)) became effective:* September 8, 2018. The applicant claims September 5, 2018, as the date the investigational new drug application (IND) became effective. However, FDA records indicate that the IND effective date was September 8, 2018, which was 30 days after FDA receipt of the IND.

2. *The date the application was initially submitted with respect to the*

human drug product under section 505 of the FD&C Act: March 30, 2021. FDA has verified the applicant's claim that the new drug application (NDA) for FILSUVEZ (NDA 215064) was initially submitted on March 30, 2021.

3. *The date the application was approved:* December 18, 2023. FDA has verified the applicant's claim that NDA 215064 was approved on December 18, 2023.

This determination of the regulatory review period establishes the maximum potential length of a patent extension. However, the USPTO applies several statutory limitations in its calculations of the actual period for patent extension. In its application(s) for patent extension, this applicant seeks 1,463 days of patent term extension.

III. Petitions

Anyone with knowledge that any of the dates as published are incorrect may submit either electronic or written comments and, under 21 CFR 60.24, ask for a redetermination (see **DATES**). Furthermore, as specified in § 60.30 (21 CFR 60.30), any interested person may petition FDA for a determination regarding whether the applicant for extension acted with due diligence during the regulatory review period. To meet its burden, the petition must comply with all the requirements of § 60.30, including but not limited to: must be timely (see **DATES**), must be filed in accordance with § 10.20, must contain sufficient facts to merit an FDA investigation, and must certify that a true and complete copy of the petition has been served upon the patent applicant. (See H. Rept. 857, part 1, 98th Cong., 2d sess., pp. 41–42, 1984.) Petitions should be in the format specified in 21 CFR 10.30.

Submit petitions electronically to <https://www.regulations.gov> at Docket No. FDA–2013–S–0610. Submit written petitions (two copies are required) to the Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

Lowell M. Zeta,

Acting, Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–22380 Filed 12–9–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2025–E–0861]

Determination of Regulatory Review Period for Purposes of Patent Extension; GRAFAPEX

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or the Agency) has determined the regulatory review period for GRAFAPEX and is publishing this notice of that determination as required by law. FDA has made the determination because of the submission of an application to the Director of the U.S. Patent and Trademark Office (USPTO), Department of Commerce, for the extension of a patent which claims that human drug product.

DATES: Anyone with knowledge that any of the dates as published (see **SUPPLEMENTARY INFORMATION**) are incorrect may submit either electronic or written comments and ask for a redetermination by February 9, 2026. Furthermore, any interested person may petition FDA for a determination regarding whether the applicant for extension acted with due diligence during the regulatory review period by June 8, 2026. See “Petitions” in the **SUPPLEMENTARY INFORMATION** section for more information.

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:

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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>.

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- *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–E–0861 for “Determination of Regulatory Review Period for Purposes of Patent Extension; GRAFAPEX.” 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 § 10.20 (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: Jack Dan, Office of Regulatory Policy, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6200, Silver Spring, MD 20993, 240-402-6940.

SUPPLEMENTARY INFORMATION:

I. Background

The Drug Price Competition and Patent Term Restoration Act of 1984 (Pub. L. 98-417) and the Generic Animal Drug and Patent Term Restoration Act (Pub. L. 100-670) generally provide that a patent may be extended for a period of up to 5 years so long as the patented item (human drug or biological product, animal drug product, medical device, food additive, or color additive) was subject to regulatory review by FDA before the item was marketed. Under these acts, a product’s regulatory review period forms the basis for determining the amount of extension an applicant may receive.

A regulatory review period consists of two periods of time: a testing phase and an approval phase. For human drug products, the testing phase begins when the exemption to permit the clinical investigations of the drug becomes effective and runs until the approval phase begins. The approval phase starts with the initial submission of an application to market the human drug product and continues until FDA grants permission to market the drug product. Although only a portion of a regulatory review period may count toward the actual amount of extension that the Director of USPTO may award (for

example, half the testing phase must be subtracted as well as any time that may have occurred before the patent was issued), FDA’s determination of the length of a regulatory review period for a human drug product will include all of the testing phase and approval phase as specified in 35 U.S.C. 156(g)(1)(B).

FDA has approved for marketing the human drug product, GRAFAPEX (treosulfan), indicated in combination with fludarabine as a preparative regimen for allogeneic hematopoietic stem cell transplantation in adult and pediatric patients 1 year of age and older with acute myeloid leukemia (AML). Subsequent to this approval, the USPTO received a patent term restoration application for GRAFAPEX (U.S. Patent No. 7,199,162) from Medac Gesellschaft für Klinische Spezialpräparate mbH and the USPTO requested FDA’s assistance in determining the patent’s eligibility for patent term restoration. In a letter dated June 27, 2025, FDA advised the USPTO that this human drug product had undergone a regulatory review period and that the approval of GRAFAPEX represented the first permitted commercial marketing or use of the product. Thereafter, the USPTO requested that FDA determine the product’s regulatory review period.

II. Determination of Regulatory Review Period

FDA has determined that the applicable regulatory review period for GRAFAPEX is 9,906 days. Of this time, 8,281 days occurred during the testing phase of the regulatory review period, while 1,625 days occurred during the approval phase. These periods of time were derived from the following dates:

1. *The date an exemption under section 505(i) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 355(i)) became effective:* December 10, 1997. FDA has verified the applicant’s claim that the date the investigational new drug application became effective was on December 10, 1997.

2. *The date the application was initially submitted with respect to the human drug product under section 505 of the FD&C Act:* August 11, 2020. FDA has verified the applicant’s claim that the new drug application (NDA) for GRAFAPEX (NDA 214759) was initially submitted on August 11, 2020.

3. *The date the application was approved:* January 21, 2025. FDA has verified the applicant’s claim that NDA 214759 was approved on January 21, 2025.

This determination of the regulatory review period establishes the maximum potential length of a patent extension.

However, the USPTO applies several statutory limitations in its calculations of the actual period for patent extension. In its application(s) for patent extension, this applicant seeks 5 years of patent term extension.

III. Petitions

Anyone with knowledge that any of the dates as published are incorrect may submit either electronic or written comments and, under 21 CFR 60.24, ask for a redetermination (see **DATES**). Furthermore, as specified in § 60.30 (21 CFR 60.30), any interested person may petition FDA for a determination regarding whether the applicant for extension acted with due diligence during the regulatory review period. To meet its burden, the petition must comply with all the requirements of § 60.30, including but not limited to: must be timely (see **DATES**), must be filed in accordance with § 10.20, must contain sufficient facts to merit an FDA investigation, and must certify that a true and complete copy of the petition has been served upon the patent applicant. (See H. Rept. 857, part 1, 98th Cong., 2d sess., pp. 41–42, 1984.) Petitions should be in the format specified in 21 CFR 10.30.

Submit petitions electronically to <https://www.regulations.gov> at Docket No. FDA-2013-S-0610. Submit written petitions (two copies are required) to the Dockets Management Staff (HFA-305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

Lowell M. Zeta,

Acting, Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025-22382 Filed 12-9-25; 8:45 am]

BILLING CODE 4164-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA-2019-D-5473]

Promotional Labeling and Advertising Considerations for Prescription Biological Reference Products, Biosimilar Products, and Interchangeable Biosimilar Products: Questions and Answers; Guidance for Industry; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability of a final guidance for industry entitled

“Promotional Labeling and Advertising Considerations for Prescription Biological Reference Products, Biosimilar Products, and Interchangeable Biosimilar Products: Questions and Answers.” The guidance addresses questions that manufacturers, packers, distributors, and their representatives (firms) may have when developing FDA-regulated promotional labeling and advertisements (promotional communications) for prescription reference products, biosimilar products, and interchangeable biosimilar products licensed under the Public Health Service Act (PHS Act). This guidance finalizes the revised draft guidance of the same title issued on April 25, 2024.

DATES: The announcement of the guidance is published in the **Federal Register** on December 10, 2025.

ADDRESSES: You may submit either electronic or written comments on Agency guidances at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to <https://www.regulations.gov> will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else’s Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on <https://www.regulations.gov>.

- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see “Written/Paper Submissions” and “Instructions”).

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand Delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA-305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.
- For written/paper comments submitted to the Dockets Management

Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in “Instructions.”

Instructions: All submissions received must include the Docket No. FDA-2019-D-5473 for “Promotional Labeling and Advertising Considerations for Prescription Biological Reference Products, Biosimilar Products, and Interchangeable Biosimilar Products: Questions and Answers.” Received comments will be placed in the docket and, except for those submitted as “Confidential Submissions,” publicly viewable at <https://www.regulations.gov> or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240-402-7500.

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

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

You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)).

Submit written requests for single copies of this guidance to the Division of Drug Information, Center for Drug Evaluation and Research, Food and Drug Administration, 10001 New Hampshire Ave., Hillandale Building, 4th Floor, Silver Spring, MD 20993-0002. Send one self-addressed adhesive label to assist that office in processing your requests. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the guidance document.

FOR FURTHER INFORMATION CONTACT: Twyla Mosey, Office of Prescription Drug Promotion, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 3203, Silver Spring, MD 20993-0002, 301-796-1200, CDER-OPDP-RPM@fda.hhs.gov; or Phillip Kurs, Center for Biologics Evaluation and Research, Food and Drug Administration, 240-402-7911.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a guidance for industry entitled “Promotional Labeling and Advertising Considerations for Prescription Biological Reference Products, Biosimilar Products, and Interchangeable Biosimilar Products: Questions and Answers.” This guidance addresses questions firms may have when developing FDA-regulated promotional communications for prescription reference products licensed under section 351(a) of the PHS Act (42 U.S.C. 262(a)) and prescription biosimilar products, including interchangeable biosimilar products, licensed under section 351(k) of the PHS Act.

Section 351(k) of the PHS Act provides an abbreviated licensure pathway for biological products shown to be biosimilar to or interchangeable with an FDA-licensed reference product. Section 351(i) of the PHS Act defines *biosimilarity* to mean “that the biological product is highly similar to the reference product notwithstanding minor differences in clinically inactive components” and that “there are no clinically meaningful differences between the biological product and the reference product in terms of the safety, purity, and potency of the product.” To meet the standard for *interchangeability*, an applicant must provide sufficient information to demonstrate biosimilarity and also to demonstrate that the biological product can be

expected to produce the same clinical result as the reference product in any given patient and, if the biological product is administered more than once to an individual, the risk in terms of safety or diminished efficacy of alternating or switching between the use of the biological product and the reference product is not greater than the risk of using the reference product without such alternation or switch (section 351(k)(4) of the PHS Act). Interchangeable biosimilar products may be substituted for the reference product without the intervention of the prescribing healthcare provider (section 351(i)(3) of the PHS Act). Decisions regarding pharmacy-level substitution are subject to State pharmacy law.

The guidance discusses considerations for presenting data and information about reference products or biosimilar products, including interchangeable biosimilar products, in promotional communications to help ensure that they are accurate, truthful, and non-misleading. The guidance includes information about general requirements for the content of FDA-regulated promotional communications that apply to reference products and biosimilar products and includes more specific considerations for developing these promotional communications for reference products and biosimilar products, such as:

- Identifying reference products and biosimilar products
- Presenting information from the studies conducted to support licensure of the reference product when the information is included in the FDA-approved labeling of both the reference product and the biosimilar product
- Presenting data or information for a biosimilar product related to the safety or effectiveness of the biosimilar product that is not included in the FDA-approved labeling but is consistent with the FDA-approved labeling for that product
- Comparing a biosimilar product and its reference product
- Submitting promotional communications to FDA

The guidance also provides examples to illustrate some of the considerations outlined in the guidance.

This guidance finalizes the revised draft guidance of the same title issued on April 25, 2024 (89 FR 31757) (2024 draft guidance). FDA considered comments received on the 2024 draft guidance as the guidance was finalized.

Changes from the 2024 draft guidance to the final guidance include:

- Clarification that the recommendations in the guidance apply regardless of the medium of communication (e.g., paper, digital)
- Further discussion related to the considerations that firms should take into account when comparing biosimilar products and reference products
- Editorial changes for consistency, readability, and clarity

In conjunction with the enactment of the Biosimilar User Fee Amendments of 2022 (BsUFA III), FDA agreed to work toward publishing a final guidance on promotional labeling and advertising considerations for interchangeable biosimilar products within 18 months after the close of the public comment period on the draft guidance, as described in the document titled “Biosimilar Biological Product Reauthorization Performance Goals and Procedures Fiscal Years 2023 through 2027.”

This guidance is being issued consistent with FDA’s good guidance practices regulation (21 CFR 10.115). The guidance represents the current thinking of FDA on “Promotional Labeling and Advertising Considerations for Prescription Biological Reference Products, Biosimilar Products, and Interchangeable Biosimilar Products: Questions and Answers.” It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations.

FDA considered the applicability of Executive Order 14192, per OMB guidance in M–25–20, and finds this action to be deregulatory in nature.

II. Paperwork Reduction Act of 1995

While this guidance contains no collection of information, it does refer to previously approved FDA collections of information. The previously approved collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3521). The collections of information in 21 CFR part 314, Form FDA 2253 (Transmittal of Advertisements and Promotional Labeling for Drugs and Biologics for Human Use), and the guidance for industry entitled “Providing Regulatory Submissions in Electronic and Non-Electronic Format: Promotional Labeling and Advertising Materials for Human Prescription Drugs” have been approved under OMB control number 0910–0001. The collections of information in 21 CFR 601.12 have been approved under OMB control number 0910–0338. The

collections of information in 21 CFR 202.1 and in the guidance for industry entitled “Medical Product Communications That Are Consistent With the Food and Drug Administration Required Labeling: Questions and Answers” have been approved under OMB control number 0910–0686. The collections of information in 21 CFR part 11 relating to electronic records and signatures have been approved under OMB control number 0910–0303. The collections of information relating to the submission of biosimilar and interchangeable product applications under section 351(k) of the Public Health Service Act (42 U.S.C. 262(k)) have been approved under OMB control number 0910–0718.

III. Electronic Access

Persons with access to the internet may obtain the guidance at <https://www.fda.gov/drugs/guidance-compliance-regulatory-information/guidances-drugs>, <https://www.fda.gov/vaccines-blood-biologics/guidance-compliance-regulatory-information-biologics/biologics-guidances>, <https://www.fda.gov/regulatory-information/search-fda-guidance-documents>, or <https://www.regulations.gov>.

Lowell M. Zeta,

Acting Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–22427 Filed 12–9–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Proposed Collection: Public Comment Request; Information Collection Request Title: Health Resources and Services Administration Uniform Data System

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services.

ACTION: Notice.

SUMMARY: In compliance with the requirement for opportunity for public comment on proposed data collection projects of the Paperwork Reduction Act of 1995, HRSA announces plans to submit an Information Collection Request (ICR), described below, to the Office of Management and Budget (OMB). Prior to submitting the ICR to OMB, HRSA seeks comments from the public regarding the burden estimate below, or any other aspect of the ICR.

DATES: Comments on this ICR should be received no later than February 9, 2026.

ADDRESSES: Submit your comments to paperwork@hrsa.gov or mail the HRSA Information Collection Clearance Officer, Room 13N82, 5600 Fishers Lane, Rockville, Maryland 20857.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the data collection plans and draft instruments, email paperwork@hrsa.gov or call Samantha Miller, the HRSA Information Collection Clearance Officer, at (301) 443-3983.

SUPPLEMENTARY INFORMATION: When submitting comments or requesting information, please include the ICR title for reference.

Information Collection Request Title: Health Resources and Services Administration (HRSA) Uniform Data System (UDS), OMB No. 0915-0193 – Revision

Abstract: The Health Center Program, administered by HRSA, is authorized under section 330 of the Public Health Service (PHS) Act (42 U.S.C. 254b). Health centers are community-based and patient-directed organizations that deliver affordable, accessible, quality, and cost-effective primary health care services to patients regardless of their ability to pay. Nearly 1,400 funded health centers operate more than 16,200 service delivery sites that provide primary health care to more than 32 million people in every U.S. state, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, and the Pacific Basin.

HRSA uses the UDS for annual reporting of program-specific data by Health Center Program awardees (those funded under section 330 of the PHS Act), Health Center Program look-alikes (entities meeting requirements of, but not funded under, section 330 of the PHS Act), and Nurse Education, Practice, Quality and Retention (NEPQR) and Advanced Nursing Education (ANE) Program awardees (specifically those funded under the practice priority areas of sections 831(b) and 811 of the PHS Act).

Some NEPQR and ANE Program awardees establish and expand nursing practice arrangements in non-institutional settings to demonstrate methods for improving access to primary health care in medically underserved communities. Nursing grantees implementing nursing practice arrangements have historically used the same data collection system as the Health Center Program.

Need and Proposed Use of the Information: HRSA requires the

collection of information through UDS to monitor and evaluate the performance of health centers under section 330 and select NEPQR and ANE recipients under sections 831(b) and 811. These data support program compliance, inform quality improvement initiatives, guide the delivery of technical assistance, and shape federal health program decisions. To keep this instrument relevant and responsive to the Health Center Program's needs and Administration priorities, periodic updates are essential. HRSA proposes to make the following updates for the performance year 2026 UDS data collection:

Table 4: Selected Patient Characteristics

Removal

- **Managed Care Utilization**—UDS measures associated with managed care member months, *Capitated Member Months*, *Fee-for-Service Member Months*, and *Total Member Months* (Lines 13a–13c) will be removed to reduce the reporting burden, given variations in payer structures and payment arrangements across health centers.

Table 6A: Selected Diagnoses and Services Rendered

Removals

- **Various Clinical Measures**—Clinical measures associated with various diagnoses and selected services rendered are being removed from Table 6A to streamline reporting, reduce burden, and eliminate potential redundancies where similar information is captured elsewhere in the UDS. These updates align with the Administration and HRSA's priorities to simplify data collection and focus reporting on measures that provide the greatest programmatic value. The specific measures proposed for removal are indicated below:

- Novel coronavirus (SARS-CoV-2) disease (Line 4c)
- Long COVID (Line 4d)
- Respiratory conditions related to COVID-19 (Line 6a)
- Abnormal breast cancer findings, female (Line 7)
- Abnormal cervical findings (Line 8)
- Contact dermatitis and other eczema (Line 12)
- Novel coronavirus (SARS-CoV-2) diagnostic test (Line 21c)
- Novel coronavirus (SARS-COV-2) antibody test (Line 21d)
- Mammogram (Line 22)
- Pap test (Line 23)
- Sealants (Line 30)

- Oral surgery (extractions and other surgical procedures) (Line 33)
- Rehabilitative services (Endo, Perio, Prosthodontics, Ortho) (Line 34)

Additions

- **Type 1 Diabetes**—A new measure is being added as line 9a to identify the number of patients with Type 1 Diabetes. This addition will help address key data gaps and improve HRSA's understanding of the distinct care and resource needs of patients with Type 1 Diabetes.

- **Intellectual and Developmental Disabilities**—A new measure is being added as line 20g to capture the number of patients with intellectual and developmental disabilities. Available data indicate that this population may experience lower rates of access to preventive and chronic care, including fewer screenings, lower dental care utilization, and higher rates of undiagnosed or unmanaged conditions. Capturing this information will improve understanding of the prevalence of persons with intellectual and developmental disabilities in the Health Center Program and support efforts to enhance health care access and quality of care for individuals requiring complex coordinated services.

- **Autism Spectrum Disorder Screening**—A new measure is being added as line 26g to capture the number of patients screened for autism spectrum disorder. This measure, in alignment with Administration priorities, will help assess the extent to which health centers are implementing recommended developmental screening practices and connecting children and families to needed support services.

- **Patient Support Services**—Four new measures are being added as lines 35–38 to capture the number of patients receiving case management, eligibility assistance, transportation, and language assistance services to better understand the range of non-clinical services that facilitate access to care and contribute to improved patient outcomes.

- **Health-Related Needs**—Four new measures are being added as lines 39–42, transitioning from Appendix D to the UDS core tables, to identify the number of patients who are screened for, and who receive, services addressing health-related needs. These or similar measures are now being elevated to the core reporting set to support standardized data collection. Integrating these measures within the core tables will enhance the ability to monitor how health centers identify and address patients' access to and utilization of services.

Table 6B: Quality of Care Measures and Table 7: Health Outcomes*Updates*

• *Clinical Quality Measures*—Tables 6B and 7 collect UDS clinical quality measures, and where applicable, clinical quality measures will be updated in alignment with specifications of the issued performance year 2026 electronic clinical quality measures. These specifications were released by the Centers for Medicare & Medicaid Services on May 8, 2025, for use by eligible providers. Aligning clinical performance measures across national programs promotes data standardization, quality, and transparency, and decreases the reporting burden for providers and organizations participating in multiple federal programs.

Table 8A: Financial Costs*Removals*

• *Allocation of Facility and Non-Clinical Support Services*—Allocation of Facility and Non-Clinical Support Services, Column b, and the requirement to report overhead costs on Table 8A will be removed.

• *Enabling Services*—Details for Cost of Enabling Services, Lines 11a, 11b, 11c, 11d, 11e, 11f, and 11h will be removed. These costs will be consolidated into a single line to reflect all Patient Support Services costs (previously known as Enabling Services).

• *Donations*—Line 18, Value of Donated Facilities, Services, and Supplies (specify ____), will be removed.

These updates are being made to reduce the reporting burden, aligning with the Administration and HRSA's priorities and Health Center Program stakeholder feedback.

Table 9D: Patient Service Revenue*Removals*

• *Retroactive Settlements, Receipts, and Paybacks*—measures associated with Columns c1—c4 for classification of collections will be removed:

- Collection of Reconciliation/ Wraparound Current Year (c1)
- Collection of Reconciliation/ Wraparound Previous Years (c2)
- Collection of Other Payments: Pay for Performance, Risk Pools, etc. (c3)
- Penalty/Payback (c4)

• *Payer Category*—Managed care lines have been consolidated as part of total payor revenue. *Total Medicaid* (Line 3), *Total Medicare* (Line 6), *Total Other Public* (specify) (Line 9), and *Total Private* (Line 12) will be reported,

and the following lines will be removed as a result:

- Medicaid Non-Managed Care (Line 1)
- Medicaid Managed Care (capitated) (Line 2a)
- Medicaid managed Care (fee-for-service) (Line 2b)
- Medicare Non-Managed Care (Line 4)
- Medicare Managed Care (capitated) (Line 5a)
- Medicare Managed Care (fee-for-service) (Line 5b)
- Other Public, including Non-Medicaid Children's Health Insurance Program (CHIP), Non-Managed Care (Line 7)
- Other Public, including Non-Medicaid CHIP, Managed Care (capitated) (Line 8a)
- Other Public, including Non-Medicaid CHIP, Managed Care (fee-for-service) (Line 8b)
- Private Non-Managed Care (Line 10)
- Private Managed Care (capitated) (Line 11a)
- Private Managed Care (fee-for-service) (Line 11b)

These updates are being made to reduce the reporting burden, aligning with the Administration and HRSA's priorities and stakeholder feedback.

Additions

• *Net Patient Services Revenue*—A new column will be added for *Net Patient Services Revenue* (charges less adjustments) (Line 16, Column g).

• *Pharmacy Net Patient Service Revenue*—A new line will be added to reflect all *Pharmacy Net Patient Service Revenue* (Line 17, Column g).

• *Third-Party Incentive Revenue*—A new line will be added for *Third-Party Incentive Revenue* (Line 18, Column g).

These updates are being made to reduce reporting burden and to better assess financials in alignment with generally accepted accounting principles.

Table 9E: Other Revenue*Removals*

• *HRSA's Bureau of Primary Health Care (BPHC) Grants*—Health Center Program grant funding sources (formerly Lines 1a–1e) and other BPHC funding detail lines (formerly Lines 1o–1q) will be removed. Grants with active funding will be aggregated and reported on the *Total Health Center BPHC Grants* line (Line 1), while those no longer receiving funding will be excluded from reporting.

• *Other Federal Grants*—Other federal grant funding sources (formerly Lines 2 and 3) will be removed.

These updates are being made to align with supplemental funding being rolled

into the base Health Center Program funding, as well as to remove outdated supplemental funding lines and reduce the reporting burden.

Appendix D: Health Center Information Technology (Health IT) Capabilities and Appendix E: Other Data Elements*Removals*

• *Appendix D: Health IT Capabilities*—Several questions specific to Electronic Health Records implementation (Questions 1a, 1a2, 1a3, 1c, 1c1, and 10) will be removed from Appendix D.

• *Appendix D: Health IT Capabilities*—Health-related needs screening questions (Questions 11, 11a, 12, 12a, and 12b) will be removed from Appendix D.

• *Appendix E: Other Data Elements*—Appendix E will be removed, and certain data elements will be combined with Appendix D. Outreach and enrollment assists (formerly Appendix E, Question 3) will be removed (aspects will be incorporated in the Table 6A Patient Support Services addition).

These updates are being made to reduce the reporting burden, aligning with the Administration and HRSA's priorities and stakeholder feedback.

Additions

• *Appendix D: Health IT Capabilities*—Three questions on Alternative Payment Models (APM) will be added to Appendix D (Questions 17–19), to include:

• What payor arrangements do you have for value-based purchasing contracts?

• Please list the types of APMs your health center is involved in.

• What percentage of your health center's revenue during the year is tied to value-based payment contracts?

These additional data elements are being proposed to capture health centers' participation in APMs to improve understanding of the evolving payment landscape within the Health Center Program. As health centers increasingly engage in payment arrangements that emphasize value, care coordination, and outcomes rather than volume of services, collecting information on APM participation will provide valuable insight into the range and scope of these models.

Likely Respondents: Respondents will include Health Center Program award recipients and Health Center Program look-alikes carrying out programs under section 330 of the PHS Act and NEPQR and ANE award recipients funded under the practice priority areas of section 831(b) and 811 of the PHS Act.

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.

Total Estimated Annualized Burden Hours:

Form name	Number of respondents *	Number of responses per respondent	Total responses	Average burden per response (in hours)	Total burden hours
UDS—Universal Report	Total: 1,605	1.00	1,605.00	185.08	297,053.40
	H80s: 1,358				
	Look-Alikes: 171				
	Bureau of Health Workforce: 76				
UDS Grant Report	Total: 419	1.22	511.18	20.80	10,632.54
	Health Centers will submit one or more Grant Reports in 2026.				
	1 Grant Report: 337				
	2 Grant Reports: 71				
	3 Grant Reports: 11				
Total	2,024.00 .....	.....	2,116.18	.....	307,685.94

HRSA specifically requests comments on (1) the necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

Maria G. Button,

Director, Executive Secretariat.

[FR Doc. 2025-22443 Filed 12-9-25; 8:45 am]

BILLING CODE 4165-15-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Aging; Notice of Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the National Advisory Council on Aging.

The meeting will be open to the public as indicated below, with attendance limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contact Person listed below in advance of the meeting.

The meeting 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: National Advisory Council on Aging.

Date: May 12-13, 2026.

Closed: May 12, 2026, 2:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Address: Natcher Building, Building 45, 45 Center Drive, Bethesda, MD 20892 (In Person Meeting).

Closed: May 13, 2026, 8:00 a.m. to 9:00 a.m.

Agenda: NIA IRP Review.

Address: Natcher Building, Building 45, 45 Center Drive, Bethesda, MD 20892 (In Person Meeting).

Open: May 13, 2026, 9:00 a.m. to 12:30 p.m.

Agenda: Call to Order and Director's Status Report; Council Business; Meeting Adjourned.

Address: Natcher Building, Building 45, 45 Center Drive, Bethesda, MD 20892 (In Person Meeting).

Contact Person: Kenneth Santora, Director, Office of Extramural Activities, National Institute on Aging, National Institutes of Health, Gateway Building, 7201 Wisconsin Avenue, Bethesda, MD 20814, (301) 496-9322, ksantora@nih.gov.

In the interest of security, NIH has procedures at <https://security.nih.gov/visitors/Pages/visitor-campus-access.aspx> for entrance into on-campus and off-campus

facilities. All visitor vehicles, including taxicabs, hotel, and airport shuttles will be inspected before being allowed on campus. Visitors attending a meeting on campus or at an off-campus federal facility will be asked to show one form of identification (for example, a government-issued photo ID, driver's license, or passport) and to state the purpose of their visit.

Information is also available on the Institute's/Center's home page: www.nia.nih.gov/about/naca, where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: December 8, 2025.

Margaret Vardanian,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-22458 Filed 12-9-25; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[OMB Control Number 1651-0111]

Agency Information Collection Activities; Revision; Arrival and Departure Record (Form I-94) and Electronic System for Travel Authorization (ESTA)

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 60-Day notice and request for comments.

SUMMARY: The Department of Homeland Security, U.S. Customs and Border Protection (CBP) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies.

DATES: Comments are encouraged and must be submitted (no later than February 9, 2026) to be assured of consideration.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice must include the OMB Control Number 1651–0111 in the subject line and the agency name. Please submit written comments and/or suggestions in English. Please use the following method to submit comments:
Email: Submit comments to: *CBP_PRA@cbp.dhs.gov*.

FOR FURTHER INFORMATION CONTACT:

Requests for additional PRA information should be directed to Seth Renkema, Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, 90 K Street NE, 10th Floor, Washington, DC 20229–1177, Telephone number 202–325–0056 or via email *CBP_PRA@cbp.dhs.gov*. Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center at 877–227–5511, (TTY) 1–800–877–8339, or CBP website at <https://www.cbp.gov/>.

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). This process is conducted in accordance with 5 CFR 1320.8. Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (1) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions to minimize the burden of the collection of

information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

Overview of This Information Collection

Title: Arrival and Departure Record (Form I–94) and Electronic System for Travel Authorization (ESTA).

OMB Number: 1651–0111.

Form Number: I–94.

Current Actions: Revision.

Type of Review: Revision.

Affected Public: Individuals.

Abstract: CBP invites the public to comment on the following changes listed below, that were submitted to and approved by OMB through an emergency clearance, with the justification of an unanticipated event and reasons to believe following the normal PRA process would result in public harm.

1. *Voluntary Self-Reported Exit (VSRE) Pilot and I–94 Automation:* CBP is implementing a new functionality within the CBP Home mobile application, or any successor mobile application, to allow aliens who are subject to I–94 requirements and who are departing the United States, to voluntarily provide biographic data from their passports or other travel documents, facial images, and geolocation to provide evidence of that departure. Note that while the use of this functionality is optional, submitting a facial image is a required part of this functionality. This collection of data is a part of CBP's critical efforts to fulfill DHS's statutory mandate to collect biometric information from departing aliens and CBP's plans to fully automate I–94 information collection. This capability will close the information gap on alien entries and exits by making it easier for aliens subject to I–94 requirements to report their exit to CBP after their departure from the United States. It will also create a biometrically confirmed, and thereby more accurate, exit record for such aliens leaving the United States.

CBP will use geolocation services to confirm that the traveler reporting their departure is outside the United States, as well as, run "liveness detection" software to determine that the selfie photo is a live photo, as opposed to a previously uploaded photo. The mobile application will then compare the facial

image submitted to facial images for that person already retained by CBP to confirm the exit biometrically. CBP will use this information to help reconcile a traveler's exit with that traveler's last arrival. The report of exit will be recorded as a confirmed departure in the Arrival and Departure Information System (ADIS) maintained by CBP. Aliens can use this information as proof of departure, which is most relevant in the land border environment, but may be used for departures via air and sea if a traveler desires. This is also beneficial for the alien, as having proof of an exit via a CBP mobile application provides travelers with evidence for Officers to consider in the event that the Officer is unsure whether a nonimmigrant complied with I–94 requirements during their previous entry.

2. *Photo Upload for ESTA Website and Mobile:* CBP intends to update the ESTA application website to require applicants to provide a photograph of their face, or "selfie", in addition to the photo of the passport biographical page. In addition, CBP intends to update the mobile application and require third party submissions to include a "selfie" or photograph of the applicant's face. These photos would be used to better ensure that the applicant is the rightful possessor of the document being used to obtain an ESTA authorization.

Currently, applicants are allowed to have a third party apply for an ESTA on their behalf. While this update would not remove that option, third parties, such as travel agents or family members, would be required to provide a photograph of the ESTA applicant.

As noted previously, the ESTA Mobile application currently requires applicants to take a live photograph of their face, which is compared to the passport photo collected during the ESTA Mobile application process. This change will better align the application processes and requirements for ESTA website and ESTA Mobile applicants.

3. *VWP Burden of Information Collection Increase:* CBP has calculated the estimated burden for this information collection to account for additional countries added into the VWP over the next three years. As an ESTA is required for any travel to the United States under the VWP, the collection is being updated to include travelers from current VWP designated countries and travelers from potentially added designated countries over the next three years.

Additionally, CBP recently revised the collection to add Qatar into the VWP. CBP invites the public to comment on the PRA burden of the Visa

Waiver Program Designation (VWP) changes.

CBP also invites the public to comment on the newly proposed changes listed below:

1. *ESTA Website Decommission*: CBP will decommission the ESTA website Application process to establish the ESTA Mobile application as the sole platform to apply for a new ESTA.

CBP intends to require applicants to submit ESTA applications solely via the ESTA Mobile application; consequently, travelers would no longer be permitted to submit ESTA applications using the existing ESTA website. CBP believes that moving to a mobile-only approach for ESTA submissions will both enhance security and improve efficiency. The ESTA website would remain available as a resource for information about the ESTA program, as well as allow applicants to check the status of their ESTA applications but will not be used to collect information from applicants.

Currently, applicants can apply for an ESTA via the ESTA website or the ESTA Mobile application. However, poor quality image uploads to the ESTA website have resulted in applicants bypassing the facial comparison screening. A case study from the National Targeting Center (NTC) Traveler Application Security Unit (TASU) of a poor-quality passport photo submission demonstrates the increased accuracy of live mobile image capture over web-based uploads. NTC TASU identified over 2,400 poor quality passport biographical page uploads and over 8,000 invalid passport photos that led to negative or failed photo comparison screenings. CBP believes that travelers are aware of this vulnerability and have begun to exploit it by purposely uploading poor quality images to avoid detection.

Additionally, CBP continues to struggle with fraudulent third-party websites. Third-party fraudulent websites charge travelers exorbitant fees to process an application, where many of these applications may never be processed by CBP, resulting in a traveler being unable to board a U.S. bound plane.

Lastly, unlike ESTA Mobile, the ESTA website is unable to validate the authenticity of the passport through the certificates embedded on the electronic chip (e-Chip). Bad actors exploit this vulnerability to apply for an ESTA. NTC TASU has discovered hundreds of fraudulent ESTAs created by facilitators to support visa applications. These facilitators uploaded fraudulent passport bio pages to obtain approved ESTAs. Travelers then presented official

ESTA printouts, falsely claiming the ESTA holder was a spouse, to strengthen their visa applications.

The ESTA Mobile application provides superior identity verification methods, including liveness detection, facial recognition and Near Field Communication (NFC)-based passport scanning/electronic chip verification. Applying for an ESTA on the website does not allow NFC verification of an ePassport, unlike when using the mobile app. The current ESTA Mobile submission process includes retrieving biographic information and portrait photo from the e-Chip, matching the portrait with a live selfie via the CBP Traveler Verification Service (TVS), and auto-denying applications that fail Country Signing Certificate validation from the Traveler Document Authentication System.

While transitioning to a mobile-only ESTA system may present some initial challenges, the long-term benefits, including enhanced security and fraud reduction, make the transition a viable national security decision. CBP believes the continued evolution of mobile technology will further streamline and secure the traveler authentication process, paving the way for future advancements in contactless verification and biometric authentication.

2. *Romania Removal from Visa Waiver Program (VWP)*: Due to the removal of Romania from the approved list of countries under the VWP, CBP is updating relevant collections to reflect this removal. The public can refer to <https://www.dhs.gov/visa-waiver-program> for the list of approved countries under the VWP.

3. *Mandatory Social Media*: In order to comply with the January 2025 Executive Order 14161 (Protecting the United States From Foreign Terrorists and Other National Security and Public Safety Threats), CBP is adding social media as a mandatory data element for an ESTA application. The data element will require ESTA applicants to provide their social media from the last 5 years.

4. *High Value Data Elements*: To comply with the January 2025 E.O. (14161), and the April 4, 2025, Memorandum Updating All Forms to Collect Baseline Biographic Data, CBP will add several "high value data fields" to the ESTA application, when feasible. This is in addition to the information already collected in the ESTA application.

The high value data fields include:

- Telephone numbers used in the last five years;
- Email addresses used in the last ten years;

c. IP addresses and metadata from electronically submitted photos;

d. Family member names (parents, spouse, siblings, children);

e. Family number telephone numbers used in the last five years;

f. Family member dates of birth;

g. Family member places of birth;

h. Family member residencies;

i. Biometrics—face, fingerprint, DNA, and iris;

j. Business telephone numbers used in the last five years;

k. Business email addresses used in the last ten years.

CBP invites the public to comment on both the previously approved emergency changes and the newly proposed changes.

Type of Information Collection: Paper I-94.

Estimated Number of Respondents: 865,639.

Estimated Number of Annual Responses per Respondent: 1.

Estimated Number of Total Annual Responses: 865,639.

Estimated Time per Response: 8 minutes.

Estimated Total Annual Burden Hours: 115,418.

Type of Information Collection: I-94 website.

Estimated Number of Respondents: 2,278,054.

Estimated Number of Annual Responses per Respondent: 1.

Estimated Number of Total Annual Responses: 2,278,054.

Estimated Time per Response: 4 minutes.

Estimated Total Annual Burden Hours: 151,870.

Type of Information Collection: ESTA Mobile Application.

Estimated Number of Respondents: 14,484,073.

Estimated Number of Annual Responses per Respondent: 1.

Estimated Number of Total Annual Responses: 14,484,073.

Estimated Time per Response: 22 minutes.

Estimated Total Annual Burden Hours: 5,310,827.

Type of Information Collection: CBP Home.

Estimated Number of Respondents: 600,000.

Estimated Number of Annual Responses per Respondent: 1.

Estimated Number of Total Annual Responses: 600,000.

Estimated Time per Response: 2 minutes.

Estimated Total Annual Burden Hours: 20,000.

Seth D. Renkema,

Branch Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection.

[FR Doc. 2025–22461 Filed 12–9–25; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[OMB Control Number 1651–0109]

Agency Information Collection Activities; Revision; Guam-CNMI Visa Waiver Information (Form I–736)

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 30-Day notice and request for comments.

SUMMARY: The Department of Homeland Security, U.S. Customs and Border Protection (CBP) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies.

DATES: Comments are encouraged and must be submitted (no later than January 9, 2026) to be assured of consideration.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Please submit written comments and/or suggestions in English. 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:

Requests for additional PRA information should be directed to Seth Renkema, Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, 90 K Street NE, 10th Floor, Washington, DC 20229–1177, Telephone number 202–325–0056 or via email CBP_PRA@cbp.dhs.gov. Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP

National Customer Service Center at 877–227–5511, (TTY) 1–800–877–8339, or CBP website at <https://www.cbp.gov/>.

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). This proposed information collection was previously published in the **Federal Register** (89 FR 3299) on January 18, 2024, allowing for a 60-day comment period. This notice allows for an additional 30 days for public comments. This process is conducted in accordance with 5 CFR 1320.8. Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (1) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency’s estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

Overview of This Information Collection

Title: Guam-CNMI Visa Waiver Information (Form I–736).

OMB Number: 1651–0109.

Form Number: I–736.

Current Actions: Revision.

Type of Review: Revision.

Affected Public: Individuals.

Abstract: Public Law 110–229 provides for certain aliens to be exempt from the nonimmigrant visa requirement if seeking entry into Guam or the Commonwealth of the Northern Mariana Islands (CNMI) as a visitor for a maximum stay of 45 days, provided that no potential threat exists to the welfare, safety, or security of the United States, or its territories, and other criteria are met. At the Secretary’s discretion, passport holders of the People’s Republic of China who are not in possession of a visitors’ visa may be

allowed to enter CNMI for up to 14 days under the discretionary parole authority. Upon arrival at the Guam or CNMI Ports-of-Entry, each applicant for admission presents a completed paper Form I–736 to CBP, which collects information about the applicant’s identity and travel documents. CBP Form I–736 is provided for by 8 CFR 212.1(q).

Please note that certain items on the new version remains identical to those in the original version. However, updates are necessary to be able to transition to automating Form I–736, Guam-CNMI Visa Waiver Information that is used in compliance with the Guam-CNMI Visa Waiver Program. The automation will facilitate CBP to gather information on travelers from Guam-CNMI Visa Waiver Program countries to determine their admissibility to enter Guam or the CNMI. In addition, CBP intends to migrate from paper I–736 to a mandatory automated environment; therefore, the collection of a paper form will no longer be acceptable. However, after the regulation implementing mandatory automation is published, CBP will grant a transition period of three months to facilitate travelers adjusting to the new collection method. At the end of the transition period, the paper I–736 form will become obsolete and travelers must input and submit in advance their personal information and respond to the eligibility questions using the new electronic format. The travelers’ information is pre-screened or vetted against law enforcement databases. Based on the results of the pre-screening, the application is approve or denied. The system generates a board or no board status message to the carrier indicating a denied or approved authorization to board before the flight. The applicant also receives a message with the application status: approved, denied, canceled or pending. All information will be saved in the newly created Guam-CNMI Visa Waiver Program database.

In a recent approval, several data elements were added to the Form I–736: the foreign passport type (mandatory), social media identifier (optional), valid email address (mandatory), and social media provider/platform (optional). Adding these data elements enhances the existing vetting process and provides CBP with additional information to determine travelers’ admissibility to enter Guam or the CNMI under the Guam-CNMI Visa Waiver Program. CBP intends to migrate from the paper Form I–736 process to a mandatory automated process via rulemaking.

Proposed Changes

As part of the regulatory updates for the Interim Final Rule (IFR) which fully automates the collection of Form I-736 and requires that travelers under the G-CNMI VWP submit this information in advance of arrival. The rule also creates a new system, CNMI EVS-TAP, wherein travelers from the PRC to the CNMI can submit advance information to CBP so they may be vetted for a 14-day visa free admissibility period. These travelers will also need to complete an additional set of vetting questions.

Type of Information Collection: Form I-736.

Estimated Number of Respondents: 1,370,000.

Estimated Number of Annual Responses per Respondent: 1.

Estimated Number of Total Annual Responses: 1,370,000.

Estimated Time per Response: 21 minutes.

Estimated Total Annual Burden Hours: 479,500.

Type of Information Collection: CNMI EVS-TAP.

Estimated Number of Respondents: 230,000.

Estimated Number of Annual Responses per Respondent: 1.

Estimated Number of Total Annual Responses: 230,000.

Estimated Time per Response: 26 minutes.

Estimated Total Annual Burden Hours: 99,667.

Seth D. Renkema,

Branch Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection.

[FR Doc. 2025-22463 Filed 12-9-25; 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 10, 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 Laredo Sector is an area of high illegal entry. Between fiscal year 2021 and fiscal year 2025, Border Patrol apprehended over 310,390 illegal aliens attempting to enter the United States between border crossings in the Laredo Sector. In that same time period Border Patrol seized over 44,188 pounds of marijuana, over 576 pounds of cocaine, over 104 pounds of heroin, over 1,246 pounds of methamphetamine, and over 14 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 Laredo 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 Laredo Sector. Therefore, DHS will take immediate action to construct additional barriers and roads in a segment of the border in the Laredo 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 Laredo Sector, is an area of high illegal entry (the “project area”): Starting at approximately GPS point 28.028853, –100.008143 and generally following the Rio Grande River south and east to approximately GPS point 26.571855, –99.169240.

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 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. 2025–22428 Filed 12–9–25; 8:45 am]

BILLING CODE 4410–10–P

DEPARTMENT OF HOMELAND SECURITY

Transportation Security Administration

[Docket No. TSA–2007–28572]

Revision of Agency Information Collection Activity Under OMB Review: Secure Flight Program

AGENCY: Transportation Security Administration, DHS.

ACTION: 30-Day notice.

SUMMARY: This notice announces that the Transportation Security Administration (TSA) has forwarded the Information Collection Request (ICR), Office of Management and Budget (OMB) control number 1652–0046, abstracted below, to OMB for review and approval of a revision of the currently approved collection under the Paperwork Reduction Act (PRA). The ICR describes the nature of the information collection and its expected

burden. The information collection involves passenger information that certain U.S. aircraft operators and foreign air carriers submit to Secure Flight for purposes of identifying and protecting against potential threats to transportation and national security, and determining prescreening status of individuals.

DATES: Send your comments by January 9, 2026. A comment to OMB is most effective if OMB receives it within 30 days of publication.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting “Currently under Review—Open for Public Comments” and by using the find function.

FOR FURTHER INFORMATION CONTACT: Christina A. Walsh, TSA PRA Officer, Information Technology, TSA 11, Transportation Security Administration, 6595 Springfield Center Drive, Springfield, VA 20598–6011; telephone (571) 227–2062; email TSAPRA@tsa.dhs.gov.

SUPPLEMENTARY INFORMATION: TSA published a **Federal Register** notice, with a 60-day comment period soliciting comments, of the following collection of information on August 1, 2025, 90 FR 36171. TSA did not receive any comments on the notice.

Comments Invited

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The ICR documentation will be available at <https://www.reginfo.gov> upon its submission to OMB. Therefore, in preparation for OMB review and approval of the following information collection, TSA is soliciting comments to:

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

(2) Evaluate the accuracy of the agency’s estimate of the burden;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including using appropriate automated, electronic, mechanical, or other technological

collection techniques or other forms of information technology.

Information Collection Requirement

Title: Secure Flight Program.

Type of Request: Revision of a currently approved collection.

OMB Control Number: 1652-0046.

Form(s): N/A.

Affected Public: Aircraft operators, airport operators.

Abstract: TSA collects information from covered aircraft operators, including foreign air carriers, in order to prescreen passengers under the Secure Flight Program. The information collected under the Secure Flight Program is used for watch list-matching, for matching against lists of known travelers, and to assess passenger risk (e.g., to identify passengers who present lower risk and may be eligible for expedited screening). The collection covers:

(1) Secure Flight Passenger Data (SFPD) for passengers of covered domestic and international flights within, to, from, or over the continental United States, as well as flights between two foreign locations when operated by a covered U.S. aircraft operator.

(2) SFPD for passengers of charter operators and lessors of aircraft with a maximum takeoff weight of over 12,500 pounds (Twelve-Five operators).

(3) Certain identifying information for non-traveling individuals that covered aircraft operators, airport operators or airport operator points of contact seek to authorize to enter a sterile area at a U.S. airport (e.g., to patronize a restaurant, to escort a minor or a passenger with disabilities, or for another approved purpose). TSA is revising the collection for non-traveling individuals to also request authorization to enter a sterile area at a U.S. airport directly from TSA, and TSA will issue a visitor pass for the non-traveler to enter the sterile area.

(4) Registration information critical to deployment of Secure Flight, such as contact information, data format, or the mechanism the covered aircraft operators use to transmit SFPD and other data.

(5) Lists of low-risk individuals who are eligible for expedited screening provided by federal and non-federal entities. Through TSA PreCheck®, TSA implemented expedited screening of known low-risk travelers. Some federal and non-federal entities maintain lists of eligible individuals pursuant to agreements with DHS and TSA, and provide TSA with a list of eligible low-risk individuals to be used as part of Secure Flight processes. Secure Flight identifies individuals who should receive expedited screening and

transmits the appropriate boarding pass printing result to the aircraft operators.

Estimated Annual Number of

Respondents: 300,919.¹

Estimated Annual Number of Burden Hours: 43,636.

Dated: December 5, 2025.

Christina A. Walsh,

*Paperwork Reduction Act Officer,
Information Technology, Transportation
Security Administration.*

[FR Doc. 2025-22379 Filed 12-9-25; 8:45 am]

BILLING CODE 9110-05-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-6551-N-02]

Future of the HECM and HMBS Programs and Opportunities for Innovation in Accessing Home Equity; Re-Opening the Public Comment Period

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner and the Government National Mortgage Association, Department of Housing and Urban Development (HUD).

ACTION: Request for information; re-opening of comment period.

SUMMARY: On October 2, 2025, the Department of Housing and Urban Development (HUD) published a Request for Information (RFI) in the **Federal Register** titled “Future of the HECM and HMBS Programs and Opportunities for Innovation in Accessing Home Equity.” This RFI seeks public comments regarding the market for senior homeowners to access equity in their homes and possible improvements to the Home Equity Conversion Mortgage (HECM) and HECM mortgage-backed securities (HMBS) programs. The RFI provided for a 60-day comment period, which ended on December 1, 2025. This notice re-opens the comment period until January 5, 2026.

DATES: The comment period for the RFI published on October 2, 2025, at 90 FR 47808, is re-opened until January 5, 2026. Late-filed comments will be considered to the extent practicable.

ADDRESSES: Interested persons are invited to submit comments responsive to this RFI. Copies of all comments submitted are available for inspection and downloading at

¹ Since the publication of the 60-day notice, TSA has revised the collection, resulting in an increase in the annual respondents and burden hours. TSA previously reported 875 annual respondents and 10,950 annual burden hours.

www.regulations.gov. To receive consideration as public comments, comments must be submitted through one of the two methods specified below. All submissions must refer to the above docket number and title. Commenters are encouraged to identify the number of the specific question or questions to which they are responding. Responses should include the name(s) of the person(s) or organization(s) filing the comment; however, because any responses received by HUD will be publicly available, responses should not include any personally identifiable information or confidential commercial information.

1. *Electronic Submission of Comments.* Interested persons may submit comments electronically through the Federal eRulemaking Portal at <http://www.regulations.gov>.

2. *Submission of Comments by Mail.* Comments may be submitted by mail to the Regulations Division, Office of General Counsel, Department of Housing and Urban Development, 451 7th Street SW, Room 10276, Washington, DC 20410-0500.

FOR FURTHER INFORMATION CONTACT: Elizabeth Davis, Housing Program Officer, Office of Housing, Department of Housing and Urban Development, 451 7th Street SW, Room 9262-9280, Washington, DC 20410-0500; telephone number 202-202-402-4491 or (800) CALL-FHA (1-800-225-5342); email sffeedback@hud.gov. HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech and communication disabilities. To learn more about how to make an accessible telephone call, please visit: <https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs>.

SUPPLEMENTARY INFORMATION: On October 2, 2025, HUD published in the **Federal Register** an RFI entitled “Future of the HECM and HMBS Programs and Opportunities for Innovation in Accessing Home Equity.” The RFI provided for a 60-day comment period, which ended on December 1, 2025. However, due to the Federal government shutdown that occurred on October 1, 2025, HUD has decided to re-open the comment period until January 5, 2026, to give commenters additional time to provide market feedback on opportunities to enhance the HECM and HMBS programs and the appropriate role of these programs in facilitating

access to home equity for senior homeowners.

Frank Cassidy,

Principal Deputy Assistant Secretary for Housing.

Joseph Gormley,

Executive Vice President and Chief Operating Officer for Ginnie Mae.

[FR Doc. 2025-22409 Filed 12-9-25; 8:45 am]

BILLING CODE 4210-67-P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701-TA-682 and 731-TA-1592 (Final) (Remand)]

Certain Freight Rail Couplers and Parts Thereof From China; Notice of Remand Proceedings

AGENCY: United States International Trade Commission.

ACTION: Notice of remand proceedings.

SUMMARY: The U.S. International Trade Commission (“Commission”) hereby gives notice of the procedures it intends to follow to comply with the court-ordered remand of its final determinations in the antidumping and countervailing duty investigations of certain freight rail couplers and parts thereof from China. For further information concerning the conduct of these remand proceedings and rules of general application, consult the Commission’s Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subpart A (19 CFR part 207).

DATES: December 5, 2025.

FOR FURTHER INFORMATION CONTACT:

Lawrence Jones ((202) 205-3358), Office of Investigations, or Michael Haldenstein ((202) 205-3041), Office of General Counsel, 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 Investigation Nos. 701-TA-682 and 731-TA-1592 (Final) may be viewed on

the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION:

Background.—In July 2023, the Commission determined that an industry in the United States was materially injured by reason of imports of certain freight rail couplers and parts thereof from China that were sold in the United States at less than fair value and subsidized by the government of China. *Certain Freight Rail Couplers and Parts Thereof from China*, Inv. Nos. 701-TA-682 and 731-TA-1592 (Final), USITC Pub. No. 5438 (July 2023). Respondents Strato, Inc. and Wabtec Corporation contested the Commission’s determinations regarding China before the U.S. Court of International Trade (“CIT”). The CIT remanded “for the Commission’s reconsideration or further explanation of its decision not to exclude Amsted from the domestic industry.” *Wabtec v. United States*, Court No. 22-00157, Slip Op. 25-134.

Participation in the Remand Proceedings.—Only those persons who were interested parties that participated in the investigations (*i.e.*, persons listed on the Commission Secretary’s service list) and also parties to the appeal may participate in the remand proceedings. Such persons need not file any additional appearances with the Commission to participate in the remand proceedings, unless they are adding new individuals to the list of persons entitled to receive business proprietary information (“BPI”) under administrative protective order. BPI referred to during the remand proceedings will be governed, as appropriate, by the administrative protective order issued in the investigations. The Secretary will maintain a service list containing the names and addresses of all persons or their representatives who are parties to the remand proceedings, and the Secretary will maintain a separate list of those authorized to receive BPI under the administrative protective order during the remand proceedings.

Written submissions.—The Commission is not reopening the record and will not accept the submission of new factual information for the record. The Commission will permit the parties to file comments concerning how the Commission could best comply with the court’s remand instructions.

The comments must be based solely on the information in the Commission’s record. The Commission will reject

submissions containing additional factual information or arguments pertaining to issues other than the issue on which the court has remanded this matter. The deadline for filing comments is January 2, 2026. Comments must be limited to no more than ten (10) double-spaced and single-sided pages of textual material, inclusive of attachments and exhibits.

Parties are advised to consult with the Commission’s Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subpart A (19 CFR part 207) for provisions of general applicability concerning written submissions to the Commission. All written submissions must conform to the provisions of section 201.8 of the Commission’s rules; any submissions that contain BPI must also conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission’s rules. Please note the Secretary’s Office will accept only electronic filings at 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. The Commission’s *Handbook on E-Filing*, available on the Commission’s website at <http://edis.usitc.gov>, elaborates upon the Commission’s rules with respect to electronic filing.

Additional written submissions to the Commission, including requests pursuant to section 201.12 of the Commission’s rules, will not be accepted unless good cause is shown for accepting such submissions or unless the submission is pursuant to a specific request by a Commissioner or Commission staff.

In accordance with sections 201.16(c) and 207.3 of the Commission’s rules, each document filed by a party to the investigation must be served on all other parties to the investigation (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

By order of the Commission.

Issued: December 5, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025-22408 Filed 12-9-25; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1445]

Certain Video Game Consoles, Routers and Gateways, and Components Thereof; Notice of a Commission Determination Not To Review an Initial Determination Terminating the Investigation Based on Settlement; 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 not to review an initial determination (“ID”) (Order No. 24) of the presiding administrative law judge (“ALJ”) granting the complainant’s motion to terminate the above-captioned investigation based on settlement. The investigation is terminated.

FOR FURTHER INFORMATION CONTACT:

Lynde Herzbach, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-3228. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on March 27, 2025, based on a complaint filed by AX Wireless, LLC of Austin, Texas (“Complainant”). 90 FR 13879-80 (Mar. 27, 2025). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain video game consoles, routers and gateways, and components thereof by reason of the infringement of certain claims of U.S. Patent Nos. 10,917,272; 11,646,927; 11,777,776; and 12,063,134. *Id.* The complaint further alleges that a domestic industry exists. *Id.* The Commission’s notice of investigation names four respondents, including:

Sony Interactive Entertainment Inc. of Tokyo, Japan and Sony Interactive Entertainment LLC of San Mateo, California (collectively, “Sony”); Vantiva SA of Paris, France; and Vantiva USA, LLC of Norcross, Georgia. *Id.* The Office of Unfair Import Investigations (“OUII”) is participating in the investigation. *Id.*

The Commission previously terminated Vantiva SA and Vantiva USA, LLC based on settlement. Order No. 20 (Aug. 28, 2025), *unreviewed by Comm’n Notice* (Sept. 18, 2025).

On September 25, 2025, Complainant filed an unopposed motion for termination of this investigation in its entirety based on a settlement agreement between Complainant and Sony. On September 26, 2025, Complainant filed a corrected version of its motion that attached the settlement, which was inadvertently not attached to the original motion. On September 29, 2025, OUII filed a response in support of the motion. No other responses to the motion were filed.

On September 29, 2025, the presiding ALJ issued the subject ID granting the unopposed motion to terminate the investigation in its entirety. *See* Order No. 24 (Sept. 29, 2025). The subject ID finds that the motion complies with Commission Rule 210.21(b)(1) (19 CFR 210.21(b)) and that no extraordinary circumstances prevent granting the motion. The subject ID also finds that termination based on settlement would not be contrary to the public interest.

No party petitioned for review of the subject ID.

The Commission has determined not to review the subject ID (Order No. 24). The investigation is terminated.

The Commission vote for this determination took place on December 5, 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 5, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025-22407 Filed 12-9-25; 8:45 am]

BILLING CODE 7020-02-P

JOINT BOARD FOR THE ENROLLMENT OF ACTUARIES

Meeting of the Advisory Committee; Meeting

AGENCY: Joint Board for the Enrollment of Actuaries.

ACTION: Notice of Federal Advisory Committee meeting.

SUMMARY: The Joint Board for the Enrollment of Actuaries gives notice of a teleconference meeting of the Advisory Committee on Actuarial Examinations (a portion of which will be open to the public) on January 12–13, 2026.

DATES: Monday, January 12, 2026, from 10:00 a.m. to 5:00 p.m. (ET), and Tuesday, January 13, 2026, from 10:00 a.m. to 3:00 p.m. (ET).

ADDRESSES: The meeting will be held by teleconference.

FOR FURTHER INFORMATION CONTACT:

Elizabeth Van Osten, Designated Federal Officer, Advisory Committee on Actuarial Examinations, at 202-317-3648 or elizabeth.j.vanosten@irs.gov.

SUPPLEMENTARY INFORMATION: Notice is hereby given that the Advisory Committee on Actuarial Examinations will meet by teleconference on Monday, January 12, 2026, from 10:00 a.m. to 5:00 p.m. (ET), and Tuesday, January 13, 2026, from 10:00 a.m. to 3:00 p.m. (ET).

The purpose of the meeting is to discuss topics and questions that may be recommended for inclusion on future Joint Board examinations in actuarial mathematics and methodology referred to in 29 U.S.C. 1242(a)(1)(B) and to review the November 2025 Pension (EA-2F) Examination in order to make recommendations relative thereto, including the minimum acceptable pass score. Topics for inclusion on the syllabus for the Joint Board’s examination program for the May 2026 Basic (EA-1) Examination and the May 2026 Pension (EA-2L) Examination also will be discussed.

A determination has been made as required by section 10(d) of the Federal Advisory Committee Act, 5 U.S.C. 1009(d), that the portions of the meeting dealing with the discussion of questions that may appear on the Joint Board’s examinations and the review of the November 2025 Pension (EA-2F) Examination fall within the exceptions to the open meeting requirement set forth in 5 U.S.C. 552b(c)(9)(B), and that the public interest requires that such portions be closed to public participation.

The open portion of the meeting dealing with the discussion of the other

topics will commence at 12:00 p.m. (ET) on January 12, 2026, and will continue for as long as necessary to complete the discussion, but not beyond 1:00 p.m. (ET). Time permitting, after the close of this discussion by Advisory Committee members, interested persons may make statements germane to this subject. Persons wishing to make oral statements should contact the Designated Federal Officer at NHQJBEA@irs.gov and include the written text or outline of comments they propose to make orally. Such comments will be limited to 10 minutes in length. Persons who wish to attend the public session should contact the Designated Federal Officer at NHQJBEA@irs.gov to obtain teleconference access instructions. Notifications of intent to make an oral statement or to attend the meeting must be sent electronically to the Designated Federal Officer by no later than January 5, 2026. In addition, any interested person may file a written statement for consideration by the Joint Board and the Advisory Committee by sending it to NHQJBEA@irs.gov.

Dated: December 8, 2025.

Thomas V. Curtin,

Executive Director, Joint Board for the Enrollment of Actuaries.

[FR Doc. 2025–22430 Filed 12–9–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF JUSTICE

[OMB Number 1122–0030]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension of a Previously Approved Collection; Financial Capability Form

AGENCY: Office on Violence Against Women, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Department of Justice, Office on Violence Against Women (OVW) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until February 9, 2026.

FOR FURTHER INFORMATION CONTACT: Written comments and/or suggestion regarding the items contained in this notice, especially the estimated public burden and associated response time, should be directed to Tiffany Watson, Office on Violence Against Women, at

202–307–6026 or Tiffany.Watson@usdoj.gov.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

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

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Evaluate whether and if so, how the quality, utility, and clarity of the information to be collected can be enhanced; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of This Information Collection

1. *Type of Information Collection:* Extension of a currently approved collection.

2. *Title of the Form/Collection:* Financial Capability Form.

3. *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form Number: 1122–0030. U.S. Department of Justice, Office on Violence Against Women.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:* The affected public includes non-governmental applicants to OVW grant programs that do not currently (or within the last 3 years) have funding from OVW. In accordance with 2 CFR 200.206 the information is required for assessing the financial risk of an applicant's ability to administer federal funds. The form includes a mix of check box and narrative questions related to the organization's financial systems, policies and procedures.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond/reply:* It is estimated that it will take approximately 40 respondents (non-governmental applicants of OVW grant programs) approximately 4 hours to complete an online assessment form.

6. *An estimate of the total public burden (in hours) associated with the collection:* The total annual hour burden to complete the data collection forms is 160 hours, that is 40 applicants completing a form once as a new applicant with an estimated completion time for the form being 4 hours.

7. *An estimate of the total annual cost burden associated with the collection, if applicable:* The annualized cost to the Federal Government resulting from OVW staff review of the forms is estimated to be \$9,275.

If additional information is required contact: Darwin Arceo, Department Clearance Officer, United States Department of Justice, Justice Management Division, Enterprise Portfolio Management, Two Constitution Square, 145 N Street NE, 4W–218, Washington, DC.

Dated: December 8, 2025.

Darwin Arceo,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2025–22459 Filed 12–9–25; 8:45 am]

BILLING CODE 4410–FX–P

DEPARTMENT OF LABOR

Office of the Secretary

RIN 1290–AA52

Addressing Barriers to Participation of Faith Organizations in DOL Programs and Funding

AGENCY: Center for Faith, Labor.

ACTION: Request for information.

SUMMARY: The U.S. Department of Labor (the Department or DOL) fosters, promotes, and develops the welfare of wage earners, job seekers, and retirees of the United States. DOL also improves working conditions, advances opportunities for profitable employment, and safeguards work-related benefits and rights. Faith organizations have historically been vital partners with important expertise, perspective, and ability to help advance DOL's mission. DOL seeks input from faith organizations and interested individuals to identify barriers to faith organizations' participation in DOL-funded or regulated programs and ensure DOL provides equal treatment and reasonable accommodations for faith organizations. This request for information (RFI) aims to gather information on how DOL can better engage qualified faith organizations to help deliver services, including job training, employment support, and community outreach, without undue

restrictions on such organizations' religious liberty.

DATES: To be assured consideration, comments must be received no later than February 9, 2026.

ADDRESSES:

Written Comments: You may submit comments and attachments, identified by Regulatory Identifier Number (RIN) 1290-AA52, electronically at <https://www.regulations.gov>, which is the Federal e-Rulemaking Portal. Follow the instructions online for making electronic submissions.

Instructions: All submissions must include the agency name and RIN 1290-AA52 for this request. All comments received, including any personal information you provide, will be posted without change on <https://www.regulations.gov>. Therefore, the Department cautions commenters about submitting information they do not want made available to the public, or submitting materials that contain personal information (either about themselves or others), such as Social Security Numbers and birthdates.

FOR FURTHER INFORMATION CONTACT: Kenneth Wolfe, Director, Center for Faith at faith@dol.gov.

SUPPLEMENTARY INFORMATION:

I. Executive Summary

In this document, the Department is taking initial steps to learn more about the needs of faith organizations who are interested in helping advance DOL's mission of fostering, promoting, and developing the welfare of wage earners, job seekers, and retirees. Faith organizations have a long history of providing critical services, such as job training, education, career counseling, and community support in a culturally competent and compassionate manner. This RFI solicits input from stakeholders, including faith organizations and program participants, to identify barriers to participation in DOL-funded or regulated programs, suggest potential reasonable religious accommodations, and propose strategies to improve outreach to and engagement with faith organizations.

II. Background

The Department administers programs and funding to support workforce development, job training, unemployment insurance, and wage earner protections. Faith organizations have a long history of providing critical services, such as job training, education, career counseling, and community support in a culturally competent and compassionate manner.

Executive Order 14291 issued by President Donald Trump on May 1, 2025, declares: "The Founders envisioned a Nation in which religious voices and views are integral to a vibrant public square and human flourishing and in which religious people and institutions are free to practice their faith without fear of discrimination or hostility from the Government." The Executive Order further states that it will be "the policy of the executive branch to vigorously enforce the historic and robust protections for religious liberty enshrined in Federal law."

Executive Order 14205, issued by President Donald Trump in February 2025, is aimed at assisting faith-based entities and houses of worship in their efforts to strengthen American families, promote work and self-sufficiency, and protect religious liberty. As part of the executive order, a White House Faith Office was established, with each agency creating a Center for Faith with a faith director. DOL has a Center for Faith, a faith director, and a staff of appointees to carry out this work at the agency.

Consistent with the principles outlined in these Executive Orders, DOL believes faith groups and houses of worship, to the fullest extent permitted by law, should be able to compete on a level playing field for grants, contracts, and other federal funding opportunities. DOL seeks to ensure its regulations, policies, and practices align with these principles and facilitate the participation of qualified faith organizations.

III. Request for Information

In this Section III, the Department solicits responses to questions primarily for the purpose of considering whether additional guidance or regulatory changes would be helpful to facilitate faith organizations' participation in DOL programs and funding opportunities.

1. What, if any, specific DOL regulations, guidance, or policies, explicitly or implicitly restrict or discourage faith-based organizations from participating in DOL-funded programs (e.g., job training, workforce development, or employment services)?
2. If applicable, provide examples of how these barriers impact your faith organization's ability to deliver services.
3. What, if any, changes to regulations or procedures do you recommend in order to address these issues?

4. What accommodations, policies, or tools could DOL develop to ensure faith organizations receive reasonable accommodations for their religious

beliefs and practices while participating in DOL programs?

5. Can you provide examples of specific accommodations you believe would enhance the participation of faith organizations in DOL-funded programs?

6. What platforms or strategies should DOL use to ensure outreach to faith organizations is effective and they are aware of funding opportunities and program requirements?

7. In what ways do you believe faith organizations contribute to DOL's mission of improving employment outcomes and wage earner welfare?

8. What do you believe the impact on communities would be if faith organizations were unable to participate in DOL programs or access federal funding?

9. What metrics or data should DOL collect to assess the effectiveness of faith organizations in delivering DOL-funded services?

10. Are there ways DOL can support the work of faith organizations on current or future workforce development, apprenticeships, and job training other than by providing federal funding (for instance, by providing technical assistance)?

11. What other resources can DOL provide that would be helpful for faith organizations? How else can DOL help faith organizations engage with workforce-related issues?

IV. Authority and Signature

This document was prepared under the direction of Lori Chavez-DeRemer, Secretary of Labor.

Lori Chavez-DeRemer,

Secretary of Labor.

[FR Doc. 2025-22457 Filed 12-9-25; 8:45 am]

BILLING CODE 4510-HL-P

NUCLEAR REGULATORY COMMISSION

[NRC-2025-0045]

Information Collection: NRC Forms 541 and 541A, Uniform Low-Level Radioactive Waste Manifest Container and Waste Description and Continuation Page

AGENCY: Nuclear Regulatory Commission.

ACTION: Renewal of existing information collection; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) invites public comment on the renewal of Office of Management and Budget (OMB) approval for an existing collection of information. The information collection

is entitled, NRC Forms 541 and 541A, “Uniform Low-Level Radioactive Waste Manifest Container and Waste Description and Continuation Page.”

DATES: Submit comments by February 9, 2026. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received on or before this date.

ADDRESSES: You may submit comments by any of the following methods however, the NRC encourages electronic comment submission through the Federal rulemaking website:

- *Federal rulemaking website:* Go to <https://www.regulations.gov> and search for Docket ID NRC–2025–0045. Address questions about Docket IDs in *Regulations.gov* to Bridget Curran; telephone: 301–415–1003; email: Bridget.Curran@nrc.gov. For technical questions, contact the individual(s) listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *Mail comments to:* Heather Dempsey, Office of the Chief Information Officer, Mail Stop: T–6 A10M, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

For additional direction on obtaining information and submitting comments, see “Obtaining Information and Submitting Comments” in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Heather Dempsey, Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–0856; email: Infocollects.Resource@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2025–0045 when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC–2025–0045. A copy of the collection of information and related instructions may be obtained without charge by accessing Docket ID NRC–2025–0045 on this website.

- *NRC’s Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at

<https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select “Begin ADAMS Public Search.” For problems with ADAMS, please contact the NRC’s Public Document Room (PDR) reference staff at 1–800–397–4209, at 301–415–4737, or by email to PDR.Resource@nrc.gov. A copy of the NRC Forms 541 and 541A and related instructions may be obtained without charge by accessing ADAMS Accession Nos. ML25164A040, and ML25164A041, respectively and ML20178A433 (NUREG–BR–0204, Revision 3). The supporting statement is available in ADAMS under Accession No. ML25164A037.

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

- *NRC’s Clearance Officer:* A copy of the collection of information and related instructions may be obtained without charge by contacting the NRC’s Acting Clearance Officer, Heather Dempsey, Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–0856 email: Infocollects.Resource@nrc.gov.

B. Submitting Comments

The NRC encourages electronic comment submission through the Federal rulemaking website (<https://www.regulations.gov>). Please include Docket ID NRC–2025–0045, in your comment submission.

The NRC cautions you not to include identifying or contact information in comment submissions that you do not want to be publicly disclosed in your comment submission. All comment submissions are posted at <https://www.regulations.gov> and entered into ADAMS. Comment submissions are not routinely edited to remove identifying or contact information.

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

II. Background

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the NRC is requesting public comment on its intention to request the OMB’s approval for the information collection summarized as follows.

1. *The title of the information collection:* NRC Forms 541 and 541A, “Uniform Low-Level Radioactive Waste Manifest Container and Waste Description and Continuation Page.”

2. *OMB approval number:* 3150–0166.

3. *Type of submission:* Extension.

4. *The form number, if applicable:* NRC Forms 541 and 541A.

5. *How often the collection is required or requested:* NRC Form 541 and 541A, or the Agreement State equivalent forms are required when low-level radioactive waste (LLRW) is transferred by any waste generator, waste collector, or waste processor licensee, who ships LLRW either directly, or indirectly through a waste collector or waste processor, for ultimate disposal at a licensed LLRW disposal facility.

6. *Who will be required or asked to respond:* NRC Form 541 and continuation Form 541A are completed by waste generators, waste collectors, and waste processors who ship LLRW intended for ultimate disposal at a licensed LLRW land disposal facility.

7. *The estimated number of annual responses:* 4,616.

8. *The estimated number of annual respondents:* 712.

9. *The estimated number of hours needed annually to comply with the information collection requirement or request:* 15,233.

10. *Abstract:* The NRC regulations in section 20.2006 of title 10 of the *Code of Federal Regulations* (10 CFR), “Transfer for Disposal and Manifest” and 10 CFR part 20, appendix G, “Requirements for Transfers of Low-Level Radioactive Waste Intended for Disposal at Licensed Land Disposal Facilities and Manifests,” established requirements for a nationwide system to ensure the safe and efficient transportation and disposal of LLRW. The Uniform LLRW Manifest system is implemented by the utilization of specific NRC Forms to document the information required by 10 CFR 20.2006 and 10 CFR part 20, appendix G. The NRC Forms 541/541A, “Uniform LLRW Manifest Container and Waste Description and Continuation Page,” combined with NRC Forms 540/540A, “Uniform LLRW Manifest (Shipping Paper) and Continuation Page” and, if necessary, NRC Forms 542/542A, “Uniform LLRW Manifest Index and

Regional Compact Tabulation,” are collectively referred to as the Uniform LLRW Manifest Forms. The forms were originally developed by the NRC at the request of low-level waste industry groups, and Federal and State agencies. These forms assist in providing a standardized nationwide framework for collecting and transmitting LLRW related information from generation to disposal.

The NRC Forms 541 and 541A or Agreement State equivalent forms are used on a nationwide basis to reflect the minimum safety-related information for an LLRW shipment as required by Federal and State reporting requirements for the safe transportation and disposal of LLRW. The Uniform LLRW Manifest Form 541/541A is completed by shippers of LLRW intended for disposal at a licensed LLRW land disposal facility. These NRC forms include information regarding the disposal container description, waste description for each waste type in the container (physical and chemical description of the waste, and the radiological description (radionuclides and activity)) and the classification of the waste in accordance with 10 CFR part 61.55 “Waste Classification.” The Uniform LLRW Manifest Forms 541/541A are not required to physically accompany the shipment. Upon agreement between the shipper and consignee, NRC Form 541/541A are (1) mailed or electronically transferred to the intended consignee prior to the shipment arriving at the consignee; or (2) delivered with the waste to the consignee. The NUREG/BR-0204, Revision 3, contains instructions for completing NRC Uniform LLRW Manifest Forms.

As stated in 10 CFR part 20, appendix G, “Licensees need not use originals of these NRC forms as long as any substitute forms are equivalent to the original documentation in respect to content, clarity, size, and location of information . . .” The NRC previously noticed the availability of revisions to the Uniform LLRW Manifest Forms in the **Federal Register** on November 23, 2022 (87 FR 71694). The information collection contained in the current extension request does not include any changes to the forms.

III. Specific Requests for Comments

The NRC is seeking comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility? Please explain your answer.

2. Is the estimate of the burden of the information collection accurate? Please explain your answer.

3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?

4. How can the burden of the information collection on respondents be minimized, including the use of automated collection techniques or other forms of information technology?

Dated: December 5, 2025.

For the Nuclear Regulatory Commission.

Heather Dempsey,

NRC Acting Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 2025-22421 Filed 12-9-25; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[NRC-2025-0043]

Information Collection: NRC Forms 540 and 540A, Uniform Low-Level Radioactive Waste Manifest (Shipping Paper) and Continuation Page

AGENCY: Nuclear Regulatory Commission.

ACTION: Renewal of existing information collection; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) invites public comment on the renewal of Office of Management and Budget (OMB) approval for an existing collection of information. The information collection is entitled, NRC Forms 540 and 540A, “Uniform Low-Level Radioactive Waste Manifest (Shipping Paper) and Continuation Page.”

DATES: Submit comments by February 9, 2026. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received on or before this date.

ADDRESSES: You may submit comments by any of the following methods; however, the NRC encourages electronic comment submission through the Federal rulemaking website:

- *Federal rulemaking website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2025-0043. Address questions about Docket IDs in *Regulations.gov* to Bridget Curran; telephone: 301-415-1003; email: Bridget.Curran@nrc.gov. For technical questions, contact the individual(s) listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *Mail comments to:* Heather Dempsey, Office of the Chief Information Officer, Mail Stop: T-6

A10M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

For additional direction on obtaining information and submitting comments, see “Obtaining Information and Submitting Comments” in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Heather Dempsey, Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-0856; email: Infocollects.Resource@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC-2025-0043 when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2025-0043.

- *NRC’s Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select “Begin ADAMS Public Search.” For problems with ADAMS, please contact the NRC’s Public Document Room (PDR) reference staff at 1-800-397-4209, at 301-415-4737, or by email to PDR.Resource@nrc.gov. A copy of the NRC Forms 540 and 540A and related instructions may be obtained without charge by accessing ADAMS Accession Nos. ML25163A284, and ML25163A285, respectively and ML20178A433 (NUREG-BR-0204, Revision 3). The supporting statement is available in ADAMS under Accession ML25163A281.

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

- *NRC’s Clearance Officer:* A copy of the collection of information and related instructions may be obtained without charge by contacting the NRC’s Acting Clearance Officer, Heather Dempsey, Office of the Chief Information Officer,

U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-0856 email: Infocollects.Resource@nrc.gov.

B. Submitting Comments

The NRC encourages electronic comment submission through the Federal rulemaking website (<https://www.regulations.gov>). Please include Docket ID NRC-2025-0043, in your comment submission.

The NRC cautions you not to include identifying or contact information in comment submissions that you do not want to be publicly disclosed in your comment submission. All comment submissions are posted at <https://www.regulations.gov> and entered into ADAMS. Comment submissions are not routinely edited to remove identifying or contact information.

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

II. Background

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the NRC is requesting public comment on its intention to request the OMB's approval for the information collection summarized as follows.

1. *The title of the information collection:* NRC Forms 540 and 540A, "Uniform Low-Level Radioactive Waste Manifest (Shipping Paper) and Continuation Page."
2. *OMB approval number:* 3150-0164.
3. *Type of submission:* Extension.
4. *The form number, if applicable:* NRC Forms 540 and 540A.
5. *How often the collection is required or requested:* NRC Form 540 and 540A, or the Agreement State equivalent forms are required when low-level radioactive waste (LLRW) is transferred by any waste generator, waste collector, or waste processor licensee, who ships LLRW either directly, or indirectly through a waste collector or waste processor, for ultimate disposal at a licensed LLRW disposal facility.
6. *Who will be required or asked to respond:* NRC Form 540 and continuation Form 540A are completed by waste generators, waste collectors, and waste processors who ship LLRW

intended for ultimate disposal at a licensed LLRW land disposal facility.

7. *The estimated number of annual responses:* 4,616.

8. *The estimated number of annual respondents:* 712.

9. *The estimated number of hours needed annually to comply with the information collection requirement or request:* 3,462 (3,116 reporting and 346 recordkeeping).

10. *Abstract:* The NRC regulations in section 20.2006 of title 10 in the *Code of Federal Regulations* (10 CFR), "Transfer for Disposal and Manifest" and 10 CFR part 20, appendix G, "Requirements for Transfers of Low-Level Radioactive Waste Intended for Disposal at Licensed Land Disposal Facilities and Manifests," established requirements for a nationwide system to ensure the safe and efficient transportation and disposal of LLRW. The Uniform LLRW Manifest system utilizes specific NRC forms to document the information required by 10 CFR 20.2006 and 10 CFR part 20, appendix G. The NRC Forms 540/540A, "Uniform Low-Level Radioactive Waste Manifest (Shipping Paper) and Continuation Page," combined with NRC Forms 541/541A, "Uniform Low-Level Radioactive Waste Manifest Container and Waste Description and Continuation Page," and, if necessary, NRC Forms 542/542A, "Uniform Low-Level Radioactive Waste Manifest Index and Regional Compact Tabulation," are collectively referred to as the Uniform LLRW Manifest Forms. The forms were originally developed by the NRC at the request of low-level waste industry groups, and Federal and State agencies. These forms assist in providing a standardized nationwide framework for collecting and transmitting LLRW related information from generation to disposal.

The NRC Forms 540 and 540A or Agreement State equivalent forms are used on a nationwide basis to reflect the minimum safety-related information for an LLRW shipment as required by Federal and State reporting requirements for the safe transportation and disposal of LLRW. The Uniform LLRW Manifest Form 540/540A is completed by shippers of LLRW intended for disposal at a licensed LLRW land disposal facility. These NRC forms include information about the shipper, carrier and designated disposal facility, and specific information about the contents of the shipment, *e.g.*, radionuclides, physical and chemical form and total weight or volume. The completed NRC Manifest Form 540 also contains information necessary to satisfy the Department of Transportation (DOT) regulations in 49 CFR part 172,

"Hazardous Materials Table, Special Provisions, Hazardous Materials Communications, Emergency Response Information, Training Requirements, and Security Plans." These forms must physically accompany the LLRW shipment. The NUREG/BR-0204, Revision 3, contains instructions for completing NRC Uniform LLRW Manifest Forms.

As stated in 10 CFR part 20, appendix G, "Licensees need not use originals of these NRC forms as long as any substitute forms are equivalent to the original documentation in respect to content, clarity, size, and location of information . . ." The NRC previously noticed the availability of revisions to the Uniform LLRW Manifest Forms in the **Federal Register** on November 23, 2022 (87 FR 71692). The information collection contained in the current extension request does not include any changes to the forms.

III. Specific Requests for Comments

The NRC is seeking comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility? Please explain your answer.
2. Is the estimate of the burden of the information collection accurate? Please explain your answer.
3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?
4. How can the burden of the information collection on respondents be minimized, including the use of automated collection techniques or other forms of information technology?

Dated: December 5, 2025.

For the Nuclear Regulatory Commission.

Heather Dempsey,

NRC Acting Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 2025-22419 Filed 12-9-25; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[NRC-2025-0077]

Information Collection: Scheduling Information for the Licensing of Accident Tolerant, Higher Burnup, and Increased Enrichment Fuels

AGENCY: Nuclear Regulatory Commission.

ACTION: Renewal of existing information collection; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) invites public

comment on the renewal of Office of Management and Budget (OMB) approval for an existing collection of information. The information collection is entitled, “Scheduling Information for the Licensing of Accident Tolerant, Higher Burnup, and Increased Enrichment Fuels.”

DATES: Submit comments by February 9, 2026. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received on or before this date.

ADDRESSES: You may submit comments by any of the following methods; however, the NRC encourages electronic comment submission through the Federal rulemaking website:

- *Federal rulemaking website:* Go to <https://www.regulations.gov> and search for Docket ID NRC–2025–0077. Address questions about Docket IDs in *Regulations.gov* to Bridget Curran; telephone: 301–415–1003; email: Bridget.Curran@nrc.gov. For technical questions, contact the individual(s) listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *Mail comments to:* Heather Dempsey, Office of the Chief Information Officer, Mail Stop: T–6 A10M, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

For additional direction on obtaining information and submitting comments, see “Obtaining Information and Submitting Comments” in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Heather Dempsey, Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–0856; email: Infocollects.Resource@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2025–0077 when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC–2025–0077. A copy of the collection of information and related instructions may be obtained without charge by accessing Docket ID NRC–2025–0077 on this website.

- *NRC’s Agencywide Documents Access and Management System*

(ADAMS): You may obtain publicly available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select “Begin ADAMS Public Search.” For problems with ADAMS, please contact the NRC’s Public Document Room (PDR) reference staff at 1–800–397–4209, at 301–415–4737, or by email to PDR.Resource@nrc.gov. A copy of the collection of information and related instructions may be obtained without charge by accessing ADAMS Accession No. ML25150A318. The supporting statement and burden spreadsheet are available in ADAMS under Accession Nos. ML25120A349 and ML25120A388, respectively.

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

- *NRC’s Clearance Officer:* A copy of the collection of information and related instructions may be obtained without charge by contacting the NRC’s Acting Clearance Officer, Heather Dempsey, Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–0856 email: Infocollects.Resource@nrc.gov.

B. Submitting Comments

The NRC encourages electronic comment submission through the Federal rulemaking website (<https://www.regulations.gov>). Please include Docket ID NRC–2025–0077, in your comment submission.

The NRC cautions you not to include identifying or contact information in comment submissions that you do not want to be publicly disclosed in your comment submission. All comment submissions are posted at <https://www.regulations.gov> and entered into ADAMS. Comment submissions are not routinely edited to remove identifying or contact information.

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

the public or entering the comment into ADAMS.

II. Background

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the NRC is requesting public comment on its intention to request the OMB’s approval for the information collection summarized as follows.

1. *The title of the information collection:* Scheduling Information for the Licensing of Accident Tolerant, Higher Burnup, and Increased Enrichment Fuels.

2. *OMB approval number:* 3150–0258.

3. *Type of submission:* Extension.

4. *The form number, if applicable:* Not applicable.

5. *How often the collection is required or requested:* Annually.

6. *Who will be required or asked to respond:* All holders of operating licenses for nuclear power reactors under the provisions of part 50 of title 10 of the *Code of Federal Regulations* (10 CFR), “Domestic Licensing of Production and Utilization Facilities,” or holders of a combined license under 10 CFR part 52, “Licenses, Certifications, and Approvals for Nuclear Power Plants,” except those that have permanently ceased operations and have certified that fuel has been permanently removed from the reactor vessel. All holders of licenses and potential applicants for a fuel cycle facility under the provisions of 10 CFR part 70, “Domestic Licensing of Special Nuclear Material,” and holders of licenses and Certificates of Compliance and potential applicants for transportation and storage systems under the provisions of 10 CFR part 71, “Packaging and Transportation of Radioactive Material,” and 10 CFR part 72, “Licensing Requirements for the Independent Storage of Spent Nuclear Fuel, High-Level Radioactive Waste, and Reactor-Related Greater than Class C Waste.”

7. *The estimated number of annual responses:* 14.

8. *The estimated number of annual respondents:* 14.

9. *The estimated number of hours needed annually to comply with the information collection requirement or request:* 140.

10. *Abstract:* The accident tolerant fuel (ATF) program is a joint effort between the U.S. nuclear industry and the U.S. Department of Energy to design and pursue approval of various fuel types with enhanced accident tolerance. The ATF program includes development of technologies that would extend fuel burnup and enrichment

limits beyond currently authorized levels. In order to deploy these new technologies, the industry will need to seek authorization for various activities throughout the fuel cycle, from fuel fabrication, transportation, and storage to installation and utilization in a reactor. In order to support the timely processing of licensing activities needed to support the deployment of these new technologies, the NRC is seeking scheduling information for licensing submittals from all respondents. This information will allow the NRC to better allocate its resources to support the activities associated with licensing these technologies while being better able to meet the industry's desired timeline.

III. Specific Requests for Comments

The NRC is seeking comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility? Please explain your answer.

2. Is the estimate of the burden of the information collection accurate? Please explain your answer.

3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?

4. How can the burden of the information collection on respondents be minimized, including the use of automated collection techniques or other forms of information technology?

Dated: December 5, 2025.

For the Nuclear Regulatory Commission.

Heather Dempsey,

NRC Acting Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 2025-22422 Filed 12-9-25; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[NRC-2025-0044]

Information Collection: NRC Forms 542 and 542A, Uniform Low-Level Radioactive Waste Manifest Index and Regional Compact Tabulation and Continuation Page

AGENCY: Nuclear Regulatory Commission.

ACTION: Renewal of existing information collection; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) invites public comment on the renewal of Office of Management and Budget (OMB) approval for an existing collection of information. The information collection

is entitled, NRC Forms 542 and 542A, "Uniform Low-Level Radioactive Waste Manifest Index and Regional Compact Tabulation and Continuation Page."

DATES: Submit comments by February 9, 2026. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received on or before this date.

ADDRESSES: You may submit comments by any of the following methods; however, the NRC encourages electronic comment submission through the Federal rulemaking website:

- *Federal rulemaking website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2025-0044. Address questions about Docket IDs in *Regulations.gov* to Bridget Curran; telephone: 301-415-1003; email: Bridget.Curran@nrc.gov. For technical questions, contact the individual(s) listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *Mail comments to:* Heather Dempsey, Office of the Chief Information Officer, Mail Stop: T-6 A10M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

For additional direction on obtaining information and submitting comments, see "Obtaining Information and Submitting Comments" in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Heather Dempsey, Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-0856; email: Infocollects.Resource@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC-2025-0044 when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2025-0044. A copy of the collection of information and related instructions may be obtained without charge by accessing Docket ID NRC-2025-0044 on this website.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at

<https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "Begin ADAMS Public Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, at 301-415-4737, or by email to PDR.Resource@nrc.gov. A copy of the NRC Forms 542 and 542A and related instructions may be obtained without charge by accessing ADAMS Accession Nos. ML25167A156, and ML25167A157, respectively and ML20178A433 (NUREG-BR-0204, Revision 3). The supporting statement is available in ADAMS under Accession Nos. ML25167A153.

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

- *NRC's Clearance Officer:* A copy of the collection of information and related instructions may be obtained without charge by contacting the NRC's Acting Clearance Officer, Heather Dempsey, Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-0856 email: Infocollects.Resource@nrc.gov.

B. Submitting Comments

The NRC encourages electronic comment submission through the Federal rulemaking website (<https://www.regulations.gov>). Please include Docket ID NRC-2025-0044, in your comment submission.

The NRC cautions you not to include identifying or contact information in comment submissions that you do not want to be publicly disclosed in your comment submission. All comment submissions are posted at <https://www.regulations.gov> and entered into ADAMS. Comment submissions are not routinely edited to remove identifying or contact information.

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

II. Background

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the NRC is requesting public comment on its intention to request the OMB's approval for the information collection summarized as follows.

1. *The title of the information collection:* NRC Forms 542 and 542A, "Uniform Low-Level Radioactive Waste Manifest Index and Regional Compact Tabulation and Continuation Page."

2. *OMB approval number:* 3150-0165.

3. *Type of submission:* Extension.

4. *The form number, if applicable:* NRC Forms 542 and 542A.

5. *How often the collection is required or requested:* NRC Form 542 and 542A, or the Agreement State equivalent forms are required when low-level radioactive waste (LLRW) is shipped by waste collectors and waste processors, for ultimate disposal at a licensed LLRW disposal facility.

6. *Who will be required or asked to respond:* NRC Form 542 and continuation Form 542A are completed by waste collectors and waste processors who ship LLRW for ultimate disposal at a licensed LLRW disposal facility.

7. *The estimated number of annual responses:* 623.

8. *The estimated number of annual respondents:* 71.

9. *The estimated number of hours needed annually to comply with the information collection requirement or request:* 467.

10. *Abstract:* The NRC regulations in section 20.2006 of title 10 of the *Code of Federal Regulations* (10 CFR), "Transfer for Disposal and Manifest" and 10 CFR part 20, appendix G, "Requirements for Transfers of Low-Level Radioactive Waste Intended for Disposal at Licensed Land Disposal Facilities and Manifests," established requirements for a nationwide system to ensure the safe and efficient transportation and disposal of LLRW. The Uniform LLRW Manifest system is implemented by the utilization of specific NRC forms to document the information required by 10 CFR 20.2006 and 10 CFR part 20, appendix G. The NRC Forms 542/542A, "Uniform LLRW Manifest Index and Regional Compact Tabulation and Continuation Page," combined with NRC Forms 540/540A, "Uniform LLRW Manifest (Shipping Paper) and Continuation Page" and NRC Forms 541/541A, "Uniform LLRW Manifest Container and Waste Description and Continuation Page," are

collectively referred to as the Uniform LLRW Manifest Forms. The forms were originally developed by the NRC at the request of low-level waste industry groups, and Federal and State agencies. These forms assist in providing a standardized nationwide framework for collecting and transmitting LLRW related information from generation to disposal.

The NRC Forms 542 and 542A or Agreement State equivalent forms are used on a nationwide basis to reflect the minimum safety related information for an LLRW shipment as required by Federal and State reporting requirements for the safe transportation and disposal of LLRW. The forms are completed by waste processors and waste collectors of LLRW that are shipping LLRW received from various waste generators to a licensed LLRW facility for disposal. The NRC Forms 542 and 542A are used to attribute LLRW to the original waste generator for regional waste compact tabulation in accordance with the LLRW Policy Amendments Act of 1985. This information includes generator identification number, generator's name, phone number, address, manifest number, and description of the waste. The Uniform LLRW Manifest Forms 542/542A are not required to physically accompany the shipment. Upon agreement between the shipper and consignee, NRC Form 542/542A are (1) mailed or electronically transferred to the intended consignee prior to the shipment arriving at the consignee; or (2) delivered with the waste to the consignee. The NUREG/BR-0204, Revision 3, contains instructions for completing NRC Uniform LLRW Manifest Forms.

As stated in 10 CFR part 20, appendix G, "Licensees need not use originals of these NRC forms as long as any substitute forms are equivalent to the original documentation in respect to content, clarity, size, and location of information . . ." The NRC previously noticed the availability of revisions to the Uniform LLRW Manifest Forms in the **Federal Register** on November 23, 2022 (87 FR 71699). The information collection contained in the current extension request does not include any changes to the forms.

III. Specific Requests for Comments

The NRC is seeking comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the

information have practical utility? Please explain your answer.

2. Is the estimate of the burden of the information collection accurate? Please explain your answer.

3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?

4. How can the burden of the information collection on respondents be minimized, including the use of automated collection techniques or other forms of information technology?

Dated: December 5, 2025.

For the Nuclear Regulatory Commission.

Heather Dempsey,

NRC Acting Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 2025-22420 Filed 12-9-25; 8:45 am]

BILLING CODE 7590-01-P

POSTAL SERVICE

Sunshine Act Meetings

TIME AND DATE: Friday December 5, 2025, at 9:00 a.m. EST.

PLACE: Washington, DC, at U.S. Postal Service Headquarters, 475 L'Enfant Plaza, SW

STATUS: Closed.

MATTERS CONSIDERED: On December 5, 2025, the members of the Board of Governors of the United States Postal Service voted unanimously to hold and to close to public observation a special meeting in Washington, DC. The Board determined that no earlier public notice was practicable. The Board considered the below matters.

1. Compensation and Governance Matters.

2. Administrative Matters.

General Counsel Certification: The General Counsel of the United States Postal Service has certified that the meeting may be closed under the Government in the Sunshine Act, 5 U.S.C. 552b.

CONTACT PERSON FOR MORE INFORMATION: Lucy C. Trout, Secretary of the Board of Governors, U.S. Postal Service, 475 L'Enfant Plaza SW, Washington, DC 20260-1000. Telephone: (202) 268-4800.

Lucy C. Trout,
Secretary.

[FR Doc. 2025-22447 Filed 12-8-25; 4:15 pm]

BILLING CODE 7710-12-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104318; File No. SR–NASDAQ–2025–065]

Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Notice of Filing of Amendment No. 1 and Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment No. 1, To Amend the Application of the Minimum Bid Price Rule in Situations Where a Security Does Not Maintain a Closing Bid Price of Greater Than \$0.10 for Ten Consecutive Business Days

December 5, 2025.

I. Introduction

On August 22, 2025, the Nasdaq Stock Market LLC (“Exchange” or “Nasdaq”) filed with the Securities and Exchange Commission (“Commission”), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”)¹ and Rule 19b–4 thereunder,² a proposed rule change to modify the application of the minimum bid price rule in situations where a security does not maintain a closing bid price of greater than \$0.10 for ten consecutive business days. The proposed rule change was published for comment in the *Federal Register* on September 8, 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 On November 20, 2025, the Exchange filed Amendment No. 1 to the proposed rule change, which superseded the original proposed rule change in its entirety.⁶ The Commission is publishing this notice to solicit comments on the proposed rule change, as modified by Amendment No. 1, from interested

persons and is approving the proposed rule change, as modified by Amendment No. 1, on an accelerated basis.

II. Description of the Proposed Rule Change, as Modified by Amendment No. 1⁷

Nasdaq Rules require a company’s equity securities listed on the Nasdaq Global Select Market, Nasdaq Global Market, and Nasdaq Capital Market to maintain a minimum closing bid price of at least \$1 per share (the “Bid Price Requirement”).⁸ Upon failure of a company’s security to satisfy the Bid Price Requirement, Nasdaq Rule 5810(c)(3)(A) provides for an automatic compliance period of 180 calendar days from the date Nasdaq notifies the company of the deficiency for the company to achieve compliance with the Bid Price Requirement.⁹ Subject to certain requirements,¹⁰ including notifying Nasdaq of the company’s intent to cure this deficiency, a company listed on, or that transfers to,

⁷ All capitalized terms not otherwise defined in this order shall have the meanings set forth in the Nasdaq Listing Rules.

⁸ Each tier of Nasdaq includes continued listing requirements that specified securities maintain a minimum closing bid price of at least \$1 per share. See Nasdaq Rule 5550(a)(2) (Primary Equity Security listed on the Nasdaq Capital Market), Nasdaq Rule 5555(a)(1) (Preferred Stock and Secondary Classes of Common Stock listed on the Nasdaq Capital Market), Nasdaq Rule 5450(a)(1) (Primary Equity Security listed on the Nasdaq Global or Global Select Markets), and Nasdaq Rule 5460(a)(3) (Preferred Stock and Secondary Classes of Common Stock listed on the Nasdaq Global or Global Select Markets). The Bid Price Requirement does not apply to Other Securities listed pursuant to the Nasdaq Rule 5700 Series, rights, warrants, convertible debt, and subscription receipts.

⁹ A failure to meet the Bid Price Requirement occurs when a company’s security has a closing bid price below \$1.00 for a period of thirty consecutive business days. See Nasdaq Rule 5810(c)(3)(A). Compliance can be achieved during any compliance period by meeting the Bid Price Requirement for a minimum of ten consecutive business days during the applicable compliance period, unless Staff exercises its discretion to extend this ten-day period as discussed in Nasdaq Rule 5810(c)(3)(H). See *id.*

¹⁰ If a company listed on the Nasdaq Capital Market is not deemed in compliance before the expiration of the 180-day compliance period, it will be afforded an additional 180-day compliance period, provided that on the 180th day of the first compliance period it meets the applicable market value of publicly held shares requirement for continued listing and all other applicable standards for initial listing on the Nasdaq Capital Market (except the Bid Price Requirement) based on the company’s most recent public filings and market information and notifies Nasdaq of its intent to cure this deficiency. See Nasdaq Rule 5810(c)(3)(A)(ii). If a company does not indicate its intent to cure the deficiency, or if it does not appear to Nasdaq that it is possible for the company to cure the deficiency, the company will not be eligible for the second compliance period. See *id.* If the company has publicly announced information (e.g., in an earnings release) indicating that it no longer satisfies the applicable listing criteria, it will not be eligible for the additional compliance period under Nasdaq Rule 5810(c)(3)(A)(ii). See *id.*

the Nasdaq Capital Market may be provided with a second 180-day compliance period.¹¹ If a company is not eligible for the second compliance period, or the company is eligible but does not resolve the bid price deficiency during the second 180-day compliance period, the company is issued a Staff Delisting Determination under Nasdaq Rule 5810 with respect to that security, which can be appealed to a Nasdaq Listing Qualifications Hearings Panel (“Hearings Panel”).¹² A timely request for a hearing ordinarily stays the suspension of the company’s security from trading pending the issuance of a written Hearings Panel decision.¹³ The Hearings Panel may, where it deems appropriate, grant an exception to the Bid Price Requirement and allow a company up to an additional 180 days from the date of the Staff Delisting Determination to regain compliance.¹⁴

The Nasdaq Rules set forth limited circumstances that can truncate or alter the bid price compliance periods. In particular, Nasdaq Rule 5810(c)(3)(A)(iii) provides that if a company’s security is already in a compliance period for non-compliance with the Bid Price Requirement and thereafter has a closing bid price of \$0.10 or less for 10 consecutive trading days (“Low Price Requirement”), Nasdaq must issue a Staff Delisting Determination with respect to that security, notwithstanding any otherwise available compliance period.

The Exchange states that, based on its experience administering the rules described above, it is proposing modifications to the Low Price Requirement.¹⁵

First, the Exchange proposes to modify the Low Price Requirement under Nasdaq Rule 5810(c)(3)(A)(iii), such that a failure to meet the continued listing requirement for minimum bid price shall be determined to exist if a company’s security has a closing bid price of \$0.10 or less for ten consecutive business days, regardless of whether the company is under any compliance

¹¹ See *id.*

¹² See Nasdaq Rule 5815 (Review of Staff Determinations by Hearings Panel).

¹³ See Nasdaq Rule 5815(a)(1)(B). A timely request for a hearing will not stay the suspension of securities from trading pending the issuance of a written Hearings Panel decision when the Staff Delisting Determination is related to certain enumerated deficiencies, including where the company has been afforded a second 180-day compliance period within which to regain compliance with the Bid Price Requirement. See Nasdaq Rule 5815(a)(1)(B)(ii).

¹⁴ See Nasdaq Rule 5815(c)(1)(A). A company may appeal a Hearings Panel decision to the Nasdaq Listing and Hearing Review Council (“Listing Council”). See Nasdaq Rule 5820.

¹⁵ See Amendment No. 1 at 6.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b–4.

³ See Securities Exchange Act Release No. 103846 (Sept. 3, 2025), 90 FR 43251 (“Notice”). The Commission has received no comments on the Notice.

⁴ 15 U.S.C. 78s(b)(2).

⁵ See Securities Exchange Act Release No. 104052, 90 FR 46999 (Sept. 30, 2025) (designating December 7, 2025, as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove the proposed rule change).

⁶ In Amendment No. 1, the Exchange: (1) made changes to consistently use the term “business days”; (2) provided additional description of certain aspects of the proposal; and (3) made other technical and non-substantive changes for readability. The full text of Amendment No. 1 can be found on the Commission’s website at: <https://www.sec.gov/comments/sr-nasdaq-2025-065/srnasdaq2025065-677607-2075294.pdf>.

period specified in Nasdaq Rule 5810(c)(3)(A).¹⁶ Upon such failure, the Listing Qualifications Department shall issue a Staff Delisting Determination under Nasdaq Rule 5810 with respect to that security, the security shall be suspended from trading on Nasdaq, and the company shall be ineligible for any compliance period otherwise described in Nasdaq Rule 5810(c)(3)(A).¹⁷ Compliance with the Low Price Requirement can be achieved by meeting the applicable standard (*i.e.*, at least \$1.00) for a minimum of ten consecutive business days, unless Nasdaq Staff exercises its discretion to extend the ten-day period as discussed in Nasdaq Rule 5810(c)(3)(H).¹⁸

The Exchange states that it has observed that the challenges facing companies whose security's price declines to \$0.10 or less for ten consecutive business days are often indicative of deep financial or operational distress, generally are not temporary, and may be so severe that the company is not likely to regain compliance with the Bid Price Requirement.¹⁹ Accordingly, the Exchange states that it believes it is appropriate for investor protection reasons to accelerate the time when the Staff Delisting Determination is sent to such companies.²⁰

Second, the Exchange proposes to include the failure to comply with the Low Price Requirement to the list of circumstances in which a request for

¹⁶ The Exchange states that it proposes to modify "trading days" to "business days" in Nasdaq Rule 5810(c)(3)(A)(iii) for purposes of terminology consistency. See Amendment No. 1 at 6, n.9. The Exchange also states that it proposes to amend Nasdaq Rule 5810(c)(3)(A) to indicate that the failure to meet the Bid Price Requirement for a period of thirty consecutive business days is no longer the only condition where the failure to meet the continued listing requirement for minimum bid price shall be determined to exist. See *id.* at 6–7.

¹⁷ See proposed Nasdaq Rule 5810(c)(3)(A)(iii). The Exchange states that the proposal will accelerate the time when a Staff Delisting Determination is sent in situations where a security's price quickly declines from above \$1.00 to below \$0.10 rather than require a company to first be non-compliant with the Bid Price Requirement (*i.e.*, having had a closing bid price less than \$1.00 for thirty consecutive business days) before the Low Price Requirement takes effect to truncate any remaining compliance period. See Amendment No. 1 at 6.

¹⁸ See proposed Nasdaq Rule 5810(c)(3)(A)(iii). The Exchange states that the proposed mechanism to regain compliance is identical to the manner specified in Nasdaq Rule 5810(c)(3)(A) for the minimum bid price continued listing standard generally. See Amendment No. 1 at 7, n.10.

¹⁹ See Amendment No. 1 at 7, 10. The Exchange further states that "the price concerns with these companies can be a leading indicator of other listing compliance concerns, and these companies often become subject to delisting for other reasons during the compliance periods." *Id.* at 10.

²⁰ See *id.* at 7.

Hearings Panel review will not stay the suspension of company's security from trading. Specifically, a timely request for a hearing will not stay the suspension of the company's security from trading pending the issuance of a written Hearings Panel decision when the Staff Delisting Determination is related to a failure to comply with the Low Price Requirement under proposed Nasdaq Rule 5810(c)(3)(A)(iii).²¹ Rather, failure to comply with the Low Price Requirement will result in immediate suspension from trading on Nasdaq. The Exchange states that it believes it is not appropriate for these very low-priced securities to continue trading on Nasdaq during the pendency of the Hearings Panel review process following receipt of a Staff Delisting Determination.²² The Exchange also states that, pursuant to Nasdaq Rule 5815(c)(1)(A), the Hearings Panel will continue to have discretion, where it deems appropriate, to grant an exception for up to 180 days from the date of the Staff Delisting Determination for the company to regain compliance with the Low Price Requirement.²³

Finally, the Exchange proposes to make the proposed rule change operative 45 days after Commission approval.²⁴

III. Discussion and Commission Findings

After careful review, the Commission finds that the proposed rule change, as modified by Amendment No. 1, is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange.²⁵ In particular, the Commission finds that the proposed rule change, as modified by Amendment No. 1, is consistent with Section 6(b)(5) of the Act,²⁶ which requires, among other things, that the rules of an

²¹ See proposed Nasdaq Rule 5815(a)(1)(B)(ii)e.

²² See Amendment No. 1 at 7. The Exchange states that when a company has its securities suspended during a Hearings Panel's review, its securities would generally trade in the over-the-counter market pending the issuance of a written Hearings Panel decision. See Amendment No. 1 at 8.

²³ See *id.* at 9. The Hearings Panel will also continue to have the authority to find the company in compliance with all applicable listing standards and reinstate the trading of the company's securities on Nasdaq. See Nasdaq Rule 5815(c)(1)(E).

²⁴ See Amendment No. 1 at 9. The Exchange states that the proposed rule change will not apply to any company that has received a Staff Delisting Determination for failure to satisfy the Bid Price Requirement under Nasdaq Rule 5810(c)(3)(A) and has appeared before a Hearings Panel on or before the operative date. See *id.*

²⁵ In approving this proposed rule change, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

²⁶ 15 U.S.C. 78f(b)(5).

exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest, and not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers. In addition, the Commission finds that the proposed rule change, as modified by Amendment No. 1, is consistent with Section 6(b)(7) of the Act,²⁷ which requires, among other things, that the rules of an exchange provide fair procedure for the prohibition or limitation by the exchange of any person with respect to access to services offered by the exchange.

The development and enforcement of meaningful listing standards²⁸ for an exchange is of critical importance to financial markets and the investing public. Among other things, such listing standards help ensure that exchange-listed companies will have sufficient public float, investor base, and trading interest to provide the depth and liquidity to promote fair and orderly markets. Meaningful listing standards also are important given investor expectations regarding the nature of securities that have achieved an exchange listing, and the role of an exchange in overseeing its market and assuring compliance with its listing standards.²⁹

²⁷ 15 U.S.C. 78f(b)(7).

²⁸ The Commission notes that this reference to "listing standards" is referring to both initial and continued listing standards.

²⁹ See, e.g., Securities Exchange Act Release Nos. 88716 (Apr. 21, 2020), 85 FR 23393 (Apr. 27, 2020) (SR-NASDAQ-2020-001) (Order Approving a Proposed Rule Change To Modify the Delisting Process for Securities With a Bid Price at or Below \$0.10 and for Securities That Have Had One or More Reverse Stock Splits With a Cumulative Ratio of 250 Shares or More to One Over the Prior Two-Year Period); 88389 (Mar. 16, 2020), 85 FR 16163 (Mar. 20, 2020) (SR-NASDAQ-2019-089) (Notice of Filing of Amendment No. 1 and Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment No. 1, To Amend Rule 5815 To Preclude Stay During Hearing Panel Review of Staff Delisting Determinations in Certain Circumstances). See also Securities Exchange Act Release No. 81856 (Oct. 11, 2017), 82 FR 48296, 48298 (Oct. 17, 2017) (SR-NYSE-2017-31) (Notice of Filing of Amendment No. 1 and Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment No. 1, To Amend the Listed Company Manual To Adopt Initial and Continued Listing Standards for Subscription Receipts) (stating that "[a]dequate standards are especially important given the expectations of investors regarding exchange trading and the imprimatur of listing on a particular market" and that "[o]nce a security has been approved for initial listing, maintenance criteria allow an exchange to monitor the status and trading characteristics of that issue . . . so that fair and orderly markets can be maintained.").

The Exchange's proposal is reasonably designed to enhance its continued listing standards, thereby protecting investors and the public interest. As discussed above, currently, a company must first be non-compliant with the Bid Price Requirement (*i.e.*, the company's security has traded below \$1.00 for thirty consecutive business days) and subject to a compliance period in Nasdaq Rule 5810(c)(3)(A) before the additional provisions of the Low Price Requirement take effect to truncate any remaining compliance period. Under the proposal, if the company's security becomes non-compliant with the Low Price Requirement (*i.e.*, the company's security has traded at or below \$0.10 for ten consecutive business days), the Exchange will immediately issue a Staff Delisting Determination and suspend the securities from trading on Nasdaq. Thus, the proposed rule change will accelerate the timeframe within which the Exchange will issue a Staff Delisting Determination in instances where a security's price declines to \$0.10 or below for at least 10 consecutive business days and result in immediate suspension from trading on Nasdaq.³⁰

The Exchange states that it is appropriate to subject securities that are non-compliant with the Low Price Requirement to heightened scrutiny because, as the Exchange stated in its proposal,³¹ such securities may have similar characteristics to penny stocks and yet, because they are listed on the Exchange, are exempt from the Penny Stock Rules, which provide enhanced investor protections, among other things, to prevent fraud and safeguard against potential market manipulation.³² In addition, the Exchange states that it has observed that the challenges facing such companies are often indicative of deep financial or operational distress, generally are not temporary, and may be so severe that the companies are not likely to regain compliance within the prescribed compliance period.³³ The Exchange also states that the price concerns with such companies can be a leading indicator of other listing compliance concerns, and that these companies often become

subject to delisting for other reasons during the compliance periods.³⁴

The Exchange can reasonably conclude from its experience that a company's inability to comply with the Low Price Requirement is indicative of serious difficulties within such company that are likely to continue to put downward pressure on the stock price, such that the company is not likely to regain compliance within any compliance periods. Further, the continued listing of very low-priced securities raises concerns that these securities may not have sufficient public float, investor base, and trading interest to promote fair and orderly markets and relatedly may have heightened susceptibility to manipulation. Given these concerns, the Exchange's proposal to immediately suspend and delist companies that are in violation of the Low Price Requirement is appropriate and consistent with Section 6(b)(5) of the Act.

In addition, the proposal prohibits continued trading of a company's security on the Exchange during the pendency of Hearings Panel review of a Staff Delisting Determination when the company has not complied with the Low Price Requirement.³⁵ It is consistent with investor protection to prohibit such companies from continuing to trade on the Exchange during a review of the delisting determination for these very low-priced securities.

While the Commission recognizes that the Exchange delisting process is in part designed to allow companies experiencing temporary financial and/or business issues to regain compliance with continued listing standards,³⁶ the proposal reasonably balances the intent of the delisting process with the need to prevent the prolonged trading of a company's very low-priced securities on the Exchange when the company is unlikely to regain compliance with Exchange standards for continued listing, which is contrary to the goal of

protecting investors and the public interest.

The proposal is also consistent with Section 6(b)(7) of the Act in that it provides a fair procedure for the prohibition or limitation by the Exchange of any person with respect to access to services offered. A listed company whose security is subject to immediate suspension and delisting under the proposal after failing to comply with the Low Price Requirement will still be able to seek review of the Staff Delisting Determination by the Hearings Panel. Further, while such company's security will not trade on the Exchange during the pendency of any appeal, the Hearings Panel will continue to have authority, where it deems appropriate, to grant an exception period for up to 180 days from the date of the Staff Delisting Determination for the company to regain compliance with the Low Price Requirement or to find the company in compliance with all applicable listing standards.³⁷ Moreover, the company will continue to be able to appeal a Hearings Panel decision to the Listing Council.³⁸

In sum, the Exchange's proposal is reasonably designed to enhance its continued listing standards as it appropriately identifies securities listed on its market that are more likely to have serious recurrent issues in regaining and maintaining compliance with the Bid Price Requirement and proposes reasonable changes to shorten the time that such non-compliant securities can remain trading on the Exchange, thereby protecting investors and the public interest in accordance with Section 6(b)(5) of the Act,³⁹ while at the same time maintaining a fair procedure for affected companies to appeal their Staff Delisting Determinations to the Hearings Panel in accordance with Section 6(b)(7) of the Act.⁴⁰ For these reasons, the Commission finds that the proposed rule change, as modified by Amendment No. 1, is consistent with the requirements of the Act.

IV. Solicitation of Comments on Amendment No. 1 to the Proposed Rule Change

Interested persons are invited to submit written data, views, and arguments concerning whether the proposed rule changes, as modified by Amendment No. 1, is consistent with

³⁰ See *supra* notes 16–17 and accompanying text.

³¹ See Amendment No. 1 at 10–11.

³² See 17 CFR 240.3a51–1(a)(1); 17 CFR 240.15g–1 to–9. In particular, the Penny Stock Rules provide protections to investors in low-priced stocks requiring, among other things, that broker-dealers provide a disclosure document to their customers describing the risk of investing in penny stocks and approve customer accounts for transactions in penny stocks.

³³ See *supra* note 19 and accompanying text.

³⁴ See *supra* note 19.

³⁵ See *supra* note 21 and accompanying text.

³⁶ The Exchange has stated, for example, that the bid price compliance periods are “designed to allow adequate time for a company facing temporary business issues, a temporary decrease in the market value of its securities, or temporary market conditions to come back into compliance with a bid price deficiency.” See Securities Exchange Act Release No. 87982 (Jan. 15, 2020), 85 FR 3736, 3737 (Jan. 22, 2020) (SR–NASDAQ–2020–001) (Notice of Filing of Proposed Rule Change to Modify the Delisting Process for Securities with a Bid Price Below \$0.10 and for Securities that Have Had One or More Reverse Stock Splits with a Cumulative Ratio of 250 or More to One over the Prior Two Year Period).

³⁷ See *supra* note 23 and accompanying text. See also Nasdaq Rule 5815(c)(1)(A) and (E).

³⁸ See *supra* note 14.

³⁹ 15 U.S.C. 78f(b)(5).

⁴⁰ 15 U.S.C. 78f(b)(7).

the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include file number SR-NASDAQ-2025-065 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.

All submissions should refer to file number SR-NASDAQ-2025-065. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<https://www.sec.gov/rules/sro.shtml>). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-NASDAQ-2025-065 and should be submitted on or before December 31, 2025.

V. Accelerated Approval of the Proposed Rule Change, as Modified by Amendment No. 1

The Commission finds good cause to approve the proposed rule change, as modified by Amendment No. 1, prior to the thirtieth day after the date of publication of notice of the filing of Amendment No. 1 in the **Federal Register**. Amendment No. 1 provides additional clarity to the proposal by utilizing consistent terminology to refer to a "business day" and setting forth additional description of certain aspects of the proposal. Amendment No. 1 also makes certain changes that are technical and non-substantive in nature. In addition, the proposal has been subject to public comment⁴¹ and no comment has been received.

The Commission finds that Amendment No. 1 does not raise any novel regulatory issues that have not previously been subject to comment and is reasonably designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable

principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest, and not designed to permit unfair discrimination between customers, issuers, brokers, or dealers. In addition, the Commission finds the proposal provides fair procedure for the prohibition or limitation by the exchange of any person with respect to access to services offered by the exchange. Accordingly, the Commission finds good cause, pursuant to Section 19(b)(2) of the Act,⁴² to approve the proposed rule change, as modified by Amendment No. 1, on an accelerated basis.

VI. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,⁴³ that the proposed rule change (SR-NASDAQ-2025-065), as modified by Amendment No. 1, be and hereby is, approved on an accelerated basis.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁴⁴

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025-22398 Filed 12-9-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-104331; File No. SR-NASDAQ-2025-094]

Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Exchange's Transaction Fees at Nasdaq Rule Equity 7, Section 118, To Add a New Tier of Credit for Non-Displayed Orders (Other Than Supplemental Orders) That Provide Liquidity

December 5, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder,² notice is hereby given that on November 26, 2025, The Nasdaq Stock Market LLC ("Nasdaq" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which Items have been

⁴² 15 U.S.C. 78s(b)(2).

⁴³ *Id.*

⁴⁴ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

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 transaction fees at Nasdaq Rule Equity 7, Section 118, to add a new tier of credit for non-displayed orders (other than Supplemental Orders) that provide liquidity.

While these amendments are effective upon filing, the Exchange has designated the proposed amendments to be operative on December 1, 2025.

The text of the proposed rule change is available on the Exchange's website at <https://listingcenter.nasdaq.com/rulebook/nasdaq/rulefilings>, and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of the proposed rule change is to amend the Exchange's schedule of credits, at Equity 7, Section 118(a)(1), which applies to the use of the order execution and routing services of the Nasdaq Market Center for all securities priced at \$1 or more. The Exchange currently provides a credit to members for non-displayed orders (other than Supplemental Orders) that provide liquidity. The Exchange is proposing to add a new credit tier of \$0.0015 per share executed in Tape A or Tape B, and \$0.0010 per share executed in Tape C. This credit tier will be available to a member that (i) provides 0.10% or more of Consolidated Volume³ though non-displayed orders

³ Equity 7, Section 118(a) defines Consolidated Volume as the total consolidated volume ("TCV") reported to all consolidated transaction reporting plans by all exchanges and trade reporting facilities

⁴¹ See Notice, *supra* note 3.

(other than midpoint orders) and (ii) increases providing non-displayed liquidity (other than midpoint orders) by 30% or more relative to the member's September 2025 TCV [sic] provided through non-displayed orders (other than midpoint orders). Unless otherwise extended, this tier will expire no later than the end of March 2026. The Exchange hopes that by proposing the new credit tier it will incentivize members to increase their non-display liquidity (other than midpoint orders) providing activity on the Exchange, which will improve overall market quality.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,⁴ in general, and furthers the objectives of Sections 6(b)(4) and 6(b)(5) of the Act,⁵ 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 change to its schedule of credits is reasonable in several respects. As a threshold matter, the Exchange is subject to significant competitive forces in the market for equity 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'"⁶

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."⁷

Numerous indicia demonstrate the competitive nature of this market. For example, clear substitutes to the Exchange exist in the market for equity security transaction services. The Exchange is only one of several equity venues to which market participants may direct their order flow. Competing equity exchanges offer similar tiered pricing structures to that of the Exchange, including schedules of rebates and fees that apply based upon members achieving certain volume thresholds.

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 believes that it is reasonable to establish a new credit tier of \$0.0015 per share executed in Tape A or Tape B, and \$0.0010 per share executed in Tape C, for a member that (i) provides 0.10% or more of TCV [sic] through non-displayed orders (other than midpoint orders) and (ii) increases providing non-displayed liquidity (other than midpoint orders) by 30% or more relative to the member's September 2025 average TCV [sic] provided through non displayed orders (other than midpoint orders). Unless otherwise extended, this credit will expire no later than the end of March 2026. The new credit will encourage members to increase their non-display liquidity (other than midpoint orders) providing activity on the Exchange, which will improve overall market quality, to the benefit of all market participants. Establishing a 6-month sunset for the comparative baseline ensures that the baseline being used for the tier does not become outdated.

It is also reasonable, equitable, and not unfairly discriminatory for the Exchange to establish this new credit tier because it will encourage members to increase their level of non-displayed

liquidity providing activity (other than midpoint orders) on the Exchange. To the extent that the Exchange succeeds in increasing the levels of liquidity and activity on the Exchange, then the Exchange will experience improvements in its market quality, which stands to benefit all market participants. The Exchange notes that the new proposed credit tier is voluntary. The Exchange further believes that the credit is not unfairly discriminatory because it will be applied uniformly to all members that meet the specified criteria.

The Exchange notes that if there are market participants who are dissatisfied with the proposal, they are free to shift their order flow to competing venues that may offer them more generous pricing or less stringent qualifying criteria.

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.

Intramarket Competition

The Exchange does not believe that its proposal will place any category of Exchange participant at a competitive disadvantage. The Exchange intends for its proposals to incentivize liquidity adding activity. The Exchange notes that its members are free to trade on other venues to the extent they believe that the proposal is not attractive. As one can observe by looking at any market share chart, price competition between exchanges is fierce, with liquidity and market share moving freely between exchanges in reaction to fee and credit changes.

Intermarket Competition

In terms of intermarket 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 or credit opportunities available at other venues to be more favorable. In such an environment, the Exchange must continually adjust its fees and credits to remain competitive with other exchanges and with alternative trading systems that have been exempted from compliance with the statutory standards applicable to exchanges. Because competitors are free to modify their own fees and credits in response, and because market participants may readily adjust their order routing practices, the Exchange believes that the degree to

during a month in equity securities, excluding executed orders with a size of less than one round lot.

⁴ 15 U.S.C. 78f(b).

⁵ 15 U.S.C. 78f(b)(4) and (5).

⁶ *NetCoalition v. SEC*, 615 F.3d 525, 539 (D.C. Cir. 2010) (quoting Securities Exchange Act Release No. 59039 (Dec. 2, 2008), 73 FR 74770, 74782-83 (Dec. 9, 2008) (SR-NYSEArca-2006-21)).

⁷ Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496, 37499 (June 29, 2005).

which adding a new credit tier in this market may impose any burden on competition is extremely limited.

In this instance, the introduction of a new credit tier in Equity 7, Section 118(a)(1) is intended to incentivize liquidity adding activity on the Exchange and does not impose a burden on competition. By offering a new credit to market participants that meet certain criteria, the Exchange is enhancing its appeal as a trading venue and encouraging increased participation in its order execution and routing processes, while maintaining a competitive pricing structure. As discussed above, the proposed credit does not disadvantage any specific group of market participants. Instead, it provides equitable incentives that are available to all members that meet the applicable criteria.

In sum, if the change proposed herein is 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 change 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.⁸

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-NASDAQ-2025-094 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.
- All submissions should refer to file number SR-NASDAQ-2025-094. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<https://www.sec.gov/rules/sro.shtml>). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-NASDAQ-2025-094 and should be submitted on or before December 31, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁹

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025-22403 Filed 12-9-25; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-104320; File No. SR-NYSEARCA-2025-79]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change of Amendments to Rules 5.3-O and 5.4-O

December 5, 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, NYSE Arca, Inc.

⁹ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78a.

² 17 CFR 240.19b-4.

("NYSE Arca" or the "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amendments to Rule 5.3-O (Criteria for Underlying Securities) and Rule 5.4-O (Withdrawal of Approval of Underlying Securities) to facilitate listing options on Commodity-Based Trust Shares. The proposed rule change is available on the Exchange's website at www.nyse.com, and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes amendments to Rule 5.3-O (Criteria for Underlying Securities) and Rule 5.4-O (Withdrawal of Approval of Underlying Securities) to facilitate listing options on Commodity-Based Trust Shares.

The Exchange notes that this proposal is competitive as Nasdaq ISE, LLC ("ISE") has adopted a substantially identical rule change.³

Background

In February 24, 2025, the Exchange submitted a rule filing to amend Rule

³ See Securities Exchange Act Release No. 102465 (Feb. 20, 2025), 90 FR 10740 (Feb. 26, 2025) (SR-ISE-2025-08) (Notice of Filing of Proposed Rule Change to Amend Options 4, Section 3, Criteria for Underlying Securities to permit options on Commodity-Based Trust Shares). See also <https://www.nasdaqtrader.com/MicroNews.aspx?id=OTA2025-48>.

⁸ 15 U.S.C. 78s(b)(3)(A)(ii).

5.3–O to permit options on Commodity-Based Trust Shares. The proposed rule change was published for comment in the **Federal Register** on March 17, 2025.⁴ On April 25, 2025, pursuant to Section 19(b)(2) of the Act,⁵ 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.⁶ On June 12, 2025, the Commission instituted proceedings under Section 19(b)(2)(B) of the Act⁷ to determine whether to approve or disapprove the proposed rule change.⁸ The Commission did not receive any comments on the proposed rule change.

In the original filing, the Exchange amended its listing criteria in Rule 5.3–O(g)(iv) to allow options on units that represent interests in a trust that is a Commodity-Based Trust and deleted references to SPDR® Gold Trust, the iShares COMEX Gold Trust, the iShares Silver Trust, the ETFs Silver Trust, ETFs Gold Trust, the ETFs Palladium Trust, and the ETFs Platinum, the iShares Bitcoin Trust, the Fidelity Wise Origin Bitcoin Fund, the ARK21Shares Bitcoin ETF, the Grayscale Bitcoin Trust (BTC), the Grayscale Bitcoin Mini Trust BTC, and the Bitwise Bitcoin ETF, which are all Commodity-Based Trust Shares. As proposed, the Exchange's listing criteria would allow any ETF approved to list on the primary market as a Commodity-Based Trust Share to qualify as an underlying for options traded on the Exchange, provided other listing criteria have been met. Consistent with this change, the Exchange also proposed deleting in its entirety Commentary .01 to Rule 5.3–O and deleting the text in Commentary .02 to Rule 5.4–O and designating it as "Reserved."

Due to a lapse in appropriations, the Commission shutdown operations as of October 1, 2025. On November 7, 2025, during the ongoing shutdown, the Exchange submitted an amendment that would have superseded the original

filing in its entirety. The amendment would have redefined a Commodity-Based Trust Share; required additional qualifying criteria to list options on a Commodity-Based Trust Share; defined crypto asset; and required that the crypto asset held by the Commodity-Based Trust Share have a comprehensive surveillance sharing agreement. The amendment, however, could not be processed or published due to the pendency of the shutdown, which ended on November 12, 2025. On November 12, 2025, the Exchange's original filing was deemed to have been approved pursuant to Section 19(b)(2)(D) of the Act.⁹

Proposed Rule Change

The Exchange proposes to adopt the rule text included in the amendment to the original filing that could not be processed during the government shutdown, and reinstate text that was previously deleted and remove text that was added when the original filing was deemed approved.

Specifically, the Exchange would delete the listing criteria added to Rule 5.3–O(g) as subsection (iv) by the original filing.

The Exchange would also reinstate the following text deleted from Rule 5.3–O(g) as subsection (iv):

the SPDR Gold Trust, or (v) represent interests in the iShares COMEX Gold Trust, or (vi) represent interests in the iShares Silver Trust,

In addition, the Exchange would reinstate the following deleted text as Rule 5.3–O(g) as subsection (viii) before "provided that":

or, (viii) represents interests in the ETFs Silver Trust or ETFs Gold Trust, or, (ix) represents interests in the ETFs Palladium Trust or ETFs Platinum Trust,

Commentary .01 to 5.30–O and Commentary .02 to Rule 5.4–O would also be reinstated in their entirety.

The Exchange further proposes to amend Rule 5.3–O to adopt new listing criteria in Rule 5.3–O(g)(x) to permit the listing and trading of options on a Commodity-Based Trust Share that meet the generic criteria of NYSE Arca Rule 8.201–E (Generic),¹⁰ except that the

⁹ See 15 U.S.C. 78s(b)(2)(D).

¹⁰ NYSE Arca Rule 8.201–E (generic) permits the listing and trading of certain qualifying exchange-traded products that physically hold commodities like precious metals and digital asset commodities on the Exchange. Pursuant to NYSE Arca Rule 8.201–E (Generic), the term "Commodity-Based Trust Shares" means a security that: (i) is issued by a trust, limited liability company, partnership, or other similar entity ("Trust") that, if applicable, is operated by a registered commodity pool operator pursuant to the Commodity Exchange Act, and is not registered as an investment company pursuant

Commodity-Based Trust holds a single crypto asset.¹¹ The following text would be added as proposed Rule 5.3–O(g)(x):

or (x) represent interests in a Commodity-Based Trust that meet the generic criteria of NYSE Arca Rule 8.201–E (Generic), except that the Commodity-Based Trust holds a single crypto asset as defined in subparagraph (3) below,

The Exchange would add a new subparagraph (3) to Rule 5.3–O(g) that states:

Additionally, with respect to a Commodity-Based Trust that meets the requirements of Rule 5.3–O(g)(x), the following requirements are satisfied: (A) the total global supply of the underlying crypto asset held by the Commodity-Based Trust has an average daily market value of at least \$700 million over the last 12 months; and (B) the crypto asset held by the Commodity-Based Trust underlies a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in the Intermarket Surveillance Group. For purposes of this rule the term "crypto asset" means an asset that is generated, issued and/or transferred using a blockchain or similar distributive ledger technology network, including but not limited to, assets known as "tokens," "digital assets," "virtual currencies," and "coins" and that relies on cryptographic protocols.

The proposed additional criteria would require a Commodity-Based Trust to: (1) meet the generic criteria of NYSE Arca Rule 8.201–E (Generic) and hold only a single crypto asset; (2) meet the criteria and guidelines set forth in

to the Investment Company Act of 1940, or series or class thereof; (ii) is designed to reflect the performance of one or more reference assets or an index of reference assets; (iii) in order to reflect the performance as provided in (c)(1)(ii) above, is issued by a Trust that holds (A) one or more commodities or commodity-based assets as defined in (c)(3) below, and (B) in addition to such commodities or commodity-based assets, may hold securities, cash, and cash equivalents; (iv) is issued by such Trust in a specified aggregate minimum number in return for a deposit of (A) a specified quantity of the underlying commodities, commodity-based assets, securities, cash, and/or cash equivalents, or (B) a cash amount with a value based on the next determined net asset value per Trust share; and (v) when aggregated in the same specified minimum number, may be redeemed at a holder's request by such Trust which will deliver to the redeeming holder (A) the specified quantity of the underlying commodities, commodity-based assets, securities, cash, and/or cash equivalents, or (B) a cash amount with a value based on the next determined net asset value per Trust share.

¹¹ For example, a multi-coin ETF would not be subject to Rule 5.3–O(g)(x). For purposes of this rule the term "crypto asset" means an asset that is generated, issued and/or transferred using a blockchain or similar distributive ledger technology network, including but not limited to, assets known as "tokens," "digital assets," "virtual currencies," and "coins" and that relies on cryptographic protocols. See definition at proposed Rule 5.3–O(g)(3).

⁴ See Securities Exchange Act Release No. 102577 (Mar. 11, 2025), 90 FR 12377 (Mar. 17, 2025) (SR–NYSEArca–2025–16) (Notice of Filing of Proposed Rule Change To Amend Rule 5.3–O To Permit Options on Commodity-Based Trust Shares).

⁵ See 15 U.S.C. 78s(b)(2).

⁶ See Securities Exchange Act Release No. 102930 (Apr. 25, 2025), 90 FR 18718 (May 1, 2025) SR–NYSEArca–2025–16) (designating June 15, 2025, as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove the proposed rule change).

⁷ See 15 U.S.C. 78s(b)(2)(B).

⁸ See Securities Exchange Act Release No. 103240, 90 FR 25687 (June 17, 2025) (NYSEArca–2025–16).

Rule 5.3–O(a)¹² and (b),¹³ or Rule 5.3–O(g)(1)(B)¹⁴ and (3) meet the requirements in Rule 5.3–O(g)(3) prior to listing options on the Commodity-Based Trust.

As proposed, Rule 5.3–O(g)(3) requires a Commodity-Based Trust that meets the requirements of Rule 5.3–O(g)(x) to also satisfy the following requirements: (A) the total global supply of the underlying crypto asset held by the Commodity-Based Trust has an average daily market value of at least \$700 million over the last 12 months; and (B) the crypto asset held by the Commodity-Based Trust underlies a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in the Intermarket Surveillance Group (“ISG”).

The Exchange defines a “crypto asset” in Rule 5.3–O(g)(3) to mean, for purposes of this rule, an asset that is generated, issued and/or transferred using a blockchain or similar distributive ledger technology network, including but not limited to, assets known as “tokens,” “digital assets,” “virtual currencies,” and “coins” and that relies on cryptographic protocols.

The market value of the underlying crypto asset will be calculated by taking the total global supply of the particular crypto asset multiplied by the token price.¹⁵ Total supply of crypto assets includes all crypto assets currently issued and does not include unissued crypto assets.¹⁶

¹² The criteria and guidelines for a security to be considered widely held and actively traded are set forth in Rule 5.3–O(a), subject to exceptions.

¹³ Rule 5.3–O(b) states that the underlying securities shall be registered and be an “NMS Stock” as defined in Rule 600 of Regulation NMS under the Act.

¹⁴ Rule 5.3–O(g)(1)(B) provides that the Exchange-Traded Fund Shares are available for creation or redemption each business day in cash or in kind from or through the issuing trust, investment company, commodity pool or other issuer at a price related to the net asset value, and the issuing trust, investment company, commodity pool, or other issuer is obligated to issue Fund Shares in a specified aggregate number even though some or all of the investment assets needed to be deposited have not been received by the issuing trust, investment company, commodity pool, or other issuer, provided the authorized creation participant has undertaken to deliver the investment assets as soon as possible and such undertaking has been secured by the delivery and maintenance of collateral consisting of cash or cash equivalents satisfactory to the issuer of Fund Shares which underlie the option as described in the Fund Shares’ prospectus.

¹⁵ The market supply information can be obtained from publicly available sources such as [coingecko.com](https://www.coingecko.com) or [coinmarketcap.com](https://www.coinmarketcap.com).

¹⁶ For example, if Bitcoin were the underlying crypto asset, the Exchange would consider the total supply of all Bitcoin currently issued instead of the maximum supply, which would be currently issued

Further, the Exchange has specified in proposed Rule 5.3–O(g)(3) that the crypto asset held by the Commodity-Based Trust must underlie a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in ISG.¹⁷ The Exchange will be required to ensure that this requirement is met prior to listing options on a Commodity-Based Trust pursuant to proposed Rule 5.3–O(g)(x).

Pursuant to this proposed rule change, the proposed listing criteria would permit a Commodity-Based Trust that is generically listed pursuant to NYSE Arca Rule 8.201–E (Generic) and holds a single crypto asset to qualify for the listing of options on that ETF, provided Rule 5.3–O(g)(3) has also been met, as well as the listing criteria in Rule 5.3–O(a) and (b), or Rule 5.3–O(g)(1)(B).

Similar to options on any ETF, an option on a Commodity-Based Trust that meets the requirements of Rule 5.3–O(g)(x) would also be subject to the Exchange’s continued listing standards for options on ETFs set forth in Rule 5.4–O(k). Pursuant to Rule 5.4–O(k), ETFs approved for options trading pursuant to Rule 5.3–O(g) will not be deemed to meet the requirements for continued approval, and the Exchange will not open for trading any additional series of option contracts covering such ETFs if the ETFs are delisted from trading as provided in Rule 5.4–O(b)(6)¹⁸ or the ETFs are halted from trading on their primary market.¹⁹ Additionally, options on Commodity-Based Trusts that are approved subject to Rule 5.3–O(g)(x) may be subject to the suspension of opening transactions in any series of options of the class covering ETFs in any of the following circumstances:²⁰

as well as unminted Bitcoin. As of September 12, 2025, Bitcoin’s total supply was 19,919,915 (the maximum supply was 21,000,000). See <https://www.coingecko.com/en/coins/bitcoin>. The Exchange would calculate market value by utilizing the total supply number multiplied by the Bitcoin price on that day.

¹⁷ For a list of the current members and affiliate members of ISG, see <https://isgportal.org/publicmembers>.

¹⁸ Rule 5.4–O(b)(6) provides, if underlying security is approved for options listing and trading under the provisions of Rule 5.3–O(a), the trading volume of the Original Security (as therein defined) prior to but not after the commencement of trading in the Restructured Security (as therein defined), including “when issued” trading, may be taken into account in determining whether the trading volume requirement of (3) of this paragraph (b), as well as the trading volume requirement of paragraph (e) of this Rule are satisfied.

¹⁹ See Rule 5.4–O(k).

²⁰ See *id.*

1. In the case of options covering Exchange-Traded Fund Shares approved pursuant to Rule 5.3–O(g)(1)(A), in accordance with the terms of paragraphs 1 through 5 of Rule 5.4–O(b);²¹

2. Following the initial twelve-month period beginning upon the commencement of trading of the Exchange-Traded Fund Shares on a national securities exchange and are defined as an “NMS stock” in Rule 600(b)(55) of Regulation NMS, there are fewer than 50 record and/or beneficial holders of such Exchange-Traded Fund Shares for 30 or more consecutive trading days;

3. The value of the index or portfolio of securities, non-U.S. currency, or portfolio of commodities including commodity futures contracts, options on commodity futures contracts, swaps, forward contracts, options on physical commodities and/or Financial Instruments and Money Market Instruments on which the Exchange-Traded Fund Shares are based is no longer calculated or available; or

4. Such other event shall occur or condition exist that in the opinion of the Exchange makes further dealing in such options on the Exchange inadvisable.

Consistent with Rule 6.4–O, which governs the opening of options series on a specific underlying security (including ETFs), the Exchange will open at least one expiration month for options on a Commodity-Based Trusts²² at the commencement of trading on the Exchange and may also list series of options on such Commodity-Based

²¹ Paragraphs 1 through 5 of Rule 5.4–O(b) provides, if: (1) there are fewer than 6,300,000 shares of the underlying security held by persons other than those who are required to report their security holdings under Section 16(a) of the Exchange Act, (2) there are fewer than 1,600 holders of the underlying security, (3) the trading volume (in all markets in which the underlying security is traded) has been less than 1,800,000 shares in the preceding twelve months, or (4) the underlying security ceases to be an “NMS stock” as defined in Rule 600 of Regulation NMS under the Exchange Act.

²² See Rule 6.4–O(d). The monthly expirations are subject to certain listing criteria for underlying securities described within Rule 5.3–O. Monthly listings expire the third Friday of the month. The term “expiration date” (unless separately defined elsewhere in the OCC By-Laws), when used in respect of an option contract (subject to certain exceptions), means the third Friday of the expiration month of such option contract, or if such Friday is a day on which the exchange on which such option is listed is not open for business, the preceding day on which such exchange is open for business. See OCC By-Laws Article I, Section 1. Pursuant to Rule 6.4–O(a), additional series of options of the same class may be opened for trading on the Exchange when the Exchange deems it necessary to maintain an orderly market, to meet customer demand or when the market price of the underlying stock moves more than five strike prices from the initial exercise price or prices. New series of options on an individual stock may be added until the beginning of the month in which the options contract will expire. Due to unusual market conditions, the Exchange, in its discretion, may add a new series of options on an individual stock until the close of trading on the business day prior to expiration.

Trusts for trading on a weekly,²³ monthly,²⁴ or quarterly²⁵ basis. The Exchange may also list long-term equity option series (“LEAPS”) that expire from twelve to thirty-nine months from the time they are listed.²⁶

Pursuant to Rule 6.4–O, Commentary .05(a), which governs strike prices of series of options on ETFs, the interval between strike prices of series of options on an ETF, including ETFs listed pursuant to this proposed rule change, would be \$1 or greater when the strike price is \$200 or less and \$5 or greater where the strike price is over \$200.²⁷ Additionally, the Exchange may list series of options pursuant to the \$1 Strike Price Interval Program,²⁸ the \$0.50 Strike Program,²⁹ the \$2.50 Strike Price Program,³⁰ and the \$5 Strike Program.³¹ Pursuant to Rule 6.72–O, where the price of a series of options on an ETF is less than \$3.00, the minimum increment will be \$0.05, and where the price is \$3.00 or higher, the minimum increment will be \$0.10.³² Any and all new series of options on a Commodity-Based Trusts that are approved pursuant to this proposed rule change would be subject to the expirations, strike prices, and minimum increments set forth in Rules 6.4–O and 6.72–O, as applicable.

Options on Commodity-Based Trusts that are approved pursuant to this proposed rule change would trade in the same manner as options on other ETFs on the Exchange. The Exchange rules that currently apply to the listing and trading of all options on ETFs on the Exchange, including, for example, rules that govern listing criteria, expirations, exercise prices, minimum increments, position and exercise limits, margin requirements, customer accounts and trading halt procedures would apply to the listing and trading of options on Commodity-Based Trusts on the Exchange in the same manner as they

apply to other options on all other ETFs that are listed and traded on the Exchange.

Position and exercise limits for options on Commodity-Based Trusts that are approved pursuant to this proposed rule change would be determined pursuant to Rules 6.8–O and 6.9–O, respectively. Position and exercise limits for options on ETFs vary according to the number of outstanding shares and the trading volumes of the underlying security over the past six months, where the largest in capitalization and the most frequently traded ETFs have position and exercise limit of 250,000 contracts (with adjustments for splits, re-capitalizations, etc.) on the same side of the market; and smaller capitalization ETFs have position and exercise limits of 200,000, 75,000, 50,000 or 25,000 contracts (with adjustments for splits, re-capitalizations, etc.) on the same side of the market. Further, the Exchange notes that Rule 4.16–O, which governs margin requirements applicable to the trading of all options on the Exchange, including options on ETFs, will also apply to the trading of options on Commodity-Based Trusts listed pursuant to this proposed rule change.

The Exchange represents that the surveillance procedures applicable to all other options on other ETFs currently listed and traded on the Exchange will apply to the trading on the Exchange of options on Commodity-Based Trusts that are listed pursuant to this proposed rule change. The Exchange represents that it has the necessary systems capacity to support the new option series. The Exchange believes that its existing surveillance and reporting safeguards are designed to deter and detect possible manipulative behavior which might potentially arise from listing and trading options on ETFs, including the listing of options on Commodity-Based Trusts that are listed pursuant to this proposed rule change.

Also, the Exchange may obtain information from designated contract markets that are members of the ISG related to a financial instrument that is based, in whole or in part, upon an interest in or performance of a crypto asset, as applicable. The Exchange has specified in proposed Rule 5.3–O(g)(3) that the crypto asset held by the Commodity-Based Trust must underlie a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in ISG.³³ The

Exchange will be required to ensure that this requirement is met prior to listing options on a Commodity-Based Trust listed pursuant to proposed Rule 5.3–O(g)(x).

Additionally, the Exchange has also analyzed its capacity and represents that it believes the Exchange and the Options Price Reporting Authority (“OPRA”) have the necessary systems capacity to handle the additional traffic associated with the listing of new series of ETFs, including the trading of options on Commodity-Based Trusts that are approved pursuant to this proposed rule change, up to the number of expirations currently permissible under the Exchange rules.

Finally, today, the Exchange lists and trades options on ETFs that would qualify for listing as an option on a Commodity-Based Trust under proposed Rule 5.3–O(g)(x).³⁴

2. Statutory Basis

The Exchange believes that its proposed rule change is consistent with Section 6(b) of the Act,³⁵ in general, and furthers the objectives of Section 6(b)(5) of the Act³⁶ in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the 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)³⁷ requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

In particular, the Exchange believes that its proposal to establish new listing criteria in proposed Rule 5.3–O(g)(x) with respect to options on Commodity-Based Trusts, without the need for

on the CME and Coinbase Derivatives, both of which are ISG members. See <https://www.cmegroup.com/markets/cryptocurrencies.html#products>. See also <https://www.coinbase.com/derivatives>.

³⁴ The following ETFs currently have options listed on them on the Exchange: iShares Bitcoin Trust, the Fidelity Wise Origin Bitcoin Fund, the ARK21Shares Bitcoin ETF, the Grayscale Bitcoin Trust (BTC), the Grayscale Bitcoin Mini Trust BTC, and the Bitwise Bitcoin ETF. The Exchange filed rule proposals and received the appropriate regulatory notice or approval to list the aforementioned options on the ETFs.

³⁵ 15 U.S.C. 78f(b).

³⁶ 15 U.S.C. 78f(b)(5).

³⁷ 15 U.S.C. 78(f)(b)(5).

²³ See Rule 6.4–O, Commentary .07.

²⁴ See Rule 6.4–O, Commentary .09.

²⁵ See Rule 6.4–O, Commentary .08.

²⁶ See Rule 6.4–O(d).

²⁷ The Exchange notes that for options listed pursuant to the Short Term Option Series Program, the Monthly Options Series Program, and the Quarterly Options Series Program, Rule 6.4–O, Commentary .07 through .09, specifically set forth intervals between strike prices on Quarterly Options Series, Short Term Option Series, and Monthly Options Series, respectively.

²⁸ See Rule 6.4–O, Commentary .04.

²⁹ See Rule 6.4–O, Commentary .13.

³⁰ See Rule 6.4–O, Commentary .03.

³¹ See Rule 6.4–O, Commentary .10.

³² If options on a Commodity-Based Trust are eligible to participate in the Penny Interval Program, the minimum increment of \$0.01 below \$3.00 and \$0.50 above \$3.00 would apply. See Rule 6.4–O(a)(3). See also Rule 6.72A–O (which describes the requirements for the Penny Interval Program).

³³ There are a number of futures contracts on digital asset commodities that are listed and trading

additional approvals, will remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, protect investors because it would allow the Exchange to immediately list and trade qualifying options on Commodity-Based Trusts, provided the initial listing criteria has been met, without any additional approvals from the Commission.

Specifically, the Exchange's proposal to adopt Rule 5.3-O(g)(x) to allow the listing and trading of options on units that represent interests in Commodity-Based Trusts that meet the generic criteria of NYSE Arca Rule 8.201-E (Generic),³⁸ and hold a single crypto asset, is consistent with the Act because it will permit the Exchange to offer options on certain Commodity-Based Trusts soon after the listing of the ETF on NYSE Arca, provided all listing criteria have been met. Listing these options will avail market participants of the opportunity to hedge their positions in the Commodity-Based Trusts in a timely manner, thereby providing investors with the ability to hedge their exposure to the underlying Commodity-Based Trust. Options on Commodity-Based Trusts benefits investors, similar to the listing of any other option on an ETF, by providing investors with a relatively lower-cost risk management tool to manage their positions and associated risk in their portfolios more easily in connection with exposure to the price of a crypto asset. Additionally, listing options on Commodity-Based Trusts provides investors with the ability to transact in such options on a listed market as opposed to the OTC options market, which increases market transparency and enhances the process of price discovery to the benefit of all investors.

Also, this proposal would permit options on certain Commodity-Based Trusts to be listed on the Exchange in the same manner as options on ETFs that are subject to the current listing criteria in Rule 5.3-O(g). The Exchange notes that the majority of ETFs are able to list and trade options once the initial listing criteria have been met without the need for additional approvals. The proposed rule change would allow options on certain Commodity-Based Trusts to likewise list and trade once the proposed listing criteria have been met without the need for additional approvals.

As proposed, the Exchange would list options on a Commodity-Based Trust that met the generic criteria of NYSE Arca Rule 8.201-E (Generic), provided

the Commodity-Based Trust held only a single crypto asset. Further, these options on Commodity-Based Trusts would also be required to satisfy the conditions in proposed Rule 5.3-O(g)(3). Specifically, a Commodity-Based Trust that met the requirements of proposed Rule 5.3-O(g)(x) would also have to satisfy the following requirements in proposed Rule 5.3-O(g)(3): (A) the total global supply of the underlying crypto asset held by the Commodity-Based Trust has an average daily market value of at least \$700 million over the last 12 months; and (B) the crypto asset held by the Commodity-Based Trust underlies a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in the ISG.

These requirements are consistent with the Act and the protection of investors as they are designed to ensure that the underlying ETF has sufficient liquidity prior to listing options, which will help to prevent disruption to the underlying market. The Exchange believes that market supply serves as a good measure of liquidity to prevent the addition of options trading on the Commodity-Based Trust from disrupting the market for the underlying security. Requiring the underlying crypto asset to have a requisite amount of deliverable supply, in addition to all the other criteria the ETF is required to have under NYSE Arca Rule 8.201-E (Generic), helps to ensure adequate liquidity prior to listing. Further, ensuring the crypto asset held by the Commodity-Based Trust underlies a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in the ISG, will provide the Exchange with information to adequately surveil options on qualifying Commodity-Based Trusts. Today, the Exchange has a comprehensive surveillance sharing agreement in place with both the CME and Coinbase Derivatives through its common membership in ISG. This facilitates the sharing of information that is available to the CME and Coinbase Derivatives through their surveillance of their respective markets, including their surveillance of their respective digital asset futures markets.

The Exchange also believes the proposed rule change will remove impediments to and perfect the mechanism of a free and open market and a national market system, because it is consistent with current Exchange rules, previously filed with the

Commission. Options on qualifying Commodity-Based Trusts must satisfy the initial listing standards and continued listing standards currently in the Exchange rules, applicable to options on all ETFs, including ETFs that hold other crypto assets already deemed appropriate for options trading on the Exchange in addition to the proposed criteria. Options on qualifying Commodity-Based Trusts would trade in the same manner as any other ETF options—the same Exchange rules that currently govern the listing and trading of all ETF options, including permissible expirations, strike prices and minimum increments, and applicable position and exercise limits and margin requirements, will govern the listing and trading of options on qualifying Commodity-Based Trusts.

The Exchange represents that it has the necessary systems capacity to support the listing and trading of options on qualifying Commodity-Based Trusts. The Exchange believes that its existing surveillance and reporting safeguards are designed to deter and detect possible manipulative behavior which might arise from listing and trading on the Exchange of these options on Commodity-Based Trust, particularly in light of the additional requirement that the crypto asset held by the Commodity-Based Trust underlies a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in ISG.

Additionally, today, the Exchange lists and trades options on ETFs that would qualify for listing as an option on a Commodity-Based Trust under proposed Options 4, Section 3(h)(vi).³⁹

Finally, the Exchange believes that the reinstatements and deletions of rule text made to Rules 5.3-O and 5.4-O as a result of the government shutdown preventing the Exchange's amendment from being processed and resulting in the original rule filing being deemed approved would increase the clarity and transparency of the Exchange's rules and remove impediments to and perfect the mechanism of a free and open market by ensuring that persons subject to the Exchange's jurisdiction, regulators, and the investing public could more easily navigate and

³⁹ The following ETFs currently have options listed on them on the Exchange: iShares Bitcoin Trust, the Fidelity Wise Origin Bitcoin Fund, the ARK21Shares Bitcoin ETF, the Grayscale Bitcoin Trust (BTC), the Grayscale Bitcoin Mini Trust BTC, and the Bitwise Bitcoin ETF. The Exchange filed rule proposals and received the appropriate regulatory notice or approval to list the aforementioned options on the ETFs.

³⁸ See *supra* note 5.

understand the Exchange rules. The Exchange further believes that the proposed amendments would not be inconsistent with the public interest and the protection of investors because investors will not be harmed and in fact would benefit from such increased transparency and clarity, thereby reducing potential confusion.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

The Exchange does not believe that the proposal to amend the listing criteria in Rule 5.3–O(g), with respect to ETFs, to adopt new criteria to permit the listing and trading of options on certain Commodity-Based Trusts that hold a single crypto asset and that were listed pursuant to NYSE Arca Rule 8.201–E (Generic), without the need for additional approvals, will impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. Options on qualifying Commodity-Based Trusts would need to satisfy the initial listing standards set forth in the Exchange rules in the same manner as any other ETF before the Exchange could list options on them. Additionally, options on qualifying Commodity-Based Trusts will be equally available to all market participants who wish to trade such options. The Exchange rules currently applicable to the listing and trading of options on ETFs on the Exchange will apply in the same manner to the listing and trading of all options on qualifying Commodity-Based Trusts.

Additionally, the Exchange notes that listing and trading options on qualifying Commodity-Based Trusts on the Exchange will subject such options to transparent exchange-based rules as well as price discovery and liquidity, as opposed to alternatively trading such options in the OTC market. The Exchange believes that the proposed rule change may relieve any burden on, or otherwise promote, competition as it is designed to increase competition for order flow on the Exchange in a manner that is beneficial to investors by providing them with a lower-cost option to hedge their investment portfolios in a timely manner.

The Exchange does not believe that the proposal to adopt new listing criteria in Rule 5.3–O(g) to permit the listing and trading of certain options on a Commodity-Based Trust, without the need for additional approvals, will

impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. Other options exchanges are free to amend their listing rules, as applicable, to permit them to list and trade options on Commodity-Based Trusts.

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

Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act⁴⁰ and subparagraph (f)(6) of Rule 19b–4 thereunder.⁴¹

A proposed rule change filed under Rule 19b–4(f)(6)⁴² normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),⁴³ the Commission may designate a shorter time if such action is consistent with protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing. The Commission believes that waiving 30-day operative delay is consistent with the protection of investors and the public interest because the proposal seeks to amend the Exchange's rules to be consistent with an amendment filed by the Exchange during a government shutdown, and which would have replaced the proposed rule change that did become effective if the Commission could have received amendments during the pendency of the government shutdown.⁴⁴ The proposal also aligns

⁴⁰ 15 U.S.C. 78s(b)(3)(A)(iii).

⁴¹ 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Commission is waiving this requirement.

⁴² 17 CFR 240.19b–4(f)(6).

⁴³ 17 CFR 240.19b–4(f)(6)(iii).

⁴⁴ See *supra* Section II.A.1.

the rule text relating to Commodity-Based Trust Shares with the rule text of other exchanges and does not introduce any novel regulatory issues.⁴⁵ Accordingly, the Commission designates the proposed rule change to be operative upon filing.⁴⁶

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include file number SR–NYSEARCA–2025–79 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–NYSEAMER–2025–64. 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

⁴⁵ See e.g., Nasdaq ISE, LLC, Options Rules, Options 4, Section 3(h); Cboe Exchange, Inc. Rule 4.3(a).

⁴⁶ 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).

publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-NYSEAMER-2025-64 and should be submitted on or before December 31, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁴⁷

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025-22395 Filed 12-9-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235-0132]

Agency Information Collection Activities; Proposed Collection; Comment Request; Extension: Trust Indenture Act Rules 7a-15 Through 7a-37

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549-2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (“Commission”) is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

Rules 7a-15 through 7a-37 (17 CFR 260.7a-15 through 260.7a-37) under the Trust Indenture Act of 1939 (15 U.S.C. 77aaa *et seq.*) set forth the general requirements as to form and content of applications, statements, and reports that must be filed under the Trust Indenture Act. The respondents are persons and entities subject to requirements of the Trust Indenture Act. Trust Indenture Act Rules 7a-15 through 7a-37 are disclosure guidelines and do not directly result in any collection of information. The rules are assigned only one burden hour for administrative convenience.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Written comments are invited on: (a) whether this proposed collection of information is necessary for the proper performance of the functions of the

agency, including whether the information will have practical utility; (b) the accuracy of the agency’s estimate of the burden imposed by the collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Please direct your written comments on this 60-Day Collection Notice to Austin Gerig, Director/Chief Data Officer, Securities and Exchange Commission, c/o Tanya Ruttenberg via email to PaperworkReductionAct@sec.gov by February 9, 2026. There will be a second opportunity to comment on this SEC request following the **Federal Register** publishing a 30-Day Submission Notice.

Dated: December 5, 2025.

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025-22405 Filed 12-9-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235-0556]

Agency Information Collection Activities; Proposed Collection; Comment Request; Extension: Rule 15b11-1/Form BD-N

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549-2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (“SEC” or “Commission”) is soliciting comments on the proposed collection of information provided for in Rule 15b11-1 (17 CFR 240.15b11-1) under the Securities Exchange Act of 1934 (“Exchange Act”) (15 U.S.C. 78a *et seq.*) and Form BD-N (17 CFR 249.501b).

Rule 15b11-1 provides that a broker or dealer may register by notice pursuant to Section 15(b)(11)(A) of the Exchange Act (15 U.S.C. 78o(b)(11)(A)) if it: (1) is registered with the Commodity Futures Trading Commission as a futures commission merchant or an introducing broker, as those terms are defined in the Commodity Exchange Act (7 U.S.C. 1 *et seq.*); (2) is a member of the National Futures Association or another national securities association registered under

Section 15A(k) of the Exchange Act (15 U.S.C. 78o-3(k)); and (3) is not required to register as a broker or dealer in connection with transactions in securities other than security futures products. The rule also requires a broker or dealer registering by notice to do so by filing Form BD-N in accordance with the instructions to the form. In addition, the rule provides that if the information contained in any notice of registration filed on Form BD-N is or becomes inaccurate for any reason, the broker or dealer shall promptly file an amendment on the form correcting such information.

The total industry-wide annual time burden imposed by Form BD-N is approximately 2.25 hours, based on approximately 9 responses (0 initial filings + 9 amendments). Each initial application filed on Form BD-N requires approximately 0.5 hours to complete and each amended Form BD-N requires approximately 0.25 hours to complete. (0 × 0.5 hours = 0 hours; 9 × 0.25 hours = 2.25 hours; 0 hours + 2.25 hours = 2.25 hours). The staff believes that a notice-registered broker-dealer would have a Compliance Manager complete and file amendments on Form BD-N at a cost of \$385/hour. Consequently, the staff estimates that the total monetized internal cost of compliance associated with the annual time burden is approximately \$866.25 per year (\$385/hour × 2.25 hours).

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

Written comments are invited on: (a) whether this proposed collection of information is necessary for the proper performance of the functions of the SEC, including whether the information will have practical utility; (b) the accuracy of the SEC’s estimate of the burden imposed by the proposed collection of information, including the validity of the methodology and the assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated, electronic collection techniques or other forms of information technology.

Please direct your written comments on this 60-Day Collection Notice to Austin Gerig, Director/Chief Data Officer, Securities and Exchange Commission, c/o Tanya Ruttenberg via email to PaperworkReductionAct@sec.gov by February 9, 2026. There will be a second opportunity to comment on this SEC request following the **Federal**

⁴⁷ 17 CFR 200.30-3(a)(12) and (59).

Register publishing a 30-Day Submission Notice.

Dated: December 5, 2025.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–22404 Filed 12–9–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104319; File No. SR–NYSEAMER–2025–64]

Self-Regulatory Organizations; NYSE American LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change of Amendments to Rules 915 and 916

December 5, 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, NYSE American LLC (“NYSE American” or the “Exchange”) filed with the Securities and Exchange Commission (“Commission”) the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes amendments to Rule 915 (Criteria for Underlying Securities) and Rule 916 (Withdrawal of Approval of Underlying Securities) to facilitate listing options on Commodity-Based Trust Shares. The proposed rule change is available on the Exchange’s website at www.nyse.com, and at the principal office of the Exchange.

II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization’s Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes amendments to Rule 915 (Criteria for Underlying Securities) and Rule 916 (Withdrawal of Approval of Underlying Securities) to facilitate listing options on Commodity-Based Trust Shares.

The Exchange notes that this proposal is competitive as Nasdaq ISE, LLC (“ISE”) has adopted a substantially identical rule change.³

Background

In February 24, 2025, the Exchange submitted a rule filing to amend Rule 915 to allow the Exchange to list and trade options on Commodity-Based Trust Shares. The proposed rule change was published for comment in the **Federal Register** on March 14, 2025.⁴ On April 25, 2025, pursuant to Section 19(b)(2) of the Act,⁵ 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.⁶ On June 12, 2025, the Commission instituted proceedings under Section 19(b)(2)(B) of the Act⁷ to determine whether to approve or disapprove the proposed rule change.⁸ The Commission did not receive any comments on the proposed rule change.

In the original filing, the Exchange amended its listing criteria in Rule 915, Commentary .06(iv) to allow options on units that represent interests in a trust that is a Commodity-Based Trust and deleted references to SPDR® Gold Trust, the iShares COMEX Gold Trust, the iShares Silver Trust, the ETFs Silver

³ See Securities Exchange Act Release No. 102465 (February 20, 2025), 90 FR 10740 (February 26, 2025) (SR–ISE–2025–08) (Notice of Filing of Proposed Rule Change to Amend Options 4, Section 3, Criteria for Underlying Securities to permit options on Commodity-Based Trust Shares). See also <https://www.nasdaqtrader.com/MicroNews.aspx?id=OTA2025-48>.

⁴ See Securities Exchange Act Release No. 102555 (Mar. 10, 2025), 90 FR 12189 (Mar. 14, 2025) (SR–NYSEAMER–2025–07) (Notice of Filing of Proposed Change To Amend Rule 915 To Permit Options on Commodity-Based Trust Shares).

⁵ See 15 U.S.C. 78s(b)(2).

⁶ See Securities Exchange Act Release No. 102931 (Apr. 25, 2025), 90 FR 18717 (May 1, 2025) (SR–NYSEAMER–2025–07) (designating June 15, 2025, as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove the proposed rule change).

⁷ See 15 U.S.C. 78s(b)(2)(B).

⁸ See Securities Exchange Act Release No. 103240, 90 FR 25687 (June 17, 2025) (NYSEAMER–2025–07).

Trust, ETFs Gold Trust, the ETFs Palladium Trust, and the ETFs Platinum, the iShares Bitcoin Trust, the Fidelity Wise Origin Bitcoin Fund, the ARK21Shares Bitcoin ETF, the Grayscale Bitcoin Trust (BTC), the Grayscale Bitcoin Mini Trust BTC, and the Bitwise Bitcoin ETF, which are all Commodity-Based Trust Shares. As proposed, the Exchange’s listing criteria would allow any ETF approved to list on the primary market as a Commodity-Based Trust Share to qualify as an underlying for options traded on the Exchange, provided other listing criteria have been met. Consistent with this change, the Exchange also proposed deleting in its entirety Commentary .10 to Rule 915 and Commentary .11 to Rule 916 and designating both as “Reserved.”

Due to a lapse in appropriations, the Commission shutdown operations as of October 1, 2025. On November 4, 2025, during the ongoing shutdown, the Exchange submitted an amendment that would have superseded the original filing in its entirety. The amendment would have redefined a Commodity-Based Trust Share; required additional qualifying criteria to list options on a Commodity-Based Trust Share; defined crypto asset; and required that the crypto asset held by the Commodity-Based Trust Share have a comprehensive surveillance sharing agreement defines a crypto asset. The amendment, however, could not be processed or published due to the pendency of the shutdown, which ended on November 12, 2025. On November 7, 2025, the Exchange’s original filing was deemed to have been approved pursuant to Section 19(b)(2)(D) of the Act.⁹

Proposed Rule Change

The Exchange proposes to adopt the rule text included in the amendment to the original filing that could not be processed during the government shutdown, reinstate text that was previously deleted, and remove text that was added when the original filing was deemed approved.

Specifically, the Exchange would delete the listing criteria added to Rule 915, Commentary .06(iv) in connection with the original filing.

In addition, the Exchange would reinstate Commentary .10 to Rule 195 and Commentary .11 to Rule 916 in their entirety, and delete “Reserved” in both places.

The Exchange further proposes to amend Rule 915 to adopt new listing criteria in Rule 915, Commentary .06(v) to permit the listing and trading of

⁹ See 15 U.S.C. 78s(b)(2)(D).

¹ 15 U.S.C. 78a.

² 17 CFR 240.19b–4.

options on a Commodity-Based Trust Share that meet the generic criteria of NYSE Arca, Inc. (“NYSE Arca”) Rule 8.201–E (Generic),¹⁰ except that the Commodity-Based Trust holds a single crypto asset.¹¹ The Exchange proposes to amend Rule 915, Commentary .06 to create a new subparagraph (c) that states:

Additionally, with respect to a Commodity-Based Trust that meets the requirements of Rule 915, Commentary .06(v), the following requirements are satisfied: (A) the total global supply of the underlying crypto asset held by the Commodity-Based Trust has an average daily market value of at least \$700 million over the last 12 months; and (B) the crypto asset held by the Commodity-Based Trust underlies a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in the Intermarket Surveillance Group. For purposes of this rule, the term “crypto asset” means an asset that is generated, issued and/or transferred using a blockchain or similar distributive ledger technology network, including but not limited to, assets known as “tokens,” “digital assets,” “virtual currencies,” and “coins” and that relies on cryptographic protocols.

¹⁰NYSE Arca Rule 8.201–E (generic) permits the listing and trading of certain qualifying exchange-traded products that physically hold commodities like precious metals and digital asset commodities on the Exchange. Pursuant to NYSE Arca Rule 8.201–E (Generic), the term “Commodity-Based Trust Shares” means a security that: (i) is issued by a trust, limited liability company, partnership, or other similar entity (“Trust”) that, if applicable, is operated by a registered commodity pool operator pursuant to the Commodity Exchange Act, and is not registered as an investment company pursuant to the Investment Company Act of 1940, or series or class thereof; (ii) is designed to reflect the performance of one or more reference assets or an index of reference assets; (iii) in order to reflect the performance as provided in (c)(1)(ii) above, is issued by a Trust that holds (A) one or more commodities or commodity-based assets as defined in (c)(3) below, and (B) in addition to such commodities or commodity-based assets, may hold securities, cash, and cash equivalents; (iv) is issued by such Trust in a specified aggregate minimum number in return for a deposit of (A) a specified quantity of the underlying commodities, commodity-based assets, securities, cash, and/or cash equivalents, or (B) a cash amount with a value based on the next determined net asset value per Trust share; and (v) when aggregated in the same specified minimum number, may be redeemed at a holder’s request by such Trust which will deliver to the redeeming holder (A) the specified quantity of the underlying commodities, commodity-based assets, securities, cash, and/or cash equivalents, or (B) a cash amount with a value based on the next determined net asset value per Trust share.

¹¹For example, a multi-coin ETF would not be subject to Rule 915, Commentary .06(v). For purposes of this rule the term “crypto asset” means an asset that is generated, issued and/or transferred using a blockchain or similar distributive ledger technology network, including but not limited to, assets known as “tokens,” “digital assets,” “virtual currencies,” and “coins” and that relies on cryptographic protocols. See definition at proposed Rule 915, Commentary .06(c).

The proposed additional criteria would require a Commodity-Based Trust to: (1) meet the generic criteria of NYSE Arca Rule 8.201–E (Generic) and hold only a single crypto asset; (2) meet the criteria and guidelines set forth in Rule 915(a)¹² and (b),¹³ or Rule 915, Commentary .06(a)(ii);¹⁴ and (3) meet the requirements in Rule 915, Commentary .06(c) prior to listing options on the Commodity-Based Trust.

As proposed, Rule 915, Commentary .06(c) requires a Commodity-Based Trust that meets the requirements of Rule 915, Commentary .06(v) to also satisfy the following requirements: (A) the total global supply of the underlying crypto asset held by the Commodity-Based Trust has an average daily market value of at least \$700 million over the last 12 months; and (B) the crypto asset held by the Commodity-Based Trust underlies a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in the Intermarket Surveillance Group (“ISG”).

The Exchange defines a “crypto asset” in Rule 915, Commentary .06(c) to mean, for purposes of this rule, an asset that is generated, issued and/or transferred using a blockchain or similar distributive ledger technology network, including but not limited to, assets known as “tokens,” “digital assets,” “virtual currencies,” and “coins” and that relies on cryptographic protocols.

The market value of the underlying crypto asset will be calculated by taking the total global supply of the particular

¹²Rule 915(a) provides that a security (which includes an ETF) on which options may be listed and traded on the Exchange must be a security registered (with the Commission) and be an NMS stock (as defined in Rule 600 of Regulation NMS under the Act), and the security shall be characterized by a substantial number of outstanding shares that are widely held and actively traded.

¹³Rule 915(b) provides criteria and guidelines when evaluating potential underlying securities for the listing of options.

¹⁴Rule 915, Commentary .06(a)(ii) provides that the Exchange-Traded Fund Shares are available for creation or redemption each business day in cash or in kind from or through the issuing trust, investment company, commodity pool or other issuer at a price related to the net asset value, and the issuing trust, investment company, commodity pool or other issuer is obligated to issue Fund Shares in a specified aggregate number even though some or all of the investment assets needed to be deposited have not been received by the issuing trust, investment company, commodity pool, or other issuer, provided the authorized creation participant has undertaken to deliver the investment assets as soon as possible and such undertaking has been secured by the delivery and maintenance of collateral consisting of cash or cash equivalents satisfactory to the issuer of Fund Shares which underlie the option as described in the Fund Shares’ prospectus.

crypto asset multiplied by the token price.¹⁵ Total supply of crypto assets includes all crypto assets currently issued and does not include unissued crypto assets.¹⁶

Further, the Exchange has specified in proposed Rule 915, Commentary .06(c) that the crypto asset held by the Commodity-Based Trust must underlie a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in ISG.¹⁷ The Exchange will be required to ensure that this requirement is met prior to listing options on a Commodity-Based Trust pursuant to proposed Rule 915, Commentary .06(v).

Pursuant to this proposed rule change, the proposed listing criteria would permit a Commodity-Based Trust that is generically listed pursuant to NYSE Arca Rule 8.201–E (Generic) and holds a single crypto asset to qualify for the listing of options on that ETF, provided Rule 915, Commentary .06(c) has also been met, as well as the listing criteria in Rule 915(a) and (b), or Rule 915, Commentary .06(a)(ii).

Similar to options on any ETF, an option on a Commodity-Based Trust that meets the requirements of Rule 915, Commentary .06(v) would also be subject to the Exchange’s continued listing standards for options on ETFs set forth in Rule 916, Commentary .07. Pursuant to Commentary .07 to Rule 916, ETFs approved for options trading pursuant to Rule 915, Commentary .06 will not be deemed to meet the requirements for continued approval, and the Exchange will not open for trading any additional series of option contracts covering such ETFs if the ETFs are delisted from trading as provided in Rule 916, Commentary .01(6)¹⁸ or the ETFs are halted or

¹⁵The market supply information can be obtained from publicly available sources such as [coingecko.com](https://www.coingecko.com) or [coinmarketcap.com](https://www.coinmarketcap.com).

¹⁶For example, if Bitcoin were the underlying crypto asset, the Exchange would consider the total supply of all Bitcoin currently issued instead of the maximum supply, which would be currently issued as well as unmined Bitcoin. As of September 12, 2025, Bitcoin’s total supply was 19,919,915 (the maximum supply was 21,000,000). See <https://www.coingecko.com/en/coins/bitcoin>. The Exchange would calculate market value by utilizing the total supply number multiplied by the Bitcoin price on that day.

¹⁷For a list of the current members and affiliate members of ISG, see <https://isgportal.org/publicmembers>.

¹⁸Rule 916, Commentary .01(6) provides, if underlying security is approved for options listing and trading under the provisions of Commentary .05 of Rule 915, the trading volume of the Original Security (as therein defined) prior to but not after the commencement of trading in the Restructured Security (as therein defined), including “when

suspended from trading on their primary market.¹⁹ Additionally, options on Commodity-Based Trusts that are approved subject to Rule 915, Commentary .06(v) may be subject to the suspension of opening transactions in any series of options of the class covering ETFs in any of the following circumstances:²⁰

1. In the case of options covering Exchange-Traded Fund Shares approved pursuant to Commentary .06(h) of Rule 915, in accordance with the terms of paragraphs 1. through 6. of Commentary .01 of Rule 916;²¹

2. Following the initial twelve-month period beginning upon the commencement of trading of the Exchange-Traded Fund Shares on a national securities exchange and are defined as an “NMS” stock under Rule 600 of Regulation NMS, there are fewer than 50 record and/or beneficial holders of Exchange-Traded Fund Shares for 30 or more consecutive trading days;

3. The value of the index, non-U.S. currency, portfolio of commodities including commodity futures contracts, options on commodity futures contracts, swaps, forward contracts and/or options on physical commodities, or portfolio of securities and/or Financial Instruments and Money Market Instruments on which the Exchange-Traded Fund Shares are based is no longer calculated or available; or

4. Such other event shall occur or condition exist that in the opinion of the Exchange makes further dealing in such options on the Exchange inadvisable.

Consistent with Rule 903, which governs the opening of options series on a specific underlying security (including ETFs), the Exchange will open at least one expiration month for options on Commodity-Based Trusts²² at the

issued” trading, may be taken into account in determining whether the trading volume requirement of paragraphs 3. of the Commentary .01 is satisfied, provided however, that in the case of a Restructured Security approved for options listing and trading under paragraph (d) of Commentary .05 under Rule 915, such trading volume requirements must be satisfied based on the trading volume history of the Restructured Security.

¹⁹ See Rule 916, Commentary .07.

²⁰ See *id.*

²¹ Paragraphs 1 through 6 of Commentary .01 of Rule 916 provides, if: (1) there are fewer than 6,300,000 shares of the underlying security held by persons other than those who are required to report their security holdings under Section 16(a) of the Act, (2) there are fewer than 1,600 holders of the underlying security, (3) the trading volume (in all markets in which the underlying security is traded) has been less than 1,800,000 shares in the preceding twelve (12) months, or (4) the underlying security ceases to be an ‘NMS stock’ as defined in Rule 600 of Regulation NMS under the Act. Options 4, Section 3(h)(i) refers to Financial Instruments and Money Market Instruments.

²² See Rule 903(c), Commentary .03. The monthly expirations are subject to certain listing criteria for

commencement of trading on the Exchange and may also list series of options on such Commodity-Based Trusts for trading on a weekly,²³ monthly,²⁴ or quarterly²⁵ basis. The Exchange may also list long-term equity option series (“LEAPS”) that expire from twelve to thirty-nine months from the time they are listed.²⁶

Pursuant to Rule 903, Commentary .05(a), which governs strike prices of series of options on ETFs, the interval between strike prices of series of options on an ETF, including ETFs listed pursuant to this proposed rule change, would be \$1 or greater when the strike price is \$200 or less and \$5 or greater where the strike price is over \$200.²⁷ Additionally, the Exchange may list series of options pursuant to the \$1 Strike Price Interval Program,²⁸ the \$0.50 Strike Program,²⁹ the \$2.50 Strike Price Program,³⁰ and the \$5 Strike Program.³¹ Pursuant to Rule 6.72–O, where the price of a series of options on an ETF is less than \$3.00, the minimum increment will be \$0.05, and where the price is \$3.00 or higher, the minimum increment will be \$0.10.³² Any and all

underlying securities described within Rule 915. Monthly listings expire the third Friday of the month. The term “expiration date” (unless separately defined elsewhere in the OCC By-Laws), when used in respect of an option contract (subject to certain exceptions), means the third Friday of the expiration month of such option contract, or if such Friday is a day on which the exchange on which such option is listed is not open for business, the preceding day on which such exchange is open for business. See OCC By-Laws Article I, Section 1. Pursuant to Rule 903(d), additional series of options of the same class may be opened for trading on the Exchange when the Exchange deems it necessary to maintain an orderly market, to meet customer demand or when the market price of the underlying stock moves more than five strike prices from the initial exercise price or prices. New series of options on an individual stock may be added until the beginning of the month in which the options contract will expire. Due to unusual market conditions, the Exchange, in its discretion, may add a new series of options on an individual stock until the close of trading on the business day prior to expiration.

²³ See Rule 903(h).

²⁴ See Rule 903, Commentary .11.

²⁵ See Rule 903, Commentary .09.

²⁶ See Rule 903, Commentary .03.

²⁷ The Exchange notes that for options listed pursuant to the Short Term Option Series Program, the Monthly Options Series Program, and the Quarterly Options Series Program, Rules 903(h) and Commentaries .09 and .03 to Rule 903, specifically set forth intervals between strike prices on Quarterly Options Series, Short Term Option Series, and Monthly Options Series, respectively.

²⁸ See Rule 903, Commentary .06.

²⁹ See Rule 903, Commentary .13.

³⁰ See Rule 903, Commentary .07(a).

³¹ See Rule 903, Commentary .12.

³² If options on a Commodity-Based Trust are eligible to participate in the Penny Interval Program, the minimum increment of \$0.01 below \$3.00 and \$0.50 above \$3.00 would apply. See Rule 960NY(a)(3). See also Rule 960.1NY (which describes the requirements for the Penny Interval Program).

new series of options on a Commodity-Based Trusts that are approved pursuant to this proposed rule change would be subject to the expirations, strike prices, and minimum increments set forth in Rules 6.4–O and 6.72–O, as applicable.

Options on Commodity-Based Trusts that are approved pursuant to this proposed rule change would trade in the same manner as options on other ETFs on the Exchange. The Exchange rules that currently apply to the listing and trading of all options on ETFs on the Exchange, including, for example, rules that govern listing criteria, expirations, exercise prices, minimum increments, position and exercise limits, margin requirements, customer accounts and trading halt procedures would apply to the listing and trading of options on Commodity-Based Trusts on the Exchange in the same manner as they apply to other options on all other ETFs that are listed and traded on the Exchange.

Position and exercise limits for options on Commodity-Based Trusts that are approved pursuant to this proposed rule change would be determined pursuant to Rules 904 and 905, respectively. Position and exercise limits for options on ETFs vary according to the number of outstanding shares and the trading volumes of the underlying security over the past six months, where the largest in capitalization and the most frequently traded ETFs have position and exercise limit of 250,000 contracts (with adjustments for splits, re-capitalizations, etc.) on the same side of the market; and smaller capitalization ETFs have position and exercise limits of 200,000, 75,000, 50,000 or 25,000 contracts (with adjustments for splits, re-capitalizations, etc.) on the same side of the market. Further, the Exchange notes that Rule 462, which governs margin requirements applicable to the trading of all options on the Exchange, including options on ETFs, will also apply to the trading of options on Commodity-Based Trusts listed pursuant to this proposed rule change.

The Exchange represents that the surveillance procedures applicable to all other options on other ETFs currently listed and traded on the Exchange will apply to the trading on the Exchange of options on Commodity-Based Trusts that are listed pursuant to this proposed rule change. The Exchange represents that it has the necessary systems capacity to support the new option series. The Exchange believes that its existing surveillance and reporting safeguards are designed to deter and detect possible manipulative behavior which might potentially arise from

listing and trading options on ETFs, including the listing of options on Commodity-Based Trusts that are listed pursuant to this proposed rule change.

Also, the Exchange may obtain information from designated contract markets that are members of the ISG related to a financial instrument that is based, in whole or in part, upon an interest in or performance of a crypto asset, as applicable. The Exchange has specified in proposed Rule 915, Commentary .06(c) that the crypto asset held by the Commodity-Based Trust must underlie a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in ISG.³³ The Exchange will be required to ensure that this requirement is met prior to listing options on a Commodity-Based Trust listed pursuant to proposed Rule 915, Commentary .06(v).

Additionally, the Exchange has also analyzed its capacity and represents that it believes the Exchange and the Options Price Reporting Authority ("OPRA") have the necessary systems capacity to handle the additional traffic associated with the listing of new series of ETFs, including the trading of options on Commodity-Based Trusts that are approved pursuant to this proposed rule change, up to the number of expirations currently permissible under Exchange rules.

Finally, today, the Exchange lists and trades options on ETFs that would qualify for listing as an option on a Commodity-Based Trust under proposed Rule 915, Commentary .06(v).³⁴

2. Statutory Basis

The Exchange believes that its proposed rule change is consistent with Section 6(b) of the Act,³⁵ in general, and furthers the objectives of Section 6(b)(5) of the Act³⁶ in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to

promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the 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)³⁷ requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

In particular, the Exchange believes that its proposal to establish new listing criteria in proposed Rule 915, Commentary .06(v) with respect to options on Commodity-Based Trusts, without the need for additional approvals, will remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, protect investors because it would allow the Exchange to immediately list and trade qualifying options on Commodity-Based Trusts, provided the initial listing criteria has been met, without any additional approvals from the Commission.

Specifically, the Exchange's proposal to adopt Rule 915, Commentary .06(v) to allow the listing and trading of options on units that represent interests in Commodity-Based Trusts that meet the generic criteria of NYSE Arca Rule 8.201-E (Generic),³⁸ and hold a single crypto asset, is consistent with the Act because it will permit the Exchange to offer options on certain Commodity-Based Trusts soon after the listing of the ETF on NYSE Arca, provided all listing criteria have been met. Listing these options will avail market participants of the opportunity to hedge their positions in the Commodity-Based Trusts in a timely manner, thereby providing investors with the ability to hedge their exposure to the underlying Commodity-Based Trust. Options on Commodity-Based Trusts benefits investors, similar to the listing of any other option on an ETF, by providing investors with a relatively lower-cost risk management tool to manage their positions and associated risk in their portfolios more easily in connection with exposure to the price of a crypto asset. Additionally, listing options on Commodity-Based Trusts provides investors with the ability to transact in such options on a listed market as opposed to the OTC options market, which increases market

transparency and enhances the process of price discovery to the benefit of all investors.

Also, this proposal would permit options on certain Commodity-Based Trusts to be listed on the Exchange in the same manner as options on ETFs that are subject to the current listing criteria in Rule 915, Commentary .06. The Exchange notes that the majority of ETFs are able to list and trade options once the initial listing criteria have been met without the need for additional approvals. The proposed rule change would allow options on certain Commodity-Based Trusts to likewise list and trade once the proposed listing criteria have been met without the need for additional approvals.

As proposed, the Exchange would list options on a Commodity-Based Trust that met the generic criteria of NYSE Arca Rule 8.201-E (Generic), provided the Commodity-Based Trust held only a single crypto asset. Further, these options on Commodity-Based Trusts would also be required to satisfy the conditions in proposed Rule 915, Commentary .06(c). Specifically, a Commodity-Based Trust that met the requirements of proposed Rule 915, Commentary .06(v) would also have to satisfy the following requirements in proposed Rule 915, Commentary .06(c): (A) the total global supply of the underlying crypto asset held by the Commodity-Based Trust has an average daily market value of at least \$700 million over the last 12 months; and (B) the crypto asset held by the Commodity-Based Trust underlies a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in the ISG.

These requirements are consistent with the Act and the protection of investors as they are designed to ensure that the underlying ETF has sufficient liquidity prior to listing options, which will help to prevent disruption to the underlying market. The Exchange believes that market supply serves as a good measure of liquidity to prevent the addition of options trading on the Commodity-Based Trust from disrupting the market for the underlying security. Requiring the underlying crypto asset to have a requisite amount of deliverable supply, in addition to all the other criteria the ETF is required to have under NYSE Arca Rule 8.201-E (Generic), helps to ensure adequate liquidity prior to listing. Further, ensuring the crypto asset held by the Commodity-Based Trust underlies a derivatives contract that trades on a market with which the Exchange has a

³³ There are a number of futures contracts on digital asset commodities that are listed and trading on the CME and Coinbase Derivatives, both of which are ISG members. See <https://www.cmegroup.com/markets/cryptocurrencies.html#products>. See also <https://www.coinbase.com/derivatives>.

³⁴ The following ETFs currently have options listed on them on the Exchange: iShares Bitcoin Trust, the Fidelity Wise Origin Bitcoin Fund, the ARK21Shares Bitcoin ETF, the Grayscale Bitcoin Trust (BTC), the Grayscale Bitcoin Mini Trust BTC, and the Bitwise Bitcoin ETF. The Exchange filed rule proposals and received the appropriate regulatory notice or approval to list the aforementioned options on the ETFs.

³⁵ 15 U.S.C. 78f(b).

³⁶ 15 U.S.C. 78f(b)(5).

³⁷ 15 U.S.C. 78(f)(b)(5)

³⁸ See *supra* note 5.

comprehensive surveillance sharing agreement, whether directly or through common membership in the ISG, will provide the Exchange with information to adequately surveil options on qualifying Commodity-Based Trusts. Today, the Exchange has a comprehensive surveillance sharing agreement in place with both the CME and Coinbase Derivatives through its common membership in ISG. This facilitates the sharing of information that is available to the CME and Coinbase Derivatives through their surveillance of their respective markets, including their surveillance of their respective digital asset futures markets.

The Exchange also believes the proposed rule change will remove impediments to and perfect the mechanism of a free and open market and a national market system, because it is consistent with current Exchange rules, previously filed with the Commission. Options on qualifying Commodity-Based Trusts must satisfy the initial listing standards and continued listing standards currently in the Exchange rules, applicable to options on all ETFs, including ETFs that hold other crypto assets already deemed appropriate for options trading on the Exchange in addition to the proposed criteria. Options on qualifying Commodity-Based Trusts would trade in the same manner as any other ETF options—the same Exchange rules that currently govern the listing and trading of all ETF options, including permissible expirations, strike prices and minimum increments, and applicable position and exercise limits and margin requirements, will govern the listing and trading of options on qualifying Commodity-Based Trusts.

The Exchange represents that it has the necessary systems capacity to support the listing and trading of options on qualifying Commodity-Based Trusts. The Exchange believes that its existing surveillance and reporting safeguards are designed to deter and detect possible manipulative behavior which might arise from listing and trading on the Exchange of these options on Commodity-Based Trust, particularly in light of the additional requirement that the crypto asset held by the Commodity-Based Trust underlies a derivatives contract that trades on a market with which the Exchange has a comprehensive surveillance sharing agreement, whether directly or through common membership in ISG.

Additionally, today, the Exchange lists and trades options on ETFs that would qualify for listing as an option on

a Commodity-Based Trust under proposed Options 4, Section 3(h)(vi).³⁹

Finally, the Exchange believes that the reinstatements and deletions of rule text that were made to Rules 915 and 916 as a result of the government shutdown preventing the Exchange's amendment from being processed and resulting in the original rule filing being deemed approved would increase the clarity and transparency of the Exchange's rules and remove impediments to and perfect the mechanism of a free and open market by ensuring that persons subject to the Exchange's jurisdiction, regulators, and the investing public could more easily navigate and understand the Exchange rules. The Exchange further believes that the proposed amendments would not be inconsistent with the public interest and the protection of investors because investors will not be harmed and in fact would benefit from increased transparency and clarity, thereby reducing potential confusion.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

The Exchange does not believe that the proposal to amend the listing criteria in Rule 915, Commentary .06, with respect to ETFs, to adopt new criteria to permit the listing and trading of options on certain Commodity-Based Trusts that hold a single crypto asset and that were listed pursuant to NYSE Arca Rule 8.201-E (Generic), without the need for additional approvals, will impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. Options on qualifying Commodity-Based Trusts would need to satisfy the initial listing standards set forth in the Exchange rules in the same manner as any other ETF before the Exchange could list options on them. Additionally, options on qualifying Commodity-Based Trusts will be equally available to all market participants who wish to trade such options. The Exchange rules currently applicable to the listing and trading of options on ETFs on the Exchange will

³⁹ The following ETFs currently have options listed on them on the Exchange: iShares Bitcoin Trust, the Fidelity Wise Origin Bitcoin Fund, the ARK21Shares Bitcoin ETF, the Grayscale Bitcoin Trust (BTC), the Grayscale Bitcoin Mini Trust BTC, and the Bitwise Bitcoin ETF. The Exchange filed rule proposals and received the appropriate regulatory notice or approval to list the aforementioned options on the ETFs.

apply in the same manner to the listing and trading of all options on qualifying Commodity-Based Trusts.

Additionally, the Exchange notes that listing and trading options on qualifying Commodity-Based Trusts on the Exchange will subject such options to transparent exchange-based rules as well as price discovery and liquidity, as opposed to alternatively trading such options in the OTC market. The Exchange believes that the proposed rule change may relieve any burden on, or otherwise promote, competition as it is designed to increase competition for order flow on the Exchange in a manner that is beneficial to investors by providing them with a lower-cost option to hedge their investment portfolios in a timely manner.

The Exchange does not believe that the proposal to adopt new listing criteria in Rule 915, Commentary .06, to permit the listing and trading of certain options on a Commodity-Based Trust, without the need for additional approvals, will impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. Other options exchanges are free to amend their listing rules, as applicable, to permit them to list and trade options on Commodity-Based Trusts.

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

Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act⁴⁰ and subparagraph (f)(6) of Rule 19b-4 thereunder.⁴¹

⁴⁰ 15 U.S.C. 78s(b)(3)(A)(iii).

⁴¹ 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Commission is waiving this requirement.

A proposed rule change filed under Rule 19b-4(f)(6)⁴² normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b-4(f)(6)(iii),⁴³ the Commission may designate a shorter time if such action is consistent with protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing. The Commission believes that waiving 30-day operative delay is consistent with the protection of investors and the public interest because the proposal seeks to amend the Exchange's rules to be consistent with an amendment filed by the Exchange during a government shutdown, and which would have replaced the proposed rule change that did become effective if the Commission could have received amendments during the pendency of the government shutdown.⁴⁴ The proposal also aligns the rule text relating to Commodity-Based Trust Shares with the rule text of other exchanges and does not introduce any novel regulatory issues.⁴⁵ Accordingly, the Commission designates the proposed rule change to be operative upon filing.⁴⁶

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

⁴² 17 CFR 240.19b-4(f)(6).

⁴³ 17 CFR 240.19b-4(f)(6)(iii).

⁴⁴ See *supra* Section II.A.1.

⁴⁵ See *e.g.*, Nasdaq ISE, LLC, Options Rules, Options 4, Section 3(h); Cboe Exchange, Inc. Rule 4.3(a).

⁴⁶ 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).

Electronic Comments

- Use the Commission's internet comment form (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include file number SR-NYSEAMER-2025-64 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.
- All submissions should refer to file number SR-NYSEAMER-2025-64. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<https://www.sec.gov/rules/sro.shtml>). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-NYSEAMER-2025-64 and should be submitted on or before December 31, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁴⁷

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025-22383 Filed 12-9-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-104324; File No. SR-NYSEAMER-2025-64]

Self-Regulatory Organizations; NYSE National, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Rule 6.6800 Series

December 5, 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 December 2, 2025, NYSE National, Inc. ("NYSE National" or the "Exchange") filed with

⁴⁷ 17 CFR 200.30-3(a)(12) and (59).

¹ 15 U.S.C. 78a.

² 17 CFR 240.19b-4.

the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the Rule 6.6800 Series, the Exchange's compliance rule ("Compliance Rule") regarding the National Market System Plan Governing the Consolidated Audit Trail (the "CAT NMS Plan" or "Plan")³ to be consistent with the amendment to the CAT NMS Plan that requires broker-dealers with a reporting obligation to CAT to report whether an original receipt or origination of an order to sell an equity security is a short sale for which a market maker is claiming the bona fide market making exception in Rule 203(b)(2)(iii) of Regulation SHO ("BFMM Locate Exception").⁴ The proposed rule change is available on the Exchange's website at www.nyse.com and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of this proposed rule change is to amend Rule 6.6830 of the Compliance Rule to be consistent with the amendment to the CAT NMS Plan related to the BFMM Locate Exception. In 2023, the Commission amended the

³ Unless otherwise specified, capitalized terms used in this rule filing are defined as set forth in the Compliance Rule.

⁴ See Securities Exchange Act Release Nos. 98738 (Oct. 13, 2023), 88 FR 75100 (November 1, 2023); and 98739 (October 13, 2023), 88 FR 75079 (November 1, 2023).

CAT NMS Plan to require the reporting to the CAT of reliance on the BFMM Locate Exception.⁵ Specifically, the Commission added paragraph (D) to Section 6.4(d)(ii) of the CAT NMS Plan, which requires each Participant, through its Compliance Rule, to require its Industry Members to record and report to the Central Repository the following:

for the original receipt or origination of an order to sell an equity security, whether the order is for a short sale effected by a market maker in connection with bona fide market making activities in the security for which the exception in Rule 203(b)(2)(iii) of Regulation SHO is claimed.

Accordingly, the Exchange proposes to amend its Compliance Rule to reflect this additional CAT reporting requirement. Specifically, the Exchange proposes to add paragraph (G) to Rule 6.6830, which would require each Industry Member to record and report to the Central Repository the following:

for the original receipt or origination of an order to sell an equity security, whether the order is for a short sale effected by a market maker in connection with bona fide market making activities in the security for which the exception in Rule 203(b)(2)(iii) of Regulation SHO is claimed.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the provisions of Section 6(b)(5) of the Act,⁶ which require, among other things, that the Exchange's rules must be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and, in general, to protect investors and the public interest, and Section 6(b)(8) of the Act,⁷ which requires that the Exchange's rules not impose any burden on competition that is not necessary or appropriate.

The Exchange believes that this proposal is consistent with the Act because it is consistent with the amendment to the CAT NMS Plan approved by the Commission, and is designed to assist the Exchange and its Industry Members in meeting regulatory obligations pursuant to the Plan. In approving the Plan, the SEC noted that the Plan "is necessary and appropriate in the public interest, for the protection of investors and the maintenance of fair and orderly markets, to remove impediments to, and perfect the mechanism of a national market system, or is otherwise in furtherance of the

purposes of the Act."⁸ To the extent that this proposal implements the Plan as amended, and applies specific requirements to Industry Members, the Exchange believes that this proposal furthers the objectives of the Plan, as identified by the SEC, and is therefore consistent with the Exchange Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange notes that the proposed rule change is consistent with the amendment to the CAT NMS Plan approved by the Commission, and is designed to assist the Exchange in meeting its regulatory obligations pursuant to the Plan. The Exchange also notes that the amendment to the Compliance Rule will apply equally to all Industry Members that trade equity securities. In addition, all national securities exchanges and FINRA are proposing these amendments to their Compliance Rules. Therefore, this is not a competitive rule filing, and, therefore, it does not impose a burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

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

Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act⁹ and subparagraph (f)(6) of Rule 19b-4 thereunder.¹⁰

⁸ See Securities Exchange Act Release No. 79318 (November 15, 2016), 81 FR 84696, 84697 (November 23, 2016).

⁹ 15 U.S.C. 78s(b)(3)(A)(iii).

¹⁰ 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

A proposed rule change filed under Rule 19b-4(f)(6)¹¹ normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b-4(f)(6)(iii),¹² the Commission may designate a shorter time if such action is consistent with protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing. The Commission believes that waiving 30-day operative delay is consistent with the protection of investors and the public interest because the proposal seeks to amend the Exchange's CAT Compliance Rule to reflect the requirement in the CAT NMS Plan that industry members report for the original receipt or origination of an order to sell an equity security, whether the order is for a short sale effected by a market maker in connection with bona fide market making activities in the security for which the exception in Rule 203(b)(2)(iii) of Regulation SHO is claimed.¹³ The proposal does not introduce any novel regulatory issues. Accordingly, the Commission designates the proposed rule change to be operative upon filing.¹⁴

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. 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

¹¹ 17 CFR 240.19b-4(f)(6).

¹² 17 CFR 240.19b-4(f)(6)(iii).

¹³ See *supra* note 4.

¹⁴ 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).

⁵ *Id.*

⁶ 15 U.S.C. 78f(b)(6).

⁷ 15 U.S.C. 78f(b)(8).

• Send an email to rule-comments@sec.gov. Please include file number SR–NYSENAT–2025–26 on the subject line.

Paper Comments

• Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–NYSENAT–2025–26. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission’s internet website (<https://www.sec.gov/rules/sro.shtml>). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–NYSENAT–2025–26 and should be submitted on or before December 31, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁵

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025–22402 Filed 12–9–25; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104332; File No. SR–NYSEAMER–2025–69]

Self-Regulatory Organizations; NYSE American LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Modify the NYSE American Options Fee Schedule To Amend the Qualifying Criteria for Initiating Participant Credits for Single-Leg CUBE Auctions

December 5, 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 December 1, 2025, NYSE American LLC (“NYSE American” or the “Exchange”) filed with the Securities and Exchange Commission (the “Commission”) the

proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the NYSE American Options Fee Schedule (“Fee Schedule”) to amend the qualifying criteria for Initiating Participant Credits for single-leg CUBE Auctions. The Exchange proposes to implement the fee change effective December 1, 2025. The proposed rule change is available on the Exchange’s website at www.nyse.com and at the principal office of the Exchange.

II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization’s Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of this filing is to modify the Fee Schedule to amend the qualifying criteria for Initiating Participant Credits for single-leg Customer Best Execution (“CUBE”) Auctions.⁴

The Exchange offers certain Initiating Participant Credits to ATP Holders that submit CUBE Orders to its CUBE Auctions.⁵ Currently, for a single-leg CUBE Auction, ATP Holders receive Initiating Participant Credits of \$0.26 per contract for Penny Issues and \$0.65

per contract for Non-Penny Issues. In addition, ATP Holders that execute at least 0.40% of TCADV⁶ in Electronic Customer Complex Orders or at least 0.40% of TCADV in monthly Initiating Complex CUBE Orders (inclusive of AON Complex CUBE Orders) are eligible for enhanced Initiating Participant Credits of \$0.30 per contract for Penny Issues and \$0.70 per contract for Non-Penny Issues.⁷

The Exchange proposes to amend the qualifying criteria for these enhanced Initiating Participant Credits to provide that an ATP Holder may earn such credits by executing at least 0.30% of TCADV in Electronic Customer Complex Orders or at least 0.40% of TCADV in monthly Initiating Complex CUBE Orders (inclusive of AON Complex CUBE Orders). The proposed change, which would reduce the TCADV requirement in Electronic Customer Complex Orders, is designed to continue to encourage ATP Holders to utilize single-leg CUBE Auctions and to continue to direct their Electronic Customer Complex order flow to the Exchange. To the extent that the proposed change continues to encourage ATP Holders to initiate CUBE Auctions on the Exchange, all market participants stand to benefit from increased liquidity and opportunities for price improvement. Increased order flow promotes market depth, facilitates tighter spreads and enhances price discovery, which enhances market quality for all participants.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,⁸ in general, and furthers the objectives of Sections 6(b)(4) and (5) of the Act,⁹ in particular, because it provides for the equitable allocation of reasonable dues, fees, and other charges among its members, issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers or dealers.

The proposed change to the Fee Schedule is reasonable, equitable, and not unfairly discriminatory. As a threshold matter, the Exchange is subject to significant competitive forces in the market for options securities

⁴ See generally Rules 971.1NYP and 971.2NYP and Commentaries .04 (describing the CUBE Auction, which is an electronic crossing mechanism for single-leg, complex, and AON orders with a price improvement auction on the Exchange).

⁵ See Fee Schedule, Section I.G (CUBE Auction Fees & Credits) (describing pricing and incentives for each of the Single-Leg CUBE Auction, the Complex CUBE Auction, and the AON CUBE Auction).

⁶ “TCADV” refers to Total Industry Customer equity and ETF option average daily volume. See Fee Schedule, KEY TERMS and DEFINITIONS.

⁷ Initiating Participant Credits are payable to the Initiating Participant for each contract in a Contra Order paired with a CUBE Order that does not trade with the CUBE Order because it is replaced in the auction. See Fee Schedule, Section I.G (CUBE Auction Fees & Credits).

⁸ 15 U.S.C. 78f(b).

⁹ 15 U.S.C. 78f(b)(4) and (5).

¹⁵ 17 CFR 200.30–3(a)(12) and (59).

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b–4.

transaction services that constrain its pricing determinations in that market. The Commission has repeatedly expressed its preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. In Regulation NMS, the Commission highlighted the importance of market forces in determining prices and SRO revenues and, also, recognized that current regulation of the market system “has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies.”¹⁰

There are currently 18 registered options exchanges competing for order flow. Based on publicly available information, and excluding index-based options, no single exchange has more than 16% of the market share of executed volume of multiply-listed equity and ETF options trades.¹¹ Therefore, currently no exchange possesses significant pricing power in the execution of multiply-listed equity and ETF options order flow. More specifically, in September 2025, the Exchange had 8.89% market share of executed volume of multiply-listed equity and ETF options trades.¹² In such a low-concentrated and highly competitive market, no single options exchange possesses significant pricing power in the execution of option 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.

In response to these competitive forces and as discussed herein, the Exchange has established various pricing incentives regarding its CUBE Auctions, including base and enhanced Initiating Participant Credits that are designed to encourage ATP Holders to utilize single-leg CUBE Auctions and to direct increased volume to the Exchange.

The Exchange believes that the proposed change to the qualifying criteria for an enhanced Initiating

Participant Credit for single-leg CUBE Auctions is reasonable, equitable, and not unfairly discriminatory. The proposed change is designed to continue to encourage ATP Holders to execute Electronic Customer Complex Orders and participate in single-leg CUBE Auctions and, by lowering the required TCADV in Electronic Customer Complex Orders to earn an enhanced Initiating Participant Credit for single-leg CUBE Auctions, could make such credits more attainable for ATP Holders. To the extent the proposed change continues to encourage ATP Holders to direct Electronic Customer Complex volume to the Exchange and/or participate in single-leg CUBE Auctions, any resulting increased liquidity would promote market depth and enhance market quality to the benefit of all market participants.

The Exchange believes that the proposal represents an equitable allocation of credits and is not unfairly discriminatory because the proposal is based on the amount and type of business transacted on the Exchange. ATP Holders are not obligated to participate in CUBE Auctions or to attempt to achieve the proposed enhanced Initiating Participant credit. In addition, the proposed change will apply equally to all similarly-situated ATP Holders.

To the extent that the proposed changes [sic] attract more executions to the Exchange, this increased order flow would continue to make the Exchange a more competitive venue for order execution. Thus, the Exchange believes the proposed rule changes [sic] would improve market quality for all market participants on the Exchange and attract more order flow to the Exchange, thereby improving market-wide quality and price discovery. The resulting increased volume and liquidity would provide more trading opportunities and tighter spreads to all market participants and thus would promote just and equitable principles of trade, remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, to protect investors and the public interest.

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act, the Exchange does not believe that the proposed rule change would impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Instead, as discussed above, the Exchange believes that the proposed changes [sic] would continue to

encourage the submission of additional liquidity to a public exchange, thereby promoting market depth, price discovery and transparency and enhancing order execution opportunities for all market participants. As a result, the Exchange believes that the proposed changes [sic] further the Commission's goal in adopting Regulation NMS of fostering integrated competition among orders, which promotes “more efficient pricing of individual stocks for all types of orders, large and small.”¹³

Intramarket Competition. The Exchange believes that the proposed change to amend the eligibility criteria for existing Initiating Participant Credits does not impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed changes [sic] apply equally to all similarly-situated ATP Holders. Further, the proposal is based on the amount and type of business transacted on the Exchange and ATP Holders are not obligated to participate in CUBE Auctions. The Exchange does not believe that the proposed changes [sic] will adversely impact any ATP Holder's ability to qualify for existing pricing incentives related to initiating CUBE Auctions and could instead facilitate ATP Holders' ability to earn enhanced Initiating Participant Credits for single-leg CUBE Auctions. This proposal is designed to encourage participants to utilize the Exchange as a primary trading venue (if they have not done so previously), particularly with respect to initiating CUBE Auctions. Accordingly, the Exchange believes this proposal would help promote competition by providing incentives for market participants to continue to submit Electronic Customer Complex volume on the Exchange and to continue to participate in single-leg CUBE Auctions on the Exchange, thereby providing for increased opportunities for Customers to receive additional price improvement and access greater liquidity.

Intermarket Competition. The Exchange operates in a highly competitive market in which market participants can readily favor one of the other 17 competing option exchanges if they deem fee levels at a particular venue to be excessive. In such an environment, the Exchange must continually adjust its fees to remain competitive with other exchanges and to attract order flow to the Exchange. Based on publicly available information, and excluding index-based options, no

¹³ See Reg NMS Adopting Release, *supra* note 10, at 37499.

¹⁰ See Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496, 37499 (June 9, 2005) (S7-10-04) (“Reg NMS Adopting Release”).

¹¹ The OCC publishes options and futures volume in a variety of formats, including daily and monthly volume by exchange, available here: <https://www.theocc.com/Market-Data/Market-Data-Reports/Volume-and-Open-Interest/Monthly-Weekly-Volume-Statistics>.

¹² Based on a compilation of OCC data for monthly volume of equity-based options and monthly volume of equity-based ETF options, *see id.*, the Exchanges market share in equity-based options increased from 7.64% for the month of September 2024 to 8.89% for the month of September 2025.

single exchange has more than 16% of the market share of executed volume of multiply-listed equity and ETF options trades.¹⁴ Therefore, currently no exchange possesses significant pricing power in the execution of multiply-listed equity and ETF options order flow. More specifically, in September 2025, the Exchange had 8.89% market share of executed volume of multiply-listed equity and ETF options trades.¹⁵

The Exchange believes that the proposed rule change reflects this competitive environment as it is designed to encourage ATP Holders to direct trading interest (in particular, single-leg CUBE Auction and Electronic Customer Complex order flow) to the Exchange, to provide liquidity and to attract order flow. To the extent that this purpose is achieved, all the Exchange's market participants should benefit from the improved market quality and increased opportunities for price improvement.

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 is effective upon filing pursuant to Section 19(b)(3)(A)¹⁶ of the Act and subparagraph (f)(2) of Rule 19b-4¹⁷ thereunder, because it establishes a due, fee, or other charge imposed by the Exchange.

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings

¹⁴ The OCC publishes options and futures volume in a variety of formats, including daily and monthly volume by exchange, available here: <https://www.theocc.com/Market-Data/Market-Data-Reports/Volume-and-Open-Interest/Monthly-Weekly-Volume-Statistics>.

¹⁵ Based on a compilation of OCC data for monthly volume of equity-based options and monthly volume of equity-based ETF options, *see id.*, the Exchanges market share in equity-based options increased from 7.64% for the month of September 2024 to 8.89% for the month of September 2025.

¹⁶ 15 U.S.C. 78s(b)(3)(A).

¹⁷ 17 CFR 240.19b-4(f)(2).

under Section 19(b)(2)(B)¹⁸ of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include file number SR-NYSEAMER-2025-69 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.

All submissions should refer to file number SR-NYSEAMER-2025-69. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<https://www.sec.gov/rules/sro.shtml>). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-NYSEAMER-2025-69 and should be submitted on or before December 31, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁹

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025-22400 Filed 12-9-25; 8:45 am]

BILLING CODE 8011-01-P

¹⁸ 15 U.S.C. 78s(b)(2)(B).

¹⁹ 17 CFR 200.30-3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-104330; File No. SR-FINRA-2025-014]

Self-Regulatory Organizations; Financial Industry Regulatory Authority, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend FINRA Rule 7620B (FINRA/NYSE Trade Reporting Facility Reporting Fees)

December 5, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder,² notice is hereby given that on November 26, 2025, the Financial Industry Regulatory Authority, Inc. ("FINRA") 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 FINRA. FINRA has designated the proposed rule change as "establishing or changing a due, fee or other charge" under Section 19(b)(3)(A)(ii) of the Act³ and Rule 19b-4(f)(2) thereunder,⁴ which renders the proposal effective upon receipt of this filing by the Commission. 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

FINRA is proposing to amend FINRA Rule 7620B (FINRA/NYSE Trade Reporting Facility Reporting Fees) to modify the trade reporting fees applicable to participants that use the FINRA/NYSE Trade Reporting Facility ("FINRA/NYSE TRF").

The text of the proposed rule change is available on FINRA's website at <http://www.finra.org> and at the principal office of FINRA.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, FINRA 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. FINRA has prepared summaries, set forth in sections A, B,

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ 15 U.S.C. 78s(b)(3)(A)(ii).

⁴ 17 CFR 240.19b-4(f)(2).

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

Background

The FINRA/NYSE TRF, which is operated by NYSE Market (DE), Inc. ("NYSE Market (DE)"), is one of four FINRA facilities⁵ that FINRA members can use to report over-the-counter ("OTC") trades in NMS stocks. While members are required to report all OTC trades in NMS stocks to FINRA, they may choose which FINRA Facility (or Facilities) to use to satisfy their trade reporting obligations.⁶

Under the governing limited liability company agreement,⁷ the FINRA/NYSE TRF has two members: FINRA and NYSE Market (DE). FINRA, the "SRO Member," has sole regulatory responsibility for the FINRA/NYSE TRF. NYSE Market (DE), the "Business Member," is primarily responsible for the management of the FINRA/NYSE TRF's business affairs to the extent those affairs are not inconsistent with the regulatory and oversight functions of FINRA.

The Business Member establishes pricing applicable to FINRA members that use the FINRA/NYSE TRF ("Participants"). That pricing is then implemented pursuant to FINRA rules that FINRA must file with the Commission and that must be consistent with the Act. Specifically, Participants are charged fees pursuant to Rule 7620B and may qualify for transaction credits

under Rule 7610B (Securities Transaction Credit) (such credits, "Securities Transaction Credits").⁸ The relevant FINRA rules are administered by NYSE Market (DE), in its capacity as the Business Member and operator of the FINRA/NYSE TRF on behalf of FINRA,⁹ and the Business Member collects all fees on behalf of the FINRA/NYSE TRF.

According to the Business Member, the FINRA/NYSE TRF operates in a competitive environment. The FINRA Facilities have different pricing¹⁰ for their respective participants and compete for FINRA members' trade report activity. The FINRA/NYSE TRF is smaller than the FINRA/Nasdaq TRF in terms of reported volume. FINRA notes that in the month of September 2025, FINRA members used the FINRA/NYSE TRF to report approximately 2.7% of shares in all NMS stocks traded (OTC and on exchange), compared to approximately 48.3% for the FINRA/Nasdaq TRF.¹¹

Under the current fee structure, if a Participant submits one or more trade reports to the FINRA/NYSE TRF during a given calendar month, the Participant pays a monthly fee equal to the sum of (a) \$1,000 plus (b) \$0.0055 per published tape report.¹² If a Participant submits no trade reports to the FINRA/NYSE TRF during that calendar month, the Participant pays a monthly fee of \$2,000.

As discussed in greater detail below, the Business Member has determined to modify the trade reporting fees applicable to Participants and to subject each Participant to a monthly fee based on the number of tape eligible trade reports that the Participant submitted to

the FINRA/NYSE TRF during the relevant month ("Tape Eligible Trade Reports"). FINRA is proposing to amend FINRA Rule 7620B accordingly.

There is no new product or service accompanying the proposed fee change.

Proposed Amendments to Rule 7620B

The Business Member proposes to modify the fee structure for Participants by eliminating the current base fee and implementing a tiered pricing model based on trade report volume. Under the proposed rule change, each Participant's monthly fee will depend on the tier its number of Tape Eligible Trade Reports falls under, with no base fee. Consistent with the current fee structure, if a Participant does not submit any Tape Eligible Trade Reports during the relevant calendar month, it would continue to be charged a monthly fee of \$2,000.

To effect the change, Rule 7620B would be amended to provide that the amount of the monthly fee for a Participant will depend on the number of Tape Eligible Trade Reports that the Participant submitted to the FINRA/NYSE Trade Reporting Facility during the relevant calendar month. As is the case today, a transaction would be attributed to a Participant if the Participant is identified as the executing party in a tape report submitted to the FINRA/NYSE Trade Reporting Facility.¹³ The amount of Tape Eligible Trade Reports is calculated in aggregate across all Tapes (Tape A, Tape B, Tape C) and only includes shares reported to the tapes.

The proposed rule change would establish the following fee structure:

Tape eligible trade reports	Monthly participant fee
Greater than or equal to 20 million reports	\$50,000
Greater than or equal to 15 million reports but less than 20 million reports	47,500
Greater than or equal to 10 million reports but less than 15 million reports	45,000
Greater than or equal to 7.5 million reports but less than 10 million reports	40,000
Greater than or equal to 5 million reports but less than 7.5 million reports	35,000

⁵ The four FINRA facilities are the FINRA/NYSE TRF, two FINRA/Nasdaq Trade Reporting Facilities (together, the "FINRA/Nasdaq TRF"), and the Alternative Display Facility ("ADF" and together, the "FINRA Facilities").

⁶ Members can use the FINRA/NYSE TRF as a backup system and reserve bandwidth if there is a failure at another FINRA Facility that supports the reporting of OTC trades in NMS stocks. As set forth in Trade Reporting Notice, January 20, 2016 (OTC Equity Trading and Reporting in the Event of Systems Issues), a firm that routinely reports its OTC trades in NMS stocks to only one FINRA Facility must establish and maintain connectivity and report to a second FINRA Facility, if the firm intends to continue to support OTC trading as an executing broker while its primary facility is experiencing a widespread systems issue.

⁷ See the Second Amended and Restated Limited Liability Company Agreement of FINRA/NYSE

Trade Reporting Facility LLC. The limited liability company agreement, which was submitted as part of the rule filing to establish the FINRA/NYSE TRF and was subsequently amended and restated, can be found in the FINRA Manual.

⁸ Pursuant to Rule 7630B (Aggregation of Activity of Affiliated Members), affiliated members can aggregate their activity for purposes of fees and credits that are dependent upon the volume of their activity. No change is proposed to be made to Rules 7610B or 7630B, and so there will be no change to the requirements for, or process of, securities transaction credits and the aggregation of affiliated member activity.

⁹ FINRA's oversight of this function performed by the Business Member is conducted through a recurring assessment and review of the FINRA/NYSE TRF operations by an outside independent audit firm.

¹⁰ Because the FINRA/NYSE TRF and FINRA/Nasdaq TRF are operated by different business members competing for market share, FINRA does not take a position on whether the pricing for one TRF is more favorable or competitive than the pricing for the other TRF.

¹¹ See Cboe U.S. Equities Market Volume Summary, available at https://www.cboe.com/us/equities/market_statistics/historical_market_volume/.

¹² See FINRA Rule 7620B; see also Securities Exchange Act Release No. 94498 (March 23, 2022), 87 FR 18430 (March 30, 2022) (Notice of Filing and Immediate Effectiveness of File No. SR-FINRA-2022-006).

¹³ For clarity, the proposed rule change would explicitly add this attribution methodology to the text of Rule 7620B.

Tape eligible trade reports	Monthly participant fee
Greater than or equal to 4 million reports but less than 5 million reports	30,000
Greater than or equal to 3 million reports but less than 4 million reports	25,000
Greater than or equal to 2 million reports but less than 3 million reports	20,000
Greater than or equal to 1,500,000 reports but less than 2 million reports	15,000
Greater than or equal to 1,250,000 reports but less than 1,500,000 reports	10,000
Greater than or equal to 1 million reports but less than 1,250,000 reports	7,000
Greater than or equal to 750,000 reports but less than 1 million reports	5,000
Greater than or equal to 500,000 reports but less than 750,000 reports	4,000
Greater than or equal to 250,000 reports but less than 500,000 reports	3,000
Greater than or equal to 100,000 reports but less than 250,000 reports	2,500
Greater than or equal to 5,000 reports but less than 100,000 reports	1,500
Greater than or equal to 1 report but less than 5,000 reports	1,000
No trade reports	2,000

The monthly fee would continue to be charged at the end of the calendar month. Consistent with current practice, if a new Participant submits the Participant application agreement and submits no trade reports to the FINRA/NYSE TRF in the first month or first two months, the Participant would not be charged for those months to provide time to establish connectivity to the FINRA/NYSE TRF.¹⁴

The monthly fees paid by Participants would continue to include unlimited use of the NYSE TRF Portal,¹⁵ as well as full access to the FINRA/NYSE TRF and supporting functionality, e.g., trade submission, reversal, and cancellation.

Application of Proposed Fee Schedule

As described above, the proposed fee structure would implement a tiered monthly fee based on the number of Tape Eligible Trade Reports submitted by each Participant to the FINRA/NYSE TRF. The proposed fee schedule would be applied uniformly to all FINRA members that are, or elect to become, Participants, without regard to the size or type of Participant.

It is not possible to predict with certainty the number of FINRA members that would increase or decrease their use of the FINRA/NYSE TRF or cease being a Participant as a result of the proposed rule change. Similarly, it is not possible to predict any change in

usage of the FINRA/NYSE TRF. Participants are able to report their trades to competing FINRA Facilities instead of the FINRA/NYSE TRF, provided they are participants of such other facilities.

However, if the proposed rule change had been in place in September 2025, based on the number of Tape Eligible Trade Reports submitted during that period, the proposed rule change would result in the fees remaining the same for more than half of the Participants, a fee decrease for 12 of the Participants, and a fee increase for six of the Participants.

To facilitate comparison, the following table shows the number of Participants for each tier, using September 2025 data.

Tape eligible trade reports	Number of participants
Greater than or equal to 20 million reports .....	.....
Greater than or equal to 15 million reports but less than 20 million reports .....	.....
Greater than or equal to 10 million reports but less than 15 million reports	2
Greater than or equal to 7.5 million reports but less than 10 million reports .....	.....
Greater than or equal to 5 million reports but less than 7.5 million reports .....	.....
Greater than or equal to 4 million reports but less than 5 million reports	1
Greater than or equal to 3 million reports but less than 4 million reports	1
Greater than or equal to 2 million reports but less than 3 million reports .....	.....
Greater than or equal to 1,500,000 reports but less than 2 million reports	1
Greater than or equal to 1,250,000 reports but less than 1,500,000 reports .....	.....
Greater than or equal to 1 million reports but less than 1,250,000 reports	1
Greater than or equal to 750,000 reports but less than 1 million reports	1
Greater than or equal to 500,000 reports but less than 750,000 reports .....	.....
Greater than or equal to 250,000 reports but less than 500,000 reports	2
Greater than or equal to 100,000 reports but less than 250,000 reports .....	.....
Greater than or equal to 5,000 reports but less than 100,000 reports	2
Greater than or equal to 1 report but less than 5,000 reports	7
No trade reports	22

The proposed tiers and the proposed fees primarily were determined using the monthly fees paid by Participants with the goal of increasing the FINRA/NYSE TRF's market share, as the Business Member believes that

Participants with significant trade reporting volume may be dissuaded from using the FINRA/NYSE TRF by the current pricing.

As noted above, under current FINRA Rule 7620B, a Participant is charged a

fee that consists of a flat amount plus an amount tied to the number of trade reports the Participant submits to the FINRA/NYSE TRF during a given month. As a result, a Participant submitting a large number of trade

¹⁴ See Securities Exchange Act Release No. 79050 (October 5, 2016), 81 FR 70462, 70465 n.17 (October 12, 2016) (Notice of Filing and Immediate Effectiveness of File No. SR-FINRA-2016-037). If the Participant does not report any shares traded in the first two months, it is not charged. If the

Participant reports shares traded in the second month, it is charged for that month. Under both the current and proposed fee structure, after the first two calendar months, the Participant will be charged regardless of connectivity.

¹⁵ The NYSE TRF Portal is a secure, web-based system for FINRA member firms to manage and report post-execution trade details for exchange-listed securities.

reports to the FINRA/NYSE TRF is charged a higher fee.

For example, if a hypothetical Participant submitted 21 million trade reports to the FINRA/NYSE TRF in a month, it would be charged \$116,500. As a result, the Business Member believes that Participants do not use the FINRA/NYSE TRF for reporting substantial numbers of trade reports. Under the proposed rule change, the hypothetical Participant would be charged \$50,000, or 43% of the current fee. Using September 2025 data, two Participants would have qualified for the proposed top five tiers, with no Participants in the top two tiers.

The Business Member believes that the proposed rule change may increase participation on the FINRA/NYSE TRF by offering reduced fees at the higher tiers, encouraging higher reporting volumes. The Business Member also believes that by tying the fee tiers directly to the number of Tape Eligible Trade Reports a Participant submits during the month, the Participant's fee will remain aligned with its usage of the FINRA/NYSE TRF. Additionally, by using tiers and capping the fee, the proposed change would add predictability to a Participant's fee for using the FINRA/NYSE TRF, as it would not vary as much as under the current rule. As a result, the proposed change would make it easier for market participants to determine whether to become Participants and what their monthly fee would be and would add more clarity to the fee structure, compared to the current pricing model.

FINRA has filed the proposed rule change for immediate effectiveness. The operative date will be December 1, 2025.

2. Statutory Basis

FINRA believes that the proposed rule change is consistent with the provisions of Section 15A(b) of the Act,¹⁶ in general, and Section 15A(b)(5) of the Act,¹⁷ in particular, which requires, among other things, that FINRA rules provide for the equitable allocation of reasonable dues, fees and other charges among members and issuers and other persons using any facility or system that FINRA operates or controls. FINRA also believes that the proposed rule change is consistent with the provisions of Section 15A(b)(6) of the Act,¹⁸ which requires, among other things, that FINRA rules be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and, in general, to

protect investors and the public interest. FINRA also believes that the proposed rule change is consistent with the provisions of Section 15A(b)(9) of the Act,¹⁹ which requires that FINRA rules not impose any burden on competition that is not necessary or appropriate.

As a general matter, the proposed fee schedule will be assessed in the same manner for all FINRA members that are, or elect to become, Participants. It will not be applied differently to different sizes or types of Participants. Access to the FINRA/NYSE TRF is offered on fair and non-discriminatory terms.

The Proposed Rule Change Is an Equitable Allocation of Reasonable Fees

FINRA believes that the proposed rule change provides for an equitable allocation of reasonable fees for the following reasons.

The Business Member believes that pricing is the key factor for FINRA members when choosing which FINRA Facility to use. In this competitive environment, FINRA members can report their OTC trades in NMS stocks to the FINRA/NYSE TRF's competitors if they deem pricing levels at the other FINRA Facilities to be more favorable, so long as they are participants of such other facilities.

The Business Member believes that the proposed rule change is reasonable because it may increase the FINRA/NYSE TRF market share by incentivizing firms to report higher trade report volumes to the FINRA/NYSE TRF. Under current FINRA Rule 7620B, a Participant that uses the FINRA/NYSE TRF is charged a fee that consists of a flat amount plus an amount tied to the number of trade reports the Participant submits during a given month. As a result, a Participant submitting a large number of trade reports is charged a higher fee.

For example, if a hypothetical Participant submitted 21 million trade reports to the FINRA/NYSE TRF in a month, it would be charged \$116,500. As a result, the Business Member has found that Participants do not use the FINRA/NYSE TRF for reporting substantial numbers of trade reports. Under the proposed rule, however, the hypothetical Participant would be charged \$50,000, or 43% of the current fee.

If the proposed rule change had been in place in September 2025, based on the number of Tape Eligible Trade Reports submitted during that period, two Participants would have qualified for the proposed tier requiring at least 10 million up to 15 million reports (*i.e.*,

the third tier from the top) and would have paid \$45,000. Under the current fee structure, these same Participants would pay between \$56,000 and \$83,499. No Participant would have qualified for the top two tiers requiring at least 15 million reports, or for the fourth and fifth tiers requiring between 5 million and up to 10 million reports. The Business Member believes that the proposed rule change may increase participation on the FINRA/NYSE TRF by offering reduced fees at the higher tiers, encouraging higher reporting volumes.

At the same time, if the proposed rule change had been in place in September 2025, based on the number of Tape Eligible Trade Reports submitted during that period, the Participants in the lowest tier with Tape Eligible Trade Reports, requiring at least one but less than 5,000 Tape Eligible Trade Reports would have seen their fees reduced slightly.

Additionally, the Business Member believes that the proposed rule change is reasonable because it is designed to have a minimal impact on Participants. Applying the proposed fee structure to September 2025 data, the proposed change would have resulted in fees remaining the same for the Participants that submitted no trade reports to the FINRA/NYSE TRF²⁰ and a fee decrease for approximately 12 of the Participants, ranging from less than a dollar to approximately \$35,200. Only six Participants would have seen a fee increase, ranging from approximately \$125 to \$6,390. As set forth in the table above, 18 Participants submitted at least one Tape Eligible Trade Report during September 2025.

If the proposed fee structure is applied to 12 months of data, from October 1, 2024, through the end of September 2025, the proposed change would have resulted in fees remaining the same for more than half of the Participants, a fee decrease for approximately 12 of the Participants, ranging from approximately \$2 to \$261,860, and a fee increase for 11 Participants, ranging from approximately \$330 to \$40,750. Participants that would have seen a fee increase would have been able to report their trades to competing FINRA Facilities instead of the FINRA/NYSE TRF, provided they were participants of such other facilities.

The Business Member believes that tying the tier of the fee directly to the

¹⁶ 15 U.S.C. 78o-3(b).

¹⁷ 15 U.S.C. 78o-3(b)(5).

¹⁸ 15 U.S.C. 78o-3(b)(6).

¹⁹ 15 U.S.C. 78o-3(b)(9).

²⁰ In September of 2025, 22 Participants submitted zero trade reports to the FINRA/NYSE TRF and would be assessed the same fee under the proposed rule change.

number of trade reports the Participant submits to the FINRA/NYSE TRF during the month is reasonable because the Participant's overall monthly fee will increase or decrease in line with any changes in the number of submitted trade reports and thus remain tied to the Participant's usage of the FINRA/NYSE TRF. Additionally, by using tiers and capping the fee, the proposed change would add predictability to a Participant's fee for using the FINRA/NYSE TRF, as it would not vary as much as under the current rule. As a result, the proposed change would make it easier for market participants to determine whether to become Participants and to determine what their monthly fee would be and would add more clarity to the fee structure, compared to the current pricing model.

The Business Member also believes that it is reasonable and equitable to retain the flat fee for Participants that do not submit any tape reports to the FINRA/NYSE TRF during the relevant month. In addition, by incorporating the inactivity fee into the chart, the proposed structure provides a clear comparison across all fee levels.

The Proposed Rule Change Is Not Unfairly Discriminatory

FINRA believes that the proposed rule change is not unfairly discriminatory for the following reasons.

The Business Member believes that the proposed rule change is not unfairly discriminatory because it is designed to have a minimal impact on Participants. Applying the proposed fee structure to September 2025 data, the proposed change would have resulted in the fees remaining the same for more than half of the Participants and a fee decrease for approximately 12 of the Participants. Only six Participants would have seen a fee increase if it were implemented. These Participants would have been able to report their trades to competing FINRA Facilities instead of the FINRA/NYSE TRF, provided they were participants of such other facilities.

The Business Member also believes that it is not unfairly discriminatory to retain the flat fee a Participant pays if it does not submit any tape reports to the FINRA/NYSE TRF during the relevant month. The Business Member believes that the inactivity fee, which has not changed, is a reasonable method of encouraging Participants to utilize the FINRA/NYSE TRF.

As is true now, all Participants would be subject to monthly fees. The proposed fee schedule would be applied uniformly to all firms that are, or elect to become, Participants, without regard to firm size or type (except with respect

to the level of trade reports submitted to the FINRA/NYSE TRF). By tying the tier of the fee directly to the number of trade reports that the Participant submits to the FINRA/NYSE TRF during the month, a Participant's trade reporting fees generally would correspond with its usage of the FINRA/NYSE TRF over the relevant period separate from any other firm characteristic.²¹

The Business Member believes that the proposed change is not unfairly discriminatory because Participants whose fees increase under the proposed rule change are able to choose to utilize another FINRA Facility for reporting OTC trades in listed equities. Thus, a Participant could reduce its FINRA/NYSE TRF monthly reporting fees by reducing the volume of Tape Eligible Trade Reports it elects to report to the FINRA/NYSE TRF. FINRA members can report their OTC trades in NMS stocks to the FINRA/NYSE TRF's competitors if they deem pricing levels at the other FINRA Facilities to be more favorable, provided they are participants of such other facilities.

B. Self-Regulatory Organization's Statement on Burden on Competition

FINRA does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

Intramarket Competition. FINRA notes that in the month of September 2025, FINRA members used the FINRA/NYSE TRF to report approximately 2.7% of shares in all NMS stocks traded (OTC and on exchange), compared to approximately 48.3% for the FINRA/Nasdaq TRF. The Business Member believes that pricing is the key factor for FINRA members when choosing which FINRA Facility to use. In this competitive environment, FINRA members can report their OTC trades in NMS stocks to the FINRA/NYSE TRF's competitors if they deem pricing levels at the other FINRA Facilities to be more favorable, so long as they are participants of such other facilities.

Nonetheless, the Business Member does not believe that the proposed rule change would result in a burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Business Member believes that the proposed rule change will have a minimal impact on Participants. Based on September 2025 data, the proposed change would have

resulted in the fees remaining the same for more than half of the Participants and a fee decrease for approximately 12 of the Participants. Only six Participants would have seen a fee increase if it were implemented. They would have been able to report their trades to the FINRA/NYSE TRF's competitors instead of the FINRA/NYSE TRF, so long as they were participants of such other facilities.

Participants in the lowest three tiers with Tape Eligible Trade Reports may face relatively higher per-trade costs compared to Participants that are in the highest tiers, but the Business Member estimated that the fee increase would be minimal. Specifically, based on September 2025 data, of the nine Participants that would have been in the lowest three tiers, only two would have seen a fee increase, one of approximately \$125 and one of approximately \$418. As is the case today, Participants would have been able to report their trades to the FINRA/NYSE TRF's competitors instead of the FINRA/NYSE TRF, so long as they were participants of such other facilities. The remaining Participants would have seen a fee decrease.

The Business Member does not believe that the proposed fee would place some market participants at a relative disadvantage compared to other market participants, because the proposed fee schedule would be applied in the same manner to all FINRA members that are, or elect to become, Participants. The proposed rule change would not be applied differently to different sizes of Participants.²² By tying the tier of the fee directly to the number of trade reports a Participant submits to the FINRA/NYSE TRF during the month, a Participant's overall monthly fee would increase or decrease in line with any changes in the number of submitted trade reports. Participants that elect not to use the FINRA/NYSE TRF during the relevant month would be subject to the same fee as is assessed under the current rule.

Participants may potentially alter their trade reporting activity in response to the proposed rule change. Specifically, those Participants that would incur higher fees may instead choose to report to another FINRA Facility. Alternatively, such firms may continue reporting or new firms may start reporting to the FINRA/NYSE TRF if they find that the proposed net cost of reporting and other functionalities provided represent the best value to their business.²³

²¹ In the analysis of 2025's third quarter trade data, FINRA found no significant correlation between firm size proxied by the total trade reports to all FINRA TRFs and the number of trade reports to the FINRA/NYSE TRF.

²² See supra note 21.

²³ The FINRA/NYSE TRF does not impose a fee on new Participants, and so a FINRA member that

Intermarket Competition. The FINRA/NYSE TRF operates in a competitive environment. The proposed rule change would not impose a burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The FINRA Facilities have different pricing and compete for FINRA members' trade report activity. The pricing structures of the FINRA/NYSE TRF and other FINRA Facilities are publicly available, allowing FINRA members to make informed decisions regarding which FINRA Facility they use to report OTC trades in NMS stocks.

FINRA members can choose among four FINRA Facilities when reporting OTC trades in NMS stocks: the FINRA/NYSE TRF, the two FINRA/Nasdaq TRFs, or ADF. FINRA members can report their OTC trades in NMS stocks to a given FINRA Facility's competitors if they determine that the fees and credits of another FINRA Facility are more favorable, so long as they are participants of such other facility.

The Business Member believes that in such an environment, the FINRA/NYSE TRF must adjust its fees to be competitive with other FINRA Facilities and to attract Participant reporting. By making the FINRA/NYSE TRF more competitive with the FINRA/Nasdaq TRF, the Business Member believes that the proposed fee change will encourage more FINRA members to become FINRA/NYSE TRF Participants and use the FINRA/NYSE TRF, thereby increasing competition among the FINRA Facilities and giving FINRA members more attractive options for trade reporting.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Act²⁴ and paragraph (f)(2) of Rule 19b-4 thereunder.²⁵ At any time within 60 days of the filing of the proposed rule change, the Commission summarily may

opts to become a Participant would not incur an additional cost from the FINRA/NYSE TRF. In some cases, a new Participant may incur incidental costs to connect to the FINRA/NYSE TRF, but those are not charged by the FINRA/NYSE TRF. An existing Participant that ceases to be a Participant is not subject to any change fee by the FINRA/NYSE TRF.

²⁴ 15 U.S.C. 78s(b)(3)(A).

²⁵ 17 CFR 240.19b-4(f)(2).

temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include File Number SR-FINRA-2025-014 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-FINRA-2025-014. 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 (<http://www.sec.gov/rules/sro.shtml>). Copies of the filing will be available for inspection and copying at the principal office of FINRA. 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-FINRA-2025-014 and should be submitted on or before December 31, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²⁶

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025-22392 Filed 12-9-25; 8:45 am]

BILLING CODE 8011-01-P

²⁶ 17 CFR 200.30-3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-104325; File No. SR-NYSETEX-2025-36]

Self-Regulatory Organizations; NYSE Texas, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Rule 7.5 To Reflect the Definition of Round Lot Under Regulation NMS

December 5, 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, the NYSE Texas, Inc. ("NYSE Texas" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the 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 Rule 7.5 (Trading Units) to conform with a recent amendment to the definition of round lot under Regulation NMS. The proposed rule change is available on the Exchange's website at www.nyse.com and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Rule 7.5 (Trading Units) to conform with the definition of round lot under

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b-4.

Regulation NMS (“Reg NMS”) that was implemented in November 2025.⁴

Background and Proposed Rule Change

Rule 7.5 defines a “round lot” as 100 shares, unless specified by a primary listing market to be fewer than 100 shares. Under Rule 7.5, any amount less than a round lot constitutes an “odd lot,” and any amount greater than a round lot that is not a multiple of a round lot constitutes a “mixed lot.”

In 2020, the Commission amended Reg NMS to modernize the NMS information provided within the national market system for the benefit of market participants and to better achieve Section 11A’s goals of assuring “the availability to brokers, dealers, and investors of information with respect to quotations for and transactions in securities that is prompt, accurate, reliable, and fair” (the “MDI Rules”).⁵ These changes included an amendment to Rule 600 of Reg NMS to include a definition of “round lot” that assigns each NMS stock to a round lot size based on the stock’s average closing price.

As part of the amendments to certain Reg NMS rules in 2024, the Commission revised the round lot and odd-lot definitions adopted in 2020 under the MDI Rules and accelerated the compliance date for the amended definitions.⁶ Rule 600(b)(93) under Reg NMS defines a round lot and provides that for NMS stocks that have an average closing price on the primary listing exchange during the prior evaluation period of: (1) \$250.00 or less per share, a round lot is 100 shares; (2) \$250.01 to \$1,000.00 per share, a round lot is 40 shares; (3) \$1,000.01 to \$10,000.00 per share, a round lot is 10 shares; and (4) \$10,000.01 or more per share, a round lot is 1 share.⁷ The round lot definition was implemented on the first business day of November 2025.⁸ On October 31, 2025, the Commission provided temporary exemptive relief to the exchanges from the requirement to file proposed rule changes to amend any exchange rules to reflect the round lot definition in Reg NMS Rule 600 until 30 calendar days following the end of the lapse in appropriation.⁹

⁴ See Securities Exchange Act Release No. 101070 (September 18, 2024), 89 FR 81620 (October 8, 2024) (S7–30–22) (“Release No. 101070”).

⁵ See Securities Exchange Act Release No. 90610 (December 9, 2020), 86 FR 18596 (April 9, 2021) (File No. S7–03–20) (“MDI Adopting Release”).

⁶ See Release 01070, 89 FR at 81680.

⁷ See 17 CFR 242.600(b)(93).

⁸ See Release No. No. 101070, 89 FR at 81666.

⁹ See Securities Exchange Act Release No. 104172 (October 31, 2025), 90 FR 51418 (November 17, 2025) (Order Granting Temporary Exemptive Relief, Pursuant to Section 36(a)(1) of the Securities

Exchange Act of 1934 and Rules 610(f) and 612(d) of Regulation NMS, From Compliance With Rule 600(b)(89)(i)(F), Rule 610(c), Rule 610(d) and Rule 612 of Regulation NMS, as Amended). The lapse in appropriations began on October 1, 2025, and ended on November 12, 2025.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,¹⁰ in general, and furthers the objectives of Section 6(b)(1)¹¹ in particular, in that it enables the Exchange to be so organized as to have the capacity to be able to carry out the purposes of the Act and to comply, and to enforce compliance by its exchange members and persons associated with its exchange members, with the provisions of the Act, the rules and regulations thereunder, and the rules of the Exchange. The Exchange also believes that the proposed rule change is consistent with Section 6(b)(5)¹² of the Act in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, to protect investors and the public interest.

As discussed above, the Exchange proposes to amend Rule 7.5 to conform with the definition of round lot under Reg NMS. The Exchange believes that the proposed rule change would increase the clarity and transparency of the Exchange’s rules and remove impediments to and perfect the mechanism of a free and open market by ensuring that the Exchange’s rules properly reflect the requirements of Rule 600 of Reg NMS. The Exchange also believes that the proposed rule change would remove impediments to and perfects the mechanism of a free

Exchange Act of 1934 and Rules 610(f) and 612(d) of Regulation NMS, From Compliance With Rule 600(b)(89)(i)(F), Rule 610(c), Rule 610(d) and Rule 612 of Regulation NMS, as Amended). The lapse in appropriations began on October 1, 2025, and ended on November 12, 2025.

¹⁰ 15 U.S.C. 78f(b)(5).

¹¹ 15 U.S.C. 78f(b)(1).

¹² 15 U.S.C. 78f(b)(5).

and open market by ensuring that persons subject to the Exchange’s jurisdiction, regulators, and the investing public can more easily navigate and understand the Exchange’s rules. The proposed rule change would not be inconsistent with the public interest and the protection of investors because investors will not be harmed and in fact would benefit from the increased transparency and clarity, thereby reducing potential confusion. The Exchange accordingly believes that the proposed rule change does not raise any new or novel issues not previously considered by the Commission.

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 concerned solely with updating the Exchange’s definition of round lot to reflect the definition of that term in Reg NMS.

C. Self-Regulatory Organization’s Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act¹³ and Rule 19b–4(f)(6) thereunder.¹⁴ Because the proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative prior to 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act¹⁵ and Rule 19b–4(f)(6)¹⁶ thereunder.

¹³ 15 U.S.C. 78s(b)(3)(A)(iii).

¹⁴ 17 CFR 240.19b–4(f)(6).

¹⁵ 15 U.S.C. 78s(b)(3)(A).

¹⁶ Rule 19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B)¹⁷ of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include file number SR-NYSETEX-2025-36 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-NYSETEX-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-NYSETEX-2025-36 and should be submitted on or before December 31, 2025.

proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

¹⁷ 15 U.S.C. 78s(b)(2)(B).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁸

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025-22399 Filed 12-9-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-104326; File No. SR-NYSE-2025-25]

Self-Regulatory Organizations; NYSE National, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Rule 7.5 To Reflect the Definition of Round Lot Under Regulation NMS

December 5, 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, NYSE National, Inc. ("NYSE National" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the 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 Rule 7.5 (Trading Units) to conform with a recent amendment to the definition of round lot under Regulation NMS. The proposed rule change is available on the Exchange's website at www.nyse.com and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

¹⁸ 17 CFR 200.30-3(a)(12).

¹⁵ U.S.C. 78s(b)(1).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b-4.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Rule 7.5 (Trading Units) to conform with the definition of round lot under Regulation NMS ("Reg NMS") that was implemented in November 2025.⁴

Background and Proposed Rule Change

Rule 7.5 defines a "round lot" as 100 shares, unless specified by a primary listing market to be fewer than 100 shares. Under Rule 7.5, any amount less than a round lot constitutes an "odd lot," and any amount greater than a round lot that is not a multiple of a round lot constitutes a "mixed lot."

In 2020, the Commission amended Reg NMS to modernize the NMS information provided within the national market system for the benefit of market participants and to better achieve Section 11A's goals of assuring "the availability to brokers, dealers, and investors of information with respect to quotations for and transactions in securities that is prompt, accurate, reliable, and fair" (the "MDI Rules").⁵ These changes included an amendment to Rule 600 of Reg NMS to include a definition of "round lot" that assigns each NMS stock to a round lot size based on the stock's average closing price.

As part of the amendments to certain Reg NMS rules in 2024, the Commission revised the round lot and odd-lot definitions adopted in 2020 under the MDI Rules and accelerated the compliance date for the amended definitions.⁶ Rule 600(b)(93) under Reg NMS defines a round lot and provides that for NMS stocks that have an average closing price on the primary listing exchange during the prior evaluation period of: (1) \$250.00 or less per share, a round lot is 100 shares; (2) \$250.01 to \$1,000.00 per share, a round lot is 40 shares; (3) \$1,000.01 to \$10,000.00 per share, a round lot is 10 shares; and (4) \$10,000.01 or more per share, a round lot is 1 share.⁷ The round lot definition was implemented on the first business day of November 2025.⁸ On October 31, 2025, the Commission provided temporary exemptive relief to the

⁴ See Securities Exchange Act Release No. 101070 (September 18, 2024), 89 FR 81620 (October 8, 2024) (S7-30-22) ("Release No. 101070").

⁵ See Securities Exchange Act Release No. 90610 (December 9, 2020), 86 FR 18596 (April 9, 2021) (File No. S7-03-20) ("MDI Adopting Release").

⁶ See Release 01070, 89 FR at 81680.

⁷ See 17 CFR 242.600(b)(93).

⁸ See Release No. No. 101070, 89 FR at 81666.

exchanges from the requirement to file proposed rule changes to amend any exchange rules to reflect the round lot definition in Reg NMS Rule 600 until 30 calendar days following the end of the lapse in appropriation.⁹

In anticipation of the upcoming compliance date, the Exchange proposes to amend its definition of round lot to reflect the definition of round lot under Reg NMS. To effectuate this change, the Exchange would replace “specified by the primary listing market” with “required by the definition of ‘round lot’ under Regulation NMS.” As proposed, the second sentence of Rule 7.5 would read “A ‘round lot’ is 100 shares, unless required by the definition of ‘round lot’ under Regulation NMS to be fewer than 100 shares.” The Exchange does not propose any other changes to Rule 7.5.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,¹⁰ in general, and furthers the objectives of Section 6(b)(1)¹¹ in particular, in that it enables the Exchange to be so organized as to have the capacity to be able to carry out the purposes of the Act and to comply, and to enforce compliance by its exchange members and persons associated with its exchange members, with the provisions of the Act, the rules and regulations thereunder, and the rules of the Exchange. The Exchange also believes that the proposed rule change is consistent with Section 6(b)(5)¹² of the Act in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, to protect investors and the public interest.

As discussed above, the Exchange proposes to amend Rule 7.5 to conform with the definition of round lot under Reg NMS. The Exchange believes that the proposed rule change would increase the clarity and transparency of

the Exchange’s rules and remove impediments to and perfect the mechanism of a free and open market by ensuring that the Exchange’s rules properly reflect the requirements of Rule 600 of Reg NMS. The Exchange also believes that the proposed rule change would remove impediments to and perfects the mechanism of a free and open market by ensuring that persons subject to the Exchange’s jurisdiction, regulators, and the investing public can more easily navigate and understand the Exchange’s rules. The proposed rule change would not be inconsistent with the public interest and the protection of investors because investors will not be harmed and in fact would benefit from the increased transparency and clarity, thereby reducing potential confusion. The Exchange accordingly believes that the proposed rule change does not raise any new or novel issues not previously considered by the Commission.

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 concerned solely with updating the Exchange’s definition of round lot to reflect the definition of that term in Reg NMS.

C. Self-Regulatory Organization’s Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act¹³ and Rule 19b-4(f)(6) thereunder.¹⁴ Because the proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative prior to 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest, the proposed rule change has become

effective pursuant to Section 19(b)(3)(A) of the Act¹⁵ and Rule 19b-4(f)(6)¹⁶ thereunder.

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B)¹⁷ of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission’s internet comment form (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include file number SR-NYSENAT-2025-25 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.
- All submissions should refer to file number SR-NYSENAT-2025-25. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission’s internet website (<https://www.sec.gov/rules/sro.shtml>). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is

⁹ See Securities Exchange Act Release No. 104172 (October 31, 2025), 90 FR 51418 (November 17, 2025) (Order Granting Temporary Exemptive Relief Pursuant to Section 36(a)(1) of the Securities Exchange Act of 1934 and Rules 610(f) and 612(d) of Regulation NMS, From Compliance With Rule 600(b)(89)(i)(F), Rule 610(c), Rule 610(d) and Rule 612 of Regulation NMS, as Amended). The lapse in appropriations began on October 1, 2025, and ended on November 12, 2025.

¹⁰ 15 U.S.C. 78f(b)(5).

¹¹ 15 U.S.C. 78f(b)(1).

¹² 15 U.S.C. 78f(b)(5).

¹³ 15 U.S.C. 78s(b)(3)(A)(iii).

¹⁴ 17 CFR 240.19b-4(f)(6).

¹⁵ 15 U.S.C. 78s(b)(3)(A).

¹⁶ Rule 19b-4(f)(6). In addition, Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

¹⁷ 15 U.S.C. 78s(b)(2)(B).

obscene or subject to copyright protection. All submissions should refer to file number SR-NYSE-NAT-2025-25 and should be submitted on or before December 31, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁸

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025-22384 Filed 12-9-25; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-104323; File No. SR-NYSE-2025-42]

Self-Regulatory Organizations; New York Stock Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Rule 6800 Series

December 5, 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 December 2, 2025, New York Stock Exchange LLC (“NYSE” or the “Exchange”) filed with the Securities and Exchange Commission (“Commission”) the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the Rule 6800 Series, the Exchange’s compliance rule (“Compliance Rule”) regarding the National Market System Plan Governing the Consolidated Audit Trail (the “CAT NMS Plan” or “Plan”)³ to be consistent with the amendment to the CAT NMS Plan that requires broker-dealers with a reporting obligation to CAT to report whether an original receipt or origination of an order to sell an equity security is a short sale for which a market maker is claiming the bona fide market making exception in Rule 203(b)(2)(iii) of Regulation SHO (“BFMM Locate Exception”).⁴ The

proposed rule change is available on the Exchange’s website at www.nyse.com and at the principal office of the Exchange.

II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization’s Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of this proposed rule change is to amend Rule 6830 of the Compliance Rule to be consistent with the amendment to the CAT NMS Plan related to the BFMM Locate Exception. In 2023, the Commission amended the CAT NMS Plan to require the reporting to the CAT of reliance on the BFMM Locate Exception.⁵ Specifically, the Commission added paragraph (D) to Section 6.4(d)(ii) of the CAT NMS Plan, which requires each Participant, through its Compliance Rule, to require its Industry Members to record and report to the Central Repository the following:

for the original receipt or origination of an order to sell an equity security, whether the order is for a short sale effected by a market maker in connection with bona fide market making activities in the security for which the exception in Rule 203(b)(2)(iii) of Regulation SHO is claimed.

Accordingly, the Exchange proposes to amend its Compliance Rule to reflect this additional CAT reporting requirement. Specifically, the Exchange proposes to add paragraph (G) to Rule 6830, which would require each Industry Member to record and report to the Central Repository the following:

for the original receipt or origination of an order to sell an equity security, whether the order is for a short sale effected by a market maker in connection with bona fide market making activities in the security for which the exception in Rule 203(b)(2)(iii) of Regulation SHO is claimed.

and 98739 (October 13, 2023), 88 FR 75079 (November 1, 2023).

⁵ *Id.*

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the provisions of Section 6(b)(5) of the Act,⁶ which require, among other things, that the Exchange’s rules must be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and, in general, to protect investors and the public interest, and Section 6(b)(8) of the Act,⁷ which requires that the Exchange’s rules not impose any burden on competition that is not necessary or appropriate.

The Exchange believes that this proposal is consistent with the Act because it is consistent with the amendment to the CAT NMS Plan approved by the Commission, and is designed to assist the Exchange and its Industry Members in meeting regulatory obligations pursuant to the Plan. In approving the Plan, the SEC noted that the Plan “is necessary and appropriate in the public interest, for the protection of investors and the maintenance of fair and orderly markets, to remove impediments to, and perfect the mechanism of a national market system, or is otherwise in furtherance of the purposes of the Act.”⁸ To the extent that this proposal implements the Plan as amended, and applies specific requirements to Industry Members, the Exchange believes that this proposal furthers the objectives of the Plan, as identified by the SEC, and is therefore consistent with the Exchange Act.

B. Self-Regulatory Organization’s Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange notes that the proposed rule change is consistent with the amendment to the CAT NMS Plan approved by the Commission, and is designed to assist the Exchange in meeting its regulatory obligations pursuant to the Plan. The Exchange also notes that the amendment to the Compliance Rule will apply equally to all Industry Members that trade equity securities. In addition, all national securities exchanges and FINRA are proposing these amendments to their Compliance Rules. Therefore, this is not a competitive rule filing, and, therefore,

⁶ 15 U.S.C. 78f(b)(6).

⁷ 15 U.S.C. 78f(b)(8).

⁸ See Securities Exchange Act Release No. 79318 (November 15, 2016), 81 FR 84696, 84697 (November 23, 2016).

¹⁸ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78a.

² 17 CFR 240.19b-4.

³ Unless otherwise specified, capitalized terms used in this rule filing are defined as set forth in the Compliance Rule.

⁴ See Securities Exchange Act Release Nos. 98738 (Oct. 13, 2023), 88 FR 75100 (November 1, 2023);

it does not impose a burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

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

Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act⁹ and subparagraph (f)(6) of Rule 19b-4 thereunder.¹⁰

A proposed rule change filed under Rule 19b-4(f)(6)¹¹ normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b-4(f)(6)(iii),¹² the Commission may designate a shorter time if such action is consistent with protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing. The Commission believes that waiving 30-day operative delay is consistent with the protection of investors and the public interest because the proposal seeks to amend the Exchange's CAT Compliance Rule to reflect the requirement in the CAT NMS Plan that industry members report for the original receipt or origination of an order to sell an equity security, whether the order is for a short sale effected by a market maker in connection with bona fide market making activities in the security for which the exception in Rule 203(b)(2)(iii) of Regulation SHO is claimed.¹³ The proposal does not introduce any novel regulatory issues. Accordingly, the Commission

designates the proposed rule change to be operative upon filing.¹⁴

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. 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-NYSE-2025-42 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.

All submissions should refer to file number SR-NYSE-2025-42. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<https://www.sec.gov/rules/sro.shtml>). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-NYSE-2025-42 and should be submitted on or before December 31, 2025.

¹⁴ 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).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁵

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025-22391 Filed 12-9-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-104322; File No. SR-NYSEARCA-2025-85]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Rule 11.6800 Series

December 5, 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 December 2, 2025, NYSE Arca, Inc. ("NYSE Arca" or the "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the Rule 11.6800 Series, the Exchange's compliance rule ("Compliance Rule") regarding the National Market System Plan Governing the Consolidated Audit Trail (the "CAT NMS Plan" or "Plan")³ to be consistent with the amendment to the CAT NMS Plan that requires broker-dealers with a reporting obligation to CAT to report whether an original receipt or origination of an order to sell an equity security is a short sale for which a market maker is claiming the bona fide market making exception in Rule 203(b)(2)(iii) of Regulation SHO ("BFMM Locate Exception").⁴ The proposed rule change is available on the Exchange's website at www.nyse.com

¹⁵ 17 CFR 200.30-3(a)(12) and (59).

¹ 15 U.S.C. 78a.

² 17 CFR 240.19b-4.

³ Unless otherwise specified, capitalized terms used in this rule filing are defined as set forth in the Compliance Rule.

⁴ See Securities Exchange Act Release Nos. 98738 (Oct. 13, 2023), 88 FR 75100 (November 1, 2023); and 98739 (October 13, 2023), 88 FR 75079 (November 1, 2023).

⁹ 15 U.S.C. 78s(b)(3)(A)(iii).

¹⁰ 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

¹¹ 17 CFR 240.19b-4(f)(6).

¹² 17 CFR 240.19b-4(f)(6)(iii).

¹³ See *supra* note 4.

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 purpose of this proposed rule change is to amend Rule 11.6830 of the Compliance Rule to be consistent with the amendment to the CAT NMS Plan related to the BFMM Locate Exception. In 2023, the Commission amended the CAT NMS Plan to require the reporting to the CAT of reliance on the BFMM Locate Exception.⁵ Specifically, the Commission added paragraph (D) to Section 6.4(d)(ii) of the CAT NMS Plan, which requires each Participant, through its Compliance Rule, to require its Industry Members to record and report to the Central Repository the following:

for the original receipt or origination of an order to sell an equity security, whether the order is for a short sale effected by a market maker in connection with bona fide market making activities in the security for which the exception in Rule 203(b)(2)(iii) of Regulation SHO is claimed.

Accordingly, the Exchange proposes to amend its Compliance Rule to reflect this additional CAT reporting requirement. Specifically, the Exchange proposes to add paragraph (G) to Rule 11.6830, which would require each Industry Member to record and report to the Central Repository the following:

for the original receipt or origination of an order to sell an equity security, whether the order is for a short sale effected by a market maker in connection with bona fide market making activities in the security for which the exception in Rule 203(b)(2)(iii) of Regulation SHO is claimed.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with

the provisions of Section 6(b)(5) of the Act,⁶ which require, among other things, that the Exchange's rules must be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and, in general, to protect investors and the public interest, and Section 6(b)(8) of the Act,⁷ which requires that the Exchange's rules not impose any burden on competition that is not necessary or appropriate.

The Exchange believes that this proposal is consistent with the Act because it is consistent with the amendment to the CAT NMS Plan approved by the Commission, and is designed to assist the Exchange and its Industry Members in meeting regulatory obligations pursuant to the Plan. In approving the Plan, the SEC noted that the Plan "is necessary and appropriate in the public interest, for the protection of investors and the maintenance of fair and orderly markets, to remove impediments to, and perfect the mechanism of a national market system, or is otherwise in furtherance of the purposes of the Act."⁸ To the extent that this proposal implements the Plan as amended, and applies specific requirements to Industry Members, the Exchange believes that this proposal furthers the objectives of the Plan, as identified by the SEC, and is therefore consistent with the Exchange Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange notes that the proposed rule change is consistent with the amendment to the CAT NMS Plan approved by the Commission, and is designed to assist the Exchange in meeting its regulatory obligations pursuant to the Plan. The Exchange also notes that the amendment to the Compliance Rule will apply equally to all Industry Members that trade equity securities. In addition, all national securities exchanges and FINRA are proposing these amendments to their Compliance Rules. Therefore, this is not a competitive rule filing, and, therefore, it does not impose a burden on competition.

⁶ 15 U.S.C. 78f(b)(6).

⁷ 15 U.S.C. 78f(b)(8).

⁸ See Securities Exchange Act Release No. 79318 (November 15, 2016), 81 FR 84696, 84697 (November 23, 2016).

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

Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act⁹ and subparagraph (f)(6) of Rule 19b-4 thereunder.¹⁰

A proposed rule change filed under Rule 19b-4(f)(6)¹¹ normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b-4(f)(6)(iii),¹² the Commission may designate a shorter time if such action is consistent with protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing. The Commission believes that waiving 30-day operative delay is consistent with the protection of investors and the public interest because the proposal seeks to amend the Exchange's CAT Compliance Rule to reflect the requirement in the CAT NMS Plan that industry members report for the original receipt or origination of an order to sell an equity security, whether the order is for a short sale effected by a market maker in connection with bona fide market making activities in the security for which the exception in Rule 203(b)(2)(iii) of Regulation SHO is claimed.¹³ The proposal does not introduce any novel regulatory issues. Accordingly, the Commission

⁹ 15 U.S.C. 78s(b)(3)(A)(iii).

¹⁰ 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

¹¹ 17 CFR 240.19b-4(f)(6).

¹² 17 CFR 240.19b-4(f)(6)(iii).

¹³ See *supra* note 4.

⁵ *Id.*

designates the proposed rule change to be operative upon filing.¹⁴

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. 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-NYSEARCA-2025-85 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-NYSEARCA-2025-85. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<https://www.sec.gov/rules/sro.shtml>). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-NYSEARCA-2025-85 and should be submitted on or before December 31, 2025.

¹⁴ 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).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁵

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025-22393 Filed 12-9-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-104329; File No. SR-24X-2025-16]

Self-Regulatory Organizations; 24X National Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Modify Limit Order Price Protection Percentages

December 5, 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 28, 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 and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to modify the limit order price protection percentages applicable to the Pre-Market, Post-Market, and 24X Market Sessions to match those applicable to the Core Market Session. 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

24X Rule 11.9(g) describes a mechanism by which the Exchange's trading System⁴ will reject limit orders that, among other parameters, are priced specified percentages away from the National Best Bid or National Best Offer ("Limit Order Price Protection"). This mechanism is intended to reduce the risk of harm to market participants resulting from limit orders inadvertently entered at unintended prices. The Exchange proposes to modify the Limit Order Price Protection percentages applicable to the Pre-Market Session,⁵ Post-Market Session,⁶ and 24X Market Session⁷ to match those applicable to the Core Market Session.⁸

24X Rule 11.9(g) currently provides that, during the Pre-Market, Post-Market, and 24X Market Sessions, the Limit Order Price Protection percentages are: (i) 20% for securities priced above \$0.00 up to and including \$25.00; (ii) 10% for securities priced above \$25.00 up to and including \$50.00; and (iii) 6% for securities priced above \$50.00. The Exchange proposes to modify the above percentages to match those applicable to the Core Market Session as follows: (i) 10% for securities priced above \$0.00 up to and including \$25.00; (ii) 5% for securities priced above \$25.00 up to and including \$50.00; and (iii) 3% for securities priced above \$50.00.

The Exchange proposes this change in order to align with the limit order price protection percentages adopted by other national securities exchanges during their early and late trading sessions.⁹ The proposed change will also provide greater protection to investors given that the proposed revised percentages are lower than the current percentages.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the provisions of Section 6 of the Act¹⁰ in general, and with Section 6(b)(5) of

⁴ See 24X Rule 1.5(hh).

⁵ See 24X Rule 1.5(z).

⁶ See 24X Rule 1.5(y).

⁷ See 24X Rule 1.5(c). The Exchange will not commence operation of the 24X Market Session until the requirements of 24X Rule 1.5(c) are met.

⁸ See 24X Rule 1.5(l).

⁹ See, e.g., NYSE Arca Inc. ("NYSE Arca") Rule 7.31-E(a)(2)(B)(ii).

¹⁰ 15 U.S.C. 78f.

¹⁵ 17 CFR 200.30-3(a)(12) and (59).

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b-4.

the Act¹¹ in particular, because it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to, and perfect the mechanism of, a free and open market and a national market system and, in general, to protect investors and the public interest; 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 aligning the Exchange's rules more closely with those of other national securities exchanges¹² in providing Limit Order Price Protection percentages that better protect investors during trading sessions other than the Core Market Session, thereby removing impediments to and perfecting the mechanism of a free and open market and a national market system and protecting investors and the public interest. Given that the proposed modified Limit Order Price Protection percentages are already applicable to the Core Market Session and are consistent with those used by other exchanges,¹³ the Exchange believes that the proposed rule change does not involve any new or novel issues that have not been previously considered by the Commission.

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 offer protections to investors that are consistent with the protections they receive from other national securities exchanges.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section

19(b)(3)(A)(iii) of the Act¹⁴ and Rule 19b-4(f)(6) thereunder.¹⁵ Because the proposed rule change does not (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative prior to 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act¹⁶ and Rule 19b-4(f)(6)(iii) thereunder.¹⁷

A proposed rule change filed under Rule 19b-4(f)(6)¹⁸ normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b-4(f)(6)(iii),¹⁹ the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has requested that the Commission waive the 30-day operative delay so that the proposal may become operative immediately upon filing. The Exchange states that conforming the Limit Order Price Protection percentages for the Pre-Market, Post Market Sessions and 24X Market Session with the Limit Order Price Protection percentages that are applicable to the Core Market Session will provide greater protections for market participants. The Commission believes that waiver of the operative delay would be consistent with the protection of investors and the public interest because this proposed rule change does not present any novel

¹⁴ 15 U.S.C. 78s(b)(3)(A)(iii).

¹⁵ 17 CFR 240.19b-4(f)(6). The Exchange originally submitted the proposed rule change to the Commission on October 9, 2025, which could have enabled it to become effective on October 14, 2025, the date on which the Exchange commenced operations as a national securities exchange and the date on which the Exchange began implementing the proposed modified Limit Order Price Protection percentages during the Pre-Market and Post-Market Sessions. However, the Commission was unable to consider any proposed rule changes during the federal government shutdown that lasted from October 1, 2025 to November 12, 2025.

Technological limitations prevented the Exchange from being able to commence operations without also commencing implementation of the proposed modified Limit Order Price Protection percentages during the Pre-Market and Post-Market Sessions.

¹⁶ 15 U.S.C. 78s(b)(3)(A)(iii).

¹⁷ 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6)(iii) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has fulfilled this requirement.

¹⁸ 17 CFR 240.19b-4(f)(6).

¹⁹ 17 CFR 240.19b-4(f)(6)(iii).

issues. Accordingly, the Commission hereby waives the 30-day operative delay and designates the proposed rule change as operative upon filing.²⁰

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include file number SR-24X-2025-16 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-2025-16. 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-2025-16 and should be submitted on or before December 31, 2025.

²⁰ 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).

¹¹ 15 U.S.C. 78f(b)(5).

¹² See, e.g., NYSE Arca Rule 7.31-E(a)(2)(B)(ii).

¹³ *Id.*

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²¹

Sherry R. Haywood,

Assistant Secretary.

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104333; File No. SR–NYSEARCA–2025–83]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Modify the NYSE Arca Options Fee Schedule

December 5, 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 December 1, 2025, NYSE Arca, Inc. (“NYSE Arca” or the “Exchange”) filed with the Securities and Exchange Commission (the “Commission”) the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to modify the NYSE Arca Options Fee Schedule (“Fee Schedule”) to (1) adopt a new pricing tier for Firm and Broker Dealer posted interest in Penny Issues; and (2) adopt an additional incentive for Market Makers to post liquidity in certain actively-traded options classes. The Exchange proposes to implement the fee changes effective December 1, 2025. The proposed rule change is available on the Exchange’s website at www.nyse.com and at the principal office of the Exchange.

II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text

of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization’s Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of this filing is to modify the Fee Schedule to (1) adopt a new pricing tier for Firm and Broker Dealer posted interest in Penny Issues, and (2) adopt an additional incentive for Market Makers to post liquidity in certain actively-traded options classes, and more specifically, in the iShares Russell 2000 ETF (“IWM”), the Invesco QQQ Trust, Series 1 (“QQQ”) and the SPDR S&P 500 ETF Trust (“SPY”).

Firm and Broker Dealer Incentive

The Exchange has adopted an incentive program under which the Exchange provides credits for posted Firm and Broker Dealer interest in Penny Issues (the “FBD Posting Incentive”).⁴ Under this incentive program, the Exchange currently provides a base credit of \$0.28 per contract on electronic executions of Firm and Broker Dealer posted interest in Penny Issues. Further, under current Tier 1 of the FBD Posting Incentive, OTP Holders that execute at least 0.30% of Total Customer Average Daily Volume (“TCADV”)⁵ from Firm and Broker Dealer posted interest in all issues receive a credit of \$0.35 per contract.

The Exchange now proposes to adopt a new pricing tier under the FBD Posting Incentive. Under proposed new Tier 1 of the FBD Posting Incentive, OTP Holders that execute at least 0.20% of TCADV from Firm and Broker Dealer posted interest in all issues would receive a credit of \$0.32 per contract.⁶ As is the case with current posting credit tiers, OTP Holders may aggregate their volume with affiliated OTPs to

achieve the proposed credit under the new pricing tier.⁷

The Exchange believes the proposed new pricing tier under the FBD Posting Incentive is reasonable because OTP Holders (and their affiliates) can bring a variety of order flow to the Exchange, which may result in increased volume and liquidity. The Exchange’s fees are constrained by intermarket competition, as OTP Holders may direct their order flow to any of the 18 options exchanges, including those with similar posting incentives.⁸ The Exchange notes that all market participants stand to benefit from increased transaction volume, which promotes market depth, facilitates tighter spreads and enhances price discovery, and may lead to a corresponding increase in order flow from other market participants.

The Exchange cannot predict with certainty whether any OTP Holders would avail themselves of this proposed fee change by achieving the requirement to qualify for the proposed new pricing tier under the FBD Posting Incentive. The Exchange notes that whether or when an OTP Holder qualifies for the various incentive tiers in a given month is dependent on market activity and an OTP Holder’s mix of order flow. Thus, the Exchange cannot predict with any certainty the number of OTP Holders that may qualify for the proposed new tier. However, given the proposed new pricing tier may be achieved by meeting lesser volume criteria, the Exchange believes that OTP Holders would be encouraged to take advantage of the newly proposed pricing tier and its associated credit.

Market Maker Incentive

Currently, Market Makers receive a \$0.28 per contract credit for executions against Market Maker posted liquidity in Penny Pilot Issues and Lead Market Makers (“LMMs”) may receive an additional \$0.05 per contract credit (for a total of \$0.33 per contract credit) for posted liquidity in Penny Pilot Issues.⁹ Similarly, Market Makers may receive a \$0.28 per contract credit for executions against their posted liquidity in SPY

⁷ See Fee Schedule, Endnotes 8 (providing that the proposed incentives will include the activity of affiliates) and 15 (defining affiliates referenced in Endnote 8).

⁸ See, e.g., MIAx Pearl Options Exchange, Fee Schedule, available here, https://www.miaxglobal.com/sites/default/files/fee_schedule-files/MIAx_Pearl_Options_Fee_Schedule_09232025_1.pdf (setting forth volume tiers for Non-Priority Customer, Firm, Broker Dealer and Non-MIAx Pearl Market Makers).

⁹ See Fee Schedule, Transaction Fee for Electronic Executions, Per Contract. See also Market Maker Monthly Penny and SPY Posting Credit Tiers (the “MM Credit Tiers”).

²¹ 17 CFR 200.30–3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b–4.

⁴ See Fee Schedule, FIRM AND BROKER DEALER PENNY POSTING CREDIT TIERS (providing in the preamble that “OTP Holders and OTP Firms meeting the qualifications below will receive corresponding credit on all electronic executions of Firm and Broker Dealer posted interest in Penny Issues”).

⁵ TCADV includes OCC calculated Customer volume of all types, including Complex Order Transactions and QCC transactions, in equity and ETF options. See Fee Schedule, Endnote 8.

⁶ With the proposed adoption of the new pricing tier as Tier 1, the Exchange proposes to rename current Tier 1 as Tier 2.

and LMMs may receive an additional \$0.04 per contract credit (for a total of \$0.32 per contract credit) for posted liquidity in SPY if it is in the LMM's appointment.¹⁰ The Exchange currently offers additional incentives (*i.e.*, enhanced credits) to Market Makers to post liquidity.¹¹

The Exchange also offers an incentive to encourage Market Makers to post interest in SPY. A Market Maker that has posted interest of at least 0.15% of TCADV in SPY during a calendar month currently receives a per contract credit of \$0.36 for electronic executions against such posted interest. In addition, a Market Maker that has posted interest of at least 0.20% of TCADV in SPY during a calendar month currently receives a per contract credit of \$0.45 for electronic executions against such posted interest. Given the heightened trading in IWM, QQQ and SPY, the Exchange proposes to add another incentive by offering any Market Maker that has posted Market Maker interest in IWM, QQQ, and SPY of at least 0.90% of total combined IWM, QQQ, and SPY industry ADV during a calendar month, a per contract credit of \$0.36 for electronic executions against posted interest in IWM and QQQ, and a per contract credit of \$0.45 for electronic executions against posted interest in SPY.¹²

As is the case today, a Market Maker that qualifies for more than one available credit will always receive the highest rebate applicable to a transaction. For example, a Market Maker that is eligible to receive both the \$0.40 per contract credit under the Super Select Tier as well as the proposed \$0.45 per contract credit via the Market Maker Incentive for SPY would receive the latter (higher) credit.

¹⁰ See Fee Schedule, the MM Credit Tiers, Base Rate.

¹¹ See *e.g.*, MM Credit Tiers, Super Tier (which provides a \$0.39 per contract credit for executions of Market Maker posted interest in SPY provided the Market Maker achieves at least 0.55% of TCADV from Market Maker posted interest in all issues, or at least 1.60% of TCADV from all interest in all issues, all account types, with at least 0.15% TCADV from Market Maker posted interest in all issues) and Super Select Tier (which provides a \$0.40 per contract credit for executions of Market Maker posted interest in SPY provided the Market Maker achieves at least 0.25% of total combined IWM, QQQ, and SPY industry ADV from Market Maker posted interest in IWM, QQQ, and SPY, combined with an ETP Holder and Market Maker posted volume in Tape B Adding ADV that is equal to at least 1.55% of US Tape B CADV executed on NYSE Arca Equity Market).

¹² See proposed Fee Schedule, Market Maker Incentives for SPY (including reference to Endnote 8, which sets forth the calculations for monthly posting credits).

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,¹³ in general, and furthers the objectives of Sections 6(b)(4) and (5) of the Act,¹⁴ in particular, because it provides for the equitable allocation of reasonable dues, fees, and other charges among its members, issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers or dealers.

The proposed change is reasonable, equitable, and not unfairly discriminatory. 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 Commission has repeatedly expressed its preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. In Regulation NMS, the Commission highlighted the importance of market forces in determining prices and SRO revenues and, also, recognized that current regulation of the market system "has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies."¹⁵

There are currently 18 registered options exchanges competing for order flow. Based on publicly-available information, and excluding index-based options, no single exchange has more than 16% of the market share of executed volume of multiply-listed equity and ETF options trades.¹⁶ Therefore, currently no exchange possesses significant pricing power in the execution of multiply-listed equity and ETF options order flow. More specifically, in October 2025, the Exchange had 10.09% market share of executed volume of multiply-listed equity and ETF options trades.¹⁷ In such a low-concentrated and highly competitive market, no single options exchange possesses significant pricing

¹³ 15 U.S.C. 78f(b).

¹⁴ 15 U.S.C. 78f(b)(4) and (5).

¹⁵ See Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496, 37499 (June 29, 2005) (S7-10-04) ("Reg NMS Adopting Release").

¹⁶ The OCC publishes options and futures volume in a variety of formats, including daily and monthly volume by exchange, available here: <https://www.theocc.com/Market-Data/Market-Data-Reports/Volume-and-Open-Interest/Monthly-Weekly-Volume-Statistics>.

¹⁷ Based on a compilation of OCC data for monthly volume of equity-based options and monthly volume of ETF-based options, *see id.*, the Exchange's market share in multiply-listed equity and ETF options decreased from 12.55% in October 2024 to 10.09% for the month of October 2025.

power in the execution of option 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.

The Proposed Rule Change Is Reasonable

Firm and Broker Dealer Incentive

The Exchange believes the proposed new pricing tier under the FBD Posting Incentive is a reasonable means to incent OTP Holders to transact more options volume on the Exchange. The FBD Posting Incentive is designed to encourage OTP Holders to increase the Firm and Broker dealer volume sent to the Exchange for execution. The proposed new pricing tier, which will be available to participants that qualify for the FBD Posting Incentive, would encourage increased market participation by OTP Holders and their affiliates. The Exchange believes this should increase volume and liquidity on the Exchange to the benefit of all market participants by providing more trading opportunities and tighter spreads, and may lead to a corresponding increase in order flow from other market participants. Further, the FBD Posting Incentive is similar to and competitive with posting credits tiers for Firm and Broker Dealer volume offered by other exchanges [*sic*]¹⁸ and is designed to attract (and compete for) order flow to the Exchange, which provides a greater opportunity for trading by all market participants.

The Exchange believes that the proposed change to adopt a new pricing tier under the existing FBD Posting Incentive would incent OTP Holders to increase the number and variety orders sent to the Exchange for execution. Further, the Exchange notes that it continues to provide OTP Holders alternative methods (and thus increased opportunities) to qualify for posting credits, resulting in favorable rates for a variety of order types. As such, OTP Holders would be encouraged to increase their participation on the Exchange, thereby improving the quoted markets and attracting more order flow to the Exchange. To the extent that the proposed change attracts more order flow to the Exchange, this increased order flow would continue to make the Exchange a more competitive venue for order execution, which, in turn, promotes just and equitable principles of trade and removes impediments to and perfects the mechanism of a free

¹⁸ See *supra*, note 8.

and open market and a national market system.

Finally, to the extent the proposed change continues to attract greater volume and liquidity, the Exchange believes the proposed change would improve the Exchange's overall competitiveness and strengthen its market quality for all market participants. In the backdrop of the competitive environment in which the Exchange operates, the proposed rule change is a reasonable attempt by the Exchange to increase the depth of its market and improve its market share relative to its competitors.

Market Maker Incentive

The Exchange believes that providing an additional incentive for executions against posted liquidity in IWM, QQQ, and SPY is a reasonable means to encourage greater participation in these three actively-traded options classes, which are consistently the most active options issues nationally. The proposed incentive would also provide an additional means for Market Makers to qualify for increased credits for posting volume on the Exchange. By encouraging activity in these options classes, the Exchange believes that opportunities to qualify for other rebates are increased, which benefits all participants through increased Market Maker activity. The Exchange also believes that encouraging a higher level of trading volume in IWM, QQQ, and SPY should increase opportunities for OTP Holders and OTP Firms to achieve credits available through existing incentive programs, such as the MM Credit Tiers, which provides OTP Holders and OTP Firms the ability to achieve per contract credit for electronic executions of posted Market Maker interest in IWM, QQQ, and SPY by combining the volume of the OTP Holder and OTP Firm with volume of their affiliates or Appointed Market Maker. To the extent that order flow, which adds liquidity, is increased by the proposal, OTP Holders and OTP Firms will be encouraged to compete for the opportunity to trade on the Exchange, including by sending additional order flow to the Exchange to achieve higher tiers or enhanced rebates. The resulting increased volume and liquidity would benefit all Exchange participants by providing more trading opportunities and tighter spreads.

The Exchange also notes that the proposed additional incentive for posting in IWM, QQQ, and SPY is reasonable as it is consistent with

credits offered to Market Makers by other options exchanges [sic].¹⁹

The Proposed Rule Change Is an Equitable Allocation of Credits and Fees and Is Not Unfairly Discriminatory Firm and Broker Dealer Incentive

The Exchange believes the proposed rule change is an equitable allocation of its fees and credits, and is not unfairly discriminatory, as it applies equally to all similarly-situated market participants on an equal and non-discriminatory basis.

The proposal is based on the amount and type of business transacted on the Exchange and OTP Holders can opt to avail themselves of the incentives or not. Moreover, the proposal is designed to encourage OTP Holders to submit orders from all account types to the Exchange as a primary execution venue. To the extent that the proposed change attracts more Firm and Broker Dealer orders to the Exchange, this increased order flow would continue to make the Exchange a more competitive venue for order execution. Thus, the Exchange believes the proposed rule change would improve market quality for all market participants on the Exchange and, as a consequence, attract more order flow to the Exchange thereby improving market-wide quality and price discovery.

The Exchange believes it is not unfairly discriminatory to introduce a new pricing tier as it would be available to all similarly situated market participants on an equal and non-discriminatory basis. The proposal is based on the amount and type of business transacted on the Exchange and OTP Holders are not obligated to try to achieve the qualifications for the proposed new pricing tier, nor are they obligated to execute Firm and Broker Dealer orders. Rather, the proposal is designed to encourage OTP Holders to utilize the Exchange as a primary trading venue for Firm and Broker Dealer executions (if they have not done so previously) or increase volume sent to the Exchange. To the extent that the proposed change attracts more Firm and Broker Dealer orders to the Exchange, this increased order flow would continue to make the Exchange a more competitive venue for, among other things, order execution. Thus, the Exchange believes the proposed rule change would improve market quality

for all market participants on the Exchange and, as a consequence, attract more order flow to the Exchange thereby improving market-wide quality and price discovery. The resulting increased volume and liquidity would provide more trading opportunities and tighter spreads to all market participants and thus would promote just and equitable principles of trade, remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, to protect investors and the public interest.

Market Maker Incentive

The Exchange believes the proposed rule change is an equitable allocation of its fees and credits, and is not unfairly discriminatory, as it applies equally to all similarly-situated market participants on an equal and non-discriminatory basis.

The proposal is based on the amount and type of business transacted on the Exchange and OTP Holders can opt to avail themselves of the incentives or not. Moreover, the proposal is designed to encourage OTP Holders to submit orders in IWM, QQQ, and SPY to the Exchange as a primary execution venue. To the extent that the proposed change attracts more Market Maker orders to the Exchange, this increased order flow would continue to make the Exchange a more competitive venue for order execution. Thus, the Exchange believes the proposed rule change would improve market quality for all market participants on the Exchange and, as a consequence, attract more order flow to the Exchange thereby improving market-wide quality and price discovery.

The Exchange believes that providing an additional incentive for executions against posted liquidity in IWM, QQQ, and SPY is not unfairly discriminatory. The proposed incentive is not unfairly discriminatory to non-Market Makers (*i.e.*, Customers, Professionals Customers, Firms and Broker-Dealers) because such market participants are not subject to the burdens and heightened obligations that apply to Market Makers, such as burdensome quoting obligations and costs related to market making activities. The Exchange believes the proposed incentive is reasonable, equitable and not unfairly discriminatory because encouraging Market Makers to direct more volume to the Exchange would also contribute to the Exchange's depth of book as well as to the top of book liquidity.

¹⁹ See, e.g., MIAX Pearl Fee Schedule, Section 1.a., Transaction Rebates/Fees, Exchange Rebates/Fees—Add/Remove Tiered Rebates/Fees, available here, https://www.miaxglobal.com/sites/default/files/fee_schedule-files/MIAX_Pearl_Options_Fee_Schedule_09232025_1.pdf.

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act, the Exchange does not believe that the proposed rule change would impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Instead, as discussed above, the Exchange believes that the proposed change to adopt a new pricing tier and additional incentives for trading in IWM, QQQ and SPY are each a response to the competitive environment in which the Exchange operates, and the proposed credits are consistent with incentives offered by the Exchange's competitors. As a result, the Exchange believes that the proposed changes further the Commission's goal in adopting Regulation NMS of fostering integrated competition among orders, which promotes "more efficient pricing of individual stocks for all types of orders, large and small."²⁰

Intramarket Competition. The proposed change to adopt a new pricing tier is designed to attract additional order flow (particularly Firm and Broker Dealer orders) to the Exchange. The Exchange believes that the proposed changes to the FBD Posting Incentive would continue to encourage market participants to direct a variety of order flow to the Exchange, including Firm and Broker Dealer execution volume to the Exchange. Greater liquidity benefits all market participants on the Exchange and increased Firm and Broker Dealer transactions would increase opportunities for execution of other trading interest. The proposed change would be available to all similarly-situated market participants (including those that handle Firm and Broker Dealer order flow), and, as such, the proposed change would not impose a disparate burden on competition among market participants on the Exchange.

The Exchange believes that the proposed change to adopt an additional incentive for Market Makers would encourage competition, including by attracting additional liquidity to the Exchange, which would continue to make the Exchange a more competitive venue for, among other things, order execution and price discovery. The Exchange does not believe that the proposed change would impair the ability of any market participants or competing order execution venues to maintain their competitive standing in the financial markets. Further, the incentive would not impose an unfair

burden on non-Market Markers because such market participants are not subject to the burdens and heightened obligations that apply to Market Makers.

Intermarket Competition. The Exchange operates in a highly competitive market in which market participants can readily favor one of the 17 other competing option exchanges if they deem fee levels at a particular venue to be excessive.

In such an environment, the Exchange must continually adjust its fees and credits to remain competitive with other exchanges and to attract order flow to the Exchange. Based on publicly-available information, and excluding index-based options, no single exchange has more than 16% of the market share of executed volume of multiply-listed equity and ETF options trades.²¹ Therefore, currently no exchange possesses significant pricing power in the execution of multiply-listed equity and ETF options order flow. More specifically, in October 2025, the Exchange had 10.09% market share of executed volume of multiply-listed equity and ETF options trades.²²

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 is effective upon filing pursuant to Section 19(b)(3)(A)²³ of the Act and subparagraph (f)(2) of Rule 19b-4²⁴ thereunder, because it establishes a due, fee, or other charge imposed by the Exchange.

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of

²¹ The OCC publishes options and futures volume in a variety of formats, including daily and monthly volume by exchange, available here: <https://www.theocc.com/Market-Data/Market-Data-Reports/Volume-and-Open-Interest/Monthly-Weekly-Volume-Statistics>.

²² Based on a compilation of OCC data for monthly volume of equity-based options and monthly volume of ETF-based options, *see id.*, the Exchange's market share in multiply-listed equity and ETF options decreased from 12.55% in October 2024 to 10.09% for the month of October 2025.

²³ 15 U.S.C. 78s(b)(3)(A).

²⁴ 17 CFR 240.19b-4(f)(2).

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)²⁵ of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include file number SR-NYSEARCA-2025-83 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-NYSEARCA-2025-83. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<https://www.sec.gov/rules/sro.shtml>). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-NYSEARCA-2025-83 and should be submitted on or before December 31, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²⁶

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025-22385 Filed 12-9-25; 8:45 am]

BILLING CODE 8011-01-P

²⁵ 15 U.S.C. 78s(b)(2)(B).

²⁶ 17 CFR 200.30-3(a)(12).

²⁰ See Reg NMS Adopting Release, *supra* note 15, at 37499.

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0801]

Agency Information Collection Activities; Proposed Collection; Comment Request; Extension: Rule 10b5–1

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (“Commission”) is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

Rule 10b5–1 (17 CFR 240.10b5–1) under the Securities Exchange Act of 1934 (the “Exchange Act”), among other things, provides an affirmative defense to Exchange Act Section 10(b) and Rule 10b–5 liability for insider trading in circumstances where the individual purchasing or selling a security can demonstrate that material nonpublic information did not factor into the trading decision because, before becoming aware of material nonpublic information, they entered into a binding contract to purchase or sell the security, provided instruction to another person to execute the trade for the trader’s account, or adopted a written plan for trading the securities. As a condition to that affirmative defense, directors and officers must include a representation in a written Rule 10b5–1 plan certifying that at the time of the adoption of a new or modified plan: (1) they are not aware of material nonpublic information about the issuer or its securities; and (2) they are adopting the plan in good faith and not as part of a plan or scheme to evade the prohibitions of Rule 10b–5. We estimate that Rule 10b5–1 takes approximately 1.5 hours per response and is filed by approximately 8,700 respondents annually. We estimate that 100% of the 1.5 hours per response is carried internally by the respondent for annual burden of 13,050 hours (1.5 hours per response × 8,700 responses). We estimate that respondents will not incur any cost burdens in connection with the information collection requirements.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information

unless it displays a currently valid OMB control number.

Written comments are invited on: (a) whether this proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency’s estimate of the burden imposed by the collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Please direct your written comments on this 60-Day Collection Notice to Austin Gerig, Director/Chief Data Officer, Securities and Exchange Commission, c/o Tanya Ruttenberg via email to PaperworkReductionAct@sec.gov by February 9, 2026. There will be a second opportunity to comment on this SEC request following the **Federal Register** publishing a 30-Day Submission Notice.

Dated: December 5, 2025.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–22406 Filed 12–9–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104328; File No. SR–NYSEAMER–2025–67]

Self-Regulatory Organizations; NYSE American LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Rule 7.5E To Reflect the Definition of Round Lot Under Regulation NMS

December 5, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the “Act”),¹ and Rule 19b–4 thereunder,² notice is hereby given that on November 25, 2025, NYSE American LLC (“NYSE American” or the “Exchange”) filed with the Securities and Exchange Commission (the “Commission”) the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b–4.

I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Rule 7.5E (Trading Units) to conform with a recent amendment to the definition of round lot under Regulation NMS. The proposed rule change is available on the Exchange’s website at www.nyse.com and at the principal office of the Exchange.

II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Rule 7.5E (Trading Units) to conform with the definition of round lot under Regulation NMS (“Reg NMS”) that was implemented in November 2025.³

Background and Proposed Rule Change

Rule 7.5E defines a “round lot” as 100 shares, unless specified by a primary listing market to be fewer than 100 shares. Under Rule 7.5E, any amount less than a round lot constitutes an “odd lot,” and any amount greater than a round lot that is not a multiple of a round lot constitutes a “mixed lot.”

In 2020, the Commission amended Reg NMS to modernize the NMS information provided within the national market system for the benefit of market participants and to better achieve Section 11A’s goals of assuring “the availability to brokers, dealers, and investors of information with respect to quotations for and transactions in securities that is prompt, accurate, reliable, and fair” (the “MDI Rules”).⁴ These changes included an amendment to Rule 600 of Reg NMS to include a

³ See Securities Exchange Act Release No. 101070 (September 18, 2024), 89 FR 81620 (October 8, 2024) (S7–30–22) (“Release No. 101070”).

⁴ See Securities Exchange Act Release No. 90610 (December 9, 2020), 86 FR 18596 (April 9, 2021) (File No. S7–03–20) (“MDI Adopting Release”).

definition of “round lot” that assigns each NMS stock to a round lot size based on the stock’s average closing price.

As part of the amendments to certain Reg NMS rules in 2024, the Commission revised the round lot and odd-lot definitions adopted in 2020 under the MDI Rules and accelerated the compliance date for the amended definitions.⁵ Rule 600(b)(93) under Reg NMS defines a round lot and provides that for NMS stocks that have an average closing price on the primary listing exchange during the prior evaluation period of: (1) \$250.00 or less per share, a round lot is 100 shares; (2) \$250.01 to \$1,000.00 per share, a round lot is 40 shares; (3) \$1,000.01 to \$10,000.00 per share, a round lot is 10 shares; and (4) \$10,000.01 or more per share, a round lot is 1 share.⁶ The round lot definition was implemented on the first business day of November 2025.⁷ On October 31, 2025, the Commission provided temporary exemptive relief to the exchanges from the requirement to file proposed rule changes to amend any exchange rules to reflect the round lot definition in Reg NMS Rule 600 until 30 calendar days following the end of the lapse in appropriation.⁸

In anticipation of the upcoming compliance date, the Exchange proposes to amend its definition of round lot to reflect the definition of round lot under Reg NMS. To effectuate this change, the Exchange would replace “specified by the primary listing market” with “required by the definition of ‘round lot’ under Regulation NMS.” As proposed, the second sentence of Rule 7.5E would read “A ‘round lot’ is 100 shares, unless required by the definition of ‘round lot’ under Regulation NMS to be fewer than 100 shares.” The Exchange does not propose any other changes to Rule 7.5E.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,⁹ in general, and furthers the objectives of Section 6(b)(1)¹⁰ in particular, in that it enables the Exchange to be so organized as to

have the capacity to be able to carry out the purposes of the Act and to comply, and to enforce compliance by its exchange members and persons associated with its exchange members, with the provisions of the Act, the rules and regulations thereunder, and the rules of the Exchange. The Exchange also believes that the proposed rule change is consistent with Section 6(b)(5)¹¹ of the Act in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, to protect investors and the public interest.

As discussed above, the Exchange proposes to amend Rule 7.5E to conform with the definition of round lot under Reg NMS. The Exchange believes that the proposed rule change would increase the clarity and transparency of the Exchange’s rules and remove impediments to and perfect the mechanism of a free and open market by ensuring that the Exchange’s rules properly reflect the requirements of Rule 600 of Reg NMS. The Exchange also believes that the proposed rule change would remove impediments to and perfects the mechanism of a free and open market by ensuring that persons subject to the Exchange’s jurisdiction, regulators, and the investing public can more easily navigate and understand the Exchange’s rules. The proposed rule change would not be inconsistent with the public interest and the protection of investors because investors will not be harmed and in fact would benefit from the increased transparency and clarity, thereby reducing potential confusion. The Exchange accordingly believes that the proposed rule change does not raise any new or novel issues not previously considered by the Commission.

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 concerned solely with updating the Exchange’s definition of round lot to reflect the definition of that term in Reg NMS.

C. Self-Regulatory Organization’s Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act¹² and Rule 19b-4(f)(6) thereunder.¹³ Because the proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative prior to 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act¹⁴ and Rule 19b-4(f)(6)¹⁵ thereunder.

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B)¹⁶ 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:

¹² 15 U.S.C. 78s(b)(3)(A)(iii).

¹³ 17 CFR 240.19b-4(f)(6).

¹⁴ 15 U.S.C. 78s(b)(3)(A).

¹⁵ Rule 19b-4(f)(6). In addition, Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

¹⁶ 15 U.S.C. 78s(b)(2)(B).

⁵ See Release 01070, 89 FR at 81680.

⁶ See 17 CFR 242.600(b)(93).

⁷ See Release No. No. 101070, 89 FR at 81666.

⁸ See Securities Exchange Act Release No. 104172 (October 31, 2025), 90 FR 51418 (November 17, 2025) (Order Granting Temporary Exemptive Relief, Pursuant to Section 36(a)(1) of the Securities Exchange Act of 1934 and Rules 610(f) and 612(d) of Regulation NMS, From Compliance With Rule 600(b)(89)(i)(F), Rule 610(c), Rule 610(d) and Rule 612 of Regulation NMS, as Amended). The lapse in appropriations began on October 1, 2025, and ended on November 12, 2025.

⁹ 15 U.S.C. 78f(b)(5).

¹⁰ 15 U.S.C. 78f(b)(1).

¹¹ 15 U.S.C. 78f(b)(5).

Electronic Comments

- Use the Commission's internet comment form (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include file number SR-NYSEAMER-2025-67 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.

All submissions should refer to file number SR-NYSEAMER-2025-67. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<https://www.sec.gov/rules/sro.shtml>). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-NYSEAMER-2025-67 and should be submitted on or before December 31, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁷

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025-22389 Filed 12-9-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-104321; File No. SR-NYSETEX-2025-37]

Self-Regulatory Organizations; NYSE Texas, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Rule 6.6800 Series

December 5, 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 December 2, 2025, the NYSE Texas, Inc. ("NYSE Texas" or the "Exchange") filed with

the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the Rule 6.6800 Series, the Exchange's compliance rule ("Compliance Rule") regarding the National Market System Plan Governing the Consolidated Audit Trail (the "CAT NMS Plan" or "Plan")³ to be consistent with the amendment to the CAT NMS Plan that requires broker-dealers with a reporting obligation to CAT to report whether an original receipt or origination of an order to sell an equity security is a short sale for which a market maker is claiming the bona fide market making exception in Rule 203(b)(2)(iii) of Regulation SHO ("BFMM Locate Exception").⁴ The proposed rule change is available on the Exchange's website at www.nyse.com and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of this proposed rule change is to amend Rule 6.6830 of the Compliance Rule to be consistent with the amendment to the CAT NMS Plan related to the BFMM Locate Exception. In 2023, the Commission amended the

³ Unless otherwise specified, capitalized terms used in this rule filing are defined as set forth in the Compliance Rule.

⁴ See Securities Exchange Act Release Nos. 98738 (Oct. 13, 2023), 88 FR 75100 (November 1, 2023); and 98739 (October 13, 2023), 88 FR 75079 (November 1, 2023).

CAT NMS Plan to require the reporting to the CAT of reliance on the BFMM Locate Exception.⁵ Specifically, the Commission added paragraph (D) to Section 6.4(d)(ii) of the CAT NMS Plan, which requires each Participant, through its Compliance Rule, to require its Industry Members to record and report to the Central Repository the following:

for the original receipt or origination of an order to sell an equity security, whether the order is for a short sale effected by a market maker in connection with bona fide market making activities in the security for which the exception in Rule 203(b)(2)(iii) of Regulation SHO is claimed.

Accordingly, the Exchange proposes to amend its Compliance Rule to reflect this additional CAT reporting requirement. Specifically, the Exchange proposes to add paragraph (G) to Rule 6.6830, which would require each Industry Member to record and report to the Central Repository the following:

for the original receipt or origination of an order to sell an equity security, whether the order is for a short sale effected by a market maker in connection with bona fide market making activities in the security for which the exception in Rule 203(b)(2)(iii) of Regulation SHO is claimed.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the provisions of Section 6(b)(5) of the Act,⁶ which require, among other things, that the Exchange's rules must be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and, in general, to protect investors and the public interest, and Section 6(b)(8) of the Act,⁷ which requires that the Exchange's rules not impose any burden on competition that is not necessary or appropriate.

The Exchange believes that this proposal is consistent with the Act because it is consistent with the amendment to the CAT NMS Plan approved by the Commission, and is designed to assist the Exchange and its Industry Members in meeting regulatory obligations pursuant to the Plan. In approving the Plan, the SEC noted that the Plan "is necessary and appropriate in the public interest, for the protection of investors and the maintenance of fair and orderly markets, to remove impediments to, and perfect the mechanism of a national market system, or is otherwise in furtherance of the

⁵ *Id.*

⁶ 15 U.S.C. 78f(b)(6).

⁷ 15 U.S.C. 78f(b)(8).

¹⁷ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78a.

² 17 CFR 240.19b-4.

purposes of the Act.”⁸ To the extent that this proposal implements the Plan as amended, and applies specific requirements to Industry Members, the Exchange believes that this proposal furthers the objectives of the Plan, as identified by the SEC, and is therefore consistent with the Exchange Act.

B. Self-Regulatory Organization’s Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange notes that the proposed rule change is consistent with the amendment to the CAT NMS Plan approved by the Commission, and is designed to assist the Exchange in meeting its regulatory obligations pursuant to the Plan. The Exchange also notes that the amendment to the Compliance Rule will apply equally to all Industry Members that trade equity securities. In addition, all national securities exchanges and FINRA are proposing these amendments to their Compliance Rules. Therefore, this is not a competitive rule filing, and, therefore, it does not impose a burden on competition.

C. Self-Regulatory Organization’s Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

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

Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act⁹ and subparagraph (f)(6) of Rule 19b-4 thereunder.¹⁰

⁸ See Securities Exchange Act Release No. 79318 (November 15, 2016), 81 FR 84696, 84697 (November 23, 2016).

⁹ 15 U.S.C. 78s(b)(3)(A)(iii).

¹⁰ 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

A proposed rule change filed under Rule 19b-4(f)(6)¹¹ normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b-4(f)(6)(iii),¹² the Commission may designate a shorter time if such action is consistent with protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing. The Commission believes that waiving 30-day operative delay is consistent with the protection of investors and the public interest because the proposal seeks to amend the Exchange’s CAT Compliance Rule to reflect the requirement in the CAT NMS Plan that industry members report for the original receipt or origination of an order to sell an equity security, whether the order is for a short sale effected by a market maker in connection with bona fide market making activities in the security for which the exception in Rule 203(b)(2)(iii) of Regulation SHO is claimed.¹³ The proposal does not introduce any novel regulatory issues. Accordingly, the Commission designates the proposed rule change to be operative upon filing.¹⁴

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. 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

¹¹ 17 CFR 240.19b-4(f)(6).

¹² 17 CFR 240.19b-4(f)(6)(iii).

¹³ See *supra* note 4.

¹⁴ 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).

- Send an email to rule-comments@sec.gov. Please include file number SR-NYSETEX-2025-37 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.

All submissions should refer to file number SR-NYSETEX-2025-37. 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-NYSETEX-2025-37 and should be submitted on or before December 31, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁵

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025-22388 Filed 12-9-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-104334; File No. SR-NYSEAMER-2025-71]

Self-Regulatory Organizations; NYSE American LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Rule 6800 Series

December 5, 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 December 2, 2025, NYSE American LLC (“NYSE American” or the “Exchange”) filed with the Securities and Exchange Commission (“Commission”) the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is

¹⁵ 17 CFR 200.30-3(a)(12) and (59).

¹ 15 U.S.C. 78a.

² 17 CFR 240.19b-4.

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 Rule 6800 Series, the Exchange's compliance rule ("Compliance Rule") regarding the National Market System Plan Governing the Consolidated Audit Trail (the "CAT NMS Plan" or "Plan")³ to be consistent with the amendment to the CAT NMS Plan that requires broker-dealers with a reporting obligation to CAT to report whether an original receipt or origination of an order to sell an equity security is a short sale for which a market maker is claiming the bona fide market making exception in Rule 203(b)(2)(iii) of Regulation SHO ("BFMM Locate Exception").⁴ The proposed rule change is available on the Exchange's website at www.nyse.com and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of this proposed rule change is to amend Rule 6830 of the Compliance Rule to be consistent with the amendment to the CAT NMS Plan related to the BFMM Locate Exception. In 2023, the Commission amended the CAT NMS Plan to require the reporting to the CAT of reliance on the BFMM Locate Exception.⁵ Specifically, the Commission added paragraph (D) to Section 6.4(d)(ii) of the CAT NMS Plan,

³ Unless otherwise specified, capitalized terms used in this rule filing are defined as set forth in the Compliance Rule.

⁴ See Securities Exchange Act Release Nos. 98738 (Oct. 13, 2023), 88 FR 75100 (November 1, 2023); and 98739 (October 13, 2023), 88 FR 75079 (November 1, 2023).

⁵ *Id.*

which requires each Participant, through its Compliance Rule, to require its Industry Members to record and report to the Central Repository the following:

for the original receipt or origination of an order to sell an equity security, whether the order is for a short sale effected by a market maker in connection with bona fide market making activities in the security for which the exception in Rule 203(b)(2)(iii) of Regulation SHO is claimed.

Accordingly, the Exchange proposes to amend its Compliance Rule to reflect this additional CAT reporting requirement. Specifically, the Exchange proposes to add paragraph (G) to Rule 6830, which would require each Industry Member to record and report to the Central Repository the following:

for the original receipt or origination of an order to sell an equity security, whether the order is for a short sale effected by a market maker in connection with bona fide market making activities in the security for which the exception in Rule 203(b)(2)(iii) of Regulation SHO is claimed.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the provisions of Section 6(b)(5) of the Act,⁶ which require, among other things, that the Exchange's rules must be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and, in general, to protect investors and the public interest, and Section 6(b)(8) of the Act,⁷ which requires that the Exchange's rules not impose any burden on competition that is not necessary or appropriate.

The Exchange believes that this proposal is consistent with the Act because it is consistent with the amendment to the CAT NMS Plan approved by the Commission, and is designed to assist the Exchange and its Industry Members in meeting regulatory obligations pursuant to the Plan. In approving the Plan, the SEC noted that the Plan "is necessary and appropriate in the public interest, for the protection of investors and the maintenance of fair and orderly markets, to remove impediments to, and perfect the mechanism of a national market system, or is otherwise in furtherance of the purposes of the Act."⁸ To the extent that this proposal implements the Plan as amended, and applies specific requirements to Industry Members, the Exchange believes that this proposal

⁶ 15 U.S.C. 78f(b)(6).

⁷ 15 U.S.C. 78f(b)(8).

⁸ See Securities Exchange Act Release No. 79318 (November 15, 2016), 81 FR 84696, 84697 (November 23, 2016).

further the objectives of the Plan, as identified by the SEC, and is therefore consistent with the Exchange Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange notes that the proposed rule change is consistent with the amendment to the CAT NMS Plan approved by the Commission, and is designed to assist the Exchange in meeting its regulatory obligations pursuant to the Plan. The Exchange also notes that the amendment to the Compliance Rule will apply equally to all Industry Members that trade equity securities. In addition, all national securities exchanges and FINRA are proposing these amendments to their Compliance Rules. Therefore, this is not a competitive rule filing, and, therefore, it does not impose a burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

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

Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act⁹ and subparagraph (f)(6) of Rule 19b-4 thereunder.¹⁰

A proposed rule change filed under Rule 19b-4(f)(6)¹¹ normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b-4(f)(6)(iii),¹² the Commission may designate a shorter time if such action is consistent with

⁹ 15 U.S.C. 78s(b)(3)(A)(iii).

¹⁰ 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

¹¹ 17 CFR 240.19b-4(f)(6).

¹² 17 CFR 240.19b-4(f)(6)(iii).

protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing. The Commission believes that waiving 30-day operative delay is consistent with the protection of investors and the public interest because the proposal seeks to amend the Exchange's CAT Compliance Rule to reflect the requirement in the CAT NMS Plan that industry members report for the original receipt or origination of an order to sell an equity security, whether the order is for a short sale effected by a market maker in connection with bona fide market making activities in the security for which the exception in Rule 203(b)(2)(iii) of Regulation SHO is claimed.¹³ The proposal does not introduce any novel regulatory issues. Accordingly, the Commission designates the proposed rule change to be operative upon filing.¹⁴

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. 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-NYSEAMER-2025-71 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.

All submissions should refer to file number SR-NYSEAMER-2025-71. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<https://www.sec.gov/rules/sro.shtml>). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-NYSEAMER-2025-71 and should be submitted on or before December 31, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁵

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025-22397 Filed 12-9-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-104327; File No. SR-NYSEARCA-2025-81]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Rule 7.5-E To Reflect the Definition of Round Lot Under Regulation NMS

December 5, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"),¹ and Rule 19b-4 thereunder,² notice is hereby given that on November 25, 2025, NYSE Arca, Inc. ("NYSE Arca" or the "Exchange") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Rule 7.5-E (Trading Units) to conform

with a recent amendment to the definition of round lot under Regulation NMS. The proposed rule change is available on the Exchange's website at www.nyse.com and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Rule 7.5-E (Trading Units) to conform with the definition of round lot under Regulation NMS ("Reg NMS") that was implemented in November 2025.³

Background and Proposed Rule Change

Rule 7.5-E defines a "round lot" as 100 shares, unless specified by a primary listing market to be fewer than 100 shares. Under Rule 7.5-E, any amount less than a round lot constitutes an "odd lot," and any amount greater than a round lot that is not a multiple of a round lot constitutes a "mixed lot."

In 2020, the Commission amended Reg NMS to modernize the NMS information provided within the national market system for the benefit of market participants and to better achieve Section 11A's goals of assuring "the availability to brokers, dealers, and investors of information with respect to quotations for and transactions in securities that is prompt, accurate, reliable, and fair" (the "MDI Rules").⁴ These changes included an amendment to Rule 600 of Reg NMS to include a definition of "round lot" that assigns each NMS stock to a round lot size based on the stock's average closing price.

As part of the amendments to certain Reg NMS rules in 2024, the Commission

³ See Securities Exchange Act Release No. 101070 (September 18, 2024), 89 FR 81620 (October 8, 2024) (S7-30-22) ("Release No. 101070").

⁴ See Securities Exchange Act Release No. 90610 (December 9, 2020), 86 FR 18596 (April 9, 2021) (File No. S7-03-20) ("MDI Adopting Release").

¹⁵ 17 CFR 200.30-3(a)(12) and (59).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

¹³ See *supra* note 4.

¹⁴ 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).

revised the round lot and odd-lot definitions adopted in 2020 under the MDI Rules and accelerated the compliance date for the amended definitions.⁵ Rule 600(b)(93) under Reg NMS defines a round lot and provides that for NMS stocks that have an average closing price on the primary listing exchange during the prior evaluation period of: (1) \$250.00 or less per share, a round lot is 100 shares; (2) \$250.01 to \$1,000.00 per share, a round lot is 40 shares; (3) \$1,000.01 to \$10,000.00 per share, a round lot is 10 shares; and (4) \$10,000.01 or more per share, a round lot is 1 share.⁶ The round lot definition was implemented on the first business day of November 2025.⁷ On October 31, 2025, the Commission provided temporary exemptive relief to the exchanges from the requirement to file proposed rule changes to amend any exchange rules to reflect the round lot definition in Reg NMS Rule 600 until 30 calendar days following the end of the lapse in appropriation.⁸

In anticipation of the upcoming compliance date, the Exchange proposes to amend its definition of round lot to reflect the definition of round lot under Reg NMS. To effectuate this change, the Exchange would replace “specified by the primary listing market” with “required by the definition of ‘round lot’ under Regulation NMS.” As proposed, the second sentence of Rule 7.5–E would read “A ‘round lot’ is 100 shares, unless required by the definition of ‘round lot’ under Regulation NMS to be fewer than 100 shares.” The Exchange does not propose any other changes to Rule 7.5–E.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,⁹ in general, and furthers the objectives of Section 6(b)(1)¹⁰ in particular, in that it enables the Exchange to be so organized as to have the capacity to be able to carry out the purposes of the Act and to comply, and to enforce compliance by its exchange members and persons associated with its exchange members,

with the provisions of the Act, the rules and regulations thereunder, and the rules of the Exchange. The Exchange also believes that the proposed rule change is consistent with Section 6(b)(5)¹¹ of the Act in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, to protect investors and the public interest.

As discussed above, the Exchange proposes to amend Rule 7.5–E to conform with the definition of round lot under Reg NMS. The Exchange believes that the proposed rule change would increase the clarity and transparency of the Exchange’s rules and remove impediments to and perfect the mechanism of a free and open market by ensuring that the Exchange’s rules properly reflect the requirements of Rule 600 of Reg NMS. The Exchange also believes that the proposed rule change would remove impediments to and perfects the mechanism of a free and open market by ensuring that persons subject to the Exchange’s jurisdiction, regulators, and the investing public can more easily navigate and understand the Exchange’s rules. The proposed rule change would not be inconsistent with the public interest and the protection of investors because investors will not be harmed and in fact would benefit from the increased transparency and clarity, thereby reducing potential confusion. The Exchange accordingly believes that the proposed rule change does not raise any new or novel issues not previously considered by the Commission.

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 concerned solely with updating the Exchange’s definition of round lot to reflect the definition of that term in Reg NMS.

C. Self-Regulatory Organization’s Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act¹² and Rule 19b–4(f)(6) thereunder.¹³ Because the proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative prior to 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act¹⁴ and Rule 19b–4(f)(6)¹⁵ thereunder.

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B)¹⁶ 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:

¹² 15 U.S.C. 78s(b)(3)(A)(iii).

¹³ 17 CFR 240.19b–4(f)(6).

¹⁴ 15 U.S.C. 78s(b)(3)(A).

¹⁵ Rule 19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

¹⁶ 15 U.S.C. 78s(b)(2)(B).

⁵ See Release 01070, 89 FR at 81680.

⁶ See 17 CFR 242.600(b)(93).

⁷ See Release No. No. 101070, 89 FR at 81666.

⁸ See Securities Exchange Act Release No. 104172 (October 31, 2025), 90 FR 51418 (November 17, 2025) (Order Granting Temporary Exemptive Relief, Pursuant to Section 36(a)(1) of the Securities Exchange Act of 1934 and Rules 610(f) and 612(d) of Regulation NMS, From Compliance With Rule 600(b)(89)(i)(F), Rule 610(c), Rule 610(d) and Rule 612 of Regulation NMS, as Amended). The lapse in appropriations began on October 1, 2025, and ended on November 12, 2025.

⁹ 15 U.S.C. 78f(b)(5).

¹⁰ 15 U.S.C. 78f(b)(1).

¹¹ 15 U.S.C. 78f(b)(5).

Electronic Comments

- Use the Commission's internet comment form (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include file number SR-NYSEARCA-2025-81 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-NYSEARCA-2025-81. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<https://www.sec.gov/rules/sro.shtml>). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-NYSEARCA-2025-81 and should be submitted on or before December 31, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁷

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025-22396 Filed 12-9-25; 8:45 am]

BILLING CODE 8011-01-P

SMALL BUSINESS ADMINISTRATION**Data Collection Available for Public Comments**

ACTION: 60-Day notice and request for comments.

SUMMARY: The Small Business Administration (SBA) intends to request approval, from the Office of Management and Budget (OMB) for the collection of information described below. The Paperwork Reduction Act (PRA) requires federal agencies to publish a notice in the **Federal Register** concerning each proposed collection of information before submission to OMB, and to allow 60 days for public comment in response to the notice. This notice complies with that requirement.

DATES: Submit comments on or before February 9, 2026.

ADDRESSES: Send all comments to Jerome Gray, Financial and Loan Specialist, Office of Financial Assistance, Small Business Administration, 409 3rd St., Washington, DC 20416.

FOR FURTHER INFORMATION CONTACT:

Jerome Gray, Financial and Loan Specialist, Office of Financial Assistance, cornelius.gray@sba.gov, (202) 798-7387, or Shauniece Carter, Agency Clearance Officer, (202) 205-6536, shauniece.carter@sba.gov.

SUPPLEMENTARY INFORMATION: Small Business Administration (SBA) regulations require that we determine that participating Certified Development Company's, Non-Bank Lender Institution's, or Microlender's management, ownership, etc. is of "good character". To do so requires the information requested on the SBA Form 1081. This form also provides data used to determine the qualifications and capabilities of the lender's key personnel.

Solicitation of Public Comments

SBA is requesting comments on (a) Whether the collection of information is necessary for the agency to properly perform its functions; (b) whether the burden estimates are accurate; (c) whether there are ways to minimize the burden, including through the use of automated techniques or other forms of information technology; and (d) whether there are ways to enhance the quality, utility, and clarity of the information.

Summary of Information Collection

OMB PRA Number: 3245-0080.

Title: Statement of Personal History.

Description of Respondents: Certified Development Company's, Non-Bank Lender Institution's, Small Business Lending Companies, or Microlender's.

Form Number: SBA Form 1081.

Total Estimated Annual Responses: 150.

Total Estimated Annual Hour Burden: 76.

Shauniece Carter,

Agency Clearance Officer.

[FR Doc. 2025-22454 Filed 12-9-25; 8:45 am]

BILLING CODE 8026-09-P

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE**Performance Review Board Membership**

AGENCY: Office of the United States Trade Representative.

ACTION: Notice.

SUMMARY: This notice announces the Office of the United States Trade Representative (USTR) staff members selected to serve on the Senior Executive Service (SES) and Senior Level (SL) Performance Review Board (PRB). This notice supersedes all previous PRB membership notices.

DATES: The staff members in this notice will begin serving as PRB members on May 23, 2025

FOR FURTHER INFORMATION CONTACT:

Cassie Ender, Human Capital Specialist, Office of Human Capital and Services, at (202) 881-7782 or Cassie.L.Ender@ustr.eop.gov.

SUPPLEMENTARY INFORMATION: USTR is required (*see* 5 U.S.C. 4314(c)) to establish a PRB to review and make recommendations to the U.S. Trade Representative for final approval of the performance rating, performance-based pay adjustment, and performance award for each incumbent SES and SL. The following staff members have been selected to serve on USTR's PRB:

Chair Person: Tina Williams, Chief Human Capital Officer for Administration.

Member: Rachel Howe, Assistant U.S. Trade Representative for ICTIME.

Member: Laurie-Ann Agama, Assistant U.S. Trade Representative for Economic Affairs.

Member: Kenneth Schagrin, Assistant U.S. Trade Representative for Services and Investments.

Member: Brendan Lynch, Assistant U.S. Trade Representative for Central and South Asia.

Member: Juan Millan, Deputy General Counsel for Monitoring and Enforcement.

Fred Ames,

Assistant U.S. Trade Representative for Administration, Office of the United States Trade Representative.

[FR Doc. 2025-22460 Filed 12-9-25; 8:45 am]

BILLING CODE 3390-F4-P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration**

[Docket No.: FAA-2020-0499; Summary Notice No.-2025-64]

Petition for Exemption; Summary of Petition Received; Zipline International, Inc.

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

ACTION: Notice.

¹⁷ 17 CFR 200.30-3(a)(12).

SUMMARY: This notice contains a summary of a petition seeking relief from specified requirements of Federal Aviation Regulations. The purpose of this notice is to improve the public's awareness of, and participation in, the FAA's exemption process. Neither publication of this notice nor the inclusion nor omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

DATES: Comments on this petition must identify the petition docket number and must be received on or before December 30, 2025.

ADDRESSES: Send comments identified by docket number FAA-2020-0499 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov> and follow the online instructions for sending your comments electronically.

- *Mail:* Send comments to Docket Operations, M-30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12-140, West Building Ground Floor, Washington, DC 20590-0001.

- *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC 20590-0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- *Fax:* Fax comments to Docket Operations at (202) 493-2251.

Privacy: In accordance with 5 U.S.C. 553(c), 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 <http://www.regulations.gov>, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <http://www.dot.gov/privacy>.

Docket: Background documents or comments received may be read at <http://www.regulations.gov> at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC 20590-0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Nia Daniels, (202) 267-7626, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591, at 202-267-9677.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC.

Dan Ngo,

Manager, Part 11 Petitions Branch, Office of Rulemaking.

Petition for Exemption

Docket No.: FAA-2020-0499.

Petitioner: Zipline International, Inc.

Sections of 14 CFR Affected: Part 111, subparts B and C, §§ 120.109(a), 120.109(b), 120.217(c), 135.415(a), 135.415(d), and 135.417(a).

Description of Relief Sought: Zipline International, Inc. (Zipline) petitions for an exemption from Title 14 Code of Federal Regulations (14 CFR) part 111, subparts B and C, §§ 120.109(a), 120.109(b), 120.217(c), 135.415(a), 135.415(d), and 135.417(a) from having to submit service difficulty reports, submit mechanical interruption summary reports, conduct pre-employment and random drug testing of its covered employees, conduct random alcohol testing of its covered employees, and report specified pilot records to the FAA's Pilot Records Database (PRD).

[FR Doc. 2025-22431 Filed 12-9-25; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2018-0347]

Commercial Driver's License Standards: Application for Exemption International Motors, LLC, Formerly Known as Navistar, Inc.

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Notice of final disposition; renewal of exemption.

SUMMARY: FMCSA announces its decision to renew the exemption granted to International Motors, LLC (International), formally known as Navistar, Inc., from the commercial driver's license (CDL) regulations for one of its commercial motor vehicle (CMV) drivers. The exemption allows Mr. Erik Holma, manager of Drivability Control Systems for Scania AB for International's parent company, TRATON SE, to test drive fleet vehicles on U.S. roads.

DATES: The exemption is effective December 10, 2025 and expires December 10, 2030.

FOR FURTHER INFORMATION CONTACT: Pearlie Robinson, FMCSA Driver and

Carrier Operations Division; Office of Carrier, Driver and Vehicle Safety Standards; 202-913-0704; pearlie.robinson@dot.gov. If you have questions on viewing or submitting material to the docket, contact Dockets Operations, (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-2018-0347/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 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 and the effective period and will explain 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 383.23, no person shall operate a CMV without having taken and passed knowledge and driving skills tests for a commercial learner's permit or CDL that meet the Federal standards contained in subparts F, G, and H of part 383 for the CMV that person operates or expects to operate. Such drivers are also subject to the controlled substances and alcohol testing requirements of 49 CFR part 382.

Application for Renewal of Exemption

The renewal application from International was described in detail in a **Federal Register** notice of June 12, 2025, (90 FR 24861) and will not be repeated here as the facts have not changed.

IV. Public Comments

The Agency received one comment in response to International's request to renew its exemption. AWM Associates wrote "[u]ntil there's evidence that Mr. Holma has met the legal requirements for INS, IRS, and the FMCSR, *e.g.*, current DOT physical. Mr. Holma's application should be denied."

V. FMCSA Decision

Mr. Holma holds a Swedish commercial license, and FMCSA has previously determined that the process for obtaining a Swedish commercial license is comparable to, or as effective as, the requirements of part 383 and adequately assesses the driver's ability to operate CMVs in the United States. FMCSA granted a 5-year exemption to Mr. Holma and four other Swedish drivers on December 27, 2019 (84 FR 71525). That exemption expired on December 27, 2024. Navistar requested a renewal for Mr. Holma only. Additionally in 2019, the Agency granted similar exemptions to International, under its former name Navistar, Inc., for other drivers on two earlier occasions [April 15, 2019 (84 FR 15283); November 21, 2019 (84 FR 64440)]. The Agency has also granted similar exemptions to Daimler Trucks North America for holders of German commercial licenses.¹ The Agency has no record of any CMV incidents indicating a reduction in the safety of operations by the drivers previously

¹ FMCSA granted similar exemptions to Daimler Trucks North America on May 25, 2012 (77 FR 31422); July 22, 2014 (79 FR 42626); March 27, 2015 (80 FR 16511); October 5, 2015 (80 FR 60220); July 12, 2016 (81 FR 45217); July 25, 2016 (81 FR 48496); August 17, 2017 (82 FR 39151), September 10, 2018 (83 FR 45742); April 27, 2022 (87 FR 25081; 87 FR 25083) and other dates.

granted exemptions, including Mr. Holma himself.

In response to AWM's comments, the Agency has updated its terms and conditions for this exemption to require International, upon request, to provide proof of Mr. Holma's compliance with the FMCSRs, which includes the driver physical qualification requirements in 49 CFR part 391.

FMCSA therefore concludes that renewing the exemption granted on December 27, 2019, under the terms and conditions listed below, will likely achieve a level of safety that is equivalent to, or greater than, the level of safety achieved absent the exemption.

VI. Exemption Decision

A. Applicability of Exemption

This exemption is applicable to International's driver Erik Holma. This driver is granted an exemption from the CDL requirement in 49 CFR 383.23 to allow him to drive CMVs in the United States without a State-issued CDL. Consequently, this driver is not subject to the drug and alcohol testing requirements of 49 CFR part 382, including the Clearinghouse requirements in subpart G. However, see paragraph 8 of the Terms and Conditions below.

B. Terms and Conditions

When operating under this exemption, International and Mr. Holma are subject to the following terms and conditions:

1. The driver and carrier must comply with all other applicable provisions of the Federal Motor Carrier Safety Regulations (FMCSRs) (49 CFR parts 350–399);

2. Upon request, the carrier must provide proof of compliance with the FMCSRs, to include the driver physical qualification requirements in 49 CFR part 391;

3. International and Mr. Holma must comply with the English language proficiency requirements in 49 CFR 391.11(b)(2);

4. The driver must be in possession of the exemption document and a valid Swedish commercial license;

5. The driver must be employed by and operate the CMV within the scope of his duties for International;

6. At all times while operating a CMV under this exemption, the driver must be accompanied by a holder of a State-issued CDL who is familiar with the routes traveled;

7. International must notify FMCSA in writing within 5 business days of any accident, as defined in 49 CFR 390.5, involving this driver;

8. International must notify FMCSA in writing if the driver is convicted of an offense under § 391.15 of the FMCSRs; and

9. International must implement a drug and alcohol testing program that satisfies the requirements in 49 CFR part 382, subparts A–F, including, but not limited to, all testing requirements and participation in a consortium for random testing. International must require that Mr. Holma be subject to those requirements. International must provide documentation of its drug and alcohol testing program upon request to FMCSA.

C. Preemption

In accordance with 49 U.S.C. 31315(d), as implemented by 49 CFR 381.600, during the period this exemption is in effect, no State shall enforce any law or regulation that conflicts with or is inconsistent with this exemption with respect to a firm or person operating under the exemption.

D. Notification to FMCSA

International must notify FMCSA within 5 business days of any accident (as defined in 49 CFR 390.5), involving any of the motor carrier's CMVs operated under the terms of this exemption. The notification must include the following information:

1. Name of the exemption: "International—Holma";
2. Name of operating carrier and USDOT number;
3. Date of the crash;
4. City or town, and State, in which the accident occurred, or closest to the crash scene;
5. Driver's name and license number;
6. Co-driver's name and license number;
7. Vehicle number and State license number;
8. Number of individuals suffering physical injury;
9. Number of fatalities;
10. The police-reported cause of the crash, if provided by the enforcement agency;
11. Whether the driver was cited for violation of any traffic laws, motor carrier safety regulations; and
12. The total on-duty time accumulated during the 7 consecutive days prior to the date of the crash, and the total on-duty time and driving time in the work shift prior to the crash.

Reports filed under this provision shall be emailed to MCPSD@DOT.GOV.

VII. Termination

FMCSA does not believe the driver covered by this exemption will experience any deterioration of his

safety record. However, the exemption will be rescinded if: (1) International or the driver operating under the exemption fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained before it was granted; or (3) continuation of the exemption would not be consistent with the goals and objects of 49 U.S.C. 31136(e) and 31315(b).

Derek Barrs,
Administrator.

[FR Doc. 2025-22462 Filed 12-9-25; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2019-0174]

Commercial Driver's License: Wilson Logistics; Application for Renewal of Exemption

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Notice of application for exemption renewal; request for comments.

SUMMARY: The Federal Motor Carrier Safety Administration (FMCSA) requests public comment on Wilson Logistics' application for renewal of an exemption from the requirement that the holder of a Commercial Learner's Permit (CLP) be accompanied by the holder of a Commercial Driver's License (CDL), seated in the front seat, while the commercial motor vehicle (CMV) is being driven by the CLP holder.

DATES: Comments must be received on or before January 9, 2026.

ADDRESSES: You may submit comments identified by Docket Number FMCSA-2019-0174 by any of the following methods:

- *Federal eRulemaking Portal:* www.regulations.gov. See the Public Participation and Request for Comments section below for further information.

- *Mail:* Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Ground Floor, Washington, DC 20590-0001.

- *Hand Delivery or Courier:* 1200 New Jersey Avenue SE, West Building, Ground Floor, Washington, DC 20590-0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- *Fax:* (202) 493-2251.

Each submission must include the Agency name and the docket number (FMCSA-2019-0174) for this notice. Note that DOT posts all comments received without change to www.regulations.gov, including any personal information included in a comment. Please see the Privacy Act heading below.

Privacy Act: In accordance with 49 U.S.C. 31315(b), DOT solicits comments from the public to better inform its exemption process. DOT posts these comments, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice DOT/ALL-14 FDMS (Federal Docket Management System (FDMS)), which can be reviewed at <https://www.transportation.gov/individuals/privacy/privacy-act-system-records-notices>. The comments are posted without edit and are searchable by the name of the submitter.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Clemente, Driver and Carrier Operations Division; Office of Carrier, Driver and Vehicle Safety Standards, FMCSA; (771) 216-2436; or richard.clemente@dot.gov. If you have questions on viewing or submitting material to the docket, contact Dockets Operations at (202) 366-9826.

SUPPLEMENTARY INFORMATION:

I. Public Participation and Request for Comments

FMCSA encourages you to participate by submitting comments and related materials.

A. Submitting Comments

If you submit a comment, please include the docket number for this notice (FMCSA-2019-0174), indicate the specific section of this document to which the comment applies, and provide a reason for your suggestions or recommendations. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so the Agency can contact you if it has questions regarding your submission.

To submit your comment online, go to <https://www.regulations.gov/docket/FMCSA-2019-0174/document>, click on this notice, click "Comment," and type your comment into the text box on the following screen.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing.

FMCSA will consider all comments and material received during the comment period. Comments received after the comment closing date will be filed in the public docket and will be considered to the extent practicable.

B. Confidential Business Information (CBI)

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to the notice contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to the notice, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission that constitutes CBI as "PROPIN" to indicate it contains proprietary information. FMCSA will treat such marked submissions as confidential under the Freedom of Information Act, and they will not be placed in the public docket of the notice. Submissions containing CBI should be sent to Brian Dahlin Chief, Regulatory Evaluation Division, Office of Policy, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590-0001 or via email at brian.g.dahlin@dot.gov. At this time, you need not send a duplicate hardcopy of your electronic CBI submissions to FMCSA headquarters. Any comments FMCSA receives not specifically designated as CBI will be placed in the public docket for this notice.

C. Viewing Comments and Documents

To view comments, as well as any documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, insert FMCSA-2019-0174 in the keyword box, select the document tab 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 by visiting Docket 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., ET 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. Applicant's Request

Current Regulatory Requirements

The Agency's CDL regulations in 49 CFR 383.25(a)(1) require that a CLP holder always be accompanied by the holder of a valid CDL for the group (*e.g.*, Group A or B) and with any endorsement(s) necessary to operate the CMV. The CDL holder must be physically present in the front seat of the vehicle next to the CLP holder or, in the case of a passenger vehicle, directly behind or in the first row behind the driver and must have the CLP holder under observation and direct supervision.

Applicant's Request

Wilson Logistics seeks a renewal of its exemption from the provision in 49 CFR 383.25(a)(1), which FMCSA originally granted on February 23, 2021, and remains in effect through February 23, 2026 [86 FR 11050]. Wilson Logistics is a nationwide motor carrier, with its own pre-apprentice CDL training program. It is also a registered training provider and a certified third-party CDL tester in the State of Missouri. Wilson Logistics administers the CDL test for prospective Wilson Logistics driver employees (called "pre-apprentices") that have completed its CDL training program. Since the initial granting of its exemption in 2021, the applicant has trained 1,381 prospective driver employees and successfully tested and

approved 1,264 or 91.5% of these individuals. The applicant describes its program as a company-sponsored, hands-on, on-the-job, pre-apprentice CDL training program accessible only to Wilson Logistics prospective driver employees. While participating in the driver training, the pre-apprentices are not employed by Wilson Logistics. Once pre-apprentices obtain their CDL, they receive an offer of employment from Wilson Logistics.

Applicant's Equivalent Level of Safety

The applicant believes its safety data shows that its process works, and that it has maintained an equivalent level of safety while operating under the exemption. During the company's three-week training program, CLP holders learn how to safely operate a CMV, including basic backing maneuvers, and are subsequently transitioned to a minimum of two weeks driving over-the-road while a CDL instructor is observing and providing feedback from the passenger seat. The instructor supervises while instructing all non-driving aspects of the job, including pre- and post-trip inspections, coupling and uncoupling, trip planning, and backing. Wilson Logistics CLP holders deliver actual loads to real customers on the Nation's highways in all types of conditions and traffic patterns. The applicant believes that providing hands-on, highly supervised training at a one-on-one level of instructor to trainee is the best practice.

As a third-party tester, Wilson Logistics's four CDL examiners are continuously examined by the State of Missouri throughout the year for compliance. Wilson Logistics's testing policy permits a pre-apprentice to take the CDL skills test no more than twice. If a pre-apprentice fails the CDL test the first time, he or she receives an additional 3 to 4 days of training, before attempting to take the CDL skills test again. If a pre-apprentice fails twice, then he or she is disqualified from Wilson's pre-apprenticeship program. According to Wilson Logistics, pre-apprentices have a 95% first-time pass rate.

Once the pre-apprentice has passed the test, a Wilson Logistics trainer accompanies the CLP holder for the first 30,000 miles. For the first 10,000 miles the trainer is in the front passenger seat of the CMV; during the remaining 20,000 miles the trainer is in the CMV, although not necessarily in the front seat of the vehicle. Trainers also accompany the CLP holders when they return to their State of Domicile to receive their CDL after having passed the test.

Wilson Logistics states that it ensures an equivalent level of safety by verifying that no applicant will ever operate its CMVs without passing the State CDL exam administered by Wilson Logistics as a third-party tester and by requiring drivers to keep a copy of their passing CDL exam score, permit and license in their possession.

A copy of the Wilson Logistics application for exemption is available for review in the docket for this notice.

IV. Request for Comments

In accordance with 49 U.S.C. 31315(b), FMCSA requests public comment from all interested persons on the Wilson Logistics application for an exemption from the requirement in 49 CFR 383.25(a)(1), which requires a CLP holder always be accompanied by the holder of a valid CDL in the front seat of the CMV who has the proper CDL group and endorsement(s) necessary to operate the vehicle. All comments received before the close of business on the comment closing date will be considered and will be available for examination in the docket at the location listed under the Addresses section of this notice. Comments received after the comment closing date will be filed in the public docket and will be considered to the extent practicable. In addition to late comments, FMCSA will also continue to file, in the public docket, relevant information that becomes available after the comment closing date. Interested persons should continue to examine the public docket for new material.

Larry W. Minor,

Associate Administrator of Policy.

[FR Doc. 2025-22390 Filed 12-9-25; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2024-0096]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Factors That Influence the Effectiveness of Hazard Anticipation and Attention Maintenance Training

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Notice and request for comments on a request for approval of a new information collection.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (PRA), this notice announces that the Information Collection Request (ICR) summarized below will be submitted to the Office of Management and Budget (OMB) for review and approval. The ICR describes the nature of the information collection and its expected burden. The National Highway Traffic Safety Administration (NHTSA) proposes to conduct a new information collection, Factors that Influence the Effectiveness of Hazard Anticipation and Attention Maintenance Training, from 168 participants ages 18 and 19 who do not yet have driver's licenses for a research study on novice driver training. This information will be used to test the effectiveness of a hazard anticipation and attention maintenance training program for novice drivers that takes relatively little time to complete and could support future efforts to deliver the training via smartphones. A **Federal Register** Notice with a 60-day comment period soliciting comments on the following information collection was published on August 21, 202. NHTSA did not receive any comments on the proposed information collection.

DATES: Comments must be submitted on or before January 9, 2026.

ADDRESSES: Written comments and recommendations for the proposed information collection, including suggestions for reducing burden, should be submitted to the Office of Management and Budget at www.reginfo.gov/public/do/PRAMain. To find this particular information collection, select "Currently under Review—Open for Public Comment" or use the search function.

FOR FURTHER INFORMATION CONTACT: For additional information or access to background documents, contact Christine Watson, Ph.D., Office of Behavioral Safety Research (NPD-320), Christine.Watson@dot.gov, phone: (771) 241-3120, National Highway Traffic Safety Administration, W46-474, U.S. Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590. Please identify the relevant collection of information by referring to its OMB Control Number.

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501 *et seq.*), a Federal agency must receive approval from the Office of Management and Budget (OMB) before it collects certain information from the public and a person is not required to respond to a collection of information by a Federal agency unless the collection displays a valid OMB control number. In compliance with these requirements,

this notice announces that the following information collection request will be submitted OMB.

Title: Factors that Influence the Effectiveness of Hazard Anticipation and Attention Maintenance Training.

OMB Control Number: New.

Form Numbers: NHTSA Forms 2018, 2019, 2020, 2021.

Type of Request: Request for approval of a new information collection.

Type of Review Requested: Regular.

Requested Expiration Date of Approval: 3 years from date of approval.

Summary of the Collection of Information: NHTSA is seeking approval for a one-time voluntary information collection from 168 participants ages 18 and 19 who do not yet have driver's licenses for a research study on novice driver training. Specifically, this collection involves developing and testing a novice driver training program on a smartphone-like platform and determining whether the effectiveness of the training differs for participants of different sexes, socioeconomic status (SES) strata, and trait levels of sensation seeking and aggressiveness.

To be eligible for the study, participants must be 18 or 19 years old, must not have an unrestricted driver's license or an intermediate/provisional license that allows driving independently, and must be interested in obtaining one in the next 12 months. Recruitment efforts will include posting information about the study on social media platforms, providing study information to contacts in local communities (*e.g.*, community college faculty, high school principals, local driving schools), and reaching out to those who participated in past studies at the research center and agreed to be contacted about future opportunities. Enrolled participants will complete either the hazard anticipation and attention maintenance training program or a placebo training program on a smartphone-like platform. Then, participants' driving performance will be assessed on a computerized driving simulator. Finally, participants will complete a questionnaire that includes demographic questions and two validated scales to assess trait levels of sensation seeking and aggressiveness. After data collection, the research team will examine whether driving simulator performance differs between participants who took the hazard anticipation and attention maintenance training program and those that received the placebo training. The research team will also investigate whether the effects of training differ by sex, SES, and

propensities for sensation seeking and aggressiveness.

Prior to conducting the study, the research team will obtain review and approval of this data collection from an Institutional Review Board (IRB) that meets all Federal requirements in 45 CFR 46, is registered with the Office for Human Research Protections, and has a Federal wide Assurance. NHTSA will use the results of this study to produce a technical report containing summary descriptive and inferential statistics. The technical report will be shared with State highway safety offices, local governments, policymakers, researchers, educators, advocates, and others who may wish to use the data from this survey to support their work on novice and teen driver safety.

Description of the Need for the Information and Proposed Use of the Information: Novice teen drivers are more likely to crash in the first several months after they obtain licenses than more experienced drivers. Higher crash rates are observed for novice drivers who first obtain their licenses at ages 18 and 19,¹ novice drivers who live in zip codes with higher poverty rates,² male novices,³ and novices with greater propensities for personality factors like sensation seeking and aggressiveness.⁴ One reason novices who first obtain their licenses at age 18 or 19 are at higher risk of crashing may be because most States do not apply Graduated Driver Licensing (GDL) requirements to novice drivers 18 and older. GDL programs typically restrict nighttime driving and the number of teen passengers that can be in the vehicle and often include the requirement to enroll in a driver education program. An increasing proportion of teens are waiting until age 18 or older to get their licenses,⁵ when they are exempt from

¹ Masten, S., Foss, R., & Marshall, S. (2011). Graduated driver licensing and fatal crashes involving 16- to 19-year-old drivers. *Journal of the American Medical Association*, 306(14), 1098–1103. <https://jamanetwork.com/journals/jama/fullarticle/1104325>.

² Roberts, S., Zhang, F., Fisher, D., & Vaca, F. (2021). The effect of hazard awareness training on teen drivers of varying socioeconomic status. *Traffic Injury Prevention*, 22(6), 455–459. <https://doi.org/10.1080/15389588.2021.1940984>.

³ National Center for Statistics and Analysis. (2024, July). *Young drivers: 2022 data* (Traffic Safety Facts, Report No. DOT HS 813 601). National Highway Traffic Safety Administration. <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813601>.

⁴ Bates, L.J., Davey, J., Watson, B., King, M.J., & Armstrong, K. (2014). Factors contributing to crashes among young drivers. *Sultan Qaboos University Medical Journal*, 14(3), e297–e305. <https://pmc.ncbi.nlm.nih.gov/articles/PMC4117653/>.

⁵ Twenge, J., & Park, H. (2019). The decline in adult activities among U.S. adolescents, 1976–2016.

most States' GDL requirements, and part of this delay may be the cost and availability associated with traditional novice driver education programs.⁶ However, while most research has failed to find evidence that traditional pre-licensure driver education reduces novice drivers' crash risk,⁷ a growing body of studies suggests that training that focuses on teaching specific skills—hazard anticipation and attention maintenance—may increase novice drivers' safety. Prior studies also suggest that trainings focused on these skills may especially benefit male novices,⁸ novice drivers from lower SES backgrounds,² and young drivers with lower levels of the sensation seeking and aggressiveness personality traits.⁹

Hazard anticipation training teaches novices to be aware of hazards on the road that are visible *and* those that are hidden. Novice driver training programs targeting hazard anticipation have reduced behaviors linked to crashes on driving simulators¹⁰ and during on-road drives¹¹ and have reduced crashes among 18-year-old newly-licensed males by 32% in the year following training.⁸ Attention maintenance training teaches novices to reduce the number and duration of long glances away from the forward roadway. Novice

driver training programs focused on attention maintenance have reduced behaviors linked to crashes on driving simulators¹² and in the field,¹³ and the benefits of training extended up to four months.¹⁴

The goal of this information collection is to test the effectiveness of a hazard anticipation and attention maintenance training program for novice drivers that takes relatively little time to complete and could support future efforts to deliver the training via smartphones. Another goal of the information collection is to determine whether the effectiveness of the training program differs for groups of novices who may be at higher risk, *i.e.*, different sexes, SES levels, and trait levels of sensation seeking and aggressiveness. NHTSA will use the results of this study to produce a technical report to be shared with State highway safety offices, local governments, policymakers, researchers, educators, advocates, and others who may wish to use the data from this survey to support their work on novice and teen driver safety.

60-Day Notice: A **Federal Register** notice with a 60-day comment period soliciting public comments on the following information collection was published on August 21, 2025 (90 FR 160). No comments were received regarding the information collection.

Affected Public: Participants will be English-speaking adults, aged 18—19, without a driver's license.

Estimated Number of Respondents: Overall, 334 annual respondents will complete the screening questionnaire, and 60 of these respondents will undergo the informed consent process. Finally, of these 60, 54 annual respondents will enroll and participate in the study.

Although the study site has not been finalized, our descriptions assume that the study will be conducted in one potential study site area, Boston, Massachusetts. The study plans to

recruit participants who are ages 18 and 19, who do not have an unrestricted driver's license or an intermediate/provisional license that allows driving independently, and who are interested in obtaining an unrestricted or intermediate/provisional license in the next 12 months. Participants may have a learner's permit. A screening questionnaire will be administered electronically to an estimated 1,002 potential participants (334 annually) to yield a total sample of 168 participants (56 annually). We estimate that approximately 18% (180 participants) of those who respond to the screening questionnaire will be eligible, interested, and will travel to the research center to undergo the informed consent procedure. Then, an estimated 168 participants (approximately 94% of those who undergo the informed consent process) are expected to consent and enroll in the study. Of the 168 enrolled participants, 84 will be from a low SES stratum (as determined by average poverty rate of zip code of residence at age 17) and 84 will be from a medium/high SES stratum. An equal number of males and females will be recruited within each SES group.

Frequency: This study will be conducted one time during the three-year period for which NHTSA is requesting approval.

Estimated Total Annual Burden Hours: The research team expects to provide screening questionnaires to an estimated 1,002 potential participants to determine their eligibility for the study. The research team will post the opportunity on social media platforms likely to be seen by eligible participants and provide it to existing contacts (*e.g.*, managers at neighborhood development community centers, teen centers, community college faculty in the area, high school principals, local driving schools) in local communities. The research team will also contact potential participants via email or phone who indicated a prior interest in similar past studies if they agreed to be contacted about future opportunities. Completing the screening questionnaire has an estimated burden of 5 minutes per respondent (an annual burden of 28 hours for 334 annual respondents, averaged over the three-year approval period) (Table 1).

Similar to a NHTSA behavioral study recently reviewed by OMB,¹⁵ we estimate that approximately 18% (180 individuals) of those who respond to the screening questionnaire will be eligible, interested, and will travel to the research center to undergo the informed consent process. Travel time from around the Boston metropolitan area is

Child Development, 90(2), 638–654. <https://doi.org/10.1111/cdev.12930>.

⁶ Tefft, B., & Foss, R. (2019). *Prevalence and timing of driver licensing among young adults (Research Brief)*. AAA Foundation for Traffic Safety. https://aaafoundation.org/wp-content/uploads/2019/10/19-0500_AAAFTS_Teen-Driver-Safety-Week-Brief_r1.pdf.

⁷ Kirley, B.B., Robison, K.L., Goodwin, A.H., Harmon, K.J., O'Brien, N.P., West, A., Harrell, S.S., Thomas, L., & Brookshire, K. (2023, November). *Countermeasures that work: A highway safety countermeasure guide for State Highway Safety Offices, 11th edition, 2023* (Report No. DOT HS 813 490). National Highway Traffic Safety Administration. https://www.nhtsa.gov/sites/nhtsa.gov/files/2023-12/countermeasures-that-work-11th-2023-tag_0.pdf.

⁸ Thomas, F., Rilea, S., Blomberg, R., Peck, R., & Korbela, E. (2016). *Evaluation of the safety benefits of the risk awareness and perception training program for novice teen drivers* (Report No. DOT HS 812 235). National Highway Traffic Safety Administration. https://rosap.nhtsa.gov/view/dot/1986/dot_1986_DS1.pdf.

⁹ Zhang, T., Hajiseyedjavadi, F., Wang, Y., Samuel, S., Qu, X., & Fisher, D. (2018). Training interventions are only effective on careful drivers, not careless drivers. *Transportation Research Part F* (58), 693–707. <https://doi.org/10.1016/j.trf.2018.07.004>.

¹⁰ Pollatsek, A., Narayana, V., Pradhan, A., & Fisher, D. (2006). Using eye movements to evaluate a PC-based risk awareness perception training program on a driving simulator. *Human Factors*, 48(3), 255–259. <https://doi.org/10.1518/001872006778606787>.

¹¹ Pradhan, A., Pollatsek, A., Knodler, M., & Fisher, D. (2009). Can younger drivers be trained to scan for information that will reduce their risk in roadway traffic scenarios that are hard to identify as hazardous?. *Ergonomics*, 52, 657–673. <https://pmc.ncbi.nlm.nih.gov/articles/PMC2707454/>.

¹² Divekar, G., Pradhan, A.K., Masserang, K.M., Reagan, I., Pollatsek, A., & Fisher, D.L. (2013). A simulator evaluation of the effects of attention maintenance training on glance distributions of younger novice drivers inside and outside the vehicle. *Transportation Research Part F*, 20, 154–169. <https://doi.org/10.1016/j.trf.2013.07.004>.

¹³ Pradhan, A.K., Divekar, G., Masserang, K., Romoser, M., Zafian, T., Blomberg, R., Thomas, F., Reagan, I., Knodler, M., Pollatsek, A., & Fisher, D. (2011). The effects of focused attention training (FOCAL) on the duration of novice drivers' glances inside the vehicle. *Ergonomics* (54), 917–931. <https://pmc.ncbi.nlm.nih.gov/articles/PMC3437545/>.

¹⁴ Divekar, G., Samuel, S., Pollatsek, A., Thomas, D.F., Korbela, K., Blomberg, R.D., & Fisher, D.L. (2016). Effects of a PC-based attention maintenance training program on driver behavior can last up to four months. *Transportation Research Record*, 2602(1), 121–128. <https://doi.org/10.3141/2602-15>.

estimated at 60 minutes round trip, and the informed consent process is estimated to take 10 minutes. Thus, the burden for this second phase of the study, including travel time, is estimated at 70 minutes per participant (an annual burden of 70 hours for 60 annual respondents).

Finally, we estimate that approximately 94% (168 individuals) of those who undergo the informed consent process will consent and enroll in the study. For these participants, participation in the study is estimated at 240 minutes per participant (an annual burden of 224 hours for 56 annual respondents). Study tasks include (see Table 1):

- i. An enrollment process (5 minutes);
- ii. A pre-study questionnaire assessing participants' propensity to

experience motion sickness in the computerized driving simulator (5 minutes);

iii. A pre-training hazard anticipation and attention maintenance test administered on a smartphone-like platform (20 minutes);

iv. A novice driver training program (placebo or treatment), administered on a smartphone-like platform (60 minutes);

v. A post-training hazard anticipation and attention maintenance test administered on a smartphone-like platform (20 minutes);

vi. A break (15 minutes);

vii. A drive on a computerized driving simulator (90 minutes); and

viii. A post-study questionnaire (25 minutes) that consists of: demographic questions; the Arnett Inventory of

Sensation Seeking;¹⁵ the Buss-Perry Aggression Questionnaire;¹⁶ and a post-study debriefing.

In total, NHTSA estimates that this information collection will yield a total annual burden of 322 hours (Table 1).

NHTSA estimates the opportunity cost to respondents using an average hourly wage. The May 2023 mean hourly wage for all occupations in the United States was \$31.48 per hour.¹⁷ Additionally, given that wages in burden estimates need to be fully-loaded,¹⁸ we added 29% to reflect the full cost of labor, including benefits, yielding a fully-loaded mean hourly wage of \$40.61. Therefore, NHTSA estimates the total annual opportunity cost to be approximately \$13,069 (Table 1).

TABLE 1—ANNUAL BURDEN ESTIMATES

Information collection	Annual number of respondents	Burden per response (minutes)	Hourly opportunity cost	Opportunity cost per response	Total annual opportunity cost	Total annual burden (hours)
NHTSA Form 2018 (Total)	334	5	\$40.61	\$3.38	\$1,129	28
Screening Questionnaire						
NHTSA Form 2019 (Total)	60	70	40.61	47.38	2,843	70
Travel Time (Round-Trip)		60				
Informed Consent		10				
NHTSA Form 2020 (Total)	56	10	40.61	6.77	379	9
Enrollment		5				
Pre-Study Questionnaire		5				
NHTSA Form 2021 (Total)	56	230	40.61	155.67	8,718	215
Pre-Training Test		20				
Training Program		60				
Post-Training Test		20				
Break		15				
Driving Simulator Testing		90				
Post-Study Questionnaire		25				
Total					13,069	322

Estimated Total Annual Burden Cost: \$0.

Participation in this study is voluntary and there are no costs to participants beyond the time spent completing the study. The costs associated with travel to the research center are minimal and expected to be offset by the compensation that will be provided to the research participants.

Public Comments Invited: You are asked to comment on any aspects of this information collection, including (a)

whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (b) the accuracy of the Department's estimate of the burden of the proposed information collection; (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 the use of

automated collection techniques or other forms of information technology.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; 49 CFR 1.49; and DOT Order 1351.29A.

Jane Terry,

Acting Associate Administrator, Research and Program Development.

[FR Doc. 2025–22429 Filed 12–9–25; 8:45 am]

BILLING CODE 4910–59–P

¹⁵ Arnett, J. (n.d.) *Arnett Inventory Sensation Seeking (AISS)*. https://sjdm.org/dmidi/Arnett_Inventories_of_Sensation_Seeking.html.

¹⁶ Buss, A. & Perry, M. (n.d.) *Buss Perry Aggression Questionnaire (BPAQ)*. <https://psychology-tools.com/test/buss-perry-aggression-questionnaire>.

¹⁷ U.S. Bureau of Labor Statistics. (2024, April 3). May 2023 National Occupational Employment and Wage Estimates. U.S. Bureau of Labor Statistics.

https://www.bls.gov/oes/current/oes_nat.htm#00-0000.

¹⁸ <https://pra.digital.gov/burden/estimation/>.

DEPARTMENT OF THE TREASURY**Financial Crimes Enforcement Network****Agency Information Collection Activities; Proposed Renewal; Comment Request: Renewal Without Change of Information Collection Requirements in Connection With the Imposition of Special Measures**

AGENCY: Financial Crimes Enforcement Network (FinCEN), Treasury.

ACTION: Notice and request for comments.

SUMMARY: As part of a continuing effort to reduce paperwork and respondent burden, FinCEN invites comments on a renewal, without change, to information collection requirements found in Bank Secrecy Act (BSA) regulations imposing the same special measures with respect to several different entities of primary money laundering concern. This request for comments is being made pursuant to the Paperwork Reduction Act of 1995.

DATES: Written comments are welcome and must be received on or before February 9, 2026.

ADDRESSES: Comments may be submitted by any of the following methods:

- *Federal E-rulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments. Refer to docket number FINCEN–2025–0171 and the Office of Management and Budget (OMB) control numbers 1506–0036, 1506–0071, 1506–0072, 1506–0074, and 1506–0079.

- *Mail:* Policy Division, Financial Crimes Enforcement Network, P.O. Box 39, Vienna, VA 22183. Refer to docket number FINCEN–2025–0171 and OMB control numbers 1506–0036, 1506–0071, 1506–0072, 1506–0074, and 1506–0079.

Please submit comments by one method only. Comments will be reviewed consistent with the Paperwork Reduction Act of 1995 and applicable OMB regulations and guidance. Do not include any personally identifiable information (such as name, address, or other contact information) or confidential business information that you do not want publicly disclosed. All comments are public records; they are publicly displayed exactly as received, and will not be deleted, modified, or redacted. Comments may be submitted anonymously.

FOR FURTHER INFORMATION CONTACT: FinCEN's Regulatory Support Section at www.fincen.gov/contact.

SUPPLEMENTARY INFORMATION:**I. Statutory and Regulatory Provisions**

The legislative framework generally referred to as the BSA consists of the Currency and Foreign Transactions Reporting Act of 1970,¹ as amended by the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act),² and other legislation, including the Anti-Money Laundering Act of 2020 (AML Act).³ The BSA is codified at 12 U.S.C. 1829b and 1951–1960, and 31 U.S.C. 5311–5314 and 5316–5336, and includes notes thereto, with implementing regulations at 31 CFR chapter X.

The BSA authorizes the Secretary of the Treasury (Secretary) to, *inter alia*, require financial institutions to keep records and file reports that are determined to have a high degree of usefulness in criminal, tax, and regulatory matters, risk assessments or proceedings, or in intelligence or counter-intelligence activities, including analysis, to protect against terrorism, and to implement anti-money laundering/countering the financing of terrorism (AML/CFT) programs and compliance procedures.⁴ The Secretary has delegated to the Director of FinCEN the authority to administer the BSA.⁵

Section 311 of the USA PATRIOT Act (Section 311), codified at 31 U.S.C. 5318A, grants FinCEN the authority—upon finding that reasonable grounds exist for concluding that a foreign jurisdiction, financial institution, class of transactions, or type of account is of “primary money laundering concern”—to require domestic financial institutions and financial agencies to take one or more “special measures.”

Special measures one through four, codified at 31 U.S.C. 5318A(b)(1)–(b)(4), impose additional recordkeeping, information collection, and reporting requirements on covered financial institutions. The fifth special measure, codified at 31 U.S.C. 5318A(b)(5), allows FinCEN to impose prohibitions

or conditions on the opening or maintenance of certain correspondent accounts. Special measures are safeguards that protect the U.S. financial system from money laundering and terrorist financing.

FinCEN has issued several final rules imposing the fifth special measure to prohibit covered financial institutions from opening or maintaining a correspondent account for, or on behalf of, specified entities, of which five have associated OMB control numbers set to expire within the current renewal cycle.⁶ FinCEN is renewing these OMB control numbers jointly now for the sake of administrative efficiency. The information collection requirements at issue pertain to the following final rules:

- FinCEN issued a final rule on March 15, 2006, imposing the fifth special measure to prohibit covered financial institutions from opening or maintaining a correspondent account for, or on behalf of, the Commercial Bank of Syria, including its subsidiary Syrian Lebanese Commercial Bank (Syria).⁷
- FinCEN issued a final rule on November 9, 2016, imposing the fifth special measure to prohibit covered financial institutions from opening or maintaining correspondent accounts for, or on behalf of, North Korean banking institutions (DPRK).⁸
- FinCEN issued a final rule on November 8, 2017, imposing the fifth special measure to prohibit covered financial institutions from opening or maintaining a correspondent account for, or on behalf of, Bank of Dandong.⁹
- FinCEN issued a final rule on November 4, 2019, imposing the fifth special measure to prohibit covered financial institutions from opening or

⁶ For a complete list of final rules imposing special measures of any kind, see Special Measures | FinCEN.gov (<https://www.fincen.gov/resources/statutes-and-regulations/special-measures>).

⁷ FinCEN, *Final Rule—Imposition of a Special Measure Against Commercial Bank of Syria, Including its Subsidiary, Syrian Lebanese Commercial Bank, as a Financial Institution of Primary Money Laundering Concern*, 71 FR 13260 (Mar. 15, 2006). While there are certain exceptions to the applicability of this rule, FinCEN has not assessed those to significantly affect the general aggregate burden or the average burden presented in this notice that compliance with special measures imposes. See FinCEN, *Exception to Prohibition Imposed by Section 311 of the USA PATRIOT Act against Commercial Bank of Syria*, (May 23, 2025) at <https://www.fincen.gov/system/files/shared/Commercial-Bank-of-Syria-Exeptive-Relief.pdf>.

⁸ FinCEN, *Final Rule—Imposition of Special Measures Against North Korea as a Jurisdiction of Primary Money Laundering Concern*, 81 FR 78715 (Nov. 9, 2016).

⁹ FinCEN, *Final Rule—Imposition of Special Measure Against Bank of Dandong as a Financial Institution of Primary Money Laundering Concern*, 82 FR 51758 (Nov. 8, 2017).

¹ Title II of Public Law 91–508, 84 Stat. 1118 (Oct. 26, 1970).

² Public Law 107–56, 115 Stat. 272 (Oct. 26, 2001).

³ The AML Act was enacted as Division F, sections 6001–6511, of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021, Public Law 116–283, 134 Stat 3388 (Jan. 1, 2021).

⁴ See 31 U.S.C. 5311(1)–(2).

⁵ Treasury Order 180–01 (*Reaffirmed* Jan. 14, 2020); see also 31 U.S.C. 310(b)(2)(I) (providing that the Director of FinCEN shall “[a]dminister the requirements of subchapter II of chapter 53 of this title, chapter 2 of title I of Public Law 91–508, and section 21 of the Federal Deposit Insurance Act, to the extent delegated such authority by the Secretary.”).

maintaining a correspondent account for, or on behalf of, Iranian financial institutions (Iran).¹⁰

- FinCEN issued a final rule on July 3, 2024, imposing the fifth special measure to prohibit covered financial institutions from opening or maintaining a correspondent account for, or on behalf of, Al-Huda Bank.¹¹

These rules require covered financial institutions to undertake due diligence reasonably designed to guard against correspondent accounts being used to process prohibited transactions involving one or more of the entities listed above.¹²

Covered financial institutions are required to notify holders of their foreign correspondent accounts that they may not provide the above-listed entities with access to such accounts.¹³ The requirement is intended to ensure cooperation from correspondent account holders in denying illicit actors access to the U.S. financial system. Covered financial institutions are required to document compliance with the notification requirement.¹⁴ The records are used by federal agencies and certain self-regulatory organizations to verify

compliance with 31 CFR 1010.653, 1010.659, 1010.660, 1010.661, and 1010.663.

II. Paperwork Reduction Act of 1995 (PRA)¹⁵

Title: Information Collection Requirements in Connection with the Imposition of the Special Measures (31 CFR 1010.653, 1010.659, 1010.660, 1010.661, and 1010.663).

OMB Control Numbers: 1506–0036, 1506–0071, 1506–0072, 1506–0074, 1506–0079.

Form Number: Not applicable.

Abstract: FinCEN is issuing this notice to renew OMB control numbers for regulations imposing the same special measures against certain entities of primary money laundering concern pursuant to the authority contained in 31 U.S.C. 5318A. See 31 CFR 1010.653, 31 CFR 1010.659, 31 CFR 1010.660, 31 CFR 1010.661, and 31 CFR 1010.663.

Affected Public: Businesses or other for-profit institutions, and non-profit institutions.

Type of Review: Renewal without change of currently approved information collections.

Frequency: As required.¹⁶

Estimated Number of Respondents: In this notice, and consistent with other recent notices, FinCEN is updating how it estimates the number of expected respondents to improve accuracy and consistency across OMB control numbers.¹⁷ Previously, FinCEN assumed that all covered financial institutions would bear the same recordkeeping burden because it could not identify which institutions were likely to be affected. Now, with improved analytical capacity, FinCEN can better differentiate among institutions. As a result, FinCEN assigns varying levels of burden that remain consistent with past population estimates but are more precisely focused on the institutions most likely to incur direct costs. FinCEN now distinguishes between all covered financial institutions that could potentially be respondents and those it actually expects to be respondents in a given year.

Estimated Number of Potential Respondents: Approximately 15,710.¹⁸

TABLE 1—ESTIMATES OF COVERED FINANCIAL INSTITUTIONS BY TYPE

Financial institution type	Number of entities
Banks with a federal functional regulator (FFR) ^a	^b 8,995
Banks without an FFR ^c	^d 395
Broker-dealers in securities (broker-dealers) ^e	^f 3,320
Open end mutual funds ^g	^h 2,036
Futures commission merchants ⁱ	^j 65
Introducing brokers in commodities ^k	^l 899

^a See 31 CFR 1010.100(t)(1); see also 31 CFR 1010.100(d).

^b Bank data is as of Jan. 17, 2025, from Federal Deposit Insurance Corporation BankFind, <https://banks.data.fdic.gov/bankfind-suite/bankfind>. Credit union data is as of September 2024 from the National Credit Union Administration Quarterly Data Summary Reports, <https://ncua.gov/analysis/credit-union-corporate-call-report-data/quarterly-data-summary-reports>.

^c 31 CFR 1020.210(b).

^d The Board of Governors of the Federal Reserve System Master Account and Services Database contains data on financial institutions that utilize Reserve Bank financial services, including those with no federal regulator. FinCEN used this data to identify 395 banks and credit unions utilizing Reserve Bank financial services with no federal regulator. See Board of Governors of the Federal Reserve System, Master Account and Services Database, <https://www.federalreserve.gov/paymentsystems/master-account-and-services-database-existing-access.htm>.

^e 31 CFR 1010.100(t)(2).

^f According to the Securities and Exchange Commission (SEC), there are 3,320 broker-dealers as of March 2025 from the website “Company Information About Active Broker-Dealers,” <https://www.sec.gov/foia-services/frequently-requested-documents/company-information-about-active-broker-dealers>.

¹⁰ FinCEN, *Final Rule—Imposition of Fifth Special Measure Against the Islamic Republic of Iran as a Jurisdiction of Primary Money Laundering Concern*, 84 FR 59302 (Nov. 4, 2019).

¹¹ FinCEN, *Final Rule—Imposition of Special Measure Regarding Al-Huda Bank as a Financial Institution of Primary Money Laundering Concern*, 89 FR 55051 (Jul. 3, 2024).

¹² See 31 CFR 1010.653 (Syria), 1010.659 (DPRK), 1010.660 (Bank of Dandong), 1010.661 (Iran), and 1010.663 (Al-Huda Bank).

¹³ See 31 CFR 1010.653(b)(2)(i)(A) (Syria), 1010.659(b)(3)(i)(A) (DPRK), 1010.660(b)(3)(i)(A) (Bank of Dandong), 1010.661(b)(3)(i)(A) (Iran), 1010.663(b)(3)(i)(A) (Al-Huda Bank).

¹⁴ See 31 CFR 1010.653(b)(3)(i) (Syria), 1010.659(b)(4)(i) (DPRK), 1010.660(b)(4)(i) (Bank of Dandong), 1010.661(b)(4)(i) (Iran), 1010.663(b)(4)(i) (Al-Huda Bank).

¹⁵ See 44 U.S.C. 3506(c)(2)(A).

¹⁶ As noted, covered financial institutions must notify correspondent account holders that correspondent accounts may not be used to provide specified institutions or jurisdictions access to financial services, and must document their compliance with this notice requirement. These requirements must be fulfilled, but with no specified periodicity. See 31 CFR 1010.653(b)(2)(i)(A), (3)(i) (Commercial Bank of Syria), 31 CFR 1010.659(b)(3)(i)(A), (4)(i) (DPRK), 31 CFR 1010.660(b)(3)(i)(A), (4)(i) (Bank of Dandong), 31 CFR 1010.661(b)(3)(i)(A), (4)(i) (Iran), 31 CFR 1010.663(b)(3)(i)(A), (4)(i) (Al-Huda Bank).

¹⁷ See, e.g., FinCEN, *Final Rule—Imposition of Special Measure Regarding Huione Group as a Financial Institution of Primary Money Laundering Concern*, 90 FR 48295 (Oct. 16, 2025) (Huione Final Rule); see also FinCEN, *Agency Information*

Collection Activities; Proposed Renewal; Comment Request; Renewal Without Change of Prohibition on Correspondent Accounts for Foreign Shell Banks; Records Concerning Owners of Foreign Banks and Agents for Service of Legal Process, 90 FR 21987 (May 22, 2025) (Foreign Shell Bank Renewal).

¹⁸ This estimate is informed by public and non-public data sources regarding both an expected maximum number of entities that may be affected and the number of active, or currently reporting, registered financial institutions. The methodology used to derive this estimate yields results comparable to the population estimates in previous renewals: 16,588 (DPRK—87 FR 66776 (Nov. 4, 2022)); 15,960 (Syria—88 FR 14442 (Mar. 8, 2023)); 15,960 (Iran—88 FR 14440 (Mar. 8, 2023)); 15,876 (Bank of Dandong—88 FR 48285 (Jul. 26, 2023)); and 15,180 (Al-Huda—89 FR 55051 (Jul. 3, 2024)).

⁹ See 31 CFR 1010.100(t)(10); see also 31 CFR 1010.100(gg).

^h According to the SEC, in 2024 there were 2,036 open-end registered investment companies that report on Form N-CEN. SEC, “Form N-CEN Data Sets,” <https://www.sec.gov/dera/data/form-ncen-data-sets>.

ⁱ 31 CFR 1010.100(t)(8).

^j According to the Commodity Futures Trading Commission (CFTC), there are 65 futures commission merchants as of November 30, 2024. See CFTC, “Financial Data for FCMs,” <https://www.cftc.gov/MarketReports/financialfcmdata/index.htm>.

^k 31 CFR 1010.100(t)(9).

^l According to the National Futures Association (NFA), there are 899 introducing brokers in commodities as of Dec. 31, 2024 from website “NFA Membership Totals,” <https://www.nfa.futures.org/registration-membership/membership-and-directories.html>.

Estimated Number of Expected Respondents: Approximately 127.¹⁹

This notice departs from previous FinCEN practice in estimating the PRA burden of compliance with special measures by qualifying that only financial institutions that both (1) meet

the definition of a “covered financial institution,”²⁰ and (2) appear to be engaged in correspondent banking with, or processing transactions potentially involving, the subjects of the special measures, are likely to be affected. These are the expected respondents as

detailed in Table 2. The burden estimates in this notice do not include similar compliance activities related to special measures that either did not require PRA analysis or are not linked to the OMB control numbers covered here.

TABLE 2—ESTIMATES OF AFFECTED FINANCIAL INSTITUTIONS BY TYPE

Financial institution type	Number of entities
Banks with a FFR	^a 60
Banks without a FFR	^b 17
Broker-dealers	^c 26
Open end mutual funds	^d 16
Futures commission merchants	^e 1
Introducing brokers in commodities	^f 7

^a Data are from the Federal Financial Institution Examination Council Central Data Repository for Reports of Condition and Income (Call Reports) and Uniform Bank Performance Reports (UBPRs), available for most Federal Deposit Insurance Corporation-insured institutions. Using this source of data, FinCEN determines that as of Q3 2024, approximately 60 banks (as defined by FinCEN regulations, see 31 CFR 1010.100(d)) will be affected by the rules covered in this notice in any given year. Specifically, as of Q3 2024, there were approximately 60 banks that reported non-zero values for deposit liabilities of banks in foreign countries. Deposit liabilities in a foreign country is an indication that a bank maintains correspondent accounts with a foreign financial institution.

^b The Board of Governors of the Federal Reserve System Master Account and Services Database contains data on financial institutions that utilize Reserve Bank financial services, including those with no federal regulator. FinCEN used this data to identify an additional 17 international banking entities with no federal regulator and that do not file Call Reports, but that are also likely to maintain correspondent accounts with a foreign financial institution.

^c Broker-dealers, unless they are publicly traded, are not required to make reports indicating whether they have foreign correspondent accounts or hold foreign deposits. FinCEN reviewed financial statement data from 10–Q and 6–K filings with the SEC and identified nine publicly traded broker-dealers with U.S. operations that reported foreign deposits. FinCEN also examined suspicious activity reports (SARs) filed by broker-dealers in 2024 to identify another two non-publicly traded broker-dealers who appeared likely to be maintaining foreign deposits. However, because many broker-dealers are not publicly traded and did not file SARs, FinCEN conservatively estimates that the proportion of broker-dealers with foreign correspondent accounts will be similar to the proportion for banks (approximately 0.8%). 0.8% of 3,320 active broker-dealers is approximately 26 broker-dealers assumed to have foreign correspondent accounts.

^d Mutual funds, futures commission merchants, and introducing brokers in commodities generally use intermediary U.S. banks to move and maintain client deposits and funds for investment. Therefore, it is unlikely that many of these institutions will maintain direct correspondent accounts with foreign financial institutions outside of their existing upstream banking relationships. However, because these institutions may in some cases receive deposits from, make payments or other disbursements, or otherwise transact directly with foreign financial institutions, FinCEN conservatively estimates that the proportion of mutual funds with foreign correspondent accounts will be similar to the proportion for banks (approximately 0.8%). 0.8% of 2,036 active mutual funds is approximately 16 mutual funds assumed to have foreign correspondent accounts.

^e 0.8% of 65 active futures commission merchants is approximately one futures commission merchant assumed to have foreign correspondent accounts.

^f 0.8% of 899 active introducing brokers in commodities is approximately seven introducing brokers in commodities assumed to have foreign correspondent accounts.

Estimated Average Annual Recordkeeping Burden per Respondent: 19 minutes (approximately 0.32 hours).

Compliance with special measures that prohibit certain foreign correspondent banking activities is

expected to result in an incremental recordkeeping burden that decreases over time and to only accrue to the expected affected financial institutions listed in Table 2. Table 3 summarizes the more detailed discussion below,

which harmonizes FinCEN’s presentation of expected PRA burdens associated with newly imposed special measures²¹ and the revised recordkeeping burden assignments FinCEN is proposing for the existing

¹⁹ While these regulations apply to all covered institutions described in Table 1, in practice the burden will only fall on those institutions that actually maintain correspondent accounts for foreign banking institutions. Table 2 below presents an estimate of this subpopulation of banks, brokers-dealers, mutual funds, futures commission merchants, and introducing brokers in commodities based on data from the most recent calendar year end.

²⁰ See 31 CFR 1010.653(a)(3) for the definition of “covered financial institutions” applicable to Syria. For all other special measures covered in this notice, “covered financial institutions” are defined by cross-reference to 31 CFR 1010.605(e)(1). See 31 CFR 1010.659(a)(5) (DPRK); 1010.660(a)(3) (Bank of Dandong); 1010.661(a)(3) (Iran); and 1010.663(a)(3) (Al-Huda Bank).

²¹ For purposes of this notice of OMB control number renewals, “newly imposed special measures” refers to measures that have not yet been

the subject of an OMB control number renewal, *i.e.*, those within their first three-year period following the publication of a final rule. See, *e.g.*, Huione Final Rule; see also proposed forecast of PRA burden estimates for effective years one through three in FinCEN, *Proposal of Special Measure Regarding Transactions Involving Ten Mexican Gambling Establishments as a Class of Transactions of Primary Money Laundering Concern*, 90 FR 51234 (Nov. 17, 2025) (Mexican Casinos NPRM).

regulations covered by this notice. The proposed changes in burden assignment are intended to more accurately reflect

how compliance with special measures is operationalized by covered financial institutions and how those costs are

expected to attenuate after a special measure's first year in effect.

TABLE 3—EXPECTED BURDEN HOURS PER 311 SPECIAL MEASURE PER RESPONDENT BY EFFECTIVE YEAR

Type	Recordkeeping activity Description	Burden hours in 311 effective year			
		1	2	3	4+
A. General	Documenting steps taken to ensure no transactions are processed.	8	0 ^a		
B. Notification	Notifying foreign correspondent account holders and documenting notification.		0.25	0.05	0.05
C. Process and Governance	Documenting or maintaining documentation associated with additional due diligence.		0 ^a		

^a The incremental recordkeeping activities associated with A and C in subsequent years are expected to be incorporated into activities that satisfy broader foreign correspondent account related due diligence requirements already accounted for under OMB control number 1506–0046. The continuing time burden here is therefore set to zero to avoid double counting, which would overestimate the aggregate recordkeeping burden across OMB control numbers.

In general, FinCEN expects compliance with prohibitions imposed under the fifth special measure to involve recordkeeping activities in the following three categories:

A. “General” includes refusing to open or maintain accounts, terminating accounts, investigative activity, and documenting steps undertaken to ensure no transactions involving the subject of a special measure are processed.²²

B. “Notification” includes notifying foreign correspondent account holders when an entity is the subject of an effective special measure, and documenting provision of notice.^{23 24}

C. “Process and Governance” include documenting the steps considered or undertaken with respect to further due diligence. This documentation may include, but is not limited to, the reasoning that informed decisions to adopt (or not adopt) new measures that add to a covered financial institution’s existing risk-based approach, and those new measures, if adopted.²⁵

Because the first Section 311 special measures were implemented over two decades ago, FinCEN expects that

affected covered financial institutions already have the wherewithal to comply when FinCEN imposes special measures on new parties.²⁶ To the extent FinCEN imposing special measures on new parties requires covered financial institutions to implement new compliance measures, FinCEN expects that implementation process to occur within the first year following the publication of a final rule. FinCEN expects affected financial institutions to spend no more than an average of eight hours (one business day) on related recordkeeping activities in that first year.

In all subsequent years, FinCEN expects the average annual burden associated with the collection of information to drop significantly. For “General” and “Process and Governance” recordkeeping, FinCEN anticipates that any ongoing updates will be part of financial institutions’ regular compliance work for maintaining correspondent accounts.²⁷ These recordkeeping efforts are therefore already accounted for as part of the activities covered under OMB control number 1506–0046, which pertains to due diligence programs for

foreign correspondent accounts.²⁸ Consequently, FinCEN is not assigning any additional PRA burden associated with “General” or “Process and Governance” recordkeeping activities as part of the OMB control number renewals covered by this notice.

FinCEN assesses that most of the incremental PRA burden of ongoing compliance with the imposition of special measures comes from “Notification” activities. In these cases, covered financial institutions must inform new account holders about entities subject to the fifth special measure and ensure the account holders agree not to conduct transactions for subject parties. FinCEN has previously estimated that financial institutions that maintain foreign correspondent accounts open an average of ten new foreign correspondent accounts per year²⁹ and generally expects the time burden of special measure compliance associated with these new accounts not to exceed an average of 15 minutes (0.25 hours) per affected financial institution.³⁰ Because this notice pertains to special measures that are well past their first year of imposition, FinCEN anticipates that covered financial institutions would have had sufficient time to consolidate the various subjects into a single notification provided to foreign correspondent account holders at the time of account opening. For this

²² See 31 CFR 1010.653(b)(1) (Syria), 1010.659(b)(1)–(2) (DPRK), 1010.660(b)(2) (Bank of Dandong), 1010.661(b)(1)–(2) (Iran), and 1010.663(b)(1)–(2) (Al-Huda Bank).

²³ Each affected covered financial institution is required to notify foreign correspondent account holders that it knows, or has reason to believe, provide services to any of the entities of primary money laundering concern that such correspondents may not provide those entities with financial access to a correspondent account.

²⁴ See 31 CFR 1010.653(b)(2)(i)(A), (3)(i) (Syria); 1010.659(b)(3)(i)(A), (4)(i) (DPRK); 1010.660(b)(3)(i)(A), (4)(i) (Bank of Dandong); 1010.661(b)(3)(i)(A), (4)(i) (Iran); and 1010.663(b)(3)(i)(A), (4)(i) (Al-Huda Bank).

²⁵ See 31 CFR 1010.653(b)(2)(i)(B), (ii–iv) (Syria), 1010.659(b)(3)(i)(B), (ii), (iii) (DPRK), 1010.660(b)(3)(i)(B), (ii), (iii) (Bank of Dandong), 1010.661(b)(3)(i)(B), (ii), (iii) (Iran), and 1010.663(b)(3)(i)(B), (ii), (iii) (Al-Huda Bank).

²⁶ The first regulations implementing Section 311 special measures went into effect in 2004. See FinCEN, *Imposition of Special Measures Against Myanmar Mayflower Bank and Asia Wealth Bank as Financial Institutions of Primary Money Laundering Concern*, 69 FR 19098 (Apr. 12, 2004); and FinCEN, *Imposition of Special Measures Against Burma*, 69 FR 19093 (Apr. 12, 2004).

²⁷ See 31 CFR 1010.610 and 630; see also FinCEN, *Agency Information Collection Activities; Proposed Renewal; Comment Request; Renewal Without Change of Due Diligence Programs for Correspondent Accounts for Foreign Financial Institutions and for Private Banking Accounts*; 89 FR 49273 (Jun. 11, 2024) (Correspondent Banking Renewal).

²⁸ See Correspondent Banking Renewal. The PRA burden, as assigned in that renewal to expected respondents is equivalent to an annual average of approximately 256 burden hours per financial institution affected by both the regulations under that notice and this one.

²⁹ See Foreign Shell Bank Renewal at 90 FR 21994.

³⁰ See Huione Final Rule; see also Mexican Casinos NPRM.

reason, FinCEN’s model of recordkeeping burden estimates assigns a lower time value to “Notification” activities under each individual OMB control number’s PRA burden in years four and thereafter.³¹

TABLE 4—THREE-YEAR AVERAGE EXPECTED BURDEN HOURS FOR EACH SPECIAL MEASURE IN NOTICE

OMB control No. and subject	Burden hour by number of years effective	Calendar year			3-Year average burden hours
		2026	2027	2028	
1506–0079; Al-Huda Bank	Effective Year	3	4	5	0.117
	Burden Hour	0.25	0.05	0.05	
1506–0074; Iran	Effective Year	8	9	10	0.050
	Burden Hour	0.05	0.05	0.05	
1506–0072; Bank of Dandong	Effective Year	10	11	12	0.050
	Burden Hour	0.05	0.05	0.05	
1506–0071; DPRK	Effective Year	11	12	13	0.050
	Burden Hour	0.05	0.05	0.05	
1506–0036; Syria	Effective Year	21	22	23	0.050
	Burden Hour	0.05	0.05	0.05	

To estimate the PRA burden per affected financial institution covered in this notice, FinCEN sums recordkeeping burden over the five control numbers as summarized in Table 5.

TABLE 5—BURDEN HOURS PER RESPONDENT PER YEAR

OMB control No. and subject	Calendar year		
	2026	2027	2028
1506–0079; Al-Huda Bank	0.25	0.05	0.05
1506–0074; Iran	0.05	0.05	0.05
1506–0072; Bank of Dandong	0.05	0.05	0.05
1506–0071; DPRK	0.05	0.05	0.05
1506–0036; Syria	0.05	0.05	0.05
Total Burden Hours	0.45	0.25	0.25

Estimated Total Annual Recordkeeping Burden: approximately 40 hours, on average.³²

TABLE 6—TOTAL ANNUAL RECORDKEEPING BURDEN HOURS

Year	Total burden hours per respondent	Number of expected respondents	Total annual burden hours
2026	0.45	127	57.15
2027	0.25	.....	31.75
2028	0.25	.....	31.75
Average .....	.....	.....	40.22

Estimated Total Annual Recordkeeping Cost: \$4,828.80, on average.

TABLE 7—ESTIMATED TOTAL COST OF ANNUAL PRA BURDEN

OMB control No.	Subject of 311	Number of expected respondents	Average total annual burden hours ^a	Total cost per regulation ^b
1506–0079	Al-Huda Bank	127	14.82	\$1,779.04
1506–0074	Iran .....	.....	6.35	762.44
1506–0072	Bank of Dandong .....	.....	6.35	762.44

³¹ See Table 3.

³² This estimate represents the three-year average burden hours from Table 5, applied to an estimated population of 127 respondents annually, rounded to the nearest whole hour.

TABLE 7—ESTIMATED TOTAL COST OF ANNUAL PRA BURDEN—Continued

OMB control No.	Subject of 311	Number of expected respondents	Average total annual burden hours ^a	Total cost per regulation ^b
1506–0071	North Korea .....	.....	6.35	762.44
1506–0036	Syria .....	.....	6.35	762.44
Total PRA Burden Hours and Cost			40.22	4,828.80

^a Values are calculated using the three-year average estimate of annual burden hours per respondent multiplied by the number of expected respondents, rounded to nearest hundredth hour. See Table 4.

^b FinCEN applies a standard hourly compensation rate of \$120.07 based on the average hourly cost of labor required to complete BSA-related compliance tasks at financial institutions. See Foreign Shell Bank Renewal at 90 FR 21996.

Under the PRA, FinCEN as a federal agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Records required to be retained under the BSA must be retained for five years.

General Request for Comments: Comments submitted in response to this notice will be summarized or included in a request for OMB approval. All comments will become a matter of public record. Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (2) the accuracy of the agency’s estimate of the burden of the collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (5) estimates of capital or start-up costs, cost of operation and maintenance, and cost involved in purchasing services.

III. Additional Requests for Comment

In connection with a variety of initiatives FinCEN is undertaking to implement the AML Act, FinCEN intends to conduct additional assessments of the PRA burden associated with BSA requirements. To assist with those activities, FinCEN is requesting comments in response to the following additional questions:

1. Because FinCEN cannot directly ascertain the number of covered financial institutions that maintain foreign correspondent accounts at any given time, it relies on the methodology described above to estimate the number of expected respondents per year. Are there alternative information sources or approaches that would provide more accurate estimates? If feasible, please

provide specific references or descriptions.

2. Are FinCEN’s assumptions about how and when expected respondents provide requisite notifications to foreign correspondent account holders consistent with common market practices? If not, are differences in practice significant enough to warrant revised burden and cost estimates? If so, please provide information to support such revision information.

3. The estimates in this notice do not include an itemized cost for technology. Are the incremental costs of third-party technology services or software used to comply with special measures and to document such compliance identifiable and substantial enough that an additional, separate cost estimate is appropriate? If so, please provide information to support general estimation.

4. The estimates in this notice do not include an itemized cost for data storage. Are the incremental costs of technology used to communicate, record, and store the materials necessary to comply with special measures identifiable and substantial enough that an additional, separate cost estimate is appropriate? If so, please provide information to support general estimation.

Andrea M. Gacki,
Director, Financial Crimes Enforcement Network.
 [FR Doc. 2025–22425 Filed 12–9–25; 8:45 am]
BILLING CODE 4810–02–P

DEPARTMENT OF TREASURY

Internal Revenue Service

Appointment of Members of the Legal Division to the Performance Review Board, Internal Revenue Service

Under the authority granted to me as Acting Chief Counsel of the Internal Revenue Service by the General Counsel of the Department of the Treasury by

the Civil Service Reform Act, I have appointed the following persons to the Legal Division Performance Review Board, Internal Revenue Service Panel:

1. Tyler S. Badgley, Deputy General Counsel, Department of the Treasury—Chair
 2. Edward T. Killen, Commissioner, Tax Exempt and Government Entities (IRS)
 3. Krishna Vallabhaneni, Tax Legislative Counsel, Office of Tax Policy (Treasury)
- Alternate:* Kevin M. Salinger, Deputy Assistant Secretary, Tax Policy (Treasury)

This publication is required by 5 U.S.C. 4314(c)(4).

Kenneth J. Kies,
Chief Counsel (Acting), Internal Revenue.
 [FR Doc. 2025–22418 Filed 12–9–25; 8:45 am]
BILLING CODE 4830–01–P

DEPARTMENT OF TREASURY

Internal Revenue Service

Appointment of Members of the Legal Division to the Performance Review Board, Internal Revenue Service

Under the authority granted to me as Acting Chief Counsel of the Internal Revenue Service by the General Counsel of the Department of the Treasury by General Counsel Directive 15, pursuant to the Civil Service Reform Act, I have appointed the following persons to the Legal Division Performance Review Board, Internal Revenue Service Panel:

1. William M. Paul, Deputy Chief Counsel (Technical)
2. Julie Hanlon-Bolton, Associate Chief Counsel (Income Tax and Accounting)
3. Joseph A. Spires, Division Counsel (Litigation and Advisory)
4. Gary E. Sharp, Associate Chief Counsel (General Legal Services)
5. Edith M. Shine, Associate Chief Counsel (Finance and Management)

Alternate: Holly A. Porter, Associate Chief Counsel (Energy, Credits and Excise Tax)

This publication is required by 5 U.S.C. 4314(c)(4).

Kenneth J. Kies,

Chief Counsel (Acting), Internal Revenue Service.

[FR Doc. 2025–22417 Filed 12–9–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0525]

Agency Information Collection

Activity: VA MATIC Enrollment/Change

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 extension of a currently approved collection, and allow 60 days for public comment in response to the notice.

DATES: Comments must be received on or before 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: VA MATIC Enrollment/Change (29–0165).

OMB Control Number: 2900–0525. <https://www.reginfo.gov/public/do/PRAsearch> (Once at this link, you can enter the OMB Control Number to find the historical versions of this Information Collection).

Type of Review: Extension without change of a currently approved collection.

Abstract: The form is used by the insured to enroll or change the account number and/or bank from which a VA MATIC deduction was previously authorized. The information requested is authorized by law, 38 U.S.C. 1908.

Affected Public: Individuals and households.

Estimated Annual Burden: 417 hours.

Estimated Average Burden per Respondent: 5 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 5,000.

Authority: 44 U.S.C. 3501 *et seq.*

Shunda Willis,

Acting, VA PRA Clearance Officer, (Alt.) Office of Information Technology/Data Governance Analytics, Department of Veterans Affairs.

[FR Doc. 2025–22435 Filed 12–9–25; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0784]

Agency Information Collection

Activity: Application for Pre-Need Determination of Eligibility for Burial

AGENCY: National Cemetery Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The National Cemetery Administration (NCA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved

collection, and allow 60 days for public comment in response to the notice.

DATES: Comments must be received on or before February 9, 2026.

ADDRESSES: Comments must be submitted through www.regulations.gov.

FOR FURTHER INFORMATION CONTACT:

Program-Specific information: Brian Hurley, 202–957–2093, Brian.Hurley1@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, NCA invites comments on: (1) whether the proposed collection of information is necessary for the proper performance of NCA's functions, including whether the information will have practical utility; (2) the accuracy of NCA'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: Application for Pre-Need Determination of Eligibility for Burial, VA Form 40–10007.

OMB Control Number: 2900–0784.

Type of Review: Revision of a currently approved collection.

Abstract: This information (VA Form 40–10007) is used to collect information from Veterans and service members who wish to determine their eligibility for burial in a VA national cemetery prior to their time of need for planning purposes. The data will be used for this purpose. An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The burden increased since the previous approval due to an increase in the number of respondents and responses. The number of respondents increased to 50,000 from the previous approval of 47,400 in 2023. Due to more respondents and an increase in the hourly wage rate, the cost to respondents increased from \$442,558 to \$524,667 resulting in an increase of \$82,109 in respondent cost. The cost to the Federal Government

increased due to the annual responses increasing since the previous approval.

Affected Public: Individuals and households.

Estimated Annual Burden: 16,667 hours.

Estimated Average Burden per Respondent: 20 minutes.

Frequency of Response: One-time.

Estimated Number of Respondents: 50,000.

Authority: 44 U.S.C. 3501 *et seq.*

Shunda Willis,

*Acting, VA PRA Clearance Officer, (Alt.)
Office of Information Technology, Data
Governance Analytics, Department of
Veterans Affairs.*

[FR Doc. 2025-22436 Filed 12-9-25; 8:45 am]

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Part II

Federal Communications Commission

47 CFR Part 10

Wireless Emergency Alerts and the Emergency Alert System; Final Rule

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 10**

[PS Docket Nos. 15–91 and 15–94; DA 25–12; FR ID 273471]

Wireless Emergency Alerts and the Emergency Alert System**AGENCY:** Federal Communications Commission.**ACTION:** Final rule; announcement of effective date.

SUMMARY: In this document, as directed by the Federal Communications Commission (Commission), the Public Safety and Homeland Security Bureau (Bureau) adopts implementation parameters for multilingual Wireless Emergency Alerts (WEA). The Bureau is requiring commercial mobile service providers who participate in WEA (Participating CMS Providers) to support multilingual templates for the most commonly issued and most time-sensitive types of alerts in English, the next thirteen most commonly spoken languages in the United States, and American Sign Language (ASL). The non-ASL templates must be customizable with event-specific information that utilize four fillable elements: the name of the sending agency, the location, the time, and an optional URL. The alert templates for ASL are non-fillable and signed by a Certified Deaf Interpreter (CDI). The Bureau requires WEA-capable mobile devices to accompany the display of templates with the corresponding English-language fillable template. The Bureau also announces the effective date of a previously announced amendment that was contingent on this action. Together, these steps further the Commission's goal of ensuring that WEA remains an essential and effective public safety tool that allows alert originators to warn their communities of danger and advise them to take protective action.

DATES: The amendments to 47 CFR 10.480 (amendatory instruction 4) and 47 CFR 10.500(e) (amendatory instruction 6), published at 88 FR 86824 on December 15, 2023, are effective on June 5, 2028. The amendments in this document to 47 CFR 10.480 (amendatory instruction 2) and 47 CFR 10.500(e) (amendatory instruction 3) are delayed indefinitely.

FOR FURTHER INFORMATION CONTACT:

Joshua Gehret, Cybersecurity and Communications Reliability Division, Public Safety and Homeland Security Bureau, (202) 418–7816 or joshua.gehret@fcc.gov. For the

Paperwork Reduction Act information collection requirements contained in this document, contact Nicole Ongele, Office of Managing Director, Performance and Program Management, 202–418–2991 or PRA@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order, PS Docket Nos. 15–91 and 15–94, adopted and released on January 8, 2025. The full text of this document is available at <https://docs.fcc.gov/public/attachments/DA-25-12A1.pdf>. To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an email to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202–418–0530 (voice), 202–418–0432 (TTY).

Procedural Matters

Regulatory Flexibility Act. The Regulatory Flexibility Act of 1980, as amended (RFA) requires that an agency prepare a regulatory flexibility analysis for notice and comment rulemakings, unless the agency certifies that “the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities.” Accordingly, the Bureau has prepared a Supplemental Final Regulatory Flexibility Analysis (Supplemental FRFA) concerning the potential impact of the adopted rules in this Report and Order, on small entities.

Congressional Review Act: The Bureau has determined that this rule is non-major under the Congressional Review Act, 5 U.S.C. 804(2). The Commission will send a copy of the Order to Congress and the Government Accountability Office pursuant to 5 U.S.C. 801(a)(1)(A).

Paperwork Reduction Act Analysis. This document contains proposed new or modified information collection requirements. All such new or modified information collection requirements will be submitted to the Office of Management and Budget (OMB) for review under section 3507(d) of the Paperwork Reduction Act of 1995 (PRA). OMB, the general public, and other Federal agencies are invited to comment on any new or modified information collection requirements contained in this proceeding. In addition, we note that, pursuant to the Small Business Paperwork Relief Act of 2002, the Commission previously sought, but did not receive, specific comments on how the Commission might further reduce the information collection burden for small business concerns with fewer than 25 employees. The Bureau does not believe that the new or modified information collection

requirements we adopt here will be unduly burdensome on small businesses.

Synopsis**Report and Order***A. Templates for Common and Time-Sensitive Emergencies*

1. As directed by the Commission, we take steps to implement multilingual WEA by adopting templates to improve the availability of WEA. We require Participating CMS Providers to support multilingual templates for the following eighteen alerts: tornado emergency, tornado warning, flash flood emergency, flash flood warning, severe thunderstorm, snow squall, dust storm, hurricane, storm surge, extreme wind, test alert, fire, tsunami, earthquake, boil water, avalanche, hazardous materials, and 911 outage. We decline to adopt evacuation and shelter-in-place templates and defer consideration of other templates at this time.

2. To determine the most commonly issued alerts, we analyzed publicly available Integrated Public Alert and Warning System (IPAWS) data from 2022 and identified nine alert types that we determined were among the most commonly issued alerts that were appropriate for template alerts. We proposed templates for: tornados, flash floods, severe thunderstorms, snow squalls, dust storms, hurricanes, storm surges, extreme wind, and test alerts. No commenter objected to our analysis or suggested that we failed to identify a common category of alert. We therefore conclude that these emergencies are common enough to merit the creation of multilingual templates to extend the reach of WEA. The National Weather Service (NWS) recommended that we adopt two templates for tornados and two templates for flash floods: one emergency version for each that conveys “the highest threat to life and property” and one warning version for each that provides advance notice of the disaster. We agree that both versions of the tornado and flash flood alerts have different situational uses for notifying the public about the urgency of the emergency, and it would benefit the public for alert originators to have access to both as multilingual alerts. We therefore adopt both the emergency and warning versions of the templates for tornado and flash flood warnings.

3. Similarly, in light of the record, we conclude the most time-sensitive emergencies are: earthquakes, tsunamis, fires, hazardous materials, avalanches, boil water advisory, and 911 outages. In the *WEA Multilingual Public Notice*, we expressed our view that each of these

emergencies poses imminent danger to the public and that time is of the essence with respect to taking any protective actions. As no commenters objected to our analysis with respect to earthquakes, boil water advisories, and avalanches being time-sensitive emergencies, we adopt these templates. We adopt the 911 outage template as well, agreeing with APCO International that the template is an additional tool that would be useful to emergency communication centers to inform the public of an outage.

4. Some commenters argue against the adoption of template-based alerts covering fire warning, tsunami, and hazardous materials emergencies, stating that the appropriateness of the calls to action included in those proposed templates may vary depending on the severity of the emergency, whether the alert is sent during or in advance of the disaster, and location of the recipient in relation to the emergency. For example, the City of Berkeley argues that the fire warning “will not be used by public officials in California” because the protective action proposed by the Bureau’s fire warning template—to evacuate—does not align with California’s statewide evacuation terminology in which “evacuation warning means prepare to evacuate” We disagree. The standard statewide evacuation terminology for California cited by the City of Berkeley describes an “Evacuation Warning” as a “[p]otential threat to life and/or property. Those who require additional time to evacuate, and those with pets and livestock should leave now.” In other words, this terminology does not advise the public to solely prepare for an evacuation, but to begin evacuating. This is consistent with our proposed fire warning template, which also advises the public to evacuate the location that is the subject of the alert. By contrast, California’s terminology describes an “Evacuation Order” as “a lawful order to leave now” as “the area is lawfully closed to public access.” We believe that harmonizing the fire warning template with this “Evacuation Order” language would reduce its flexibility, as emergency managers may wish to advise the public to evacuate a location even if there is no formal government order to do so. We also hesitate to accept the City of Berkeley’s assertion that no alerting official will use the template in the State of California when the State itself has not filed comments that take this position. We expect that emergency managers, including those in California, will be best positioned to determine the

applicability and life-saving potential of the fire warning template on a case-by-case basis. We find that fires present a time-sensitive threat to the public and that the adoption of a fire warning alert would be effective at helping emergency managers protect the public from those threats, and therefore we adopt a multilingual template for fire warning alerts.

5. We adopt the proposed hazardous materials release template and a tsunami template for similar reasons. While we agree with observations in the record that conditions related to the release of hazardous materials may change as the emergency further develops—such as a change in the wind that subjects a new geographical location to the threat—such developments do not change the need to warn the public in the affected area of the emergency. We adopt the proposed hazardous materials template because it helps provide this warning to the public. In the case of tsunami templates, the City of Berkeley recommends that the Commission adopt two different templates to improve flexibility and avoid confusion with their own emergency policies: a “Tsunami Advisory” template that seeks evacuation of boats, docks, and beaches, as well as a “Tsunami Warning” template that also seeks evacuation of inland locations. We disagree with this approach. NWS’s Tsunami Warning alerts, which were the basis for our proposed tsunami alert, advise the public to “Get away from coastal waters. Move to high ground or inland now.” Because NWS’s “Tsunami Warnings” advise the public to move inland, rather than evacuate inland areas, implementing the City of Berkeley’s proposed templates would create a conflict with NWS’s alerts and potentially create confusion. We find that avoiding confusion about the meaning of a tsunami alert where they are used nationwide outweighs ensuring consistency of the tsunami template with the City of Berkeley’s emergency policies.

6. We decline to adopt generic templates that would warn the public to either evacuate or shelter-in-place, as initially proposed. We agree with commenters that these templates are unlikely to effectively alert the public, risking panic due to their vagueness. As Art Botterell and ATIS note, generic templates instructing the public to take a specific protective action without providing essential details about why the warning was issued would be likely to cause confusion. ATIS cites research indicating that such detail, including a description of the threat giving rise to

the need to take protective action, is a key component to an effective warning. Without this context, we agree with ATIS that recipients of generic alerts are less likely to take action and receiving such a warning may make a situation worse. Because of these risks, we decline to adopt generic evacuation and shelter-in-place alerts for use in multilingual WEA.¹

7. We reiterate the Commission’s decision that the multilingual templates we adopt today are optional for use by alerting authorities. In the event an alert originator does not find it appropriate to use the template, they are not obligated to. We agree with Art Botterell’s observation that “[p]ublic warning is an activity in which variation is the rule” and that templates should “aid the alert originator, but never replace her.” We acknowledge that templates do not provide a one-size-fits-all solution to every emergency. However, for instances where the template is appropriate to the disaster, the templates are available for use by alert originators to make the warnings more widely accessible to the public. The alerts are also intended to be widely understandable and accessible to the in-language communities they are meant to alert. We find that having a template that supports some emergency situations is a better result than not adopting any templates that could warn the public about those emergencies.

B. Template Language in English

8. In adopting the eighteen templates that warn the public of different types of emergencies, as described above, we now turn to what the templates should say in English. We sought comment on the language that should be used in connection with each template. We adopt the English templates located in Appendix C of the Report and Order.

9. When we proposed these templates in the *WEA Multilingual Public Notice*, we adapted the language from existing templates used by NWS; social science research; the United States Geological Survey (USGS); language from FEMA used in test alerts; and guidance from the Centers for Disease Control and Prevention (CDC). The record supports the conclusion that the templates, on the whole, are generally understandable and will be effective at encouraging the public to take protective action.

10. Some commenters argue that we should modify some of the templates to

¹ The issue of whether Participating CMS Providers should be required to support additional templates, including an “all-clear” template and other templates suggested by commenters in the record, is still under consideration by the Bureau at this time.

improve clarity and effectiveness. We agree with many of those commenters and make minor refinements to the templates to increase their effectiveness. For example, we revise several templates to ensure the sentence structure is consistent. We agree with Bridge Multimedia, Inc. (Bridge) that emergency alerts with a consistent, complete sentence structure will aid public comprehension. We therefore modify several templates to include a definite article at the start of the alert and the “is in effect” phrase, *i.e.*, “A STORM SURGE WARNING is in effect for [LOCATION] . . .” We also revise the 911 outage template to remove the [TIME] field because we agree with APCO that many alert originators do not know when an outage will be restored. We also revise some templates in light of suggestions that the vocabulary was unnecessarily complex or ambiguous. For example, we change the phrase “flying debris” to “flying objects” across several templates where high winds occur as part of the emergency. We make similar edits simplifying the vocabulary for the purposes of increased public comprehension, such as changing “substantial shelter” to “sturdy shelter” in the tornado templates or “those with respiratory issues” to “those with trouble breathing” in the dust storm template. Similarly, we agree with Bridge that certain phrases were figurative or unclear. We make clarifying edits such as changing the phrase “Urgently complete efforts to protect life and property” to “Take steps to protect life and property” in the hurricane and storm surge templates and “Do NOT go out into the calm of the hurricane eye!” to “Do NOT go outside if the wind calms!” in the extreme wind template. To implement NWS’s recommendation that we adopt emergency and warning versions of the tornado and flash flood templates, we modify our proposed tornado and flash flood templates to establish two versions that include language treating each emergency with appropriate severity.

11. We reject suggestions from commenters where we disagree that their recommended alternative word or phrase is more accurate, clear, or precise. For example, Bridge argues that the phrase “when visibility drops” in the dust storm template is figurative language; but does not propose an alternate phrase. We disagree that this phrase would be unclear in the context of the alert as the dust storm template warns to “[b]e ready for a sudden drop to zero visibility.” The protective actions communicated to the public in

that alert should be taken “when visibility drops,” *e.g.*, when the visibility drops to or close to zero.² APCO also suggests a revision to the 911 template to include an additional data element of the phone number as a fillable part of the template. We reject this edit as it would require support for an additional data element for one template, and we believe the inclusion of a URL in these template alerts, as discussed below, provides enough flexibility to alert originators to include specific phone numbers to emergency services through the URL.

C. Template Language in 13 Additional Languages

12. We adopt the multilingual templates located in Appendix D. In the *WEA Multilingual Public Notice*, the Bureau proposed translations in Arabic, Chinese (Simplified), French, German, Haitian Creole, Hindi, Italian, Korean, Portuguese, Russian, Spanish, Tagalog, and Vietnamese, which were developed through a contracted professional translation service. In addition to the comments submitted into the record, the Bureau worked with the Consumer and Governmental Affairs Bureau to acquire feedback from native language speakers and communities representing the populations these alerts are intended to reach. We received feedback on these templates from language teachers and members of local, state, and national organizations representing communities of language speakers. The comments we received were evaluated with the assistance of the Commission’s contracted professional translation services. Based on this feedback, we adopt templates in the written forms of the 13 most commonly spoken languages in the United States after English. Accordingly, as required in the *2023 WEA Report and Order*, when an alerting authority chooses to send a template-based multilingual alert message, the WEA-capable mobile device must be able to extract and display the relevant template in the subscriber’s default language, provided that the default language is one of the 13 languages that we adopt templates for today.³

² While we change the word “impact” to “affect” to reduce ambiguity, we otherwise reject Bridge’s arguments, finding that the meaning of these terms is simple, clear, and appropriately communicates the alert’s urgency. We note that Bridge does not offer alternative language that the Bureau might consider to improve upon those terms.

³ The Commission does not require WEA-capable devices to newly add default language support for these 13 languages. However, for the 13 languages, WEA-capable devices that allow the subscriber to select one or more of these languages as the default language must also support the display of WEA

13. In requiring support for these templates, we make conforming edits to reflect the changes to the English versions that are discussed above. All commenters on the proposed Haitian Creole, Hindi, and Russian templates agreed that they were accurate and clear as written. We also did not receive any feedback on the proposed Arabic, Portuguese, or Italian templates. Because no commenter identified any sources of confusion or inaccuracy, we adopt the Arabic, Haitian Creole, Hindi, Italian, Portuguese, and Russian templates with only minor changes developed in consultation with the Commission’s contracted professional translation service to further improve clarity.

14. Commenters recommended revisions to the Chinese, German, Tagalog, Vietnamese, French, Korean, and Spanish templates. In considering these recommendations in consultation with the Commission’s contracted professional translation service, we make changes to the templates that correct errors, simplify phrasing, avoid awkwardness, improve readability, and increase comprehension. We reject some changes to the templates offered by commenters that would introduce confusion, make the templates more difficult to read, or diverge from the meaning of the English template.⁴ We also reject the revisions of commenters that translated the fillable fields, as the contents of those fields will be decided upon by the alert originators that send template alerts and will not be translated, as discussed below.

15. We resolve the outstanding questions related to Chinese, Portuguese, and Tagalog that were raised in the *WEA Multilingual Public Notice*. In addition to adopting templates written in simplified Chinese, we also adopt templates written in traditional Chinese. We agree with NWS and New York City Emergency Management (NYCEM) that support of templates in traditional Chinese will maximize the accessibility of WEA due to the nuanced differences between simplified and traditional written Chinese. We adopt templates in the Brazilian dialect of Portuguese and decline to adopt the European dialect of Portuguese in the absence of

templates for those languages. The Bureau notes the Commission’s guidance that ASL alerts operate differently than the 13 other languages.

⁴ For example, we find that the formal conjugations are more appropriate for messaging sent by alerting authorities to the community than informal conjugations. We also reject edits that make alerts longer when shorter, equally precise alternatives were available; where edits introduced repetition; and where they changed the meaning of the alert.

commenters suggesting a different course. We affirm our belief in the *WEA Multilingual Public Notice* that it is appropriate to satisfy the Tagalog translations using Filipino due to no concerns raised by reviewers of the Filipino templates that commented in this proceeding.

D. Supporting Fillable Templates

16. In the *WEA Multilingual Public Notice*, the Bureau sought comment on whether fillable templates were technically feasible and whether they would improve the templates' flexibility and effectiveness. Today, we require Participating CMS Providers to support fillable templates that can include event-specific information. Accordingly, we adopt fillable versions of the multilingual templates for English and the written forms of the 13 most commonly spoken languages in the United States. The fillable templates contain blank fields that will allow alert originators to insert the name of the sending agency ([SENDING AGENCY]), the name(s) of the geographic area(s) pertaining to the alert message ([LOCATION]), the time when the emergency conditions described in the alert are expected to end ([TIME]), and, if included by the alert originator, a URL ([URL]).

17. The majority of commenters in the record argue that fillable templates best serve the public. CTIA and LAAWW agree that static templates are less useful because they do not contain event-specific information sufficient to effectively warn the public. We agree with Hamilton Bean that fillable templates, on the other hand, which include "source, location, and time," are "critical elements" for optimal WEA messages. Further, event-specific information "contribute[s] to personalization and, thereby, to the effectiveness of the warnings." LAAWW supports the Bureau's proposal of the four fillable elements, as "[e]vent-specific information is extremely beneficial to the public." We agree with commenters that the fillable fields allow alert originators to provide more complete, detailed information when they alert the public, and that this information would better equip the public to understand and respond to the alert. For these reasons, fillable templates are more likely to be used by alert originators because alert originators will be able to provide more information to the communities they serve. Because we agree with commenters that fillable templates allow more flexibility, including the option of providing a URL, and because no commenter defends the static

templates as a more effective alerting tool over the fillable templates, we adopt the fillable templates for use in multilingual WEA.

18. We conclude that fillable templates are technically feasible for non-ASL multilingual alerts. We agree with ATIS that fillable templates are technically feasible, even though they are more technically complex than static templates. CTIA discusses several issues that would need to be resolved during the design process for fillable templates, but does not assert that fillable templates are technically infeasible. For example, CTIA states that standards bodies would need to create a protocol for any fillable fields not completed or improperly formatted by the alert originator to ensure the alert is not transmitted with blank spaces so as to not confuse individuals who receive the alert. ATIS explains that the fillable approach may not be feasible on legacy devices, as new information elements not recognized by legacy devices are commonly ignored and result in processing the alert as it currently exists. ATIS states that the exact extent of the effect on legacy devices would need to be determined during the design process. FEMA agrees that fillable templates will require time to make sure all technical issues are addressed. We agree that there are certain key technical issues to work through during the standards development process, but disagree insofar as commenters suggest these are barriers to adopting fillable templates that cannot be overcome.

19. We do not require the fillable elements in the multilingual versions of the templates to be translated into that template's language. The record supports the conclusion that translating the contents of the fillable fields could "increase confusion," particularly in languages read right to left or that have different grammatical structures than English. In addition to not needing to be translated, we agree with CTIA that dynamically translating the fillable fields would be technically infeasible at this time.

20. While we require Participating CMS Providers to support templates that enable alert originators to insert the four fillable elements when originating an alert, we find that the WEA standards development process, which should include alert originators among its participants, is the appropriate venue to decide upon the technical implementation details for these fillable alerts. For example, we defer to the standards process to determine how the [TIME] field should be populated and formatted, including whether it should include the capability to display dates

as well as the hour and minute to better reflect emergencies that carry over from one day to the next day, such as an overnight severe weather event. While we also defer to the standards process to determine how the [LOCATION] field should be structured, we strongly encourage support for free-form text to grant alert originators maximum flexibility in identifying the names of cities, towns, streets, or significant landmarks that may be effective references for the locations of emergencies. This is particularly true for situations where a county may be divided along larger geographical features, such as Maui County that consists of several islands. We also expect that the standards process will consider how the [LOCATION] field will be augmented by upcoming WEA functionalities such as location-aware maps. We also defer to the standards process and alerting software vendors to determine the best way for alert originators to be presented with the option to send a multilingual WEA, and how the alert originator will be presented with the ability to fill in the templates, including the name of the sending agency and a URL, if desired. Ultimately, however, the technical implementation of fillable alerts must ensure that alert originators' filled templates are received on WEA-capable handsets consistently, accurately, and in accordance with the requirements established in the Commission's *2023 WEA Report and Order* and this document.

21. We reiterate that the 30-month time frame the Commission determined was reasonable to implement templates applies to implementing fillable templates. The Commission allowed 30 months to implement the changes to WEA adopted by the Commission in 2016, which was inclusive of the amount of time needed to make technical changes to WEA if needed. Further, the Commission has previously required more aggressive implementation timelines for the Commission's enhanced geotargeting requirements—which necessitated changes to WEA standards, network updates, testing, and deployment—to be completed within 22 months. As the Bureau has acknowledged, the 30-month timeline that the Commission determined was appropriate to implement templates also includes the time necessary to update standards, design, develop, and deploy the templates.

22. Although the Commission has considered the issue of implementation timelines and determined that 30 months is achievable, CTIA and ATIS

argue that the fillable templates cannot be implemented within 30 months. We find that the implementation steps that they describe fall within scope of actions that were already considered by the Commission when setting the 30-month implementation timeframe. CTIA argues that our analysis in the *WEA Multilingual Public Notice*, which was drawn from the Commission's analysis in the *2023 WEA Report and Order*, did not account for "substantial standards efforts to determine the feasibility and cost to support templates," such as signal triggers, network capacity constraints, the needs of device manufacturers to utilize storage space, and the creation of new software. As a result, CTIA says, "the timelines proposed in the Public Notice will be insufficient to achieve the end-to-end design, testing, and integration required to support templates." ATIS states that more time than 30-months is needed for "the more complex design required for fillable templates," including updates to ATIS standards, 3GPP specifications, development, and testing. However, all of these concerns fall within the Bureau's analysis that Participating CMS Providers will need to consider "storage, standards, processes, and devices" to implement fillable templates, as well as the Commission's prior analysis that set the 30-month deadline while considering ATIS's view at the time that "any new data element in alert message metadata that would trigger the display of a template would require standards, design, development, and deployment efforts." Further, CTIA and ATIS fail to explain *why* these specific aspects of implementing multilingual templates cannot be completed within 30 months.⁵ Lacking timelines supported by evidence that distinguish the costs of fillable templates, it is unclear how the technical concerns raised would lead us to agree with the 36–54 month timeline asserted by ATIS and CTIA. Further, we agree with the commenting Attorneys

⁵ In arguing that the Commission's *2023 WEA Report and Order* did not provide enough time to implement multilingual templates, ATIS states that enhancements for multilingual WEA will require "very similar network and device support" to other WEA enhancements that it described in a letter previously filed with the Commission. However, we find that the timelines set out in the ATIS *Ex Parte* themselves lack evidence. For example, ATIS asserts that the implementation of symbols or infographics in WEA would require six months for high-level design, 18–24 months for completion of specification work, and 12–24 months for development, testing, and deployment. While ATIS includes tables that identify each step that it believes must occur to implement this WEA enhancement, it also assigns timeframes for each of these steps without offering any explanation of how those timeframes were determined or why the Commission should find them to be reasonable.

General about the need to make multilingual WEA "a reality for the public as soon as is technologically possible" due to the threat extreme weather poses to the public, and particularly to those who do not speak English. Therefore, we reiterate the Commission's determination that Participating CMS Providers must implement form-fillable multilingual templates for English and the next 13 most commonly spoken languages in the United States—as well as non-fillable ASL templates, discussed below—within 30 months after the publication of this document in the **Federal Register**, consistent with the Commission's *2023 WEA Report and Order*.

E. Supplementing Multilingual Templates With English Templates

23. In response to comments suggesting that the multilingual templates should appear alongside the English versions to promote a fuller understanding of the nature of the emergency, the Commission directed the Bureau to seek comment on the benefits and technical feasibility of displaying the English template alongside the multilingual template. We are persuaded by the record to require WEA-capable mobile devices to accompany the display of templates for the written forms of the 13 supported languages with the corresponding English-language fillable template. In all cases, we require the non-English alert to appear first so that the recipient initially sees the alert in the language in which they have configured their device.

24. On review of the record, we believe that always displaying the English template enhances the overall public safety value of the alert. We agree with NWS that the non-English template should be presented first. We find that this approach is likely to be consistent with the expectations of recipients that have set the default language settings of their WEA-capable mobile device to one of the 13 supported languages other than English. We also agree with NWS that always displaying the English template after the non-English template could help eliminate confusion about the meaning of an alert and raise public awareness of how alerts are translated.⁶

⁶ ATIS opposes a rule requiring the non-English alert to appear first, noting that accommodating a specific order would increase the technical complexity of the device. However, ATIS does not quantify the degree of this technical complexity. We find that the benefit to the user in seeing the alert in the language they expect to see in an emergency outweighs the technical complexity in requiring the non-English alert to be displayed first.

Some multilingual users, for example, may have sufficient English proficiency such that seeing the English message in close proximity to the multilingual alert would help the multilingual user associate the non-English word with the corresponding English vocabulary word for the emergency. This exposure may be important, especially in circumstances where other members of the public in the surrounding physical environment or on the ground emergency personnel may not speak the language in which the mobile device user receives the alert, but may be actively taking the same protective actions and responding to the disaster. For these reasons, we believe that displaying non-English and English alerts together will be beneficial even if the templates provide the same message. Further, we agree with CTIA that requiring the English message to appear alongside the multilingual template serves as an important public safety redundancy, and will further ensure that legacy devices that may not be able to display a multilingual alert will at minimum display the English alert. We also agree with ATIS that displaying the English and multilingual versions together are technically feasible.

25. We find that these positive benefits of presenting non-English and English templates together outweigh any theoretical negative effects. Commenters do not identify specific drawbacks to displaying both templates, and the record does not suggest what negative effects, if any, could arise from displaying the templates in this way. Previously, the Commission determined that the public safety value of integrating location-aware maps into WEA outweighed concerns that there had not been research into whether the public would be confused by receiving a location-aware map because mapping applications are already familiar to and widely used by the public. Similarly, we find today that the public currently receives WEA messages and is familiar with their purpose. The Bureau does not see a reason why receiving a multilingual alert in the language the user has set their mobile device to, followed by an English alert, would confuse the public.

F. Templates in American Sign Language

26. We require Participating CMS Providers to support non-fillable ASL templates—that is, video files of the alert messages in ASL that do not include the fillable elements described above. TDIforAccess, Inc., filing jointly with other organizations representing the deaf and hard of hearing community

(TDI), acknowledges the technical challenges related to implementing ASL templates for WEA, but believes that “technical and logistical challenges” should not stop the Bureau from acting due to the need to make WEA accessible for the deaf and hard of hearing community. Ricky Harris, a resident of Houston, Texas who is deaf, expresses that the deaf and hard of hearing community “is left uninformed, vulnerable and at-risk during emergencies” and “urge[s] the FCC to take decisive action to ensure accessibility in emergency alerts of all [deaf and hard of hearing] individuals.” While we agree with TDI that we should move forward with these essential multilingual messages for the deaf and hard of hearing community, we also must agree with CTIA that fillable ASL templates are not technically feasible at this time. We find that the best approach that current technology allows is to support ASL through the implementation of non-fillable templates.

27. We adopt the ASL templates located in Appendix D.⁷ Commenters raise several issues with the proposed templates in the *WEA Multilingual Public Notice*, which we address in the ASL templates we adopt today. Specifically, commenters say the ASL templates should prioritize ASL grammatical structures; limit the use of fingerspelling except when absolutely necessary; use facial expressions that are consistent with urgent, lifesaving information; and prioritize conceptual accuracy, as opposed to parallel lexical choices to the English. Commenters resoundingly support the use of a CDI to conduct ASL translations, and believe that utilizing a CDI will correct these issues because “CDI’s possess the cultural and linguistic competencies essential for delivering and understanding emergency messages effectively.” Further, a CDI will “ensure translations are linguistically accurate, conceptually precise, and culturally appropriate.” We agree with these comments and require Participating CMS Providers to support the implementation of these newly developed templates, which are signed by a CDI to ensure that the translations adhere to “ASL [l]inguistic and [c]ultural [n]orms.” Because the new translations address the issues

identified by commenters in the record, we adopt them today.

28. To supplement the non-fillable ASL templates, we require WEA-capable mobile devices to accompany the display of these templates with the fillable template for the alert originator’s alert in English, as is required for the written forms of the 13 supported languages. As explained above for other languages, we believe that including the fillable English template will enhance the public safety value of the alert. Georgia Tech indicates that follow-up messaging containing customized information can be effective since such messaging “will allow emergency managers to provide . . . information that addresses the needs of the community.” We agree, and believe including the fillable English template after the ASL alert strikes the best balance between addressing the needs of the deaf and hard of hearing community, supporting the ability for alert originators to include information tailored to the emergency through fillable templates, and acknowledging the existing technical capabilities.

29. We reject changes to the underlying content of the ASL templates, finding that their substance should match that of templates in other languages. We agree with Deaf Equality that the alert content itself is paced well enough to allow for comprehension, and is “concise yet comprehensive, effectively delivering key information without overwhelming the audience.” We disagree that the messages contain too much information such that the alerts must be shortened, as NVRC urges. The Bureau finds that it is important to ensure that people who are deaf and hard of hearing receive the same information as others during an emergency and that the retranslated alerts are sufficiently short and clear to communicate necessary information. We decline to include pictures or other visual aids in the alert, as these inclusions would lengthen the alert and are unnecessary due to the improved clarity of the alert by utilizing a CDI. We also decline to include captions in the ASL video templates, as some commenters suggest. Because the CDI-produced templates prioritize ASL grammatical structures—consistent with the recommendations in the record—captions in proper English grammar would not contemporaneously match the information as presented in ASL, and this dissonance could cause confusion in an emergency situation. Further, the need for English captions is mitigated because we require the fillable English version of the template to be displayed following the ASL template.

G. Support for Additional Languages

30. The Commission delegated the authority to the Bureau to seek comment on the costs of supporting additional languages and to designate—to the extent it is minimally burdensome to do so—additional languages that should be supported with multilingual templates in WEA. While commenters were interested in expanding the languages for support and offered many suggestions, the record presented no guiding principle for how the Bureau should select additional languages at this time.

31. The Bureau sought comment on different approaches to selecting languages in the *WEA Multilingual Public Notice*. The Commission previously noted that commenters suggested different approaches for identifying additional languages for support. The Bureau sought comment on each of these approaches: for languages spoken by at least 300,000 people in the U.S. over five years old; any additional languages with an estimated 25,000 individuals over the age of five with “especially high” rates of limited English proficiency (LEP); how to address the needs to local jurisdictions in the nationwide system of WEA; or other approaches, such as that used by the Census Bureau in selecting languages spoken by at least 2,000 LEP households. The Bureau notes that the languages the Commission has already adopted for support in WEA have a wide variance in LEP rates of speakers who speak English “not well” or “not at all,” making it difficult to determine using LEP rates alone which languages are most ripe for additional support. Further, the five most frequently spoken languages in U.S. homes other than English are already included in the adopted list of languages. The Bureau sought comment on which approach (or multiple approaches) should be used, and any factors that should be considered. In particular, we asked how to “assess what constitutes a high rate of [LEP].” The Bureau also sought comment on whether mobile devices are able to support additional languages. No commenter addressed the device issue, nor did we receive clear information from commenters that addressed which LEP benchmarks were appropriate to use, if at all.

32. To provide an example, NWS’s comments discuss its work on multilingual translation “on languages with populations above 200,000 people that reported speaking English ‘less than very well’ (the LEP population).” NWS focuses on languages with an LEP-to-

⁷ The Bureau maintains original recordings of the ASL templates and will work with Participating CMS Providers if certain technical aspects of the ASL templates need to be modified to enable support on WEA-capable mobile devices (*i.e.*, resolution, dimension, file formats, and other specifications).

total speaker ratio above 35%. NWS's comments list ten languages it is working to support that meet this criteria: all of which are included in the languages the Commission adopted for support and we provide templates for today, except for Somali. NWS does not urge the Bureau to include Somali or to adopt the criteria it uses; instead, it urges the Bureau to consider supplemental criteria to support languages in states with "other dominant, non-English languages specific to those states and territories that don't meet the criteria used by either the FCC or NWS." These languages are Samoan (spoken widely in American Samoa), Chamorro (spoken widely in the Commonwealth of the Northern Mariana Islands), and Ilocano (spoken in Guam and Hawaii). And while the Bureau agrees that expanding WEA's accessibility to "other dominant, non-English languages" is important, these criteria could be applied to include any number of other languages in other states, Tribal lands, and territories aside from what NWS urges. NWS does not explain how it arrived at these languages to the exclusion of other significant regional languages in other parts of the United States. As a result, NWS's suggestion does not empower us to set sufficient, specific criteria for identifying other languages that WEA should support.

33. The suggested standard offered by both the Oregon DEMAC and LAAWW also does not resolve the question of how to choose an appropriate benchmark for selecting additional languages. LAAWW argues that "[i]t is important to use the languages list derived from the Federally mandated Factor 1 demographic analysis" as it "represents languages spoken by people who identify as limited English proficient." Neither LAAWW nor Oregon DEMAC cite to the list they reference, but we presume this standard references the U.S. Department of Transportation's (DOT) four-factor analysis to determine whether materials are meaningfully accessible to LEP persons. The first factor, the factor we believe referred to, includes "[t]he number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient . . ." The Bureau conducted the analysis following the steps provided by the DOT, utilizing Census data with a national scope due to WEA's national reach. The resulting data from this analysis identifies languages for which we already adopt templates in this document and categories of aggregated

language families that prevent us from identifying the specific languages that should be supported (e.g., identifying specific languages from "other Asian and Pacific Island Languages" family and their LEP rate). Further, the analysis itself does not provide a way to determine which rates of LEP are significant for purposes of multilingual WEA support. Because we do not have enough information from the record to determine what the appropriate LEP benchmark should be—and thus which languages should be supported that meet the benchmark—we find LAAWW and Oregon DEMAC's suggestion also does not allow us to determine which additional languages should be supported.

34. Other commenters urge adoption of additional languages, but similarly do not offer a principle for why some languages should be added to the exclusion of others. Restoring Dignity urges adding the following languages: Burmese, Dari/Farsi, Karen, Kiswahili/Swahili, Nepali, Pashto, Q'anjob'al, and Somali. It suggests these languages as appropriate due to the number of speakers in the nation, but does not offer a standard by which to draw the line between these and other languages. The same is true for the Port of Seattle (suggesting support in Somali, Ukrainian, Amharic, Punjabi, Japanese, Cambodian, Laotian, Farsi, Tigrinya, Oromo, and Samoan), NYCEM (suggesting support in Bengali, Polish, Yiddish, and Urdu), and Megan Schwimmer (suggesting support for International Sign Language).

35. The Bureau emphasizes its commitment to supporting additional languages if required by the public interest. We will monitor the deployment of the templates we adopt today and the needs of public safety agencies and the public at large and revisit this issue as appropriate.

H. Consumer Outreach and Future Updates to the Templates

36. The Commission directed the Bureau to work with the Consumer and Governmental Affairs Bureau to create a consumer guide explaining how consumers can set the default language on their cellular devices, with this guide translated into the languages we adopt today. The Bureau sought comment on the approaches it should take to maximize the reach and effect of the guide, the information that should be included in the guide, and how this guide should be shared with the public, and who should be responsible for helping share the guide. We agree with commenters who suggest the Bureau should work with organizations in the

language community to disseminate the consumer guide. We did not receive comments opining on the specific information that should be included in the consumer guide. The Bureau will work with the Consumer and Governmental Affairs Bureau to create and disseminate a consumer guide for the public, published in each of the languages for which we adopt templates today, per the delegation by the Commission.

37. The Bureau also sought comment "on the process by which the Bureau might update, supplement, or otherwise require improvements for templates." NYCEM supports "regular updates" and requests that alerting authorities be able to petition the Bureau for "additional languages, alert types, and modifications[.]" The State Attorneys General recommend the Bureau undertake notice and public comment "no less frequently than every three years" to assess the most recently available American Survey data on spoken languages and LEP rates to add additional languages, and that this rate of periodic assessment is adequate to continuing to ensure WEA is available to the public. We agree that alert originators, community-based organizations that represent the language communities, or other members of the public should petition the Chief of the Bureau whenever they have specific suggestions to improve or change the templates. We decline to adopt a specific frequency in which we revisit the adequacy of the languages supported, but we agree that WEA should maintain its availability. The Bureau will monitor the implementation of multilingual WEA and the needs of stakeholders to ensure WEA is an effective tool for alerting the public of the most dangerous and time-sensitive emergencies.

I. Rejecting Objections To Adopting Templates

38. As the Commission stated in the *2023 WEA Report and Order*, the use of multilingual templates improves upon available methods for sending multilingual WEA messages and will enhance the flexibility that alerting authorities have in communicating with their communities. However, some commenters continue to question the template approach already adopted by the Commission or suggest the Bureau should explore machine translation in lieu of templates. We do not—and cannot—revisit the viability of machine translation for creating multilingual WEA alerts. Consistent with the record before the Commission, many commenters take the view that "the

accuracy of a translation requires human intervention”, as “the inaccurate translation may seriously misinform WEA recipients during an emergency.” The Attorneys General and the City of New York argue that machine and artificial intelligence forms of translation “present a serious risk of conveying inaccurate information to the public, potentially causing confusion, panic, and increased risks to public safety. In any event, the Bureau cannot reject templates or consider machine translation as some commenters urge because this approach falls outside the scope of its authority as delegated by the Commission, which has already rejected the use of machine translation. We remind commenters that the Commission has stated that it “will continue to examine the feasibility of machine translation technologies and its application” to multilingual WEA.

39. We disagree with commenters who argue that additional study is needed before the Bureau can adopt multilingual templates. These commenters focus on the need to engage different stakeholders in developing multilingual WEA to find the best path forward that properly balances the interests of all interested parties. The Bureau believes it has satisfied these concerns through the notice-and-comment process, as it has received the kind of input envisioned by these commenters across a wide variety of stakeholders. Since the Bureau is able to address the perspectives on the record before it in this document, we believe further study is unnecessary before moving forward with our delegated task of implementing multilingual WEA. The record establishes that there is a critical and present public safety need for more accessible alerts, and we agree that “undue delay” in implementing multilingual templates countervails the public interest.

J. Assessing the Benefits and Costs of Fillable Templates

40. The Bureau believes that adopting fillable templates will result in benefits measurable in terms of lives saved and injuries and property damage prevented. In adopting this order today, the Bureau recognizes that the Commission has already determined that the benefits of template-based multilingual alerts for WEA outweigh the costs. As such, the Bureau limits its review of the costs and benefits to the narrow scope of our delegation. We set aside arguments in the record that raise issues already decided by the Commission. For example, CTIA argues that the consequences of storing templates on the mobile device and negatively impact

mobile device storage capacity has not been evaluated in the record, but the Commission has already evaluated the issue and determined that the templates should be stored on the device. CTIA and ATIS also urge the Bureau to extend the implementation timeframe of multilingual templates from 30 months after the publication of the Report and Order in the **Federal Register** to as much as 54 months. As the State Attorneys General point out, the Bureau does not have the authority to change this deadline, as it has been set by the Commission in the *2023 WEA Report and Order*. We address the issues in the record with respect to the incremental benefits and costs as they pertain to fillable templates below.

41. *Benefits of Implementing Fillable Templates.* We have already discussed the support for fillable templates in the record and the significant benefits to the public that will accrue, including increased flexibility for alert originators that would result from more effective alerts to the public. We agree that fillable templates, which include “source, location, and time,” are “critical elements” for optimal WEA messages. Event-specific information also “contribute[s] to personalization and, thereby, to the effectiveness of the warnings.” LAAWW supports the Bureau’s proposal of the four fillable elements, as “[e]vent-specific information is extremely beneficial to the public.” We agree with commenters that the fillable fields allow alert originators to provide more complete, detailed information when they alert the public, and that this information would better equip the public to understand and respond to the alert. We reiterate our belief that form-fillable templates that incorporate the name of the sender, the location, and the time of the disaster (coupled with a description of the threat and the protective action the public should take) create more effective alerts and is consistent with social science research on effective alerting. Further, including a URL hyperlinking to further information “can further reduce milling and protective action delay.” Research indicates that more specific information about the unfolding emergency helps the public better respond and take more effective protective action. The Bureau finds that fillable templates provides the best way to balance technological capability with more effective alert messaging. More effective alerting results in better public response in a disaster scenario and will save lives. We affirm our belief, in light of the record, that considerable benefits to the safety of life and property accrue from being

able to take more effective protective action as a result of fillable templates.

42. *Costs of Implementing Fillable Templates.* We conclude that the costs of implementing form fillable templates fall within the same cost estimate identified by the Commission in the *2023 WEA Report and Order*. In the *WEA Multilingual Public Notice*, we tentatively concluded that the costs to adopt form-fillable templates would not exceed the \$42.4 million cost ceiling the Commission found applicable to implementing static templates because both fillable and static templates would require Participating CMS Providers to undertake a similar process of determining what changes would be required to storage, standards, processes, and devices. CTIA argues that the costs to support templates are not minimally burdensome and that the *WEA Multilingual Public Notice* fails to consider that there will be greater costs associated with implementation work not considered by the Bureau. As we discuss above, we believe the analysis in the *WEA Multilingual Public Notice* is inclusive of the issues that CTIA raises with respect to the time required to do the implementation work. Because the implementation timeline does not change, we believe the cost ceiling we proposed is still applicable. No commenter challenges our tentative conclusion that the costs will not exceed the \$42.4 million ceiling. Therefore, we adopt our tentative conclusion that the costs to industry to implement fillable templates will not exceed \$42.4 million. As thoroughly analyzed by the Commission in the *2023 WEA Report and Order*, this cost ceiling accounts for the full scope of what Participating CMS Providers need to do to implement multilingual templates. We today conclude in the absence of contrary comments that the same analysis applies to implementing fillable templates. Because the Commission determined this cost was outweighed by the benefits of static templates, and we conclude that there are additional benefits to the public by adopting fillable templates, we conclude that the benefits of fillable templates are outweighed by the marginal cost of implementing them.

Regulatory Flexibility Analysis

43. As required by the Regulatory Flexibility Act of 1980, as amended (RFA), the Bureau incorporated a Supplemental Initial Regulatory Flexibility Analysis (IRFA) into the *WEA Multilingual Public Notice* released in February 2024. The Commission prepared Regulatory Flexibility Analyses in connection the

2023 WEA FNRPM released in April 2023, and the 2023 Report and Order released in October 2023. The Commission sought written public comment on the proposals in the 2023 WEA FNRPM, including comment on the IFRA. Additionally, the Bureau sought written public comment on the proposals in the WEA Multilingual Public Notice, including comment on the Supplemental IFRA. No comments were filed addressing the Supplemental IRFA. This Supplemental Final Regulatory Flexibility Analysis (FRFA) conforms to the RFA.

A. Need for, and Objectives of, the Final Rules

44. In this document, the Bureau adopts rules for multilingual templates that will increase the availability of Wireless Emergency Alerts (WEA) alerts for persons with limited English proficiency that understand one or more of the 13 most commonly spoken languages in the United States, as well as English and American Sign Language (ASL). This document requires Participating CMS Providers to support multilingual templates on mobile devices for the following eighteen alerts: tornado emergency, tornado warning, flash flood emergency, flash flood warning, severe thunderstorm, snow squall, dust storm, hurricane, storm surge, extreme wind, test alert, fire, tsunami, earthquake, boil water, avalanche, hazardous materials, and 911 outage. Participating CMS Providers are required to support pre-scripted alert templates for English, Arabic, Simplified Chinese, Traditional Chinese, French, German, Haitian Creole, Hindi, Italian, Korean, Portuguese, Russian, Spanish, Tagalog, and Vietnamese. Participating CMS Providers are also required to support the inclusion of four fillable elements that allow for the customization of the pre-scripted templates. Further, Participating CMS Providers must cause the fillable English version of the pre-scripted alert message to accompany the alert messages that use the pre-scripted templates for written forms of the 13 languages. The alert message using the pre-scripted template in the non-English language must be displayed first, and must be followed by the alert message using the English pre-scripted template. By offering alert originators the option to use these templates, users of various languages in their communities can get increased accessibility to potentially life-saving emergency information from WEA. For ASL, because fillable template are not technically feasible at this time, the Bureau instead requires Participating CMS Providers to support

non-fillable ASL templates. We believe this approach balances the needs of the deaf and hard of hearing community to receive WEAs in ASL, the needs to alert originators to include information tailored to the emergency through fillable templates, and the technical capabilities of WEA.

B. Summary of Significant Issues Raised by Public Comments in Response to the IRFA

45. There were no comments filed that specifically addressed the proposed rules and policies presented in the Supplemental IRFA.

C. Response to Comments by the Chief Counsel for Advocacy of the Small Business Administration

46. Pursuant to the Small Business Jobs Act of 2010, which amended the RFA, the Commission is required to respond to any comments filed by the Chief Counsel for Advocacy of the Small Business Administration (SBA), and to provide a detailed statement of any change made to the proposed rules as a result of those comments. The Chief Counsel did not file any comments in response to the proposed rules in this proceeding.

D. Description and Estimate of the Number of Small Entities to Which the Proposed Rules Will Apply

47. The RFA directs agencies to provide a description of and, where feasible, an estimate of the number of small entities that may be affected by the rules adopted herein. The RFA generally defines the term “small entity” as having the same meaning as the terms “small business,” “small organization,” and “small governmental jurisdiction.” In addition, the term “small business” has the same meaning as the term “small business concern” under the Small Business Act.” A “small business concern” is one which: (1) is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the SBA.

48. As noted above, Regulatory Flexibility Analyses were incorporated into the WEA Multilingual Public Notice from the 2023 WEA FNRPM and the 2023 Report and Order. In those analyses, the Commission described in detail the small entities that might be significantly affected. Accordingly, in this Supplemental FRFA, we hereby incorporate the descriptions and estimates of the number of small entities from the previous Regulatory Flexibility Analyses in the 2023 WEA FNRPM and the 2023 WEA Report and Order.

E. Description of Projected Reporting, Recordkeeping, and Other Compliance Requirements for Small Entities

49. This document will not impose additional reporting and recordkeeping on small entities who are Participating CMS Providers voluntarily participating in WEA. The Bureau notes that the obligations regarding these templates were already detailed and adopted by the Commission in the 2023 WEA Report and Order. The Report and Order serves only to establish the parameters for how the reporting and recordkeeping obligations related to multilingual alert templates adopted in the 2023 WEA Report and Order must be implemented. As described above, this document adopts a list of templates that must be stored on WEA-capable mobile devices representing the most commonly utilized and the most time sensitive alert types which are required to be supported in English and the written forms of 13 additional languages. The templates must support customizable information about the sending agency, time, location, and an optional URL, and Participating CMS Providers must support the ability for the fillable English version of the pre-scripted alert message to accompany the alert messages that use the pre-scripted templates for the 13 languages. This document requires that the ASL templates be non-fillable and that alert messages that use these templates be accompanied by a corresponding alert message using the fillable English alert.

50. In the 2023 WEA Report and Order the Commission estimated \$42.4 million as the maximum cost ceiling for implementation of the templates in English, the 13 most commonly spoken languages in the U.S., and ASL. This estimate, which takes into consideration the complete scope of what is required for small and other Participating CMS Providers to implement multilingual templates, included the costs for fillable templates which we address in this document. Regarding compliance costs for small entities, we note that the Bureau has provided the required translated templates, so small Participating CMS Providers will not be responsible for the costs of translating templates. For these reasons, the Bureau expects the implementation details finalized in this document will impose minimal burdens on small entities, and we do not expect that small entities will have to hire professionals to implement the requirements beyond what may be required to implement the 2023 WEA Report and Order. Small and other Participating CMS Providers will have 30 months from publication of the rules

in the **Federal Register** to comply with the requirements adopted in today's Report and Order. The Commission established this compliance timeframe in the *2023 WEA Report and Order* which was not subsequently requested to be reconsidered, and the Bureau does not have authority to change this timeframe.

F. Steps Taken To Minimize the Significant Economic Impact on Small Entities, and Significant Alternatives Considered

51. The RFA requires an agency to provide, "a description of the steps the agency has taken to minimize the significant economic impact on small entities . . . including a statement of the factual, policy, and legal reasons for selecting the alternative adopted in the final rule and why each one of the other significant alternatives to the rule considered by the agency which affect the impact on small entities was rejected."

52. The Bureau is mindful that in meeting its duty to develop the nation's emergency preparedness by making WEA more accessible, small entities may incur costs. As we note above in section E, the costs for template development and implementation addressed in the Report and Order were

included in the costs for small and other Participating CMS Providers associated with implementing the *2023 WEA Report and Order*. We believe that because the Commission has already taken on the cost of translating templates, including creating ASL video templates, we have taken a significant step to help reduce the burden on small entities. In considering whether the templates should be static or fillable, the Bureau concluded that fillable templates would provide additional public safety benefits which outweighed the costs of requiring small and other Participating CMS Providers to take on burdens that are similar to the implementation of static templates. However, the Bureau further reduced burdens on small and other Participating CMS Providers by requiring support for non-fillable ASL templates because the Bureau finds that fillable ASL templates are not technically feasible at this time.

53. We also considered and declined to require the fillable elements in the multilingual versions of the templates to be translated into that template's language, and to require a revision to the 911 template adding support of a telephone number as a fillable part of the template, which would have increased burdens on small and other

Participating CMS Providers. Additionally, the Bureau reduced burdens on small providers by declining to adopt a requirement to implement generic templates for evacuation and shelter-in-place templates, as originally proposed in the *WEA Multilingual Public Notice*. We agreed with commenters that generic templates for these types of situations would not be effective, and posed the risk of making an emergency situation worse since recipients of such generic alerts may be less likely to take action in response to the alert. Lastly, although some commenters advocated for a longer implementation time period of 36–54 months which would have benefited small Participating CMS Providers, we mention in the previous section that the Bureau was not vested with authority to change the Commission adopted 30-month deadline. Moreover, commenters did not adequately explain or provide evidence to substantiate why the form-fillable multilingual template requirements adopted in today's Report and Order could not be implemented within 30 months from publication of this document in the **Federal Register**.

**Appendix C
English Templates**

Tornado Emergency	[SENDING AGENCY]: A TORNADO EMERGENCY is in effect for [LOCATION] until [TIME]. Tornado spotted in this area. This is a life-threatening situation. Take shelter now in a basement or an interior room on the lowest floor of a sturdy building. If you are outdoors, in a mobile home, or in a vehicle, move to the closest sturdy shelter and protect yourself from flying objects. Check media. [URL]
Tornado Warning	[SENDING AGENCY]: A TORNADO WARNING is in effect for [LOCATION] until [TIME]. Take shelter now in a basement or an interior room on the lowest floor of a sturdy building. If you are outdoors, in a mobile home, or in a vehicle, move to the closest sturdy shelter and protect yourself from flying objects. Check media. [URL]
Flash Flood Emergency	[SENDING AGENCY]: A FLASH FLOOD EMERGENCY is in effect for [LOCATION] until [TIME]. This is an extremely dangerous and life-threatening situation. Do not attempt to travel unless you are fleeing an area that may flood or are under an evacuation order. [URL]
Flash Flood Warning	[SENDING AGENCY]: A FLASH FLOOD WARNING is in effect for [LOCATION] until [TIME]. This is a dangerous and life-threatening situation. Do not attempt to travel unless you are fleeing an area that may flood or are under an evacuation order. [URL]
Severe Thunderstorm Warning	[SENDING AGENCY]: A SEVERE THUNDERSTORM WARNING is in effect for [LOCATION] until [TIME] for DESTRUCTIVE 80 mile per hour winds. Take shelter inside a sturdy building, away from windows. Flying objects may be deadly to those outside a sturdy shelter. [URL]
Snow Squall Warning	[SENDING AGENCY]: A SNOW SQUALL WARNING is in effect for [LOCATION] until [TIME]. Slow down or delay travel! Be ready for a sudden drop to near zero visibility and icy roads in heavy snow. [URL]
Dust Storm Warning	[SENDING AGENCY]: A DUST STORM WARNING is in effect for [LOCATION] until [TIME]. Be ready for sudden drop to zero visibility. Pull Aside, Stay Alive! When visibility drops, pull far off the road and put your vehicle in park. Turn the lights off and keep your foot off the brake. Infants, the elderly, and those with trouble breathing urged to take precautions. [URL]
Hurricane Warning	[SENDING AGENCY]: A HURRICANE WARNING is in effect for [LOCATION] for dangerous and damaging winds until [TIME]. This warning is issued up to 36 hours before hazardous conditions begin. Take steps to protect life and property. Have food, water, cash, fuel, and medications for 3+ days. FOLLOW INSTRUCTIONS FROM LOCAL OFFICIALS. [URL]
Storm Surge Warning	[SENDING AGENCY]: A STORM SURGE WARNING is in effect for [LOCATION] for the danger of life-threatening flooding until [TIME]. This warning is issued up to 36 hours before hazardous conditions begin. Take steps to protect life and property. Follow evacuation orders if given for this area to avoid drowning or being cut off from emergency services. [URL]
Extreme Wind Warning	[SENDING AGENCY]: An EXTREME WIND WARNING is in effect for [LOCATION] for the immediate danger of life-threatening winds until [TIME]. Take cover NOW in an interior room of a sturdy building, away from windows. Protect your head from flying objects. Do NOT go outside if the wind calms! Winds will quickly become dangerous again. [URL]

Test Alert	THIS IS A TEST of the National Wireless Emergency Alert System sent by [SENDING AGENCY]. The purpose is to maintain and improve alert and warning capabilities at the federal, state, local, Tribal and territorial levels and to evaluate the nation's public alert and warning capabilities. No action is required by the public. [URL]
Tsunami Warning	[SENDING AGENCY]: A TSUNAMI WARNING is in effect for [LOCATION] until [TIME]. A series of powerful waves and strong currents may affect coasts near you. You are in danger. Get away from coastal waters. Move to high ground or inland now. Keep away from the coast until local officials say it is safe to return. [URL]
Earthquake Warning	EARTHQUAKE DETECTED! Drop, Cover, Hold On. Protect Yourself. [SENDING AGENCY] [URL]
Boil Water Advisory	[SENDING AGENCY]: A BOIL WATER ALERT has been issued for [LOCATION] and is in effect until [TIME]. Water in your community can make you sick. Use bottled water if available. Do not drink, cook with, brush your teeth with, or clean your home with tap water or filtered water until you boil it. Bring water to a full rolling boil for THREE MINUTES. Let water cool before use. Do not use ice made with water that has not been boiled. If you use formula to feed your child, use ready-to-use formula. Make sure pets do not drink water that has not been boiled. [URL]
911 Outage Alert	[SENDING AGENCY]: A 9-1-1 OUTAGE ALERT is in effect for [LOCATION]. Please contact police, fire, medical, or other emergency services directly at their local phone numbers in case of emergency. If you dial 9-1-1, you may not get help. [URL]
Avalanche Warning	[SENDING AGENCY]: An AVALANCHE WARNING is in effect in [LOCATION] until [TIME]. Unstable, fast-moving snow can happen quickly, causing injury or death and can block roads and damage property in affected areas. LEAVE areas near [LOCATION]. DO NOT return to area after evacuation until directed by local officials. Travel in the area is not recommended. Avalanches may run long distances. [URL]
Fire Warning	[SENDING AGENCY]: A FIRE WARNING in [LOCATION] is in effect until [TIME]. Evacuate your family and pets now, do not delay. Visibility in area will be reduced and roads can become blocked. If you do not leave now, you could be trapped, injured, or killed. LEAVE areas near [LOCATION]. Expect reduced visibility, heavy smoke, and difficulty breathing. Be careful when driving. Watch for public safety personnel operating in the area and follow their instructions. [URL]
Hazardous Materials Warning	[SENDING AGENCY]: HAZARDOUS MATERIALS were released at [TIME] in [LOCATION]. Exposure may cause difficulty breathing, loss of coordination, burning sensation in eyes, nose, throat, or lungs, nausea, and possibly death. LEAVE areas near [LOCATION]. IF DRIVING to evacuate area, keep car windows and vents closed. DO NOT return to area after evacuation unless directed by local officials. [URL]

Appendix D

Multilingual Templates

American Sign Language Templates

The translations for American Sign Language (ASL) are accessible here: <https://>

www.fcc.gov/WirelessEmergencyAlert-Templates-ASL.

BILLING CODE 6712-01-P

Arabic Templates

<p>[SENDING AGENCY]: تسري حالة طوارئ الإعصار في [LOCATION] حتى [TIME].</p> <p>تم رصد إعصار في هذه المنطقة. هذا وضع يهدد الحياة. احتتم الآن في قبو أو غرفة داخلية في الطابق السفلي من مبنى قوي. إذا كنت في الهواء الطلق أو في منزل متنقل أو في سيارة، فانقل إلى أقرب مأوى قوي واحم نفسك من الأشياء المتطايرة. اطلع على آخر مستجدات وسائل الإعلام. [URL]</p>	<p>Tornado</p> <p>Emergency</p>
<p>[SENDING AGENCY]: يسري التحذير من الإعصار في [LOCATION] حتى [TIME].</p> <p>احتتم الآن في قبو أو غرفة داخلية في الطابق السفلي من مبنى قوي. إذا كنت في الخارج أو في منزل متنقل أو في مركبة، فانقل إلى أقرب مأوى قوي واحم نفسك من الأشياء المتطايرة. تحقق من الوسائط. اطلع على آخر مستجدات وسائل الإعلام. [URL]</p>	<p>Tornado</p> <p>Warning</p>
<p>[SENDING AGENCY]: يسري التحذير من حالة طوارئ الفيضانات المفاجئة لـ [LOCATION] حتى [TIME]. هذا وضع خطير للغاية ويهدد الحياة. لا تحاول السفر إلا إذا كنت تفر من منطقة قد تكون معرضة للفيضانات أو بموجب أمر إخلاء. [URL]</p>	<p>Flash</p> <p>Flood</p> <p>Emergency</p>
<p>[SENDING AGENCY]: يسري التحذير من حالة الفيضانات المفاجئة لـ [LOCATION] حتى [TIME]. هذا وضع خطير للغاية ويهدد الحياة. لا تحاول السفر إلا إذا كنت تفر من منطقة قد تتعرض للفيضانات أو بموجب أمر إخلاء. [URL]</p>	<p>Flash</p> <p>Flood</p> <p>Warning</p>
<p>[SENDING AGENCY]: يسري التحذير من عاصفة رعدية شديدة لـ [LOCATION] حتى [TIME] لرياح مدمرة بسرعة 80 ميلاً في الساعة. اتخذ مأوى في مبنى قوي، بعيداً عن النوافذ. قد تكون الأشياء المتطايرة مميتة لأولئك الذين باغتتهم العاصفة وهم خارج المأوى. [URL]</p>	<p>Severe</p> <p>Thunder-</p> <p>storm</p> <p>Warning</p>
<p>[SENDING AGENCY]: يسري التحذير من عاصفة ثلجية لـ [LOCATION] حتى [TIME]. تحرك ببطء أو قم بتأخير السفر! كن مستعداً للانخفاض المفاجئ إلى مستوى رؤية قريب من الصفر والسير على طرق جليدية في الثلوج الكثيفة. [URL]</p>	<p>Snow Squall</p> <p>Warning</p>

<p>[SENDING AGENCY]: يسري التحذير من عاصفة ترابية لـ [LOCATION] حتى [TIME]. كن مستعدًا للانخفاض المفاجئ في مستوى الرؤية الذي قد يصل إلى الصفر. توقف على جانب الطريق، وابق على قيد الحياة! عندما تنخفض الرؤية، اركن سيارتك بعيدًا عن مسار الطريق، ثم ضعها في وضع الانتظار. أطفئ الأنوار وأبعد قدمك عن المكابح. حث الرضع وكبار السن وأولئك الذين يعانون من مشاكل في التنفس على اتخاذ الاحتياطات اللازمة. [URL]</p>	<p>Dust Storm Warning</p>
<p>[SENDING AGENCY]: يسري تحذير الإعصار على [LOCATION] بالنسبة للرياح الخطرة والمدمرة حتى [TIME]. يتم إصدار هذا التحذير قبل 36 ساعة من بدء الظروف الجوية الخطرة. قم بالخطوات اللازمة لحماية الأرواح والممتلكات. تزود بالطعام والماء والنقد والوقود والأدوية لمدة تزيد عن 3 أيام. اتبع التعليمات الواردة من المسؤولين المحليين. [URL]</p>	<p>Hurricane Warning</p>
<p>[SENDING AGENCY]: يسري التحذير من عرام العواصف على [LOCATION] بسبب خطر الفيضانات التي تهدد الحياة حتى [TIME]. يتم إصدار هذا التحذير قبل 36 ساعة من بدء الظروف الجوية الخطرة. قم بالخطوات اللازمة لحماية الأرواح والممتلكات. اتبع أوامر الإخلاء إذا تم إصدارها لهذه المنطقة؛ لتجنب الغرق أو البقاء في عزلة بعيدًا عن خدمات الطوارئ. [URL]</p>	<p>Storm Surge Warning</p>
<p>[SENDING AGENCY]: يسري التحذير من الرياح الشديدة على [LOCATION] بسبب الخطر المباشر للرياح التي تهدد الحياة حتى [TIME]. احتم الآن في غرفة داخلية لمبنى قوي، بعيدًا عن النوافذ. احم رأسك من الأشياء المتطايرة. لا تخرج في وقت سكون الرياح! ستصبح الرياح خطيرة مرة أخرى بسرعة. [URL]</p>	<p>Extreme Wind Warning</p>
<p>هذا اختبار للنظام الوطني للإنذار اللاسلكي في حالات الطوارئ تم إرساله من قبل [SENDING AGENCY]. والغرض من ذلك هو الحفاظ على قدرات التنبيه والإنذار وتحسينها على المستويات الاتحادية والولائية والمحلية والقبلية والإقليمية، وتقييم قدرات التنبيه والإنذار العامة في البلاد. لا يلزم اتخاذ أي إجراء من قبل الجمهور. [URL]</p>	<p>Test Alert</p>

<p>[SENDING AGENCY]: يسري التحذير من تسونامي لـ [LOCATION] حتى [TIME]. قد تؤثر سلسلة من الأمواج القوية والتيارات القوية على السواحل القريبة منك. أنت في خطر. ابتعد عن المياه الساحلية. انتقل الآن إلى أرض مرتفعة أو نحو البر. ابتعد عن الساحل حتى يصرح المسؤولون المحليون أنه من الأمان العودة. [URL]</p>	<p>Tsunami Warning</p>
<p>تم اكتشاف زلزال! انحن أرضًا، واخترى تحت غطاء، ولا تتحرك. احم نفسك. [URL] [SENDING AGENCY]</p>	<p>Earthquake Warning</p>
<p>[SENDING AGENCY]: يسري تنبيه غلي الماء الصادر لـ [LOCATION] حتى [TIME]. يمكن أن تصيبك المياه في مجتمعك المحلي بالمرض. استخدم المياه المعبأة في زجاجات إذا كانت متوفرة. لا تشرب أو تطبخ أو تغسل أسنانك بالفرشاة أو تنظف منزلك بمياه الصنبور أو الماء المصفى حتى تغليه. قم بغلي الماء تمامًا لمدة ثلاث دقائق. اترك الماء يبرد قبل الاستخدام. لا تستخدم الثلج المصنوع من الماء الذي لم يتم غليه. إذا كنت تستخدم تركيبة لإطعام طفلك، فاستخدم تركيبة جاهزة للاستخدام. تأكد من عدم شرب الحيوانات الأليفة للماء الذي لم يتم غليه. [URL]</p>	<p>Boil Water Advisory</p>
<p>[SENDING AGENCY]: يسري تنبيه انقطاع خدمات الطوارئ (9-1-1) في [LOCATION] حتى [TIME]. يُرجى الاتصال بالشرطة أو الإطفاء أو الخدمات الطبية أو غيرها من خدمات الطوارئ مباشرة على أرقام هواتفهم المحلية في حالات الطوارئ. إذا اتصلت بالرقم 9-1-1، فقد لا تحصل على المساعدة. [URL]</p>	<p>911 Outage Alert</p>
<p>[SENDING AGENCY]: يسري التحذير من الانهيار الجليدي في [LOCATION] حتى [TIME]. يمكن أن تحدث ظاهرة وجود الثلج غير المستقر وسريع الحركة بسرعة، مما يتسبب في وقوع الإصابة أو الوفاة؛ ويمكن أن تتسبب هذه الظاهرة في انسداد الطرق وإلحاق الضرر بالممتلكات في المناطق المتضررة. غادر المناطق القريبة من [LOCATION]. لا تعد إلى المنطقة بعد الإخلاء حتى يتم توجيهك من قبل المسؤولين المحليين. لا ينصح بالسفر في التضاريس الجليدية. قد تمتد الانهيارات الثلجية لمسافات طويلة. [URL]</p>	<p>Avalanche Warning</p>

<p>يسري التحذير من الحريق الصادر عن [SENDING AGENCY] في [LOCATION] حتى [TIME]. قم بإخلاء عائلتك وحيواناتك الأليفة الآن، ولا تتأخر في القيام بذلك. سيقبل مجال الرؤية في هذه المنطقة، ويمكن أن تصبح الطرق مغلقة. إذا لم تغادر الآن، فقد تكون محاصرًا أو مصابًا أو مقتولًا. غادر المناطق القريبة من [LOCATION]. توقع انخفاض الرؤية والدخان الكثيف وصعوبة التنفس. كن حذرًا عند القيادة. انتبه إلى موظفي السلامة العامة العاملين في المنطقة واتبع تعليماتهم. [URL]</p>	<p>Fire Warning</p>
<p>[SENDING AGENCY]: تسربت مواد خطيرة عند [TIME] في [LOCATION]. قد يسبب التعرض لهذه المواد الشعور بصعوبة في التنفس، وفقدان التناسق في الحركة، وحرقان في العينين أو الأنف أو الحلق أو الرئتين، والغثيان، وربما الموت. غادر المناطق القريبة من [LOCATION]. في حالة القيادة من أجل إخلاء المنطقة، اترك نوافذ السيارة وفتحات التهوية مغلقة. لا تعد إلى المنطقة بعد الإخلاء إلا إذا تم توجيهك من قبل المسؤولين المحليين. [URL]</p>	<p>Hazardous Materials Warning</p>

Chinese (Simplified) Templates

Tornado Emergency	<p>[SENDING AGENCY]: 当前在[LOCATION]发布龙卷风紧急状态, 持续生效至[TIME]。该地区发现了龙卷风。这是危及生命的情况。请立即躲到地下室或坚固建筑物最底层的室内房间。如果您在户外、移动房屋或车内, 请移步至最近的坚固避难所并保护自己免受飞扬物体的伤害。请查看媒体。[URL]</p>
Tornado Warning	<p>[SENDING AGENCY]: 当前在[LOCATION]发布龙卷风警报, 持续生效至[TIME]。请立即躲到地下室或坚固建筑物最底层的室内房间。如果您在户外、移动房屋或车内, 请移步至最近的坚固避难所并保护自己免受飞扬物体的伤害。请查看媒体。[URL]</p>
Flash Flood Emergency	<p>[SENDING AGENCY]: 当前在[LOCATION]发布暴洪紧急状态, 持续生效至[TIME]。这是一种极其危险且危及生命的情况。请勿尝试旅行, 除非您要逃离可能遭受洪水侵袭或接到疏散令的地区。[URL]</p>
Flash Flood Warning	<p>[SENDING AGENCY]: 当前在[LOCATION]发布暴洪警报, 持续生效至[TIME]。这是一种危险且危及生命的情况。请勿尝试旅行, 除非您要逃离可能遭受洪水侵袭或接到疏散令的地区。[URL]</p>
Severe Thunder- storm Warning	<p>[SENDING AGENCY]: 当前在[LOCATION]发布严重雷暴雨警报, 持续生效至[TIME], 风速为每小时 80 英里, 具有破坏性。请躲在坚固的建筑物内, 远离窗户。飞扬物体对于那些没有躲进坚固避难所的人来说可能是致命的。[URL]</p>

Snow Squall Warning	[SENDING AGENCY]: 当前在[LOCATION]发布雪飆警报, 持续生效至[TIME]。请放慢车速或推迟出行! 做好准备, 应对能见度突然降至接近零, 以及大雪中道路结冰的情况。[URL]
Dust Storm Warning	[SENDING AGENCY]: 当前在[LOCATION]发布沙尘暴警报, 持续生效至[TIME]。请做好能见度突然降至零的准备。请靠路边停车, 确保生命安全! 当能见度下降时, 请将车停在远离道路的地方并保持停车状态。关掉车灯并将脚移离刹车板。敦促婴儿、老年人和呼吸困难的人采取预防措施。[URL]
Hurricane Warning	[SENDING AGENCY]: 当前就[LOCATION]危险且具有破坏性的大风情况发布了飓风警报, 持续生效至[TIME]。此警报最早会在危险情况开始前 36 小时发出。请采取措施保护生命和财产安全。准备 3 天以上的食物、水、现金、燃料和药物。请务必遵循当地官员的指示。[URL]
Storm Surge Warning	[SENDING AGENCY]: 当前就[LOCATION]危及生命的洪水危险情况发布了风暴潮警报, 持续生效至[TIME]。此警报最早会在危险情况开始前 36 小时发出。请采取措施保护生命和财产安全。如果针对该地区发出疏散令, 请务必遵循, 以避免溺水或发生紧急服务中断。[URL]
Extreme Wind Warning	[SENDING AGENCY]: 当前就[LOCATION]危及生命的强风紧迫危险情况发布了强风警报, 持续生效至[TIME]。请立即躲到坚固建筑物的室内房间里, 远离窗户。保护头部免受飞扬物体的伤害。不要在强风平静时外出! 风力很快就会再次变得危险。[URL]

Test Alert	<p>这是[SENDING AGENCY]发送的对国家无线紧急警报系统的测试警报。目的是维持和改善联邦、州、地方、部落和地区各级的预警和警报能力，并评估国家的公共预警和警报能力。公众无需采取任何行动。</p> <p>[URL]</p>
Tsunami Warning	<p>[SENDING AGENCY]: 当前在[LOCATION]发布海啸警报，持续生效至[TIME]。一系列强大的海浪和强流可能会影响您附近的海岸。您正处于危险之中。请远离沿海水域。即刻转移到高地或内陆。请远离海岸，直到当地官员确认安全后再返回。[URL]</p>
Earthquake Warning	<p>检测到地震！请放下手中的一切、寻求掩护、坚持住。保护好自己。</p> <p>[SENDING AGENCY] [URL]</p>
Boil Water Advisory	<p>[SENDING AGENCY]: 当前在[LOCATION]发布了沸水消毒警报，持续生效至[TIME]。您所在社区的水可能会导致生病。如果有的话，请使用瓶装水。在煮沸之前，请勿饮用自来水或过滤水，用这些水做饭、刷牙或清洁房屋。请将水充分煮沸三分钟。使用前让水冷却。请勿使用未煮沸的水制成的冰块。如果您使用配方奶粉喂养孩子，请使用即食型配方奶粉。确保宠物不喝未煮沸的水。[URL]</p>
911 Outage Alert	<p>[SENDING AGENCY]: [LOCATION]发布了 9-1-1 故障警报，当前生效中。如果发生紧急情况，请直接拨打当地电话号码联系警察、消防、医疗或其他紧急服务部门。如果您拨打 9-1-1，则可能无法获得帮助。</p> <p>[URL]</p>

Avalanche Warning	[SENDING AGENCY]: 当前在[LOCATION]发布雪崩警报, 持续生效至 [TIME]。不稳定、快速移动的积雪可能会很快发生, 造成伤害或死亡, 并可能堵塞受影响地区的道路及损坏财产。请离开[LOCATION]附近的地区。疏散后请勿返回该地区, 除非得到当地官员的指示。不建议在雪崩地区旅行。雪崩可能会蔓延很远的距离。[URL]
Fire Warning	[SENDING AGENCY] 当前在[LOCATION]发布火灾警报, 持续生效至 [TIME]。请立即疏散您的家人和宠物, 请勿拖延。该地区的能见度将会降低, 道路可能会堵塞。如果您现在不离开, 您可能会被困、受伤或死亡。请离开[LOCATION]附近的地区。预计能见度会降低、浓烟和呼吸困难。开车时要小心。请留意在该地区工作的公共安全人员并遵循他们的指示。[URL]
Hazardous Materials Warning	[SENDING AGENCY]: [LOCATION]在[TIME]发生了危险材料泄漏。接触可能会导致呼吸困难、协调能力丧失、眼睛、鼻子、喉咙或肺部有烧灼感、恶心, 甚至可能死亡。请离开[LOCATION]附近的地区。如果驾车前往疏散区域, 请保持车窗和通风口关闭。请勿在疏散后返回该地区, 除非当地官员指示。[URL]

Chinese (Traditional) Templates

Tornado Emergency	<p>[SENDING AGENCY]: 當前[LOCATION] 處於龍捲風緊急狀態，該狀態將持續至[TIME]。該地區發現龍捲風。這是有生命危險的緊急狀況。現在就請立即躲到地下室或堅固建築物最底層的房間內。如果您在戶外、移動房屋或車輛中，請前往最近的堅固避難所並保護自己免受飛行物體的傷害。在媒體上查看最新消息。[URL]</p>
Tornado Warning	<p>[SENDING AGENCY]: 當前[LOCATION] 發佈了龍捲風預警，該預警將持續至[TIME]。現在就請立即躲到地下室或堅固建築物最底層的房間內。如果您在戶外、移動房屋或車輛中，請前往最近的堅固避難所並保護自己免受飛行物體的傷害。在媒體上查看最新消息。[URL]</p>
Flash Flood Emergency	<p>[SENDING AGENCY]: 當前[LOCATION] 處於山洪緊急狀態，該狀態將持續至[TIME]。這是一種極度危險且危及生命的情況。請勿嘗試外出，除非您要逃離可能發生洪水的地區或接到疏散令的地區。[URL]</p>
Flash Flood Warning	<p>[SENDING AGENCY]: 當前[LOCATION] 發佈了山洪預警，該預警將持續至[TIME]。這是一種危險且危及生命的情況。請勿嘗試外出，除非您要逃離可能發生洪水的地區或接到疏散令的地區。[URL]</p>
Severe Thunder- storm Warning	<p>[SENDING AGENCY]: 當前[LOCATION] 發佈嚴重雷暴雨預警，該預警持續至[TIME]，風速為每小時 80 英里，具有破壞性。請躲在堅固的建築物內，遠離窗戶。飛行物體可能會對沒有躲進堅固避難所的人造成致命傷害。[URL]</p>

Snow Squall Warning	[SENDING AGENCY]: 當前[LOCATION] 發佈了雪颶預警，該預警將持續至[TIME]。請放慢車速或推遲出行！做好準備，應對能見度突然降至接近零以及大雪中道路結冰的情況。[URL]
Dust Storm Warning	[SENDING AGENCY]: 當前[LOCATION] 發佈了塵暴預警，該預警將持續至[TIME]。做好能見度突然降至零的準備。請靠路邊停車，確保生命安全！當能見度下降時，將車駛離道路並停好。關掉車燈並將腳移離剎車板。敦促嬰兒、老年人和呼吸困難者採取預防措施。[URL]
Hurricane Warning	[SENDING AGENCY]: 當前[LOCATION] 發布了颶風預警，危險且具破壞性的強風將持續至[TIME]。此警報最早會在危險情況開始前 36 小時發出。請採取措施保護生命財產安全。準備 3 天以上的食物、水、現金、燃料和藥物。遵循當地官員的指示。[URL]
Storm Surge Warning	[SENDING AGENCY]: 當前[LOCATION] 發佈了風暴潮警報，危及生命的危險洪水將持續至[TIME]。此警報最早會在危險情況開始前 36 小時發出。請採取措施保護生命財產安全。如果有針對該區域的疏散令，請遵守疏散令，以避免溺水或緊急服務中斷。[URL]
Extreme Wind Warning	[SENDING AGENCY]: 當前[LOCATION] 發佈了極端風警報，危及生命的危險狂風將持續至[TIME]。請立即躲到堅固建築物的房間內，遠離窗戶。保護您的頭部免受飛行物體傷害。請勿在強風暫時平靜時外出！風很快就會再次變得危險。[URL]

Test Alert	這是[SENDING AGENCY]發送的對國家無線緊急警報系統的測試警報。目的是維持和改善聯邦、州、地方、部落和地區各級的預警和警報能力，並評估國家的公共預警和警報能力。公眾無需採取任何行動。[URL]
Tsunami Warning	[SENDING AGENCY]: 當前[LOCATION]發佈了海嘯預警，該預警將持續至[TIME]。一連串強大的海浪和強流可能影響您附近的海岸。您正處於危險之中。請遠離沿海水域。立即轉移到高地或內陸。在當地官員表示可以安全返回之前，請遠離海岸。[URL]
Earthquake Warning	偵測到地震！請放下手中的一切、尋求掩護、堅持住。保護自己。 [SENDING AGENCY] [URL]
Boil Water Advisory	[SENDING AGENCY]: 當前[LOCATION]發佈了沸水消毒提醒，有效期限至[TIME]。您所在社區的水可能致病。如果有的話，請使用瓶裝水。在煮沸之前，請勿飲用自來水或過濾水，或將這些水用於煮飯、刷牙或清潔房屋。讓水充分沸騰三分鐘。使用前讓水冷卻。請勿使用未煮沸的水製成的冰。如果您使用配方奶餵養孩子，請使用即食型配方奶。確保不要讓寵物喝未煮沸的水。[URL]
911 Outage Alert	[SENDING AGENCY]: [LOCATION]發佈了 9-1-1 故障警報，當前生效中。如果發生緊急情況，請直接撥打當地電話號碼聯絡警察、消防、醫療或其他緊急服務部門。如果撥打 9-1-1，您可能得不到幫助。 [URL]

<p>Avalanche Warning</p>	<p>[SENDING AGENCY]: 當前[LOCATION] 發佈了雪崩預警，該預警將持續至[TIME]。不穩定、快速移動的積雪可能會很快發生，造成傷害或死亡，並可能堵塞受影響地區的道路並損壞財產。離開[LOCATION] 附近的地區。除非得到當地官員的指示，否則疏散後請勿返回該地區。不建議在該地區旅行。雪崩可能會蔓延很遠的距離。 [URL]</p>
<p>Fire Warning</p>	<p>[SENDING AGENCY] 當前[LOCATION] 發佈了火災預警，該預警將持續至[TIME]。立即疏散您的家人和寵物，切勿拖延。該地區的能見度將會降低，道路可能會被堵塞。如果現在不離開，您可能被困住、受傷或死亡。離開[LOCATION] 附近的地區。預計會出現能見度降低、濃煙和呼吸困難。開車時務必小心。留意在該地區工作的公共安全人員並遵循他們的指示。 [URL]</p>
<p>Hazardous Materials Warning</p>	<p>[SENDING AGENCY] : [LOCATION] 在[TIME]發生危險物質釋放。接觸這些物質可能會導致呼吸困難；協調能力喪失；眼睛、鼻子、喉嚨或肺部有灼熱感；噁心，甚至可能死亡。離開[LOCATION] 附近的地區。如果開車前往疏散地區，請保持車窗和通風口關閉。除非得到當地官員的指示，否則疏散後請勿返回該地區。 [URL]</p>

BILLING CODE 6712-01-C

French Templates

<p>Tornado Emergency</p>	<p>[SENDING AGENCY] : un RISQUE DE TORNADE est en vigueur pour [LOCATION] jusqu'à [TIME]. Une tornade a été détectée dans cette zone. La vie des personnes concernées est en danger. Abritez-vous dès maintenant dans un sous-sol ou dans une pièce intérieure au niveau le plus bas d'un bâtiment robuste. Si vous vous trouvez à l'extérieur, dans une maison mobile ou dans un véhicule, rejoignez l'abri robuste le plus proche et protégez-vous des objets volants. Consultez les médias. [URL]</p>
<p>Tornado Warning</p>	<p>[SENDING AGENCY] : un AVIS DE TORNADE est en vigueur pour [LOCATION] jusqu'à [TIME]. Abritez-vous dès maintenant dans un sous-sol ou dans une pièce intérieure au niveau le plus bas d'un bâtiment robuste. Si vous vous trouvez à l'extérieur, dans une maison mobile ou dans un véhicule, rejoignez l'abri robuste le plus proche et protégez-vous des objets volants. Consultez les médias. [URL]</p>
<p>Flash Flood Emergency</p>	<p>[SENDING AGENCY] : un RISQUE D'INONDATION SOUDAINE est en vigueur pour [LOCATION] jusqu'à [TIME]. Il s'agit d'une situation extrêmement dangereuse et potentiellement mortelle. Évitez de vous déplacer à moins que vous ne quittiez une zone inondable ou que vous ne fassiez l'objet d'un ordre d'évacuation. [URL]</p>

French Templates—Continued

Flash Flood Warning	[SENDING AGENCY] : un AVIS D'INONDATION SOUDAINE est en vigueur pour [LOCATION] jusqu'à [TIME]. Il s'agit d'une situation extrêmement dangereuse et potentiellement mortelle. Évitez de vous déplacer à moins que vous ne quittiez une zone inondable ou que vous ne fassiez l'objet d'un ordre d'évacuation. [URL]
Severe Thunderstorm Warning	[SENDING AGENCY] : un AVIS D'ORAGE VIOLENT est en vigueur pour [LOCATION] jusqu'à [TIME] avec des vents DESTRUCTEURS de 130 km/heure. Mettez-vous à l'abri à l'intérieur d'un bâtiment robuste, loin des fenêtres. Les objets volants peuvent être mortels pour les personnes se trouvant à l'extérieur d'un abri robuste. [URL]
Snow Squall Warning	[SENDING AGENCY] : un AVIS DE BOURRASQUE DE NEIGE est en vigueur pour [LOCATION] jusqu'à [TIME]. Ralentissez ou reportez vos déplacements ! Préparez-vous à une chute soudaine de la visibilité, qui pourrait devenir presque nulle, et à des routes verglacées en cas de neige abondante. [URL]
Dust Storm Warning	[SENDING AGENCY] : un AVIS DE TEMPÊTE DE POUSSIÈRE est en vigueur pour [LOCATION] jusqu'à [TIME]. Préparez-vous à une baisse soudaine de la visibilité, qui pourrait devenir nulle. Arrêtez-vous, restez en vie ! Lorsque la visibilité diminue, quittez la route et mettez votre véhicule en position de stationnement. Éteignez les phares et n'appuyez pas sur la pédale de frein. Les nourrissons, les personnes âgées et les personnes souffrant de problèmes respiratoires sont invités à prendre des précautions. [URL]
Hurricane Warning	[SENDING AGENCY] : un AVIS D'OURAGAN est en vigueur pour [LOCATION] jusqu'à [TIME] en raison de vents dangereux et destructeurs. Cet avis est émis au moins 36 heures avant le début des conditions dangereuses. Prenez des mesures pour protéger votre vie et vos biens. Prévoyez suffisamment de nourriture, d'eau, d'argent, de carburant et de médicaments pour 3 jours ou plus. SUIVEZ LES INSTRUCTIONS DES AUTORITÉS LOCALES. [URL]
Storm Surge Warning	[SENDING AGENCY] : un AVIS D'ONDE DE TEMPÊTE est en vigueur pour [LOCATION] en raison du risque d'inondations potentiellement mortelles jusqu'à [TIME]. Cet avis est émis au moins 36 heures avant le début des conditions dangereuses. Prenez des mesures pour protéger votre vie et vos biens. Suivez les ordres d'évacuation donnés pour cette zone afin d'éviter de vous noyer ou d'être coupé des services d'urgence. [URL]
Extreme Wind Warning	[SENDING AGENCY] : un AVIS DE VENT EXTRÊME est en vigueur pour [LOCATION] en raison du danger immédiat de vents potentiellement mortels jusqu'à [TIME]. Mettez-vous à l'abri dès MAINTENANT dans une pièce intérieure d'un bâtiment robuste, loin des fenêtres. Protégez votre tête des objets volants. Ne sortez PAS à l'extérieur si le vent se calme ! Les vents sont susceptibles de redevenir dangereux rapidement. [URL]
Test Alert	CECI EST UN TEST du Système national d'alertes d'urgence sans fil envoyé par [SENDING AGENCY]. L'objectif est de maintenir et d'améliorer les capacités d'alerte et d'avertissement aux niveaux fédéral, étatique, local, tribal et territorial et d'évaluer les capacités d'alerte et d'avertissement du pays. Aucune action n'est requise de la part du public. [URL]
Tsunami Warning	[SENDING AGENCY] : un AVIS DE TSUNAMI est en vigueur pour [LOCATION] jusqu'à [TIME]. Une série de vagues puissantes et de forts courants peuvent affecter les côtes situées près de chez vous. Vous êtes en danger. Éloignez-vous des eaux côtières. Réfugiez-vous sur les hauteurs ou à l'intérieur des terres dès maintenant. Restez éloigné des côtes jusqu'à ce que les autorités locales vous permettent de rentrer chez vous en toute sécurité. [URL]
Earthquake Warning	TREMBLEMENT DE TERRE DÉTECTÉ ! Baissez-vous, couvrez-vous et tenez-vous bien. Protégez-vous. [SENDING AGENCY] [URL]
Boil Water Advisory	[SENDING AGENCY] : un AVIS DE FAIRE BOUILLIR L'EAU a été émis pour [LOCATION] et est en vigueur jusqu'à [TIME]. L'eau de votre communauté peut vous rendre malade. Utilisez de l'eau en bouteille si possible. Vous ne devez pas boire, cuisiner, vous brosser les dents et nettoyer votre maison avec de l'eau du robinet ou de l'eau filtrée sans l'avoir faite bouillir. Portez l'eau à ébullition pendant TROIS MINUTES. Laissez l'eau refroidir avant de l'utiliser. N'utilisez pas de glace produite avec de l'eau non bouillie. Si vous utilisez du lait maternisé pour nourrir votre enfant, utilisez du lait maternisé prêt à l'emploi. Veillez à ce que les animaux domestiques ne boivent pas d'eau non bouillie au préalable. [URL]
911 Outage Alert	[SENDING AGENCY] : un AVIS D'INTERRUPTION DU 9-1-1 est en vigueur pour [LOCATION]. En cas d'urgence, veuillez contacter la police, les pompiers, les services médicaux ou tout autre service d'urgence directement en appelant leur numéro de téléphone local. Si vous composez le 9-1-1, vous risquez de ne pas obtenir d'aide. [URL]
Avalanche Warning	[SENDING AGENCY] : un AVIS D'AVALANCHE pour [LOCATION] est en vigueur jusqu'à [TIME]. Une neige instable, qui atteint des vitesses élevées en mouvement, peut se produire rapidement et entraîner des blessures ou la mort, bloquer les routes et causer des dégâts matériels dans les zones touchées. QUITTEZ les zones situées à côté de [LOCATION]. Ne retournez pas dans les zones impactées par l'ordre d'évacuation à moins d'avoir reçu la permission des autorités locales. Les déplacements dans ces zones sont déconseillés. Les avalanches peuvent couvrir de longues distances. [URL]
Fire Warning	[SENDING AGENCY] : un AVIS D'INCENDIE pour [LOCATION] est en vigueur jusqu'à [TIME]. Évacuez votre famille et vos animaux de compagnie dès maintenant, sans plus attendre. La visibilité dans la région va diminuer et les routes risquent d'être bloquées. Si vous ne partez pas maintenant, vous risquez d'être bloqué, blessé ou tué. Quittez les zones situées près de [LOCATION]. Attendez-vous à une visibilité réduite, à une forte fumée et à des difficultés respiratoires. Soyez prudent en conduisant. Faites attention au personnel des services de sécurité publique opérant dans la zone et suivez leurs instructions. [URL]

French Templates—Continued

Hazardous Materials Warning	[SENDING AGENCY] : un déversement de MATIÈRES DANGEREUSES s'est produit à [TIME] à [LOCATION]. Le contact avec ces matières peut entraîner des difficultés respiratoires, une perte de coordination, une sensation de brûlure dans les yeux, le nez, la gorge ou les poumons, des nausées et, éventuellement, la mort. QUITTEZ la zone située près de [LOCATION]. SI VOUS CONDUISEZ pour évacuer la zone, gardez les fenêtres et les bouches d'aération de la voiture fermées. NE RETOURNEZ PAS dans la zone après évacuation à moins d'avoir reçu la permission des autorités locales. [URL]
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German Templates

Tornado Emergency	[SENDING AGENCY]: Ein TORNADONOTSTAND ist für [LOCATION] bis [TIME] in Kraft. Ein Tornado wurde in diesem Gebiet gesichtet. Es handelt sich um eine lebensbedrohliche Situation. Suchen Sie sofort Schutz in einem Keller oder Innenraum im untersten Stockwerk eines stabilen Gebäudes. Wenn Sie sich im Freien, in einem Wohnmobil oder in einem Fahrzeug befinden, begeben Sie sich in den nächstgelegenen stabilen Unterstand und schützen Sie sich vor umherfliegenden Gegenständen. Informieren Sie sich in den Medien. [URL]
Tornado Warning	[SENDING AGENCY]: Eine TORNADOWARNUNG ist für [LOCATION] bis [TIME] in Kraft. Suchen Sie sofort Schutz in einem Keller oder Innenraum im untersten Stockwerk eines stabilen Gebäudes. Wenn Sie sich im Freien, in einem Wohnmobil oder in einem Fahrzeug befinden, begeben Sie sich in den nächstgelegenen stabilen Unterstand und schützen Sie sich vor umherfliegenden Gegenständen. Informieren Sie sich in den Medien. [URL]
Flash Flood Emergency	[SENDING AGENCY] Ein STURZFLUTNOTSTAND ist für [LOCATION] bis [TIME] in Kraft. Dies ist eine äußerst gefährliche und lebensbedrohliche Situation. Versuchen Sie nicht zu fahren, es sei denn, Sie fliehen aus Gebiet, das überschwemmt sein könnte oder für das ein Evakuierungsbefehl gilt. [URL]
Flash Flood Warning	[SENDING AGENCY]: Eine STURZFLUTWARNUNG ist für [LOCATION] bis [TIME] in Kraft. Dies ist eine äußerst gefährliche und lebensbedrohliche Situation. Versuchen Sie nicht zu fahren, es sei denn, Sie fliehen aus Gebiet, das überschwemmt sein könnte oder für das ein Evakuierungsbefehl gilt. [URL]
Severe Thunderstorm Warning	[SENDING AGENCY] Eine Warnung vor SCHWEREM GEWITTER mit ZERSTÖRERISCHEN Windgeschwindigkeiten von 128 Kilometer pro Stunde ist für [LOCATION] bis [TIME] in Kraft. Suchen Sie Schutz in einem stabilen Gebäude, fern von Fenstern. Umherfliegende Gegenstände können für Personen, die sich außerhalb eines stabilen Unterstands befinden, tödlich sein. [URL]
Snow Squall Warning	[SENDING AGENCY] Eine SCHNEEBÖENWARNUNG ist für [LOCATION] bis [TIME] in Kraft. Verlangsamen oder verzögern Sie die Fahrt! Seien Sie auf einen plötzlichen Abfall der Sichtverhältnisse und vereiste Straßen bei starkem Schneefall vorbereitet. [URL]
Dust Storm Warning	[SENDING AGENCY] Eine STAUBSTURMWARNUNG ist für [LOCATION] bis [TIME] in Kraft. Seien Sie auf einen plötzlichen Abfall der Sichtverhältnisse vorbereitet. Zur Seite fahren und am Leben bleiben! Fahren Sie bei schlechter Sicht von der Straße weg und stellen Sie Ihr Fahrzeug in die Parkposition. Schalten Sie das Licht aus und nehmen Sie den Fuß von der Bremse. Kleinkinder, ältere Menschen und Personen mit Atemproblemen sollten sofort Vorsichtsmaßnahmen ergreifen. [URL]
Hurricane Warning	[SENDING AGENCY] Eine ORKANWARNUNG ist für [LOCATION] wegen gefährlichen und schädlichen Winden bis [TIME] in Kraft. Diese Warnung wird bis zu 36 Stunden vor Beginn der gefährlichern Bedingungen ausgegeben. Ergreifen Sie Maßnahmen zum Schutz von Leben und Eigentum. Halten Sie Lebensmittel, Wasser, Bargeld, Treibstoff und Medikamente für mehr als 3 Tage bereit. BEFOLGEN SIE DIE ANWEISUNGEN DER ÖRTLICHEN BEAMTEN. [URL]
Storm Surge Warning	[SENDING AGENCY] Eine STURMFLUTWARNUNG ist für [LOCATION] wegen der Gefahr lebensgefährlicher Überschwemmungen bis [TIME] in Kraft. Diese Warnung wird bis zu 36 Stunden vor Beginn der gefährlichen Bedingungen ausgegeben. Ergreifen Sie Maßnahmen zum Schutz von Leben Eigentum. Befolgen Sie die Evakuierungsanweisungen für dieses Gebiet, um nicht zu ertrinken oder von den Rettungsdiensten abgeschnitten zuwerden. [URL]
Extreme Wind Warning	[SENDING AGENCY] Eine WARNUNG VOR EXTREMEM WIND ist für [LOCATION] wegen lebensbedrohlichen Windstärken bis [TIME] in Kraft. Suchen Sie JETZT Schutz in einen Innenraum eines stabilen Gebäudes, entfernt von Fenstern. Schützen Sie Ihren Kopf vor umherfliegenden Gegenständen. Gehen Sie NICHT ins Freie, wenn der Wind nachlässt. Der Wind wird schnell wieder gefährlich werden. [URL]
Test Alert	DIES IST EIN TEST des nationalen drahtlosen Notfallwarnsystems, ausgegeben von [SENDING AGENCY]. Der Zweck ist die Aurerhaltung und Verbesserung der Alarm- und Warnfähigkeiten auf Bundes-, Landes-, lokaler, Stammes- und Territorialebene sowie die Bewertung der öffentlichen Alarm- und Warnfähigkeiten der Nation. Es besteht kein Handlungsbedarf für die Öffentlichkeit. [URL]
Tsunami Warning	[SENDING AGENCY] Eine TSUNAMIWARNUNG ist für [LOCATION] bis [TIME] in Kraft. Eine Reihe starker Wellen und starker Strömungen können die Küsten in Ihrer Nähe betreffen. Sie sind in Gefahr. Entfernend Sie sich von den Küstengewässern. Begeben Sie sich Sie sofort auf höheres Gelände oder ins Landesinnere. Halten Sie sich von der Küste fern, bis die örtlichen Behörden sagen, daß es sicher ist, zurückzukehren. [URL]
Earthquake Warning	ERDBEBEN ERKANNT! Hinlegen, in Deckung gehen, festhalten. Schützen Sie sich. [SENDING AGENCY] [URL]
Boil Water Advisory	[SENDING AGENCY] Ein ABKOCHGEBOT für Trinkwasser ist für [LOCATION] bis [TIME] in Kraft. Das Wasser in Ihrer Gemeinde kann Sie krank machen. Verwenden Sie abgepacktes Wasser, falls verfügbar. Trinken Sie kein Leitungswasser oder gefiltertes Wasser, kochen Sie nicht damit, putzen Sie sich nicht damit die Zähne und reinigen Sie Ihr Heim nicht damit, bevor Sie es nicht abgekocht haben. Bringen Sie das Wasser DREI MINUTEN lang zum Kochen. Lassen Sie das Wasser vor dem Gebrauch abkühlen. Verwenden Sie kein Eis, das mit nicht abgekochtem Wasser hergestellt wurde. Wenn Sie Ihr Kind mit Säuglingsnahrung füttern, verwenden Sie nur gebrauchsfertige Säuglingsnahrung. Achten Sie darauf, dass Haustiere kein ungekochtes Leitungswasser trinken. [URL]

German Templates—Continued

911 Outage Alert	[SENDING AGENCY] Ein 9–1–1–AUSFALLALARM ist für [LOCATION] in Kraft. Bitte wenden Sie sich in Notfällen direkt an die Polizei, die Feuerwehr, die Rettungsdienste oder andere Notdienste unter den jeweiligen örtlichen Telefonnummern. Wenn Sie 9–1–1 wählen, erhalten Sie möglicherweise keine Hilfe. [URL]
Avalanche Warning	[SENDING AGENCY] Eine LAWINENWARNUNG ist in [LOCATION] bis [TIME] in Kraft. Instabiler und gleitender Schnee kann schnell zu Verletzungen oder zum Tod führen und in den betroffenen Gebieten Straßen blockieren und Eigentümer beschädigen. VERLASSEN Gebiete in der Nähe von [LOCATION]. Kehren Sie nach der Evakuierung NICHT in das Gebiet zurück, bis Sie von den örtlichen Behörden dazu aufgefordert werden. Es wird nicht empfohlen, in das Gebiet zu reisen. Lawinen können weite Strecken zurücklegen. [URL]
Fire Warning	[SENDING AGENCY] Eine BRANDWARNUNG ist in [LOCATION] bis [TIME] in Kraft. Evakuieren Sie Ihre Familie und Haustiere jetzt, zögern Sie nicht. Die Sicht in dem Gebiet wird eingeschränkt und die Straßen können blockiert werden. Wenn Sie das Gebiet nicht sofort verlassen, könnten Sie eingeschlossen, verletzt oder getötet werden. Verlassen Sie Gebiete in der Nähe von [LOCATION]. Rechnen Sie mit eingeschränkter Sicht, starkem Rauch und Atembeschwerden. Seien Sie beim Fahren vorsichtig. Halten Sie Ausschau nach Sicherheitskräften, die im Gebiet tätig sind, und folgen Sie deren Anweisungen. [URL]
Hazardous Materials Warning	[SENDING AGENCY]: In Ihrer Region sind gefährliche Stoffe freigesetzt worden. Eine Exposition kann zu Atembeschwerden, Koordinationsverlust, Brennen in Augen, Nase, Rachen oder Lunge, Übelkeit und möglicherweise zum Tod führen. VERLASSEN Sie diesen Bereich. Wenn Sie in einen Evakuierungsbereich fahren, halten Sie die Fenster und Lüftungsschlitze des Autos geschlossen. Kehren Sie nach der Evakuierung NICHT in das Gebiet zurück, bis Sie von den örtlichen Beamten dazu aufgefordert werden. [URL]

Haitian Creole Templates

Tornado Emergency	[SENDING AGENCY]: Yon IJANS TORNAD ki an vigè nan [LOCATION] jiska [TIME]. Toubiyon te lokalize nan zòn sa a. Sa a se yon sitiasyon ki menase lavi. Pran abri kounye a nan yon sousòl oswa yon chanm enteryè nan etaj ki pi ba a nan yon bilding ki solid. Si w deyò, nan yon kay mobil, oswa nan yon machin, ale nan abri sibstansyèl ki pi pre a epi pwoteje tèt ou kont objè k ap vole yo. Tcheke medya yo. [URL]
Tornado Warning	[SENDING AGENCY]: Yon AVÈTISMAN POU TOUBIYON ki an vigè nan [LOCATION] jiska [TIME]. Pran abri nan yon sousòl kounye a oswa yon chanm enteryè sou etaj ki pi ba nan yon bilding ki solid. Si w deyò, nan yon kay mobil, oswa nan yon machin, deplase al nan abri solid ki pi pre a epi pwoteje tèt ou kont objè k ap vole yo. Tcheke medya yo. [URL]
Flash Flood Emergency	[SENDING AGENCY]: YON IJANS INONDASYON RAPID an vigè pou zòn sa a [LOCATION] jiska [TIME]. Sa a se yon sitiasyon trè danjere e ki menase lavi. Pa eseye wwayaje sof si w ap sove kite yon zòn ki ka sibi inondasyon oswa ou anba yon lòd evakyasyon. [URL]
Flash Flood Warning	[SENDING AGENCY]: Yon AVÈTISMAN SOU INONDASYON RAPID ki an vigè nan [LOCATION] jiska [TIME]. Sa se yon sitiasyon danjere ak ki menase lavi. Pa eseye wwayaje amwens ke w ap kouri kite yon zòn ki ka inonde oswa ou anba yon lòd evakyasyon. [URL]
Severe Thunderstorm Warning	[SENDING AGENCY]: Yon AVÈTISMAN POU GWO TANPET LORAJ ki an vigè pou zòn sa a [LOCATION] jiska [TIME] pou van DESTRIKTIF a 80 mil alè. Pran abri nan yon bilding ki solid, lwen fenèt yo. Objè k ap Vole yo ka danjere pou moun ki deyò yon abri solid. [URL]
Snow Squall Warning	[SENDING AGENCY]: Yon AVÈTISMAN POU LANÈJ TOUDENKOU ki an vigè pou zòn sa a [LOCATION] jiska [TIME]. Ralanti oswa ranwaye wwayaj ou! Pare pou yon rediksyon toudenkou nan vizibilite toupre zewo ak wout ki gen glas nan gwo nèj. [URL]
Dust Storm Warning	[SENDING AGENCY]: Yon AVÈTISMAN POU TANPÈT POUZYÈ pou zòn sa a [LOCATION] jiska [TIME]. Prepare w pou yon vizibilite ki tonbe a zewo toudenkou. Ale sou kote, rete vivan! Lè vizibilite bese, rale tèt ou byen lwen arebò wout la epi mete machin ou a sou pak. Etenn limyè yo epi retire pye ou sou fren an. Tibebe, granmoun aje yo ak moun ki gen pwoblèm respiratwa ankouraje pou yo pran prekosyon. [URL]
Hurricane Warning	[SENDING AGENCY]: YON AVÈTISMAN POU SIKLÒN an efè pou zòn sa a [LOCATION] pou van ki danjere e ki ka lakòz domaj jiska [TIME]. Avètisman sa a bay jiska 36 èdtan anvan kondisyon danjere yo kòmanse. Prese fè efò pou w pwoteje lavi ak pwopriyete. Gen manje, dlo, lajan kach, gaz, ak medikaman pou 3+ jou. SWIV ENSTRIKSYON OFISYÈ LOCAL YO. [URL]
Storm Surge Warning	[SENDING AGENCY]: Yon AVÈTISMAN POU TANPÈT AK GWO VAG an efè pou zòn sa a [LOCATION] pou danje inondasyon ki menase lavi jiska [TIME]. Avètisman sa a bay jiska 36 èdtan anvan kondisyon danjere yo kòmanse. Prese fè efò pou w pwoteje lavi ak pwopriyete. Swiv lòd evakyasyon yo si yo bay yo pou zòn sa a, pou evite nwaye oswa koupe desèvis ijans yo. [URL]
Extreme Wind Warning	[SENDING AGENCY]: YON AVÈTISMAN POU VAN EKSTRÈM ki an vigè nan [LOCATION] pou danje imedyat van k ap menase lavi jiska [TIME]. Pran abri kounye a nan yon chanm enteryè nan yon bilding ki solid, lwen fenèt yo. Pwoteje tèt ou kont objè k ap vole yo. PA soti deyò si van an kalme! Nan van yo pral vin danjere byen vit ankò. [URL]
Test Alert	SA SE YON TÈS Sistèm Nasyonal Avètisman San Fil pou Ijans la voye pa [SENDING AGENCY]. Objektif la se kenbe ak amelyore kapasite alèt ak avètisman nan nivo federal, eta, lokal, Tribi ak teritoryal epi evalye kapasite alèt ak avètisman piblik nasyon an. Piblik la pa gen okenn aksyon li oblije pran. [URL]
Tsunami Warning	[SENDING AGENCY]: Yon AVÈTISMAN POU TSUNAMI ki an vigè nan [LOCATION] jiska [TIME]. Yon seri vag pwisan ak kouran fò ka afekte kòt ki toupre w yo. Ou an danje. Ale lwen dlo kotyè yo. Ale nan tè wo oswa ki andedan kounye a. Rete lwen kòt la jiskaske otorite lokal yo di li an sekirite pou w retounen. [URL]
Earthquake Warning	TRANBLEMAN TE DETEKTE! Bese, kouvri, kenbe. Pwoteje tèt ou. [SENDING AGENCY] [URL]

Haitian Creole Templates—Continued

Boil Water Advisory	[SENDING AGENCY]: Yon KONSEY POU BOUYI DLO te lanse pou [LOCATION] ki ap rete an vigè jiska [TIME]. Dlo nan kominote w la ka fè w malad. Sèvi ak dlo nan boutèy si sa disponib. Pa bwè, kwit manje, bwose dan ou, oswa netwaye kay ou ak dlo tiyo oswa dlo filtre pa anvan ou bouyi li. Fè dlo a bouyi woule an plen PANDAN TWA MINIT. Si w itilize fòmil pou bay pitit ou manje, sèvi ak fòmil ki pare pou itilize. Asire w ke bèt kay pa bwè dlo ki pa te bouyi. Tcheke medya lokal yo. [URL]
911 Outage Alert	[SENDING AGENCY]: Yon AVÈTISMAN ENTÈRIPSYON 9–1–1 nan zòn sa a [LOCATION]. Tanpri kontakte lapolis, ponpye, medikal, oswa lòt sèvis ijans dirèkteman nan nimewo telefòn lokal yo nan ka ijans. Si w rele 9–1–1, ou ka pa jwenn èd. [URL]
Avalanche Warning	[SENDING AGENCY]: Yon AVÈTISMAN POU LAVALAS ki an vigè nan zòn sa a nan [LOCATION] jiska [TIME]. Nèj ki enstab, an mouvman rapid ka rive byen vit, sa ka lakòz blesi oswa lanmò epi li ka bloke wout ak domaje pwopriyete nan zòn ki afekte yo. KITE zòn ki toupre [LOCATION]. PA retounen nan zòn nan apre evakyasyon an jiskaske otorite lokal yo dirije w. Vwayaje nan zòn nan pa rekòmande. Lavalas gendwa kouvri a yon distans ki long. [URL]
Fire Warning	[SENDING AGENCY]: Yon AVÈTISMAN POU DIFE nan zòn [LOCATION] ki ap rete an vigè jiska [TIME]. Evakye fanmi w ak bèt kay ou kounye a, pa pran reta. Vizibilite nan zòn nan pral redwi epi wout yo ka vin bloke. Si ou pa kite kounye a, ou ka bloke, blese, oswa mouri. Atann ou a vizibilite ki diminye, gwo lafimen, ak difikilte pou respire. Fè atansyon lè w ap kondwi. Siveye pèsònèl sekirite piblik k ap travay nan zòn nan epi swiv enstriksyon yo. [URL]
Hazardous Materials Warning	[SENDING AGENCY] YON MATERYÈL DANJERE ki te lage nan zòn ou an a [TIME] nan [LOCATION]. Ekspoze a li ka lakòz difikilte pou respire, pèt kowòdinasyon, sansasyon boule nan je, nen, gòj, oswa poumon, kè plen, e pètèt lanmò. KITE zòn ki toupre [LOCATION]. SI W ap KONDWI pou w evakye zòn nan, kenbe fenèt ak vantilasyon machin yo fèmen. PA retounen nan zòn nan apre evakyasyon an jiskaske otorite lokal yo dirije w. [URL]

BILLING CODE 6712–01–P

Hindi Templates

<p>Tornado Emergency</p>	<p>[SENDING AGENCY]: [LOCATION] में [TIME] तक तूफान संबंधी आपात स्थिति प्रभावी है। इस इलाके में तूफान देखा गया है। यह जान को जोखिम में डालने वाली स्थिति है। अभी किसी तहखाने में या फिर किसी मज़बूत इमारत की सबसे नीचे वाली मंज़िल के अंदरूनी कमरे में आश्रय लें। अगर आप बाहर हैं, किसी मोबाइल घर में हैं या वाहन में हैं, तो सबसे करीबी मजबूत आश्रय स्थान पर जाएं और खुद को उड़ती हुई चीज़ों से सुरक्षित रखें। मीडिया जाँचें। [URL]</p>
<p>Tornado Warning</p>	<p>[SENDING AGENCY]: [LOCATION] में [TIME] तक तूफान संबंधी चेतावनी प्रभावी है। अभी किसी तहखाने में या फिर किसी मज़बूत इमारत की सबसे नीचे वाली मंज़िल के अंदरूनी कमरे में आश्रय लें। अगर आप बाहर हैं, किसी मोबाइल घर में हैं या वाहन में हैं, तो सबसे करीबी मजबूत आश्रय स्थान पर जाएं और खुद को उड़ती हुई चीज़ों से सुरक्षित रखें। मीडिया जाँचें। [URL]</p>
<p>Flash Flood Emergency</p>	<p>[SENDING AGENCY]: [LOCATION] में [TIME] तक एक आकस्मिक बाढ़ संबंधी आपात स्थिति प्रभावी है। यह एक अत्यधिक खतरनाक और जान को जोखिम में डालने वाली स्थिति है। आप बाढ़ग्रस्त हो सकता है ऐसे इलाके से भाग रहे हों या स्थान को खाली करने के आदेश के अधीन हों, इसके अलावा कोई और यात्रा करने की कोशिश न करें। [URL]</p>

<p>Flash Flood Warning</p>	<p>[SENDING AGENCY]: [LOCATION] में [TIME] तक एक आकस्मिक बाढ़ की चेतावनी प्रभावी है। यह एक अत्यधिक खतरनाक और जान को जोखिम में डालने वाली स्थिति है। आप बाढ़ग्रस्त हो सकता है ऐसे इलाके से भाग रहे हों या स्थान को खाली करने के आदेश के अधीन हों, इसके अलावा कोई और यात्रा करने की कोशिश न करें। [URL]</p>
<p>Severe Thunder- storm Warning</p>	<p>[SENDING AGENCY]: [LOCATION] में [TIME] तक एक बादल के गरजने के साथ आँधी और बरसात की गंभीर चेतावनी प्रभावी है, जिसमें 80 मील प्रति घंटा की गति वाली विनाशकारी हवा भी चलेगी। किसी मज़बूत इमारत के भीतर खिड़कियों से दूर आश्रय लें। किसी मज़बूत आश्रय के बाहर फँसे हुए लोगों के लिए उड़ती हुई चीज़ें जानलेवा हो सकती हैं। [URL]</p>
<p>Snow Squall Warning</p>	<p>[SENDING AGENCY]: [LOCATION] में [TIME] तक एक बर्फबारी की चेतावनी प्रभावी है। धीरे चलें या बाद में यात्रा करें! भारी बर्फबारी के साथ अचानक दृश्यता शून्य होने, बर्फ से ढंकी सड़कों के लिए तैयार रहें। [URL]</p>
<p>Dust Storm Warning</p>	<p>[SENDING AGENCY]: [LOCATION] में [TIME] तक धूल के तूफान की चेतावनी प्रभावी है। दृश्यता अचानक शून्य हो जाने के लिए तैयार रहें। सड़क के किनारे पर रुक जाएं, जीवित रहें! जब दृश्यता कम हो जाए, तो सड़क से दूर होकर रुक जाएं और अपने वाहन को पार्क में लगा दें। बत्तियाँ बुझा दें और अपना पैर ब्रेक से दूर रखें। शिशुओं, वरिष्ठ नागरिकों और श्वसन संबंधी समस्याओं वाले लोगों से एहतियात बरतने का आग्रह किया जाता है। [URL]</p>

<p>Hurricane Warning</p>	<p>[SENDING AGENCY]: [LOCATION] में [TIME] तक खतरनाक और हानिकारक हवाओं वाले हरिकेन की चेतावनी प्रभावी है। यह चेतावनी खतरनाक परिस्थितियाँ शुरू होने के 36 घंटे पहले जारी की जाती है। जीवन और संपत्ति की सुरक्षा के लिए कदम उठाएं। 3+ दिनों के लिए भोजन, पानी, नकदी, ईंधन और दवाइयाँ रखें। स्थानीय अधिकारियों के निर्देशों का पालन करें। [URL]</p>
<p>Storm Surge Warning</p>	<p>[SENDING AGENCY]: [LOCATION] में [TIME] तक जानलेवा बाढ़ के खतरे के लिए तूफान में तेज़ी की चेतावनी प्रभावी है। यह चेतावनी खतरनाक परिस्थितियाँ शुरू होने के 36 घंटे पहले जारी की जाती है। जीवन और संपत्ति की सुरक्षा के कदम उठाएं। अगर इस इलाके को खाली करने के आदेश दिए जाएं, तो डूबने या आपात सेवाओं से कट जाने से बचनेके लिए उनका पालन करें। [URL]</p>
<p>Extreme Wind Warning</p>	<p>[SENDING AGENCY]: [LOCATION] में [TIME] तक जानलेवा हवा के तत्काल खतरे के लिए अत्यधिक तेज़ हवा की चेतावनी प्रभावी है। अभी किसी मज़बूत इमारत के अंदरूनी कमरे में खिड़कियों से दूर आश्रय लें। उड़ती हुई चीज़ों से अपने सिर को बचाएं। हवाएं शांत होने पर बाहर न जाएं! हवाएं फिर से तेज़ी से खतरनाक हो जाएंगी। [URL]</p>
<p>Test Alert</p>	<p>यह [SENDING AGENCY] द्वारा भेजा गया राष्ट्रीय वायरलेस आपात स्थिति अलर्ट प्रणाली का परीक्षण है। इसका उद्देश्य संघीय, राज्य, स्थानीय, जनजातीय और क्षेत्रीय स्तरों पर अलर्ट और चेतावनी क्षमताओं को बनाए रखना और बेहतर बनाना है और साथ ही राष्ट्र की सार्वजनिक अलर्ट और चेतावनी क्षमताओं का मूल्यांकन करना है। आम जनता को कोई कार्रवाई करने की ज़रूरत नहीं है। [URL]</p>

<p>Tsunami Warning</p>	<p>[SENDING AGENCY]: [LOCATION] में [TIME] तक सुनामी की चेतावनी प्रभावी है। आपके करीब के समुद्र के किनारे कई शक्तिशाली लहरों और तेज़ प्रवाह से प्रभावित हो सकते हैं। आप खतरे में हैं। तटीय पानी से दूर हट जाएं। अभी ऊँचे स्थान पर या समुद्र से दूर चले जाएं। जब तक स्थानीय अधिकारी यह न कहें कि लौटना सुरक्षित है, समुद्र तट से दूर रहें। [URL]</p>
<p>Earthquake Warning</p>	<p>भूकंप का पता चला है! नीचे झुक जाएं, कवर लें, वहीं रुके रहे। खुद की सुरक्षा करें। [SENDING AGENCY] [URL]</p>
<p>Boil Water Advisory</p>	<p>[SENDING AGENCY]: [LOCATION] में [TIME] तक पानी उबालकर पीने का अलर्ट जारी किया गया है। आपके समुदाय में उपलब्ध पानी आपको बीमार कर सकता है। उपलब्ध होने पर बोतलबंद पानी का इस्तेमाल करें। अपने घर में नल के पानी या फ़िल्टर किए गए पानी को बिना उबाले न पिएं, उससे खाना न पकाएं, ब्रश न करें या अपना घर साफ़ न करें। पानी को तीन मिनट तक अच्छी तरह से उबालें। उपयोग करने से पहले पानी को ठंडा होने दें। उबाला न गया हो ऐसे पानी से बनी बर्फ को इस्तेमाल न करें। अगर आप अपने बच्चे को फार्मूला खिलाते हैं, तो इसके लिए उपयोग के लिए तैयार फार्मूल इस्तेमाल करें। सुनिश्चित करें कि पालतू जानवर उबाला न गया हो ऐसा पानी न पिएं। स्थानीय मीडिया जाँचें। [URL]</p>
<p>911 Outage Alert</p>	<p>[SENDING AGENCY]: [LOCATION] में 9-1-1 सेवा में अवरोध का अलर्ट प्रभावी है। आपात स्थिति होने पर कृपया पुलिस, दमकल, चिकित्सा या अन्य आपात सेवाओं से सीधे उनके स्थानीय फ़ोन नंबर पर संपर्क करें। अगर आप 9-1-1 डायल करें, तो हो सकता है कि आपको मदद न मिले। [URL]</p>

<p>Avalanche</p> <p>Warning</p>	<p>[SENDING AGENCY]: [LOCATION] में [TIME] तक हिमस्खलन की चेतावनी जारी की गई है। अस्थिर, तेज़ी से गतिशील बर्फ की चट्टान कभी भी गिर सकती है, और इससे चोट या मृत्यु हो सकती है, सड़कें अवरुद्ध हो सकती हैं और प्रभावित क्षेत्रों में संपत्ति को नुकसान पहुँच सकता है। [LOCATION] के नज़दीक के क्षेत्र को छोड़ दें। खाली करने के बाद, स्थानीय अधिकारियों से निर्देश मिलने तक इस इलाके में न लौटें। हिमस्खलन वाले इलाके में यात्रा न करने की सलाह दी जाती है। हिमस्खलन लंबी दूरी तक हो सकता है। [URL]</p>
<p>Fire</p> <p>Warning</p>	<p>[SENDING AGENCY]: [LOCATION] में [TIME] तक आग की चेतावनी जारी की गई है। अपने परिवार और पालतू जानवरों को अभी किसी और स्थान पर ले जाएं, देर न करें। इलाके में दृश्यता कम होगी और सड़कें अवरुद्ध हो सकती हैं। अगर आप अभी नहीं जाते हैं, तो आप फंस सकते हैं, आपको चोट लग सकती है या आपकी जान जा सकती है। [LOCATION] के आस-पास के इलाके को छोड़ दें। कम दृश्यता, भारी धुएं और साँस लेने में मुश्किल की अपेक्षा करें। वाहन चलाते वक्त सावधान रहें। इलाके में कार्यरत सार्वजनिक सुरक्षा कर्मियों को खोजते रहें और उनके निर्देशों का पालन करें। [URL]</p>

<p>Hazardous Materials Warning</p>	<p>[SENDING AGENCY]: [LOCATION] में [TIME] को कोई खतरनाक सामग्री रिलीज़ हुई थी। इसके संपर्क में आने से साँस लेने में परेशानी, समन्वय खोना, आँखों, नाक, गले या फेफड़ों में जलने की अनुभूति, मतली और संभवतः मृत्यु हो सकती है। [LOCATION] के आस-पास के इलाके को छोड़ दें। अगर इलाके को खाली करने के लिए वाहन चला रहे हों, तो गाड़ी की खिड़कियाँ और वेंट बंद रखें। खाली करने के बाद, स्थानीय अधिकारियों से निर्देश मिलने तक इस इलाके में न लौटें। [URL]</p>
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BILLING CODE 6712-01-C

Italian Templates

Tornado Emergency	[SENDING AGENCY]: Un avviso di EMERGENZA TORNADO è stato emesso per [LOCATION] fino alle [TIME]. Tornado avvistato in zona. Questo evento rappresenta un pericolo per la vita. Si esortano gli utenti a mettersi al riparo in un seminterrato o in una stanza cieca al piano più basso di un edificio resistente. Chi si trova all'aperto, in una casa mobile o in un veicolo, deve mettersi al riparo in una struttura robusta più vicina e proteggersi da oggetti volanti. Tenersi sempre aggiornati sui mezzi di comunicazione. [URL]
Tornado Warning	[SENDING AGENCY]: Un ALLARME TORNADO è stato emesso per [LOCATION] fino alle [TIME]. Ripararsi a partire da ora in un seminterrato o in una stanza interna al piano più basso di un edificio robusto. Se ci si trova all'aperto, in una casa prefabbricata o in un veicolo bisogna cercare rifugio in un edificio robusto più vicino e proteggersi da oggetti volanti. Tenersi sempre aggiornati sui mezzi di comunicazione. [URL]
Flash Flood Emergency	[SENDING AGENCY]: EMERGENZA ALLUVIONE IMMEDIATA in vigore per [LOCATION] fino alle [TIME]. Si tratta di una situazione estremamente pericolosa, anche per la vita. Si esortano gli utenti a non mettersi in viaggio a meno che non ci si stia allontanando da un'area soggetta ad inondazioni o ad un ordine di evacuazione. [URL]
Flash Flood Warning	[SENDING AGENCY]: ALLERTA ALLUVIONE IMMEDIATA in vigore per [LOCATION] fino alle [TIME]. Si tratta di una situazione estremamente pericolosa, anche per la vita. Si esortano gli utenti a non mettersi in viaggio a meno che non ci si stia allontanando da un'area soggetta ad inondazioni o ad un ordine di evacuazione. [URL]
Severe Thunderstorm Warning	[SENDING AGENCY]: Un AVVISO DI FORTI TEMPORALI è in vigore per [LOCATION] fino alle [TIME] caratterizzati da VIOLENTE raffiche di vento che potrebbero raggiungere quasi 130 chilometri (80 miglia) all'ora. Ripararsi all'interno di un edificio resistente e lontano dalle finestre. Oggetti volanti potrebbero causare danni letali a coloro che si trovano al di fuori di edifici robusti. [URL]
Snow Squall Warning	[SENDING AGENCY]: Un AVVISO BUFERA DI NEVE è in vigore per [LOCATION] fino alle [TIME]. Si esortano gli utenti che si trovano in viaggio di rallentare o di posticipare il viaggio! Gli utenti devono tenersi pronti a possibili perdite improvvise di visibilità, anche pressoché totale, e alla presenza di ghiaccio sul manto stradale in caso di forti nevicate. [URL]
Dust Storm Warning	[SENDING AGENCY]: Un AVVISO DI TEMPESTA DI SABBIA è in vigore per [LOCATION] fino alle [TIME]. Tenersi pronti ad un improvviso calo di visibilità fino a zero. Si esortano i guidatori di accostarsi per tenersi in sicurezza! Quando la visibilità diminuisce, accostarsi e parcheggiare il proprio veicolo. Spegnerne le luci e tenere il piede lontano dal pedale del freno. Neonati, anziani e persone con patologie respiratorie sono invitati a prendere precauzioni. [URL]
Hurricane Warning	[SENDING AGENCY]: Un ALLARME URAGANO è in vigore per [LOCATION] fino alle [TIME], con venti pericolosi e dannosi. Il presente avviso viene emesso fino a 36 ore prima che si verifichino condizioni pericolose. Si esortano gli utenti ad affrettarsi a fare i dovuti preparativi per proteggere la propria vita e le proprietà. Avere a disposizione cibo, acqua, contanti, carburante e farmaci per più di 3 giorni. SEGUIRE LE ISTRUZIONI FORNITE DAI FUNZIONARI LOCALI. [URL]
Storm Surge Warning	[SENDING AGENCY]: Un AVVISO DI MAREGGIATA è in vigore per [LOCATION] fino alle [TIME], con pericolo di inondazioni potenzialmente letali. Il presente avviso viene emesso fino a 36 ore prima che si verifichino condizioni pericolose. Si esortano gli utenti ad affrettarsi a fare i dovuti preparativi per proteggere la propria vita e le proprietà. Seguire gli ordini di evacuazione applicabili a quest'area, per evitare di annegare o di non poter fare uso dei servizi di emergenza. [URL]

Italian Templates—Continued

Extreme Wind Warning	[SENDING AGENCY]: Un AVVISIO DI VENTO ESTREMO è in vigore per [LOCATION] fino alle [TIME], con pericolo immediato di raffiche di vento potenzialmente letali. Mettersi al riparo in QUESTO MOMENTO in una stanza cieca di un edificio resistente e lontano dalle finestre. Proteggersi da eventuali oggetti volanti. NON recarsi all'aperto fino a quando il vento non si sarà calmato! Raffiche di vento si verificano all'improvviso anche dopo periodi di calma. [URL]
Test Alert	QUESTO È UN TEST condotto dal Sistema nazionale di allarme di emergenza wireless. Lo scopo è quello di mantenere e migliorare le capacità di allerta e di allarme a livello federale, statale, locale, tribale e territoriale, e di valutare le capacità di allerta e di allarme pubblico della nazione. Non è richiesta alcuna azione da parte del pubblico. [URL]
Tsunami Warning	[SENDING AGENCY]: Un'ALLERTA TSUNAMI è in vigore per [LOCATION] fino alle [TIME]. Una serie di onde potenti e forti correnti potrebbero colpire le coste alla tua zona. Sei in pericolo. Allontanati dalla costa e spostati su terreni elevati o nell'entroterra. Tieniti lontano dalla costa finché le autorità locali non daranno l'autorizzazione al rientro. [URL]
Earthquake Warning	RILEVATO TERREMOTO! Stendersi sul pavimento, coprirsi e restare sul posto. Tenersi al sicuro. [SENDING AGENCY] [URL]
Boil Water Advisory	[SENDING AGENCY]: Un AVVISIO DI BOLLITURA DELL'ACQUA è in vigore per [LOCATION] fino alle [TIME]. L'acqua nella tua comunità potrebbe causare problemi di salute. Se disponibile, utilizzare acqua in bottiglia. Non bere, cucinare, lavarsi i denti o fare pulizie con acqua del rubinetto o filtrata finché non sia stata bollita. Portare l'acqua ad ebollizione completa per TRE MINUTI. Lasciare raffreddare l'acqua prima dell'uso. Non utilizzare ghiaccio prodotto con acqua non bollita. Chi fa uso di latte artificiale per nutrire neonati deve utilizzare latte artificiale pronto all'uso. Assicurarsi che gli animali domestici non bevano acqua che non sia stata bollita. Tenersi sempre aggiornati sui mezzi di comunicazione locali. [URL]
911 Outage Alert	[SENDING AGENCY]: Un AVVISIO DI INTERRUZIONE del servizio 9–1–1 è in vigore per [LOCATION]. In caso di emergenza, contattare la Polizia, i Vigili del Fuoco, i servizi medici o altri servizi di emergenza direttamente ai numeri di telefono locali. Il 9–1–1 potrebbe non essere disponibile in caso di emergenza. [URL]
Avalanche Warning	[SENDING AGENCY]: Un ALLARME VALANGHE è in vigore per [LOCATION] fino alle [TIME]. La neve instabile potrebbe mettersi rapidamente in movimento, causando lesioni o morte, bloccando strade e danneggiando proprietà nelle aree colpite. ALLONTANARSI da questa zona. NON ritornare nell'area finché non siano i funzionari locali ad emettere il permesso di rientro. Si sconsiglia di recarsi presso aree soggette a valanghe. Le valanghe possono attraversare anche lunghe distanze. [URL]
Fire Warning	[SENDING AGENCY]: Un AVVISIO INCENDIO è in vigore per [LOCATION] fino alle [TIME]. Abbandonare immediatamente l'area con la propria famiglia ed eventuali animali domestici, non attardarsi. La visibilità nell'area sarà ridotta e le strade potrebbero essere bloccate. Chi si attarda ad evacuare potrebbe restare intrappolato, ferito o perire. Aspettarsi di incontrare visibilità ridotta, fumo pesante e difficoltà respiratorie. Fare attenzione durante la guida. Prestare attenzione al personale di pubblica sicurezza che opera nella zona e seguire le loro istruzioni. [URL]
Hazardous Materials Warning	[SENDING AGENCY]: Fuoriuscita di MATERIALI PERICOLOSI a [LOCATION] fino alle [TIME]. L'esposizione può causare difficoltà di respirazione, perdita di coordinazione, sensazione di bruciore agli occhi, al naso, alla gola o ai polmoni, nausea e possibilmente il decesso. ALLONTANARSI da questa zona. CHI SI METTE ALLA GUIDA per evacuare l'area deve tenere chiusi i finestrini e le prese d'aria dell'auto. NON ritornare nell'area finché non siano i funzionari locali ad emettere il permesso di rientro. [URL]

BILLING CODE 6712–01–P

Korean Templates

Tornado Emergency	<p>[SENDING AGENCY]: [LOCATION]에 [TIME]까지 토네이도 비상경보가 발효 중입니다. 이 지역에 토네이도가 발생하였습니다. 이는 생명을 위협하는 상황입니다. 지금 당장 지하실이나 튼튼한 건물의 가장 낮은 층의 실내로 대피하십시오. 실외, 이동식 주택, 또는 차 안에 있는 경우, 가장 가까운 튼튼한 대피소로 이동하여 날아다니는 물체로부터 자신을 보호하시고 뉴스를 확인하십시오. [URL]</p>
Tornado Warning	<p>[SENDING AGENCY]: [LOCATION]에 [TIME]까지 토네이도 경보가 발효 중입니다. 지금 당장 지하실이나 튼튼한 건물의 가장 낮은 층의 실내로 대피하십시오. 실외, 이동식 주택, 또는 차 안에 있는 경우, 가장 가까운 튼튼한 대피소로 이동하여 날아다니는 물체로부터 자신을 보호하시고 뉴스를 확인하십시오. [URL]</p>
Flash Flood Emergency	<p>[SENDING AGENCY]: [LOCATION]에 [TIME]까지 돌발 홍수 비상경보가 발효 중입니다. 이는 매우 위험하고 생명을 위협하는 상황입니다. 홍수 위험이 있는 지역을 벗어나거나 대피 명령을 받은 경우를 제외하고는 이동하려고 시도하지 마십시오. [URL]</p>
Flash Flood Warning	<p>[SENDING AGENCY]: [LOCATION]에 [TIME]까지 돌발 홍수 비상경보가 발효 중입니다. 이는 위험하고 생명을 위협하는 상황입니다. 홍수 위험이 있는 지역을 벗어나거나 대피 명령을 받은 경우를 제외하고는 이동하려고 시도하지 마십시오. [URL]</p>

<p>Severe Thunderstorm Warning</p>	<p>[LOCATION]에 [TIME]까지 시속 80마일의 파괴력이 막강한 강풍으로 인해 심각한 뇌우 경보가 발효 중입니다. 튼튼한 건물 안에서 창문에서 멀리 떨어진 장소로 대피하십시오. 튼튼한 대피소로 대피하지 않다가, 날아다니는 물체에 맞으면 치명적일 수 있습니다. [URL]</p>
<p>Snow Squall Warning</p>	<p>[SENDING AGENCY]: [LOCATION]에 [TIME]까지 대설 주의보가 발효 중입니다. 차량 속도를 줄이거나 이동을 연기하십시오! 폭설로 인해 시야가 갑자기 0에 가깝게 떨어지거나 빙판길이 생길 수 있으니 대비하십시오. [URL]</p>
<p>Dust Storm Warning</p>	<p>[SENDING AGENCY]: [LOCATION]에 [TIME]까지 먼지 폭풍 경보가 발효 중입니다. 갑자기 시야가 0으로 떨어질 수도 있으니 대비하십시오. 차를 갓길로 옮기고 안전하게 계십시오! 시야가 나빠지면 도로에서 멀리 떨어진 곳에 차를 세운 후 주차하십시오. 라이트를 끄고 브레이크에서 발을 떼십시오. 유아, 노약자, 호흡기 질환이 있는 사람은 예방 조치를 취할 것을 당부합니다. [URL]</p>
<p>Hurricane Warning</p>	<p>[SENDING AGENCY]: [LOCATION]에 [TIME]까지 아주 위험하며 피해가 예상되는 강풍으로 인해 허리케인 경보가 발효 중입니다. 이 경보는 위험 상황이 시작되기 최대 36시간 전에 발령됩니다. 생명과 재산을 보호하기 위한 긴급 조치를 하십시오. 3일 이상 이용할 음식, 물, 현금, 연료 및 의약품을 준비하십시오. 지역 공무원의 지시를 따릅니다. [URL]</p>

<p>Storm Surge Warning</p>	<p>[SENDING AGENCY]: [LOCATION]에 [TIME]까지 생명을 위협하는 홍수 위험으로 폭풍 해일 경보가 발효 중입니다. 이 경보는 위험 상황이 시작되기 최대 36시간 전에 발령됩니다. 생명과 재산을 보호하기 위한 긴급 조치를 마치십시오. 이 지역에 대피 명령이 내려지면 익사를 피하거나 응급 서비스가 끊기지 않도록 대피 명령을 따릅니다. [URL]</p>
<p>Extreme Wind Warning</p>	<p>[SENDING AGENCY]: [LOCATION]에역에 [TIME]까지 생명을 위협하는 즉각적이며 강력한 바람의 위험으로 인해 강풍 경보가 발효 중입니다. 지금 튼튼한 건물 안에서 창문에서 멀리 떨어진 실내로 대피하십시오. 날아오는 물체로부터 머리를 보호하십시오. 허리케인의 눈이 고요할 때라도 외출을 삼가하십시오! 바람은 금방 다시 위험해질 수 있습니다. [URL]</p>
<p>Test Alert</p>	<p>이 경보는 [SENDING AGENCY]에서 발송한 국가 무선 비상 경보 시스템을 테스트하기 위한 것입니다. 이 테스트의 목적은 연방, 주, 지방, 부족 및 자치 지역 단계에서 경보 및 경고 기능을 유지 및 개선하고 국가의 공공 경보 및 경고 기능을 평가하는 것입니다. 일반 대중의 행동은 필요치 않습니다. [URL]</p>

<p>Tsunami Warning</p>	<p>[SENDING AGENCY]: [LOCATION]에 [TIME]까지 쓰나미 경보가 발효 중입니다. 일련의 강력한 파도와 함께 강한 해류가 가까운 해안에 영향을 미칠 수 있습니다. 아주 위험합니다. 해안가에서 멀리 떨어져 계십시오. 지금 당장 고지대나 내륙으로 이동합니다. 지역 공무원이 복귀해도 안전하다고 할 때까지 해안에서 멀리 떨어져 계십시오. [URL]</p>
<p>Earthquake Warning</p>	<p>지진 감지! 엎드립니다, 머리를 보호합니다, 신체를 지지합니다. 자신을 보호하십시오. [SENDING AGENCY] [URL]</p>
<p>Boil Water Advisory</p>	<p>[SENDING AGENCY]: [LOCATION]에 [TIME]까지 물 끓이기 주의보가 발령되었습니다. 지역사회에 있는 물로 인해 질병에 걸릴 수 있습니다. 가능하면 생수를 드십시오. 끓이지 않은 물은 정수했더라도 마시거나, 요리, 양치질, 집안 청소 사용 하지 마십시오. 물을 3분 동안 완전히 끓입니다. 사용하기 전에 물을 식히십시오. 끓이지 않은 물로 만든 얼음은 사용하지 마십시오. 분유를 아이에게 먹이는 경우, 미리 만들어진 분유를 사용합니다. 반려동물이 끓이지 않은 물을 마시지 않도록 주의합니다. [URL]</p>
<p>911 Outage Alert</p>	<p>[SENDING AGENCY]: [LOCATION]에 9-1-1 비상 경보가 발효 중입니다. 긴급 상황 발생 시 해당 지역 전화번호로 경찰서, 소방서, 의료 또는 기타 응급 서비스 기관에 직접 연락하십시오. 9-1-1에 전화해도 도움을 받지 못할 수도 있습니다. [URL]</p>

<p>Avalanche Warning</p>	<p>[SENDING AGENCY]: [LOCATION]에 [TIME]까지 눈사태 경보가 발효 중입니다. 불안정하고 빠르게 이동하는 눈은 빠르게 불어나서 부상이나 사망을 초래할 수 있으며, 영향을 받는 지역의 도로를 막고 재산에 피해를 줄 수 있습니다. [LOCATION] 근처의 지역에서 떠나십시오. 대피 후에는 현지 공무원의 지시가 있을 때까지 해당 지역으로 돌아가지 마십시오. 해당 지역으로의 여행은 권장하지 않습니다. 눈사태는 먼 거리에 발생할 수 있습니다. [URL]</p>
<p>Fire Warning</p>	<p>[LOCATION]에 [TIME]까지 화재 경보가 발효 중입니다. 지체하지 말고 가족과 반려동물을 지금 대피시키십시오. 해당 지역의 가시거리가 줄어들고 도로가 차단될 수 있습니다. 지금 대피하지 않으면 고립되거나, 상처를 입거나, 사망할 수도 있습니다. [LOCATION] 근처의 지역에서 떠나십시오. 시야가 좁아지고, 연기가 심하며, 호흡 곤란을 겪을 수 있습니다. 운전하는 동안 주의하십시오. 해당 지역에서 활동하는 공공 안전 요원을 주시하고 그들의 지시를 따릅니다. [URL]</p>
<p>Hazardous Materials Warning</p>	<p>[SENDING AGENCY]: [LOCATION]에서 [TIME]에 유해 물질이 방출되었습니다. 이에 노출되면 호흡 곤란, 대응 능력 상실, 눈, 코, 목, 폐의 작열감, 메스꺼움, 또는 사망에도 이를 수 있습니다. [LOCATION] 근처의 지역에서 떠나십시오. 운전하여 대피 지역으로 이동하는 경우, 차량의 창문과 통풍구를 닫으십시오. 대피 후, 지역 공무원의 지시가 있을 때까지 해당 지역으로 돌아가지 마십시오. [URL]</p>

Portuguese Templates

Tornado Emergency	[SENDING AGENCY]: Um AVISO DE EMERGÊNCIA DE TORNADO está em vigor para [LOCATION] até [TIME]. Um tornado foi avistado nesta região. Esta é uma situação de risco de vida. Procure imediatamente abrigo em um porão ou em uma sala interna no andar mais baixo de um edifício sólido e seguro. Se você estiver ao ar livre, em uma casa móvel ou em um veículo, dirija-se ao abrigo seguro mais próximo e proteja-se de objetos voadores. Acompanhe a cobertura da mídia local. [URL]
Tornado Warning	[SENDING AGENCY]: Um ALERTA DE TORNADO está em vigor para [LOCATION] até [TIME]. Abrigue-se agora em um porão ou em uma sala interna no andar mais baixo de um edifício seguro. Se você estiver ao ar livre, em uma casa móvel ou em um veículo, dirija-se ao abrigo sólido e seguro mais próximo e proteja-se de objetos voadores. Acompanhe a cobertura da mídia local. [URL]
Flash Flood Emergency	[SENDING AGENCY]: Um AVISO DE EMERGÊNCIA DE INUNDAÇÕES REPENTINAS está em vigor para [LOCATION] até [TIME]. Esta é uma situação extremamente perigosa e de risco de vida. Não tente viajar, a menos que esteja deixando uma área que pode inundar ou está sob uma ordem de evacuação. [URL]
Flash Flood Warning	[SENDING AGENCY]: Um ALERTA DE EMERGÊNCIA DE INUNDAÇÕES REPENTINAS está em vigor para [LOCATION] até [TIME]. Esta é uma situação extremamente perigosa e de risco de vida. Não tente viajar, a menos que esteja deixando uma área que pode inundar ou está sob uma ordem de evacuação. [URL]
Severe Thunderstorm Warning	[SENDING AGENCY]: Um AVISO DE TEMPESTADE SEVERA está em vigor para [LOCATION] até [TIME] para ventos DESTRUTIVOS de 80 milhas por hora. Procure abrigo dentro de um abrigo seguro, longe das janelas. Os objetos voadores podem ser fatais para aqueles sem abrigo. [URL]
Snow Squall Warning	[SENDING AGENCY]: Um AVISO DE TEMPESTADE DE NEVE está em vigor para [LOCATION] até [TIME]. Diminua a velocidade ou adie a sua viagem! Prepare-se para uma queda repentina de visibilidade e gelo nas estradas em caso de neve intensa. [URL]
Dust Storm Warning	[SENDING AGENCY]: Um AVISO DE TEMPESTADE DE POEIRA está em vigor para [LOCATION] até [TIME]. Esteja preparado para uma queda repentina na visibilidade. Pare no acostamento, fique vivo! Quando a visibilidade diminuir, pare seu veículo fora da estrada. Apague as luzes e tire o pé do freio. Crianças, idosos e pessoas com dificuldade para respirar devem tomar precauções. [URL]
Hurricane Warning	[SENDING AGENCY]: Um AVISO DE FURACÃO está em vigor para [LOCATION] devido a ventos perigosos até [TIME]. Este aviso é emitido até 36 horas antes do início das condições perigosas. Tome medidas para proteger a vida e a propriedade. Tenha comida, água, dinheiro, combustível e medicamentos por 3+ dias. SIGA AS INSTRUÇÕES DAS AUTORIDADES LOCAIS. [URL]
Storm Surge Warning	[SENDING AGENCY]: Um ALERTA DE MARÉ DE TEMPESTADE (RESSACA) está em vigor para [LOCATION] para o perigo de inundações potencialmente fatais até [TIME]. Este alerta é emitido até 36 horas antes do início das condições perigosas. Tome medidas para proteger a vida e a propriedade. Siga as ordens de evacuação se forem emitidas para esta região para evitar afogamentos ou ficar sem acesso aos serviços de emergência. [URL]
Extreme Wind Warning	[SENDING AGENCY]: Um AVISO DE VENTOS EXTREMOS está em vigor para [LOCATION] pelo perigo imediato de ventos potencialmente fatais até [TIME]. Proteja-se AGORA em uma sala no interior de um prédio seguro, longe das janelas. Proteja sua cabeça de objetos voadores. NÃO saia do abrigo se o vento acalmar! Os ventos rapidamente se tornarão perigosos novamente. [URL]
Test Alert	ESTE É UM TESTE do Sistema Nacional de Alertas de Emergência Sem Fio enviado por/pela [SENDING AGENCY]. O objetivo é manter e melhorar as capacidades de aviso e alerta a nível federal, estadual, local, tribal e territorial e avaliar as capacidades públicas de aviso e alerta do país. Não é necessária qualquer ação por parte do público. [URL]
Tsunami Warning	[SENDING AGENCY]: Um ALERTA DE MAREMOTO está em vigor para [LOCATION] até [TIME]. Uma série de ondas poderosas e correntes fortes podem afetar o litoral perto de você. Você está em perigo. Afaste-se das águas costeiras. Vá imediatamente para um local elevado ou para o interior. Mantenha-se longe do litoral até as autoridades locais informarem que é seguro voltar. [URL]
Earthquake Warning	TERREMOTO DETECTADO! Abaixese, proteja-se e aguarde. [SENDING AGENCY] [URL]
Boil Water Advisory	[SENDING AGENCY]: Um ALERTA PARA A FERVURA DE ÁGUA está em vigor para [LOCATION] até [TIME]. A água na sua região pode deixá-lo doente. Use água engarrafada, se disponível. Não beba, cozinhe, escove os dentes ou limpe a casa com água da torneira ou água filtrada até ser fervido. Deixe a água ferver por TRÊS MINUTOS. Deixe a água esfriar antes de usar. Não use gelo feito com água que não tenha sido fervida. Se você usa fórmula para alimentar seu filho, use fórmula pronta para consumo. Certifique-se de que os animais de estimação não bebam água que não tenha sido fervida. [URL]
911 Outage Alert	[SENDING AGENCY]: Um ALERTA DE INTERRUPTÃO DO SERVIÇO 9-1-1 está em vigor para [LOCATION]. Em caso de emergência, entre em contato com a polícia, bombeiros, médicos ou outros serviços de emergência diretamente por meio dos seus números de telefone locais. É possível você não conseguir ajuda ao discar 9-1-1. [URL]
Avalanche Warning	[SENDING AGENCY]: Um ALERTA DE AVALANCHE está em vigor para [LOCATION] até [TIME]. Neve instável e em movimento rápido pode ocorrer rapidamente, causando ferimentos ou morte e pode bloquear estradas e danificar propriedades nas áreas afetadas. SAIA desta área. NÃO retorne à área após a evacuação até receber instruções das autoridades locais. Não é recomendado viajar na região. As avalanches podem percorrer longas distâncias. [URL]
Fire Warning	[SENDING AGENCY]: Um AVISO DE INCÊNDIO está em vigor para [LOCATION] até [TIME]. Evacue sua família e animais de estimação agora, não demore. A visibilidade na região estará prejudicada e as estradas podem ficar bloqueadas. Se você não sair agora, você pode ficar preso, ferido ou morto. SAIA das áreas próximas de [LOCATION]. Espere por visibilidade reduzida, fumaça pesada e dificuldade para respirar. Tenha cuidado ao dirigir. Fique atento ao pessoal de segurança pública que atua na região e siga as suas instruções. [URL]

Portuguese Templates—Continued

Hazardous Materials Warning	[SENDING AGENCY]: Houve um vazamento de SUBSTÂNCIAS PERIGOSAS às [TIME] em [LOCATION]. A exposição pode causar dificuldade para respirar, perda de coordenação, sensação de queimação nos olhos, nariz, garganta ou pulmões, náuseas e, possivelmente, morte. SAIA das regiões próximas de [LOCATION]. Se estiver CONDUZINDO UM VEÍCULO para evacuar a área, mantenha os vidros e saídas de ar do carro fechados. NÃO retorne à área após a evacuação até receber instruções das autoridades locais. [URL]
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BILLING CODE 6712-01-P

Russian Templates

<p>Tornado Emergency</p>	<p>[SENDING AGENCY]: ЧРЕЗВЫЧАЙНАЯ СИТУАЦИЯ. ТОРНАДО в [LOCATION] до [TIME]. В зоне, где вы находитесь, обнаружен торнадо. Это явление опасно для жизни. Укройтесь в подвале или внутреннем помещении на нижнем этаже устойчивого здания. Если вы на улице, в передвижном доме или в транспортном средстве, отправляйтесь в ближайшее надежное укрытие, чтобы защититься от летящих объектов. Следите за новостями. [URL]</p>
<p>Tornado Warning</p>	<p>[SENDING AGENCY]: В [LOCATION] до [TIME] объявлено ПРЕДУПРЕЖДЕНИЕ О ТОРНАДО. В зоне, где вы находитесь, обнаружен торнадо. Укройтесь в подвале или внутреннем помещении на нижнем этаже устойчивого здания. Если вы на улице, в передвижном доме или в транспортном средстве, отправляйтесь в ближайшее надежное укрытие, чтобы защититься от летящих объектов. Следите за новостями. [URL]</p>
<p>Flash Flood Emergency</p>	<p>[SENDING AGENCY]: В [LOCATION] объявлено ЭКСТРЕННОЕ ПРЕДУПРЕЖДЕНИЕ о ВНЕЗАПНОМ НАВОДНЕНИИ (действует до [TIME]). Это явление крайне опасно для жизни. Не совершайте поездок, если вы не эвакуируетесь из района, который может подвергнуться затоплению, самостоятельно или по приказу об эвакуации. [URL]</p>

<p>Flash</p> <p>Flood Warning</p>	<p>[SENDING AGENCY]: В [LOCATION] до [TIME] объявлено</p> <p>ПРЕДУПРЕЖДЕНИЕ о ВНЕЗАПНОМ НАВОДНЕНИИ. Это явление опасно для жизни. Не совершайте поездок, если вы не эвакуируетесь из района, который может подвергнуться затоплению, самостоятельно или по приказу об эвакуации. [URL]</p>
<p>Severe Thunder-</p> <p>storm</p> <p>Warning</p>	<p>[SENDING AGENCY]: В [LOCATION] до [TIME] объявлено</p> <p>ПРЕДУПРЕЖДЕНИЕ о СИЛЬНОЙ ГРОЗЕ с РАЗРУШИТЕЛЬНЫМИ порывами ветра скоростью 129 км/ч. Укройтесь в устойчивом здании и не подходите к окнам. Если вы не в надежном укрытии, столкновение с летящими объектами может оказаться смертельным. [URL]</p>
<p>Snow Squall</p> <p>Warning</p>	<p>[SENDING AGENCY]: В [LOCATION] до [TIME] объявлено</p> <p>ПРЕДУПРЕЖДЕНИЕ О ШКВАЛИСТОМ СНЕГЕ. По возможности отложите поездки. В противном случае снизьте скорость передвижения. Возможно резкое ухудшение видимости до нулевой, а также обледенение дорог из-за сильного снегопада. [URL]</p>
<p>Dust</p> <p>Storm Warning</p>	<p>[SENDING AGENCY]: В [LOCATION] до [TIME] объявлено</p> <p>ПРЕДУПРЕЖДЕНИЕ о ПЫЛЕВОЙ БУРЕ. Возможно резкое ухудшение видимости до нулевой. Съезьте на обочину, чтобы остаться в живых! При ухудшении видимости съезьте на обочину дороги и припаркуйте транспортное средство. Выключите фары и уберите ногу с тормоза. Младенцам, пожилым людям и лицам, испытывающим трудности с дыханием, может потребоваться помощь. [URL]</p>

<p>Hurricane Warning</p>	<p>[SENDING AGENCY]: В [LOCATION] до [TIME] объявлено ПРЕДУПРЕЖДЕНИЕ ОБ УРАГАНЕ с опасными и разрушительными порывами ветра. Это предупреждение разослано за 36 часов до начала чрезвычайной ситуации. Примите меры по защите своей жизни и собственности. Подготовьте еду, питьевую воду, наличные деньги, топливо и медикаменты на срок более 3 дней. СЛЕДУЙТЕ ИНСТРУКЦИЯМ МЕСТНЫХ ВЛАСТЕЙ. [URL]</p>
<p>Storm Surge Warning</p>	<p>[SENDING AGENCY]: В [LOCATION] объявлено ПРЕДУПРЕЖДЕНИЕ о ШТОРМОВОМ ПРИЛИВЕ и существует риск опасного для жизни подтопления до [TIME]. Это предупреждение разослано за 36 часов до начала чрезвычайной ситуации. Примите меры по защите своей жизни и собственности. Если в вашем районе действует приказ об эвакуации, следуйте ему, чтобы не утонуть или не оказаться вне досягаемости экстренных служб. [URL]</p>
<p>Extreme Wind Warning</p>	<p>[SENDING AGENCY]: В [LOCATION] до [TIME] объявлено ПРЕДУПРЕЖДЕНИЕ ОБ УРАГАННОМ ВЕТРЕ с опасными для жизни порывами. НЕМЕДЛЕННО укройтесь во внутреннем помещении устойчивого здания и оставайтесь вдали от окон. Защитите голову от летящих объектов. НЕ ВЫХОДИТЕ наружу, если ветер стих! Опасные для жизни порывы ветра могут возобновиться в любой момент. [URL]</p>

Test Alert	ЭТО ТЕСТОВОЕ ПРЕДУПРЕЖДЕНИЕ от Национальной беспроводной системы аварийного оповещения, отправленное [SENDING AGENCY]. Его цель — убедиться, что оповещения и предупреждения можно получить на уровне страны, штата, района, резервации и других территорий, улучшить систему рассылки предупреждений и оценить ее эффективность. От населения не требуется никаких действий. [URL]
Tsunami Warning	[SENDING AGENCY]: В [LOCATION] до [TIME] объявлено ПРЕДУПРЕЖДЕНИЕ о ЦУНАМИ до [TIME]. Серия мощных волн и сильных течений может достичь побережья в зоне, где вы находитесь. Вы в опасности. Покиньте территорию рядом с побережьем и перейдите на возвышенности или отдаленные от воды зоны. Не приближайтесь к побережью до тех пор, пока местные власти не подтвердят, что это безопасно. [URL]
Earthquake Warning	ОБНАРУЖЕНО ЗЕМЛЕТРЯСЕНИЕ. Опуститесь на четвереньки, прикройте голову и держитесь за какую-либо устойчивую конструкцию. Защитите себя. [SENDING AGENCY] [URL]

Boil Water Advisory	[SENDING AGENCY]: В [LOCATION] необходимо ОБЯЗАТЕЛЬНО КИПЯТИТЬ ВОДУ (предупреждение действует до [TIME]). Вода в вашем районе может вызвать проблемы со здоровьем. По возможности используйте бутилированную воду. Не используйте воду из крана или фильтра для питья, готовки, чистки зубов или уборки до того, как прокипятите ее. Кипятите воду в течение ТРЕХ МИНУТ. Дайте воде остыть перед применением. Не используйте лед из некипяченой воды. Если вы кормите грудного ребенка смесью, используйте готовые смеси. Не давайте домашним животным пить некипяченую воду. [URL]
911 Outage Alert	[SENDING AGENCY]: В [LOCATION] НЕДОСТУПЕН НОМЕР 9-1-1. При возникновении чрезвычайной ситуации вызывайте полицию, пожарных, скорую помощь или другие экстренные службы по местным телефонным номерам. Если вы наберете 9-1-1, помощь может не прибыть. [URL]
Avalanche Warning	[SENDING AGENCY]: В [LOCATION] объявлено ПРЕДУПРЕЖДЕНИЕ о СХОДЕ ЛАВИН до [TIME]. Быстрый сход нестабильных масс снега может привести к травмам или гибели, заблокировать дороги и повредить здания. ПОКИНЬТЕ территорию рядом с [LOCATION]. После эвакуации НЕ ВОЗВРАЩАЙТЕСЬ в эту зону до тех пор, пока местные власти не подтвердят, что это безопасно. Передвижение в этой зоне не рекомендуется, так как лавины могут преодолевать большие расстояния. [URL]

<p>Fire Warning</p>	<p>[SENDING AGENCY] предупреждает о ПРИРОДНОМ ПОЖАРЕ в зоне [LOCATION] (предупреждение действует до [TIME]).</p> <p>Немедленно эвакуируйтесь со своей семьей и домашними животными. Ожидается ухудшение видимости и пробки на дорогах.</p> <p>Если вы не покинете эту зону, вы рискуете быть изолированными, получить травму или погибнуть. ПОКИНЬТЕ территорию рядом с [LOCATION]. Возможны ухудшение видимости, сильная задымленность и проблемы с дыханием. Соблюдайте осторожность при вождении транспортного средства. Найдите сотрудников экстренных служб в зоне, где вы находитесь, и следуйте их указаниям. [URL]</p>
<p>Hazardous Materials Warning</p>	<p>[SENDING AGENCY]: в зоне [LOCATION] произошел ВЫБРОС ОПАСНЫХ МАТЕРИАЛОВ. При воздействии этих материалов возможны проблемы с дыханием, нарушение координации движений, жжение в глазах, носу, горле или легких, а также тошнота и даже смерть. ПОКИНЬТЕ территорию рядом с [LOCATION]. Если вы эвакуируетесь НА ТРАНСПОРТНОМ СРЕДСТВЕ, не открывайте окна и не используйте вентиляционную систему. После эвакуации НЕ ВОЗВРАЩАЙТЕСЬ в зону ЧС до тех пор, пока местные власти не подтвердят, что это безопасно. [URL]</p>

BILLING CODE 6712-01-C

Spanish Templates

<p>Tornado Warning</p>	<p>[SENDING AGENCY]: UNA EMERGENCIA POR TORNADO está en efecto en [LOCATION] hasta [TIME]. Un tornado se ha detectado en esta área. Es una situación con peligro de muerte. Resguárdese ahora en un sótano o en una habitación interior en el piso más bajo de un edificio resistente. Si está al aire libre, en una casa rodante o vehículo, diríjase al edificio más cercano y resistente posible y protéjase de los escombros. Siga los medios de comunicación. [URL]</p>
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Spanish Templates—Continued

Tornado Emergency	[SENDING AGENCY]: UNA EMERGENCIA POR TORNADO está en efecto para [LOCATION] hasta [TIME]. Un tornado fue detectado en esta zona. Esta es una situación que pone en peligro la vida. Resguárdese de inmediato en un sótano o una habitación en el piso más bajo de un edificio resistente. Si se encuentra al aire libre, en una casa rodante o un vehículo, diríjase al edificio más cercano y resistente posible y protéjase de los escombros. Consulte los medios de comunicación. [URL]
Flash Flood Warning	[SENDING AGENCY]: UNA EMERGENCIA POR INUNDACIÓN REPENTINA está en efecto para [LOCATION] hasta [TIME]. La situación es extremadamente peligrosa y con riesgo de muerte. No intente movilizarse, a menos que esté huyendo de un área que pueda inundarse o con orden de evacuación. [URL]
Flash Flood Emergency	[SENDING AGENCY]: UNA EMERGENCIA POR INUNDACION REPENTINA está en efecto para [LOCATION] hasta [TIME]. Esta es una situación extremadamente peligrosa y potencialmente mortal. No intente trasladarse a menos que esté huyendo de una zona que pueda inundarse o con orden de evacuación. [URL]
Severe Thunderstorm Warning	[SENDING AGENCY]: UNA ADVERTENCIA DE FUERTE TORMENTA ELÉCTRICA está en efecto para [LOCATION] hasta [TIME] por vientos DESTRUCTIVOS de 80 millas por hora. Resguárdese en un edificio resistente, lejos de las ventanas. Los escombros impulsados por el viento pueden ser mortales para quienes no estén resguardados. [URL]
Snow Squall Warning	[SENDING AGENCY]: UNA ADVERTENCIA DE TORMENTA DE NIEVE está en efecto para [LOCATION] hasta [TIME] ¡Baje la velocidad o postergue su viaje! Prepárese para una repentina reducción o ausencia total de visibilidad y carreteras congeladas con intensas nevadas. [URL]
Dust Storm Warning	[SENDING AGENCY]: UNA ADVERTENCIA DE TORMENTA DE POLVO está en efecto para [LOCATION] hasta [TIME]. Prepárese para una repentina reducción o total ausencia de visibilidad. Deténgase y salga de la carretera. ¡No pierda su vida! Ponga el embrague de su vehículo en “estacionar.” Apague las luces y saque el pie del freno. Tome precauciones especialmente para niños, ancianos y personas con problemas respiratorios. [URL]
Hurricane Warning	[SENDING AGENCY]: UNA ADVERTENCIA DE HURACÁN está en efecto para [LOCATION] hasta [TIME] por vientos peligrosos y dañinos. Esta advertencia se emite hasta 36 horas antes de que las condiciones peligrosas comiencen. Tome medidas para proteger vidas y propiedad. Tenga alimentos, agua, dinero en efectivo, combustible y medicamentos para un mínimo de 3 días. SIGA LAS INSTRUCCIONES DE LAS AUTORIDADES LOCALES. [URL]
Storm Surge Warning	[SENDING AGENCY]: UNA ADVERTENCIA DE MAREJADA CICLÓNICA está en efecto para [LOCATION] hasta [TIME] por peligro de inundaciones con riesgo de muerte. Esta advertencia se emite hasta 36 horas antes de que las condiciones peligrosas comiencen. Tome medidas para proteger vidas y propiedad. Siga las órdenes de evacuación si se emiten para esta área, para evitar ahogarse o quedar aislado de los servicios de emergencia. [URL]
Extreme Wind Warning	[SENDING AGENCY]: Una ADVERTENCIA DE VIENTOS EXTREMADAMENTE FUERTES está en efecto para [LOCATION] hasta [TIME] por peligro inmediato de fuertes vientos con riesgo de muerte. Resguárdese AHORA en una habitación interior de un edificio resistente, lejos de las ventanas. Proteja su cabeza de los escombros. ¡NO salga aunque el viento se calme! Los vientos pronto volverán a ser peligrosos. [URL]
Test Alert	ESTA ES UNA PRUEBA del sistema nacional de alertas de emergencia inalámbricas (National Wireless Emergency Alert System) enviada por [SENDING AGENCY]. El propósito es mantener y mejorar las capacidades de alerta y advertencia a nivel federal, estatal, local, Tribal y territorial, y evaluar la capacidad de las alertas y advertencias públicas a nivel nacional. No se requiere ninguna acción por parte del público. [URL]
Tsunami Warning	[SENDING AGENCY]: UNA ADVERTENCIA DE TSUNAMI para [LOCATION] está en efecto hasta [TIME]. Una serie de grandes olas y fuertes corrientes pueden afectar las costas cercanas. Usted está en peligro. Aléjese ahora mismo de las aguas costeras y diríjase a terrenos elevados o hacia el interior. Manténgase alejado de la costa hasta que las autoridades le avisen que puede regresar sin peligro. [URL]
Earthquake Warning	¡TERREMOTO DETECTADO! Agáchese, cúbrase, agárrese, protéjase. [SENDING AGENCY] [URL]
Boil Water Advisory	[SENDING AGENCY]: ¡ALERTA! HIERVA EL AGUA en [LOCATION] hasta [TIME]. El agua en su comunidad puede enfermarle. Use agua embotellada si está disponible. No beba agua del grifo, aunque esté filtrada; no la use para cocinar o lavarse los dientes ni para limpiar su hogar. Hierva el agua por TRES MINUTOS por lo menos. Enfríe el agua antes de usarla. No use hielo preparado con agua sin hervir. Si usa leche preparada para su bebé, use la que viene lista (no la que requiere agua). Asegúrese de que sus mascotas no beban agua sin hervir. [URL]
911 Outage Alert	[SENDING AGENCY]: UNA ALERTA POR INTERRUPCIÓN DE LOS SERVICIOS 9–1–1 está en efecto en [LOCATION]. En caso de emergencia, comuníquese directamente con la policía, los bomberos, los servicios médicos u otros servicios de emergencia, llamando a sus números locales. Si llama al 9–1–1, es posible que no reciba ayuda. [URL]
Avalanche Warning	[SENDING AGENCY]: UNA ADVERTENCIA DE AVALANCHA para [LOCATION] está en efecto hasta [TIME]. El rápido movimiento de nieve inestable puede ocurrir repentinamente, con peligro de daño físico o muerte, y puede bloquear caminos y dañar propiedades en las áreas afectadas. ABANDONE las áreas cercanas a [LOCATION]. NO vuelva al área tras la evacuación hasta que las autoridades locales se lo indiquen. No se recomienda viajar en el área. Las avalanchas pueden alcanzar grandes distancias. [URL]
Fire Warning	[SENDING AGENCY] Una ADVERTENCIA DE INCENDIO en [LOCATION] está en efecto hasta [TIME]. Evacúe a su familia y mascotas ahora, sin demoras. La visibilidad del área disminuirá y los caminos pueden bloquearse. Si no sale ahora, podría quedar atrapado, resultar herido o morir. ABANDONE las áreas cercanas a [LOCATION]. Prepárese para una reducción de la visibilidad, denso humo y dificultad para respirar. Maneje con cuidado. Preste atención al personal de seguridad pública en el área y siga sus instrucciones. [URL]

Spanish Templates—Continued

Hazardous Materials Warning	[SENDING AGENCY]: UNA EMANACIÓN DE SUSTANCIAS PELIGROSAS ha ocurrido a las [TIME] en [LOCATION]. La exposición puede causar dificultades respiratorias, pérdida de coordinación, sensación de ardor en los ojos, nariz, garganta o pulmones, náusea y riesgo de muerte. ABANDONE las áreas cercanas a [LOCATION]. SI CONDUCE para evacuar el área, mantenga el vehículo con las ventanas y ventilaciones cerradas. NO VUELVA al área tras la evacuación a menos que las autoridades locales se lo indiquen. [URL]
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Tagalog Templates

Tornado Emergency	[SENDING AGENCY]: May bisa ang EMERGENCY NG BUHAWI sa [LOCATION] hanggang [TIME]. May nakitang buhawi sa lugar na ito. Isa itong sitwasyon na nagbabanta sa buhay. Pumunta na sa isang silong o isang panloob na kuwarto sa pinakamababang palapag ng isang matibay na gusali. Kung nasa labas ka, sa isang mobile home, o sa isang sasakyan, lumipat sa pinakamalapit na matibay na silungan at protektahan ang iyong sarili mula sa lumilipad na mga bagay. Tingnan at suriin ang media. [URL]
Tornado Warning	[SENDING AGENCY]: May bisa ang BABALA SA BUHAWI sa [LOCATION] hanggang [TIME]. Pumunta na sa isang silong o isang panloob na kuwarto sa pinakamababang palapag ng isang matibay na gusali. Kung nasa labas ka, sa isang mobile home, o sa isang sasakyan, lumipat sa pinakamalapit na matibay na silungan at protektahan ang iyong sarili mula sa lumilipad na mga bagay. Tingnan at suriin ang media. [URL]
Flash Flood Emergency	[SENDING AGENCY]: May bisa ang EMERGENCY NG FLASH FLOOD para sa [LOCATION] hanggang [TIME]. Isa itong sitwasyon na lubhang mapanganib at nagbabanta sa buhay. Huwag subukang maglakbay maliban kung tumatakas ka sa isang lugar na maaaring bumaha o nasa ilalim ng isang utos ng paglikas. [URL]
Flash Flood Warning	[SENDING AGENCY]: May bisa ang BABALA SA FLASH FLOOD para sa [LOCATION] hanggang [TIME]. Isa itong sitwasyon na mapanganib at nagbabanta sa buhay. Huwag subukang maglakbay maliban kung tumatakas ka sa isang lugar na maaaring bumaha o nasa ilalim ng isang utos ng paglikas. [URL]
Severe Thunderstorm Warning	[SENDING AGENCY]: May bisa ang BABALA SA MALUBHANG BAGYO NA MAY KULOG AT KIDLAT para sa [LOCATION] hanggang [TIME] dahil sa MAPAMINSALANG hanging 80 milya kada oras. Sumilong sa isang matibay na gusali nangmalayo sa mga bintana. Maaaring nakamamatay ang lumilipad na mga bagay sa mga nasa labas ng matibay na silungan. [URL]
Snow Squall Warning	[SENDING AGENCY]: May bisa ang BABALA SA SNOW SQUALL para sa [LOCATION] hanggang [TIME]. Bagalan o ipagpaliban ang paglalakbay! Maging handa para sa biglaang pagbaba na halos zero visibility at sa nagyeyelong mga kalsada sa makapal na niyebe. [URL]
Dust Storm Warning	[SENDING AGENCY]: May bisa ang BABALA SA DUST STORM para sa [LOCATION] hanggang [TIME]. Maging handa para sa biglaang pagbaba sa zero visibility. Tumabi, Manatiling Buhay! Kapag bumaba ang visibility, huminto sa malayo sa kalsada at i-park ang iyong sasakyan. Patayin ang mga ilaw at alisin ang iyong paa sa preno. Hinihikayat na mag-ingat ang mga sanggol, matatanda at mga may problema sa paghinga. [URL]
Hurricane Warning	[SENDING AGENCY]: May Babala ng HURRICANE para sa [LOCATION] dahil sa mga mapanganib at mapaminsalang hangin na may bisa hanggang [TIME]. Ibinibigay ang babalang ito hanggang 36 na oras bago magsimula ang mga mapanganib na kondisyon. Magsagawa ng mga hakbang para maprotektahan ang buhay at ari-arian. Magkaroon ng pagkain, tubig, pera, gasolina, at mga gamot na tatagal ng 3+ araw. SUNDIN ANG MGA DIREKSYON MULA SA MGA LOKAL NA OPISYAL. [URL]
Storm Surge Warning	[SENDING AGENCY]: May bisa ang BABALA SA STORM SURGE para sa [LOCATION] dahil sa panganib ng nagbabanta sa buhay na pagbaha hanggang [TIME]. Ibinibigay ang babalang ito hanggang 36 na oras bago magsimula ang mga mapanganib na kondisyon. Magsagawa ng mga hakbang para ma protektahan ang buhay at ari-arian. Sundin ang mga utos sa paglikas kung ibinigay para sa lugar na ito para maiwasan ang pagkalunod o pagkaputol sa mga serbisyong pang-emergency. [URL]
Extreme Wind Warning	[SENDING AGENCY]: May bisa ang BABALA SA MATINDING HANGIN para sa [LOCATION] dahil sa agarang panganib ng mga hanging nagbabanta sa buhay hanggang [TIME]. Magtago NGAYON sa isang panloob na kuwarto ng isang matibay na gusali, malayo sa mga bintana. Protektahan ang iyong ulo mula sa mga lumilipad na bagay. HUWAG lumabas kapag kumalma ang hangin! Mabilis na magiging mapanganib muli ang hangin. [URL]
Test Alert	PAGTESTING ITO ng National Wireless Emergency Alert System na ipinadala ng [SENDING AGENCY]. Layunin nitong panatilihin at pagandahin ang mga kakayahan sa alert at babala sa mga antas ng pederal, estado, lokal, Tribal at teritoryal at para gawan ng ebalwasyon ang mga kakayahan sa pampublikong alert at babala ng bansa. Walang kinakailangang aksyon ng publiko. [URL]
Tsunami Warning	[SENDING AGENCY]: May bisa ang BABALA SA TSUNAMI para sa [LOCATION] hanggang [TIME]. Ang serye ng malalakas na alon at malakas na agos ay maaaring makaapekto sa mga baybayin na malapit sa iyo. Nasa panganib ka. Lumayo sa mga tubig sa baybayin. Lumipat kaagad sa mataas na lupa o sa loob ng inyong lugar. Lumayo sa baybayin hanggang sa sabihin ng mga lokal na opisyal na ligtas nang bumalik. [URL]
Earthquake Warning	NAKA-DETECT NG LINDOL! Umupo, Magtakip, Kumapit. Protektahan ang Iyong Sarili. [SENDING AGENCY] [URL]
Boil Water Advisory	[SENDING AGENCY]: May ibinigay na ALERT SA PAGPAPAKULO NG TUBIG para sa [LOCATION] ay may bisa hanggang [TIME]. Pwede kang magkasakit dahil sa tubig mula sa komunidad mo. Gumamit ng nakaboteng tubig kung mayroon nito. Huwag uminom, magluto, magsepilyo ng iyong ngipin, o linisin ang iyong tahanan gamit ang gripo o sinalang tubig hanggang na pakuluan mo ito. Pakuluan ang tubig sa loob ng TATLONG MINUTO. Palamigin ang tubig bago gamitin. Huwag gumamit ng yelo na gawa sa tubig na hindi pa pinakuluan. Kung gumagamit ka ng formula para painumin sa iyong anak, gumamit ng ready-to-use formula. Siguraduhin na hindi umiinom pinakuluan ang mga alagang hayop ng tubig na hindi pa. [URL]

Tagalog Templates—Continued

911 Outage Alert	[SENDING AGENCY]: May bisa ang ALERT SA PAGKWALA NG 9–1–1 sa [LOCATION] hanggang [TIME]. Pakikontak ang pulisya, bumbero, medikal, o iba pang mga serbisyong pang-emergency nang direkta sa kanilang mga lokal na numero ng telepono kung sakaling magkaroon ng emergency. Kung magda-dial ka sa 9–1–1, maaaring hindi ka makakuha ng tulong. [URL]
Avalanche Warning	[SENDING AGENCY]: May bisa ang BABALA SA AVALANCE sa [LOCATION] hanggang [TIME]. Maaring mabilis na magkaroon ng mabuway at mabilis na gumagalaw niyebe, na nagdudulot ng pinsala o pagkamatay at maaaring humarang sa mga kalsada at makapinsala sa mga ari-arian sa mga apektadong lugar. UMALIS sa mga lugar na malapit sa [LOCATION]. HUWAG bumalik sa lugar pagkatapos ng paglikas hanggang sa iutos ng mga lokal na opisyal. Hindi inirerekomenda ang paglalakbay sa lugar na ito. Maaaring umabot sa malalayong distansya ang avalanche. [URL]
Fire Warning	[SENDING AGENCY] May bisa ang BABALA SA SUNOG sa [LOCATION] hanggang [TIME]. Ilikas ang iyong pamilya at mga alagang hayop ngayon, huwag mag-antala. Mababawasan ang visibility sa lugar at maaaring maharangan ang mga kalsada. Kung hindi ka aalis ngayon, maaari kang makulong, masugatan, o mamatay. UMALIS sa mga lugar na malapit sa [LOCATION]. Asahan na mabawasan ang visibility, matinding usok, at kahirapan sa paghinga. Mag-ingat sa pagmamaneho. Abangan ang mga public safety personnel na nagtatrabaho sa lugar at sundin ang kanilang mga direksyon. [URL]
Hazardous Materials Warning	[SENDING AGENCY]: May lumabas na MGA MAPANGANIB NA MATERYAL noong [TIME] sa [LOCATION]. Maaaring magdulot ang pagkalantad ng kahirapan sa paghinga, kawalan ng koordinasyon, pakiramdam na napapaso ang mga mata, ilong, lalamunan, o бага, pagduduwal, at posibleng pagkamatay. UMALIS sa mga lugar na malapit sa [LOCATION]. KUNG NAGMAMANEHO para lumikas sa lugar, panatiliing nakasara ang mga bintana at vent ng sasakyan. HUWAG bumalik sa lugar pagkatapos ng paglikas hanggang iutos ng mga lokal na opisyal. [URL]

BILLING CODE 6712–01–P

Vietnamese Templates

<p>Tornado Emergency</p>	<p>[SENDING AGENCY]: TÌNH TRẠNG KHẨN CẤP LỐC XOÁY có hiệu lực tại [LOCATION] cho đến [TIME]. Lốc xoáy xuất hiện ở khu vực. Đây là tình huống đe dọa đến tánh mạng. Tìm ngay nơi trú ẩn ở tầng hầm hoặc trong phòng ở tầng thấp nhất của một tòa nhà kiên cố. Nếu bạn đang ở ngoài trời, trong nhà di động hoặc trong ô tô, hãy di chuyển đến nơi trú ẩn kiên cố gần nhất và bảo vệ bản thân khỏi những vật thể bay. Kiểm tra phương tiện truyền thông. [URL]</p>
<p>Tornado Warning</p>	<p>[SENDING AGENCY]: CẢNH BÁO LỐC XOÁY có hiệu lực tại [LOCATION] cho đến [TIME]. Hãy trú ẩn ngay tại tầng hầm hoặc trong phòng ở tầng thấp nhất của một tòa nhà kiên cố. Nếu bạn đang ở ngoài trời, trong nhà di động hoặc trong ô tô, hãy di chuyển đến nơi trú ẩn kiên cố gần nhất và bảo vệ bản thân khỏi những vật thể bay. Kiểm tra phương tiện truyền thông. [URL]</p>
<p>Flash Flood Emergency</p>	<p>[SENDING AGENCY]: TÌNH TRẠNG KHẨN CẤP LŨ QUÉT có hiệu lực tại [LOCATION] cho đến [TIME]. Đây là tình huống cực kỳ nguy hiểm và đe dọa tính mạng. Không nên di chuyển trừ khi bạn đang muốn thoát ra khỏi vùng mà có thể bị ngập lụt hoặc có lệnh di tản. [URL]</p>
<p>Flash Flood Warning</p>	<p>[SENDING AGENCY]: CẢNH BÁO LŨ QUÉT có hiệu lực tại [LOCATION] cho đến [TIME]. Đây là tình huống nguy hiểm và đe dọa tính mạng. Không nên di chuyển trừ khi bạn đang muốn thoát ra khỏi vùng mà có thể bị ngập lụt hoặc có lệnh di tản. [URL]</p>

<p>Severe Thunderstorm Warning</p>	<p>[SENDING AGENCY]: CẢNH BÁO GIÔNG BÃO NGHIÊM TRỌNG có hiệu lực tại [LOCATION] cho đến [TIME]. GIÔNG BÃO xuất hiện ở khu vực với sức gió tàn phá 80 dặm/giờ. Tìm ngay nơi trú ẩn bên trong một tòa nhà kiên cố, tránh xa cửa sổ. Các vật thể bay có thể gây tử vong cho những ai ở bên ngoài nơi trú ẩn kiên cố. [URL]</p>
<p>Snow Squall Warning</p>	<p>[SENDING AGENCY]: CẢNH BÁO BÃO TUYẾT có hiệu lực tại [LOCATION] cho đến [TIME]. Chậm lại hoặc trì hoãn việc đi lại! Hãy sẵn sàng khi tầm nhìn giảm đột ngột xuống 0 và đường đóng băng do tuyết rơi dày. [URL]</p>
<p>Dust Storm Warning</p>	<p>[SENDING AGENCY]: CẢNH BÁO BÃO BỤI có hiệu lực tại [LOCATION] cho đến [TIME]. Hãy sẵn sàng cho tình huống khi tầm nhìn giảm đột ngột xuống 0. Di chuyển vào lề và cảnh giác. Khi tầm nhìn giảm, hãy đưa xe ra xa khỏi đường và tìm chỗ đậu. Tắt đèn xe và bỏ chân ra khỏi bàn phanh (thắng). Phải cẩn thận đối với trẻ nhỏ, người già và những ai có vấn đề về hô hấp. [URL]</p>
<p>Hurricane Warning</p>	<p>[SENDING AGENCY]: CẢNH BÁO CUÔNG PHONG có hiệu lực tại [LOCATION] do có gió mạnh gây nguy hiểm và gây thiệt hại cho đến [TIME]. Cảnh báo này được đưa ra trong vòng 36 giờ trước khi các điều kiện nguy hiểm bắt đầu. Thực hiện các bước bảo vệ tài sản và tính mạng. Dự trữ thức ăn, nước uống, tiền mặt, nhiên liệu và thuốc bệnh cho 3 ngày trở lên. LÀM THEO HƯỚNG DẪN CỦA CÁC VIÊN CHỨC ĐỊA PHƯƠNG. [URL]</p>

<p>Storm Surge Warning</p>	<p>[SENDING AGENCY]: CẢNH BÁO TRIỀU CUỒNG DO BÃO có hiệu lực tại [LOCATION] vì gây nguy hiểm đến tính mạng do lũ lụt, cho đến [TIME]. Cảnh báo được phát ra trong vòng 36 giờ trước khi các điều kiện gây thiệt hại bắt đầu. Thực hiện các bước bảo vệ tài sản và tính mạng. Tuân theo lệnh di tản được ban hành trong khu vực để tránh bị chết đuối hoặc bị cách ly khỏi các dịch vụ cấp cứu. [URL]</p>
<p>Extreme Wind Warning</p>	<p>[SENDING AGENCY]: CẢNH BÁO GIÓ CỰC MẠNH có hiệu lực tại [LOCATION] vì nguy cơ gió mạnh có thể gây nguy hiểm đến tính mạng cho đến [TIME]. Hãy ẩn ngay trong một căn phòng của tòa nhà kiên cố và xa cửa sổ. Hãy bảo vệ đầu của bạn tránh những vật thể bay. KHÔNG ra khỏi nhà nếu trời lặng gió! Gió sẽ nhanh chóng nguy hiểm trở lại. [URL]</p>
<p>Test Alert</p>	<p>Đây là KIỂM TRA HỆ THỐNG BÁO ĐỘNG Khẩn cấp Vô tuyến Quốc gia [SENDING AGENCY]. Mục đích để duy trì và cải tiến khả năng cảnh báo ở cấp liên bang, tiểu bang, địa phương, bộ lạc và các vùng lãnh thổ, đồng thời đánh giá khả năng cảnh báo Quốc gia. Không yêu cầu người dân hành động. [URL]</p>
<p>Tsunami Warning</p>	<p>[SENDING AGENCY]: CẢNH BÁO SÓNG THẦN có hiệu lực tại [LOCATION] cho đến [TIME]. Những đợt sóng mạnh và dòng nước mạnh có thể ảnh hưởng đến bờ biển gần bạn. Bạn đang gặp nguy hiểm. Hãy rời xa vùng nước ven biển. Di chuyển đến vùng đất cao và trong đất liền. Lánh xa bờ biển cho đến khi các viên chức địa phương thông báo cho trở lại khi thấy an toàn. [URL]</p>
<p>Earthquake Warning</p>	<p>Khi có ĐỘNG ĐẤT! Nằm xuống, Che chắn, Bám chặt. Tự bảo vệ [SENDING AGENCY] [URL]</p>

<p>Boil Water Advisory</p>	<p>[SENDING AGENCY]: CẢNH BÁO NƯỚC SÔI được ban hành cho [LOCATION] có hiệu lực cho đến [TIME]. Nước trong khu vực có thể gây bệnh. Không uống, nấu ăn, đánh răng hoặc lau nhà bằng nước từ vòi hoặc nước lọc trừ khi được đun sôi. Đun sôi nước trong BA PHÚT. Để nước nguội trước khi dùng. Không làm nước đá bằng nước chưa đun sôi. Nếu phải pha sữa cho con, bạn nên dùng sữa có công thức pha sẵn. Đảm bảo thú nuôi không uống nước khi chưa đun sôi. [URL]</p>
<p>911 Outage Alert</p>	<p>[SENDING AGENCY]: CẢNH BÁO SẬP NGUỒN 9-1-1 có hiệu lực tại [LOCATION]. Vui lòng liên hệ trực tiếp số điện thoại địa phương với cảnh sát, cứu hỏa, y tế, hoặc các dịch vụ cấp cứu khác trong trường hợp khẩn cấp. Nếu gọi số 9-1-1 có thể bạn không được trợ giúp. [URL]</p>
<p>Avalanche Warning</p>	<p>[SENDING AGENCY]: CẢNH BÁO TUYẾT LỎ có hiệu lực tại [LOCATION] cho đến [TIME]. Tuyết di chuyển nhanh, gây thương tích hoặc tử vong, chặn đường và làm thiệt hại tài sản ở những nơi bị ảnh hưởng. RỜI KHỎI các khu vực gần [LOCATION]. KHÔNG quay lại sau khi di tản cho đến khi có hướng dẫn của viên chức địa phương. Khuyến nghị không đi lại trong khu vực có tuyết lở. Dòng tuyết lở có thể chảy rất xa [URL]</p>

<p>Fire</p> <p>Warning</p>	<p>[SENDING AGENCY] CẢNH BÁO HỎA HOẠN có hiệu lực tại [LOCATION] cho đến [TIME]. Di tản ngay gia đình và thú nuôi của bạn. Không chần chừ. Tầm nhìn trong khu vực sẽ giảm và đường có thể bị tắc nghẽn. Nếu không đi ngay, bạn sẽ bị mắc kẹt, bị thương tích hoặc chết. RỜI KHỎI các khu vực gần [LOCATION]. Dự kiến tầm nhìn giảm, khói dày đặc, khó thở. Cần thận khi lái xe. Quan sát hoạt động của viên chức an toàn công cộng và làm theo hướng dẫn. [URL]</p>
<p>Hazardous</p> <p>Materials</p> <p>Warning</p>	<p>[SENDING AGENCY]: Đã xảy ra sự cố phát tán VẬT LIỆU NGUY HIỂM vào [TIME] ở [LOCATION]. Tiếp xúc có thể gây khó thở, mất khả năng phối hợp, cảm giác bỏng rát ở mắt, mũi, cổ họng, phổi, buồn nôn, và có thể tử vong. RỜI KHỎI các khu vực gần [LOCATION]. NẾU ĐI TẢN BẰNG Ô TÔ qua khu vực, đóng cửa kính xe và mở thông gió. KHÔNG quay lại khu vực sau khi di tản cho đến khi có hướng dẫn của viên chức địa phương. [URL]</p>

BILLING CODE 6712-01-C

Ordering Clauses

54. *Accordingly it is ordered*, pursuant to the authority contained in sections 1, 2, 4(i), 4(n), 5(c), 301, 303(b), 303(e), 303(g), 303(j), 303(r), 307, 309, 316, 403, and 706 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 152, 154(i), 154(n), 155(c), 301, 303(b), 303(e), 303(g), 303(j), 303(r), 307, 309, 403, and 606, as well as by sections 602(a), (b), (c), (f), 603, 604 and 606 of the Warning Alert and Response Network (WARN) Act, 47 U.S.C. 1201(a), (b), (c), (f), 1203, 1204 and 1206, the Wireless Emergency Alerts, Amendments to Part 11 of the Commission’s Rules Regarding the Emergency Alert System, PS Docket Nos. 15–94 and 15–91, Third Report and Order, FCC 23–88 (2023), and 47 CFR 0.5(c), 0.191, 0.201, 0.204, and 0.392 that this document is hereby *adopted*.

55. *It is further ordered* that the amendments of part 10 of the Commission’s rules as set forth in Appendix A of the Report and Order are

adopted. As provided in the 2023 WEA Report and Order, the adopted rule is effective 30 months from the date of publication in the **Federal Register**.

List of Subjects in 47 CFR Part 10

Communications equipment, Emergency preparedness, Language accessibility.

Federal Communications Commission.

Zenji Nakazawa, Chief, Public Safety Homeland Security Bureau.

Final Rules

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 10 as follows:

PART 10—WIRELESS EMERGENCY ALERTS

■ 1. The authority citation for part 10 continues to read as follows:

Authority: 47 U.S.C. 151, 152, 154(i), 154(n), 201, 301, 303(b), 303(e), 303(g),

303(j), 303(r), 307, 309, 316, 403, 544(g), 606, 1201, 1202, 1203, 1204, and 1206.

■ 2. Delayed indefinitely, amend § 10.480 by adding paragraphs (c) through (f) to read as follows:

§ 10.480 Language support.

* * * * *

(c) Participating CMS Providers shall support pre-scripted alert templates for the following events: tornado emergency, tornado warning, flash flood emergency, flash flood warning, severe thunderstorm, snow squall, dust storm, hurricane, storm surge, extreme wind, test alert, fire, tsunami, earthquake, boil water, avalanche, hazardous materials, and 911 outage.

(d) Participating CMS Providers shall support the pre-scripted alert templates listed in paragraph (c) of this section for English, Arabic, Chinese (simplified and traditional), French, German, Haitian Creole, Hindi, Italian, Korean, Portuguese, Russian, Spanish, Tagalog, and Vietnamese. The language of the templates that Participating CMS

Providers must support is provided at: <https://www.fcc.gov/sites/default/files/FillableAlertTemplates-WEA-MultilingualOrder.pdf>.

(e) Participating CMS Providers shall support the inclusion of four fillable elements that customize the pre-scripted alert templates for the languages listed in paragraph (d) of this section. Alert Messages that use the pre-scripted alert templates shall display, as specified by the originator:

(1) In the [SENDING AGENCY] field, the name of the agency originating the alert;

(2) In the [LOCATION] field, the name of the geographic area pertaining to the alert message;

(3) In the [TIME] field, the time when the emergency conditions described in the alert are expected to end;

(4) In the [URL] field, a Uniform Resource Locator (URL), if included by the alert originator.

(f) Participating CMS Providers shall support static, pre-scripted alert templates for American Sign Language (ASL) for each of the events listed in paragraph (c) of this section. The pre-scripted video templates that Participating CMS Providers must support are provided at: [https://](https://www.fcc.gov/WirelessEmergencyAlert-Templates-ASL)

www.fcc.gov/WirelessEmergencyAlert-Templates-ASL.

■ 3. Delayed indefinitely, amend § 10.500 by adding paragraph (e)(3) as follows:

§ 10.500 General requirements.

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(e) * * *

(3) Displaying the corresponding pre-scripted Alert Messages in English following the display of each Alert Message that uses a pre-scripted alert template in a non-English language.

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FEDERAL REGISTER

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December 10, 2025

Part III

The President

Proclamation 10996—National Pearl Harbor Remembrance Day, 2025
Executive Order 14364—Addressing Security Risks From Price Fixing and
Anti-Competitive Behavior in the Food Supply Chain

Presidential Documents

Title 3—

Proclamation 10996 of December 5, 2025

The President

National Pearl Harbor Remembrance Day, 2025

By the President of the United States of America

A Proclamation

On December 7, 1941, a peaceful Sunday morning on the Hawaiian island of Oahu was shattered by an unprovoked attack by the naval and air forces of the Empire of Japan on the United States Pacific Fleet at Pearl Harbor and the aircraft and hangars at Kaneohe, Ford Island, Barbers Point, and Hickam Field. The surprise offensive claimed the lives of 2,403 American service members and civilians and propelled our Nation into the Second World War.

The Japanese mission was designed to cripple our military assets and obliterate the American spirit, but instead, the fatal attacks rallied our shattered citizenry and fueled our resolve. Young men from every corner of our country put their lives and futures on hold and were thrust into bloody and brutal battles of historic consequence that would forever change the world. Although untested in battle, these patriots, still reeling from horror and disbelief, united in a singular mission: to defeat tyranny. The exceptional courage and immeasurable sacrifices of the Greatest Generation secured our way of life and the blessings of freedom for future generations.

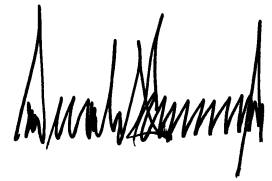
In the decades since the “date which will live in infamy,” the aggressor has become our loyal ally and trusted friend. Japan is one of our closest security partnerships, and our military forces work together every day to defend our common interests. We are united by commerce, history, culture, and mutual respect. Our strong alliance is a testament to the transformational power of peace, diplomacy, and democracy.

The lessons learned 84 years ago on that fateful day still resound with America’s exceptional fighting force. We must remain ever vigilant and prepared to annihilate any foe who dares to threaten our liberty. This annual day of remembrance must be held in the highest esteem and reverence as we honor the Americans who laid down their lives to defend our homeland on the island of Oahu and in the battles of World War II.

The Congress, by Public Law 103–308, as amended, has designated December 7 of each year as “National Pearl Harbor Remembrance Day.”

NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim December 7, 2025, as National Pearl Harbor Remembrance Day. I encourage all Americans to observe this solemn day and to honor our military, past and present, with appropriate ceremonies and activities. I urge all Federal agencies and interested organizations, groups, and individuals to fly the flag of the United States at half-staff in honor of those American patriots who died as a result of their service at Pearl Harbor.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth 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.

A handwritten signature in black ink, appearing to be a stylized name, possibly "Donald Trump", written in a cursive script.

Presidential Documents

Executive Order 14364 of December 6, 2025

Addressing Security Risks From Price Fixing and Anti-Competitive Behavior in the Food Supply Chain

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered:

Section 1. *Background.* An affordable and secure food supply is vital to America's national and economic security. However, anti-competitive behavior, especially when carried out by foreign-controlled corporations, threatens the stability and affordability of America's food supply. In recent years certain companies in the American food supply chain have even settled civil suits accusing them of price fixing for tens of millions of dollars. Food supply sectors including meat processing, seed, fertilizer, and equipment have similar vulnerabilities to price fixing and other anti-competitive practices. My Administration will act to determine whether anti-competitive behavior, especially by foreign-controlled companies, increases the cost of living for Americans and address any associated national security threat to food supply chains.

Sec. 2. *Food Supply Chain Security Task Forces to Protect Competition.*

(a) The Attorney General and the Chairman of the Federal Trade Commission shall each establish a Food Supply Chain Security Task Force within the Department of Justice and the Federal Trade Commission, respectively, that will take all necessary and appropriate actions to investigate food-related industries within their established areas of expertise and determine whether anti-competitive behavior exists in food supply chains in the United States, as well as whether control of food-related industries by foreign entities is increasing the cost of food products in the United States or creating a national or economic security threat to Americans. The Attorney General and the Chairman of the Federal Trade Commission shall take such actions as are necessary to remedy any anti-competitive behavior that their respective investigations uncover, including bringing enforcement actions and proposing new regulatory approaches. Should the Department of Justice Food Supply Chain Security Task Force uncover any evidence of criminal collusion, the Attorney General shall commence criminal proceedings as appropriate, including grand jury investigations.

(b) The Task Forces shall, as permitted by law, jointly brief the Speaker of the House, the Majority Leader of the Senate, and the chairs of congressional committees of jurisdiction with a summary of their progress pursuant to this order once within 180 days following the date of this order, and again within 365 days following the date of this order, including, if relevant after consulting with the Assistant to the President and Deputy Chief of Staff for Legislative, Political, and Public Affairs, any recommended congressional actions. Such briefings shall not include any information related to ongoing investigations, prosecutions, regulatory actions, or litigation nor any non-public information regarding any food-related industry investigated pursuant to this order.

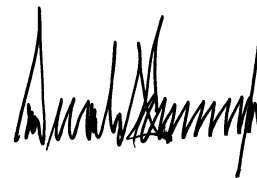
Sec. 3. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

- (i) the authority granted by law to an executive department or agency, or the head thereof; or
- (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(d) The costs for publication of this order shall be borne by the Department of Justice.

A handwritten signature in black ink, appearing to be a stylized name, located on the right side of the page.

THE WHITE HOUSE,
December 6, 2025.

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