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Contents

Federal Register

Vol. 90, No. 237

Friday, December 12, 2025

Agriculture Department

See National Agricultural Statistics Service

See Rural Utilities Service

Coast Guard

RULES

Safety Zone:

Between Lights 7 through 19; Texas City Channel, Texas City, TX, 57697–57698

Commerce Department

See Foreign-Trade Zones Board

See International Trade Administration

See National Oceanic and Atmospheric Administration

Community Development Financial Institutions Fund

NOTICES

Hearings, Meetings, Proceedings, etc.:

Community Development Advisory Board, 57815–57816

Consumer Product Safety Commission

RULES

Safety Standard:

Bassinets and Cradles, 57691–57695

Toys: Requirements for Water Beads, 57820–57859

Defense Department

NOTICES

Agency Information Collection Activities; Proposals,

Submissions, and Approvals:

Federal Acquisition Regulation Part 27 Requirements, 57761–57763

Arms Sales, 57733–57753

Education Department

NOTICES

Agency Information Collection Activities; Proposals,

Submissions, and Approvals:

Request for Designation as an Eligible Institution Under Section 312 of the HEA and Waivers of the Non-Federal Cost Share Reimbursement, 57753–57754

Energy Department

See Federal Energy Regulatory Commission

NOTICES

Agency Information Collection Activities; Proposals,

Submissions, and Approvals, 57756

Change in Control:

Mexico Pacific Limited LLC, 57754–57756

Environmental Protection Agency

NOTICES

Agency Information Collection Activities; Proposals,

Submissions, and Approvals:

Bilingual Pesticide Labeling Tracking, 57758–57759

Environmental Impact Statements; Availability, etc., 57758

Federal Aviation Administration

RULES

Airworthiness Directives:

Bell Textron Canada Limited Helicopters, 57678–57680

Bombardier, Inc., Airplanes, 57688–57690

CFM International, S.A. Engines, 57675–57678

Gulfstream Aerospace LP (Type Certificate Previously

Held by Israel Aircraft Industries, Ltd.) Airplanes, 57683–57685

MHI RJ Aviation ULC (Type Certificate Previously Held

by Bombardier, Inc.) Airplanes, 57680–57683

The Boeing Company Airplanes, 57685–57688

PROPOSED RULES

Airspace Designations and Reporting Points:

Alaska, 57724–57726

Missoula, MT, 57721–57722

Mount Pleasant, MI, 57722–57724

Federal Communications Commission

RULES

Delete, Delete, Delete; Removal of Obsolete Regulations,

57698–57713

NOTICES

Agency Information Collection Activities; Proposals,

Submissions, and Approvals, 57759–57761

Federal Energy Regulatory Commission

NOTICES

Combined Filings, 57756–57758

Federal Highway Administration

NOTICES

Application:

State of Nebraska to the Surface Transportation Project

Delivery Program; Proposed Memorandum of

Understanding Assigning Environmental

Responsibilities to the State, 57809–57811

Federal Procurement Policy Office

NOTICES

Agency Information Collection Activities; Proposals,

Submissions, and Approvals:

Federal Acquisition Regulation Part 27 Requirements, 57761–57763

Federal Railroad Administration

NOTICES

Safety Advisory:

2025–02; Track Is Clear Determination During Shoving or

Pushing Movements Across Highway-Rail Grade

Crossings Equipped Only with Flashing Lights or

Passive Warning Devices, 57811–57812

Food and Drug Administration

NOTICES

Amending Over-the-Counter Monograph M020:

Sunscreen Drug Products for Over-the-Counter Human

Use, 57765–57766

Drug Products Not Withdrawn from Sale for Reasons of

Safety or Effectiveness:

Bactroban (Mupirocin) Nasal Ointment, 57767

Demerol (Meperidine Hydrochloride) Tablet, 100

Milligrams, 57768–57770

Lunelle (Estradiol Cypionate and Medroxyprogesterone

Acetate) Injectable, 5 Milligrams/0.5 Milliliter and 25

Milligrams/0.5 Milliliter, 57767–57768

Drug Products not Withdrawn from Sale for Reasons of Safety or Effectiveness:
 Zantac (Ranitidine Hydrochloride) Injection, Equivalent to 25 Milligrams Base/Milliliter, 57766–57767
 Hearings, Meetings, Proceedings, etc.:
 Biosimilar User Fee Act; Stakeholder Consultation Meetings on Biosimilar User Fee Act
 Reauthorization; Request for Notification of Stakeholder Intention to Participate, 57763–57764
 Withdrawal of Approval of Drug Application:
 Pfizer Inc., U.S. Agent for King Pharmaceuticals LLC, et al., 57764–57765

Foreign Assets Control Office

RULES

Publication of International Criminal Court-Related Sanctions Regulations Web General License 10, 57695–57696
 Publication of International Criminal Court-Related Sanctions Regulations Web General License 9, 57696
 Publication of Russian Harmful Foreign Activities Sanctions Regulations and Ukraine-/Russia-Related Sanctions Regulations Web General License 125, 57696–57697

Foreign-Trade Zones Board

NOTICES

Approval of Subzone Status:
 Pinnaclemod LLC; Aberdeen, WA, 57730–57731
 Proposed Production Activity:
 Plascore, Inc., Foreign-Trade Zone 189, Zeeland, MI, 57731–57732

General Services Administration

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
 Federal Acquisition Regulation Part 27 Requirements, 57761–57763

Health and Human Services Department

See Food and Drug Administration
 See Health Resources and Services Administration
 See National Institutes of Health

Health Resources and Services Administration

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
 Maternal, Infant, and Early Childhood Home Visiting Program Model Eligibility Review Survey, 57770–57772

Homeland Security Department

See Coast Guard
 See U.S. Citizenship and Immigration Services
 See U.S. Customs and Border Protection

Internal Revenue Service

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
 Excise Taxes on Excess Inclusions of REMIC Residual Interests, 57816
 Provisional Foreign Tax Credit Agreement, 57816–57817

International Trade Administration

NOTICES

Antidumping or Countervailing Duty Investigations, Orders, or Reviews:
 Certain Quartz Surface Products from the People's Republic of China, 57732

International Trade Commission

NOTICES

Investigations; Determinations, Modifications, and Rulings, etc.:
 Certain Smart Wearable Devices, Systems, and Components Thereof, 57778–57779
 Temporary Steel Fencing from China, 57779–57780

Justice Department

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
 National Incident-Based Reporting System, 57780–57781

Management and Budget Office

See Federal Procurement Policy Office

Maritime Administration

NOTICES

Use of Foreign-built Small Passenger Vessel in United States Coastwise Trade:
 M/V COCONUT MONKEY, 57813–57814
 M/V DONNA RENEE, 57814–57815
 S/V PURESCAPE, 57812–57813

National Aeronautics and Space Administration

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
 Federal Acquisition Regulation Part 27 Requirements, 57761–57763

National Agricultural Statistics Service

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 57728–57730

National Credit Union Administration

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 57781–57782

National Highway Traffic Safety Administration

PROPOSED RULES

Hearings, Meetings, Proceedings, etc.:
 Corporate Average Fuel Economy Standards: The Safer Affordable Fuel-Efficient Vehicle Rule III for Model Years 2022 to 2031 Passenger Cars and Light Trucks, 57726–57727

National Institutes of Health

NOTICES

Enhancing Security Measures for Human Biospecimens, 57772–57773
 Hearings, Meetings, Proceedings, etc.:
 Center for Scientific Review, 57773–57774
 National Institute of Arthritis and Musculoskeletal and Skin Diseases, 57774

National Oceanic and Atmospheric Administration**RULES**

Fisheries off West Coast States:

Magnuson-Stevens Act Provisions; Pacific Coast Groundfish Fishery; Pacific Coast Groundfish Fishery Management Plan; Amendment 34; Groundfish Exclusion Area for Coral Research and Restoration, 57714–57720

Reef Fish Fishery of the Gulf of America:

Reopening of the Red Snapper Recreational For-Hire Fishing Season in the Gulf of America, 57713–57714

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
West Coast Region Groundfish Trawl Fishery Electronic Monitoring Program, 57732–57733

National Science Foundation**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Innovation Corps Program Pre-submission Executive Summary Form, 57782
Performance Review Board Members, 57783

Neighborhood Reinvestment Corporation**NOTICES**

Meetings; Sunshine Act, 57783

Nuclear Regulatory Commission**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Packaging and Transportation of Radioactive Material, 57785–57786
Safeguards on Nuclear Material, Implementation of US/IAEA Agreement, 57791–57793
Environmental Assessments; Availability, etc.:
Homestake Mining Co. of California; Grants Reclamation Project, 57783–57785
Omaha Public Power District; Fort Calhoun Station, Unit 1, 57788–57791
Meetings; Sunshine Act, 57786
Permits; Applications, Issuances, etc.:
SHINE Technologies, LLC, SHINE Medical Isotope Production Facility, 57786–57788

Personnel Management Office**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Federal Employees Health Benefits and Postal Service Health Benefits Programs Service Use and Cost Data, 57793

Postal Regulatory Commission**NOTICES**

New Postal Products, 57793–57794

Presidential Documents**ADMINISTRATIVE ORDERS**

Global Illicit Drug Trade; Continuation of National Emergency (Notice of December 10, 2025), 57865
Serious Human Rights Abuse and Corruption; Continuation of National Emergency (Notice of December 10, 2025), 57861–57863

Rural Utilities Service**RULES**

OneRD Guarantee Loan Regulation, 57675

Science and Technology Policy Office**NOTICES**

Performance Review Board Members, 57794

Securities and Exchange Commission**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 57794–57795
Application:
Prospect Capital Corporation, et al., 57796
Meetings; Sunshine Act, 57802–57803
Self-Regulatory Organizations; Proposed Rule Changes:
Long-Term Stock Exchange, Inc., 57800–57802
NYSE Arca, Inc., 57795–57796
The Options Clearing Corp., 57796–57799

Small Business Administration**NOTICES**

Disaster Declaration:
California, 57803

Surface Transportation Board**NOTICES**

Acquisition of Control:
Van Pool Transportation LLC and AG Van Pool Holdings, LP, Lavdas Enterprises, Inc., 57803–57806
Exemption:
Discontinuance of Service; CSX Transportation, Inc., Robeson and Bladen Counties, NC, 57806–57807
Requests for Nominations:
Railroad-Shipper Transportation Advisory Council, 57806

Trade Representative, Office of United States**NOTICES**

Nicaragua's Acts, Policies, and Practices Related to Labor Rights, Human Rights and Fundamental Freedoms, and the Rule of Law, 57807–57809

Transportation Department

See Federal Aviation Administration
See Federal Highway Administration
See Federal Railroad Administration
See Maritime Administration
See National Highway Traffic Safety Administration

Treasury Department

See Community Development Financial Institutions Fund
See Foreign Assets Control Office
See Internal Revenue Service

U.S. Citizenship and Immigration Services**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Application for Travel Document, 57777–57778

U.S. Customs and Border Protection**NOTICES**

Commercial Gauger and Laboratory; Accreditation and Approval:
Intertek USA, Inc., New Haven, CT, 57776–57777
USA, Inc., Benicia, CA, 57775–57776
USA, Inc., Corpus Christi, TX, 57774–57775
USA, Inc., Savannah, GA, 57776

Veterans Affairs Department

NOTICES

Agency Information Collection Activities; Proposals,
Submissions, and Approvals:
Document Evidence Submission, 57817

Separate Parts In This Issue

Part II

Consumer Product Safety Commission, 57820–57859

Part III

Presidential Documents, 57861–57863, 57865

Reader Aids

Consult the Reader Aids section at the end of this issue for phone numbers, online resources, finding aids, and notice of recently enacted public laws.

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CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

3 CFR**Administrative Orders:**

Notices:

Notice of December

10, 2025 57863

Notice of December

10, 2025 57865

7 CFR

5001 57675

14 CFR

39 (6 documents) 57675,

57678, 57680, 57683, 57685,
57688**Proposed Rules:**

71 (3 documents) 57721,

57722, 57724

16 CFR

1112 57820

1218 57691

1250 57820

31 CFR

528 (2 documents) 57695,

57696

587 57696

589 57696

33 CFR

165 57697

47 CFR

1 57698

13 57698

17 57698

20 57698

22 57698

24 57698

26 57698

27 57698

30 57698

54 57698

74 57698

80 57698

87 57698

88 57698

90 57698

95 57698

96 57698

97 57698

101 57698

49 CFR**Proposed Rules:**

531 57726

533 57726

535 57726

537 57726

50 CFR

622 57713

660 57714

Rules and Regulations

Federal Register

Vol. 90, No. 237

Friday, December 12, 2025

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

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

DEPARTMENT OF AGRICULTURE

Rural Utilities Service

7 CFR Part 5001

[Docket No. RUS-24-AGENCY-0039]

RIN 0572-AC63

OneRD Guarantee Loan Regulation

AGENCY: Rural Business-Cooperative Service, Rural Housing Service, Rural Utilities Service, USDA.

ACTION: Final rule; confirmation.

SUMMARY: Rural Development's Rural Business-Cooperative Service, Rural Housing Service, and Rural Utilities Service, agencies of the United States Department of Agriculture (USDA), collectively referred to as the Agency in this document, published in the **Federal Register** on September 30, 2024, a final rule with request for comments.

Through this action, the agencies are confirming the final rule as it was published and providing responses to the public comments that were received.

DATES: The final rule published at 89 FR 79698 on September 30, 2024, is effective and confirmed as of November 29, 2024.

FOR FURTHER INFORMATION CONTACT:

Brian Wiles, Director of Guaranteed Lending, Rural Business-Cooperative Service, United States Department of Agriculture, 1400 Independence Avenue SW, Mail Stop 3201, Room 5803-South, Washington, DC 20250-3201, via phone 405-612-4839 or brian.wiles@usda.gov.

SUPPLEMENTARY INFORMATION: The final rule that published September 30, 2024 (89 FR 79698), included a 30-day comment period that ended October 30, 2024. The intent of the rule was to make necessary revisions to the policy and procedures to strengthen oversight and management of the growing Community Facilities (CF), Water and Waste Disposal (WWD), Business and Industry (B&I), and Rural Energy for America (REAP) guarantee portfolios.

The Agency received detailed, responsive comments from four individual respondents. The Agency reviewed the comments and provided an Agency response below. The Agency has decided to proceed with implementation of the final rule without further amendments.

Sec. 5001.127 Borrower ineligibility conditions.

Comment: All four comments indicated disagreement with the Agency's decision to prohibit an entity that receives income from marijuana operations from receiving Agency assistance.

Agency Response: The Agency is aware that many states have legalized the production and sale of marijuana; however, marijuana is currently listed as a schedule I substance under the Controlled Substances Act (Pub. L. 91-513). As noted in the regulation any entity that derives income from illegal drugs, drug paraphernalia, or any other illegal product or activity are ineligible under Federal Statute.

No change to the rulemaking is necessary. The Agency appreciates the comments received. The Agency confirms the final rule without change.

Joseph Gilson,

Chief of Staff, Rural Development.

[FR Doc. 2025-22660 Filed 12-11-25; 8:45 am]

BILLING CODE 3410-XP-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2025-3434; Project Identifier AD-2025-00473-E; Amendment 39-23175; AD 2025-21-03]

RIN 2120-AA64

Airworthiness Directives; CFM International, S.A. Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain CFM International, S.A. (CFM) Model LEAP-1A23, LEAP-1A24, LEAP-1A24E1, LEAP-1A26, LEAP-1A26CJ,

LEAP-1A26E1, LEAP-1A29, LEAP-1A29CJ, LEAP-1A30, LEAP-1A32, LEAP-1A33, LEAP-1A33B2, and LEAP-1A35A engines. This AD was prompted by reports of two in-flight shutdowns and subsequent investigation by the manufacturer that revealed cracks in the high-pressure turbine (HPT) rotor stage 1 blades. This AD requires initial and repetitive borescope inspections (BSIs) of the HPT rotor stage 1 blades. Depending on the results of the BSIs, this AD requires either additional BSIs at reduced intervals or replacement of the HPT rotor stage 1 blades. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective December 29, 2025.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of December 29, 2025.

The FAA must receive comments on this AD 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-2025-3434; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For CFM material identified in this AD, contact CFM, GE Aviation Fleet Support, 1 Neumann Way, M/D Room 285, Cincinnati, OH 45215; phone: (877) 432-3272; email: aviation.fleet-support@ge.com.

- You may view this material at the FAA, Airworthiness Products Section,

Operational Safety Branch, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the FAA, call (817) 222-5110.

FOR FURTHER INFORMATION CONTACT:

Mehdi Lamnyi, Aviation Safety Engineer, FAA, 2200 South 216th Street, Des Moines, WA 98198; phone: (781) 238-7743; email: mehdi.lamnyi@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written data, views, or arguments about this final rule. Send your comments using a method listed under the **ADDRESSES** section. Include “Docket No. FAA-2025-3434; Project Identifier AD-2025-00473-E” at the beginning of your comments. The most helpful comments reference a specific portion of the final rule, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this final rule because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to [regulations.gov](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 final rule.

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this AD contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this AD, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as “PROPIN.” The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this AD. Submissions containing CBI should be sent to Mehdi Lamnyi, Aviation Safety Engineer, FAA, 2200 South 216th Street, Des Moines, WA 98198. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

The FAA was notified of reports of two in-flight shutdowns on airplanes powered by CFM LEAP-1A engines operating extensively in the Middle East and North Africa (MENA) region. A subsequent investigation by the manufacturer revealed that the engine failures were due to cracks in the HPT rotor stage 1 blades. After investigation, the manufacturer determined that engines operating in the MENA region are susceptible to accelerated HPT rotor stage 1 blade deterioration and airfoil distress at earlier cycle times due to the build-up of dust. As result, the FAA issued AD 2022-17-12, Amendment 39-22150 (87 FR 53651, September 1, 2022) (AD 2022-17-12) to address that unsafe condition in the MENA region. Further analysis revealed that these same engines are susceptible to similar accelerated deterioration and airfoil distress when operating in the South Asia region. This condition, if not addressed, could result in failure of the engine, in-flight shutdown, loss of thrust control, and consequent loss of control of the airplane.

The FAA is issuing this AD to address the unsafe condition on these products.

FAA’s Determination

The FAA is issuing this AD because the agency determined the unsafe condition described previously is likely to exist or develop in other products of the same type design.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed CFM Service Bulletin (SB) LEAP-1A-72-00-0485-01A-930A-D, Issue 003-00, dated July 30, 2025, which specifies procedures for performing repetitive BSIs of the HPT rotor stage 1 blades on LEAP-1A engines operating in the South Asia region, and depending on the inspection results, recording and reporting any unserviceable findings, inspecting the sister engine’s HPT rotor stage 1 blades, or removing an unserviceable HPT rotor stage 1 blades from service.

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

AD Requirements

This AD requires initial and repetitive BSIs of the HPT rotor stage 1 blades and, depending on the results of the inspections, additional BSIs at reduced intervals or replacement of the HPT rotor stage 1 blades. This AD also requires a BSI of the HPT rotor stage 1 blades installed on the sister engine of

the same airplane if certain criteria are met.

This AD will require similar inspections, compliance times, and corrective actions as AD 2022-17-12 except for the initial inspection threshold which is specific to operations within the South Asia region.

Interim Action

The FAA considers this AD to be an interim action. The unsafe condition is still under investigation by the manufacturer and, depending on the results of that investigation, the FAA may consider further rulemaking action.

Justification for Immediate Adoption and Determination of the Effective Date

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

The FAA justifies waiving notice and comment prior to adoption of this rule because no domestic operators are affected by this AD. It is unlikely that the FAA will receive any adverse comments or useful information about this AD from any U.S. operator.

Accordingly, notice and opportunity for prior public comment are unnecessary, pursuant to 5 U.S.C. 553(b). In addition, for the foregoing reason(s), the FAA finds that good cause exists pursuant to 5 U.S.C. 553(d) for making this amendment effective in less than 30 days.

Regulatory Flexibility Act

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

Costs of Compliance

The FAA estimates that this AD affects 0 engines installed on airplanes of U.S. registry.

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

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
BSI of the HPT rotor stage 1 blades	4 work-hours × \$85 per hour = \$340	\$0	\$340	\$0

The FAA estimates the following costs to do any necessary further corrective actions and replacements that

would be required based on the results of the inspection. The agency has no way of determining the number of

engines that might need these additional inspections or replacements.

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Replacement of the HPT rotor stage 1 blades	150 work-hours × \$85.00 per hour = \$12,750	\$988,200	\$1,000,950
BSI of the HPT rotor stage 1 blades (on the sister engine).	4 work-hours × \$85 per hour = \$340	0	340

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

- (1) Is not a "significant regulatory action" under Executive Order 12866, and
- (2) Will not affect intrastate aviation in Alaska.

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2025–21–03 CFM International, S.A.:
Amendment 39–23175; Docket No. FAA–2025–3434; Project Identifier AD–2025–00473–E.

(a) Effective Date

This airworthiness directive (AD) is effective December 29, 2025.

(b) Affected ADs

None.

(c) Applicability

This AD applies to CFM International, S.A. Model (CFM) LEAP–1A23, LEAP–1A24, LEAP–1A24E1, LEAP–1A26, LEAP–1A26CJ, LEAP–1A26E1, LEAP–1A29, LEAP–1A29CJ, LEAP–1A30, LEAP–1A32, LEAP–1A33, LEAP–1A33B2, and LEAP–1A35A engines with an installed high-pressure turbine (HPT) rotor stage 1 blade, having part number (P/N) 2747M92P01, P/N 2553M91G03, P/N 2553M91G05, P/N 2553M91G06, P/N 2553M91G07, or P/N 2553M91G08 and that has accumulated more than 1,100 South Asia takeoffs.

(d) Subject

Joint Aircraft System Component (JASC) Code 7250, Turbine section.

(e) Unsafe Condition

This AD was prompted by reports of two in-flight shutdowns due to cracks in the HPT rotor stage 1 blades. The FAA is issuing this

AD to prevent failure of the HPT rotor stage 1 blades. The unsafe condition, if not addressed, could result in failure of the engine, in-flight shutdown, loss of thrust control, and consequent loss of control of the airplane.

(f) Compliance

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

(g) Required Actions

(1) Group 1 Engines: Borescope Inspection (BSI) of HPT Rotor Stage 1 Blades

For Group 1 engines with an affected HPT rotor stage 1 blade installed:

- (i) Within 100 flight cycles (FCs) after accumulating 1,100 South Asia takeoffs on the HPT rotor stage 1 blade, before the HPT rotor stage 1 blade accumulates 2,500 cycles since new (CSN), or within 100 FCs after the effective date of this AD, whichever occurs later, perform an initial BSI of the HPT rotor stage 1 blades in accordance with the Accomplishment Instructions, paragraph 5.E.(1)(c), of CFM Service Bulletin LEAP–1A–72–00–0485–01A–930A–D, Issue 003–00, dated July 30, 2025 (CFM SB LEAP–1A–72–00–0485–01A–930A–D, Issue 003–00).
- (ii) Thereafter, at intervals not to exceed 150 FCs since the last BSI, perform a repetitive BSI of the HPT rotor stage 1 blades in accordance with the Accomplishment Instructions, paragraph 5.E.(1)(c), of CFM SB LEAP–1A–72–00–0485–01A–930A–D, Issue 003–00.

(2) Group 2 Engines: BSI of HPT Rotor Stage 1 Blades

For Group 2 engines with an affected HPT rotor stage 1 blade installed:

- (i) Within 100 FCs after accumulating 1,100 South Asia takeoffs on the HPT rotor stage 1 blade, before the HPT rotor stage 1 blade accumulates 5,100 CSN, or within 100 FCs after the effective date of this AD, whichever occurs later, perform an initial BSI of the HPT rotor stage 1 blades in accordance with the Accomplishment Instructions, paragraph 5.E.(1)(c), of CFM SB LEAP–1A–72–00–0485–01A–930A–D, Issue 003–00.
- (ii) Thereafter, at intervals not to exceed 300 FCs since the last BSI, perform a

repetitive BSI of the HPT rotor stage 1 blades in accordance with the Accomplishment Instructions, paragraph 5.E.(1)(c), of CFM SB LEAP-1A-72-00-0485-01A-930A-D, Issue 003-00.

(3) BSI Results Disposition for Group 1 and Group 2 Engines

Based on the results of the BSI required by paragraphs (g)(1) or (2) of this AD, as applicable, either re-inspect or replace, as applicable, the HPT rotor stage 1 blades set using the criteria, compliance times, and procedures as described in the Accomplishment Instructions, paragraph 5.E.(1)(e), of CFM SB LEAP-1A-72-00-0485-01A-930A-D, Issue 003-00.

(4) Conditional Inspection of the Sister Engine for Group 1 and Group 2 Engines

(i) Based on the BSI results disposition required by paragraph (g)(3) of this AD, if re-inspection or replacement of the HPT rotor stage 1 is required, within 50 FCs based on the criteria, compliance times, and procedures described in the Accomplishment Instructions, paragraph 5.E.(1)(e), of CFM SB LEAP-1A-72-00-0485-01A-930A-D, Issue 003-00, then perform the actions required in paragraph (g)(4)(ii) of this AD.

(ii) Within 5 FCs after performing the inspection required by paragraph (g)(1) or (2) of this AD, as applicable, either inspect or replace the HPT rotor stage 1 blades on the sister engine using the procedures and compliance times in the Accomplishment Instructions, paragraph 5.E.(1)(f), of CFM SB LEAP-1A-72-00-0485-01A-930A-D, Issue 003-00. Where CFM SB LEAP-1A-72-00-0485-01A-930A-D, Issue 003-00, specifies to remove the engine, this AD requires replacement of the HPT rotor stage 1 blades.

(h) Definitions

For the purpose of this AD, the following definitions apply:

(1) Group 1 engines are CFM Model LEAP-1A29, LEAP-1A29CJ, LEAP-1A30, LEAP-1A32, LEAP-1A33, LEAP-1A33B2, and LEAP-1A35A engines.

(2) Group 2 engines are CFM Model LEAP-1A23, LEAP-1A24, LEAP-1A24E1, LEAP-1A26, LEAP-1A26CJ, and LEAP-1A26E1 engines.

(3) A “South Asia takeoff” is any takeoff accomplished in the South Asia region, which includes the following countries: Bangladesh, Bhutan, India, Maldives, Nepal, and Sri Lanka.

(4) A “sister engine” refers to the other engine installed on the same airplane.

(i) Credit for Previous Actions

(1) This paragraph provides credit for the initial BSI required by paragraphs (g)(1)(i) or (2)(i) of this AD if you performed the initial BSI before the effective date of this AD using CFM Service Bulletin LEAP-1A-72-00-0485-01A-930A-D, Issue 001-00, dated September 27, 2022, or Issue 002-00, dated April 16, 2025.

(2) The inspections and corrective actions as required by paragraphs (g)(1) through (4) of this AD satisfy the requirements of paragraphs (g)(1) through (4) of AD 2022-17-12, Amendment 39-22150 (87 FR 53651, September 1, 2022) (AD 2022-17-12).

(3) The inspections and corrective actions as required by paragraphs (g)(1) through (4) of AD 2022-17-12 satisfy the requirements of paragraphs (g)(1) through (4) of this AD.

(j) No Reporting Requirement

Where CFM SB LEAP-1A-72-00-0485-01A-930A-D, Issue 003-00, requires reporting any unserviceable findings, this AD does not require that action.

(k) Alternative Methods of Compliance (AMOCs)

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

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

(l) Additional Information

For more information about this AD, contact Mehdi Lamnyi, Aviation Safety Engineer, FAA, 2200 South 216th Street, Des Moines, WA 98198; phone: (781) 238-7743; email: mehdi.lamnyi@faa.gov.

(m) Material Incorporated by Reference

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

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

(i) CFM Service Bulletin LEAP-1A-72-00-0485-01A-930A-D, Issue 003-00, dated July 30, 2025.

(ii) [Reserved]

(3) For CFM material identified in this AD, contact CFM International, S.A., GE Aviation Fleet Support, 1 Neumann Way, M/D Room 285, Cincinnati, OH 45215; phone: (877) 432-3272; email: aviation.fleet-support@ge.com.

(4) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 1200 District Avenue, Burlington, MA 01803. 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.

Peter A. White,

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

[FR Doc. 2025-22684 Filed 12-11-25; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2025-1727; Project Identifier MCAI-2024-00750-R; Amendment 39-23209; AD 2025-25-01]

RIN 2120-AA64

Airworthiness Directives; Bell Textron Canada Limited Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain Bell Textron Canada Limited (Bell) Model 427 helicopters. This AD was prompted by a report of a cracked transmission oil check valve (check valve). This AD requires inspecting and measuring certain check valves and, depending on the results, repetitively inspecting and removing the check valve from service if it has leaks or is cracked. This AD also prohibits installing the affected check valves on any helicopter. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective January 16, 2026.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of January 16, 2026.

ADDRESSES:

AD Docket: You may examine the AD docket at regulations.gov under Docket No. FAA-2025-1727; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For Transport Canada material identified in this AD, contact Transport Canada, Transport Canada National Aircraft Certification, 159 Cleopatra Drive, Nepean, Ontario, K1A 0N5, Canada; phone: (888) 663-3639; email: TC.AirworthinessDirectives-Consignesdenavigabilite.TC@tc.gc.ca; website: tc.canada.ca/en/aviation. You may find the Transport Canada material on the Transport Canada website at tc.canada.ca/en/aviation.

• You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N-321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222-5110. It is also available at *regulations.gov* under Docket No. FAA-2025-1727.

FOR FURTHER INFORMATION CONTACT: Michael Yeshiambel, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (316) 946-4133; email: michael.m.yeshiambel@faa.gov.

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to Bell Model 427 helicopters, serial numbers 56001 through 56084 inclusive, 58001, and 58002. The NPRM was published in the **Federal Register** on August 5, 2025 (90 FR 37432). The NPRM was prompted by Transport Canada AD CF-2024-42 dated December 13, 2024 (Transport Canada AD CF-2024-42) (also referred to as the MCAI), issued by Transport Canada, which is the aviation authority for Canada. The MCAI states that there has been a report of a cracked check valve, part number (P/N) 209-062-520-001, manufactured in 2009 by Circor Aerospace (Circle Seal), and that the crack was caused by applying an incorrect torque value to the threaded fitting at the inlet end of the check valve during assembly.

Additionally, the MCAI states that this condition may be indicated by an enlarged outside diameter measurement at the inlet end of the check valve housing where the threaded fitting is installed or by the presence of a leak, and that this check valve is used in the

transmission lubrication system of the helicopter.

In the NPRM, the FAA proposed to require inspecting and measuring certain check valves and, depending on the results, repetitively inspecting and removing the check valve from service if it has leaks or is cracked. In the NPRM, the FAA also proposed to prohibit installing the affected check valves on any helicopter. The FAA is issuing this AD to detect and address cracked or leaking check valves. The unsafe condition, if not addressed, could result in the degradation or loss of lubrication to the transmission, failure of the transmission, and consequent loss of control of the helicopter.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA-2025-1727.

Comments

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

Conclusion

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

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed Transport Canada AD CF-2024-42, which specifies procedures for measuring the outside diameter of the affected part housing at the center and at the inlet end where the threaded fitting is installed. If the dimension measured at the inlet end is not greater than 0.003 inch (0.0762 mm) compared to the measurement at the center, Transport Canada AD CF-2024-42 specifies no further action, and if the dimension is greater than 0.003 inch (0.0762 mm) compared to the measurement at the center, Transport Canada AD CF-2024-42 specifies a repetitive visual inspection of the check valve for general condition and oil leaks and the inlet end for cracks. If a crack or leak is found, Transport Canada AD CF-2024-42 specifies replacing the valve with a new valve, which constitutes a terminating action for the repetitive inspections. Finally, Transport Canada AD CF-2024-42 prohibits installing the affected check valve on any helicopter.

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

Differences Between This AD and the MCAI

The MCAI uses the term new, whereas this AD uses the term new (zero hours time-in-service).

Costs of Compliance

The FAA estimates that this AD affects 14 helicopters of U.S. registry.

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

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Perform measurements	0.50 work-hour × \$85 per hour = \$42.50	\$85	\$127.50	\$1,785

The FAA estimates the following costs to do any additional inspections or replacements that would be required

based on the results of the measurement. The agency has no data to determine the number of helicopters

that might need these additional actions:

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Perform repetitive inspections	1 work-hour × \$85 per hour = \$85	\$0	\$85
Replace the check valve	1 work-hour × \$85 per hour = \$85	796	881

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2025–25–01 Bell Textron Canada Limited Helicopters: Amendment 39–23209; Docket No. FAA–2025–1727; Project Identifier MCAI–2024–00750–R.

(a) Effective Date

This airworthiness directive (AD) is effective January 16, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Bell Textron Canada Limited Model 427 helicopters, serial numbers 56001 through 56084 inclusive, 58001, and 58002, certificated in any category.

(d) Subject

Joint Aircraft System Component (JASC) Code: 6300, Main Rotor Drive System.

(e) Unsafe Condition

This AD was prompted by a report of a cracked transmission oil check valve (check valve). The FAA is issuing this AD to detect and address cracked or leaking check valves. The unsafe condition, if not addressed, could result in the degradation or loss of lubrication to the transmission, failure of the transmission, and consequent loss of control of the helicopter.

(f) Compliance

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

(g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, Transport Canada AD CF–2024–42, dated December 13, 2024 (Transport Canada AD CF–2024–42).

(h) Exceptions to Transport Canada AD CF–2024–42

(1) Where Transport Canada AD CF–2024–42 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where Transport Canada AD CF–2024–42 refers to air time, this AD requires using hours time-in-service.

(3) Where Parts I and II of Transport Canada AD CF–2024–42 state "new," this AD requires replacing each instance of that text with "new (zero hours time-in-service)".

(i) Alternative Methods of Compliance (AMOCs)

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

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager

of the local flight standards district office/certificate holding district office.

(j) Additional Information

For more information about this AD, contact Michael Yeshiambel, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (316) 946–4133; email: michael.m.yeshiambel@faa.gov.

(k) Material Incorporated by Reference

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

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

(i) Transport Canada AD CF–2024–42, dated December 13, 2024.

(ii) [Reserved]

(3) For Transport Canada material identified in this AD, contact Transport Canada, Transport Canada National Aircraft Certification, 159 Cleopatra Drive, Nepean, Ontario, K1A 0N5, Canada; phone: (888) 663–3639; email: TC.Airworthiness.Directives-Consignesdenavigabilite.TC@tc.gc.ca; website: tc.canada.ca/en/aviation. You may find the Transport Canada material on the Transport Canada website at tc.canada.ca/en/aviation.

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

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

Issued on December 3, 2025.

Steven W. Thompson,

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

[FR Doc. 2025–22623 Filed 12–11–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–2261; Project Identifier MCAI–2024–00717–T; Amendment 39–23211; AD 2025–25–03]

RIN 2120–AA64

Airworthiness Directives; MHI RJ Aviation ULC (Type Certificate Previously Held by Bombardier, Inc.) Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for all MHI

RJ Aviation ULC Model CL-600-2C10 (Regional Jet Series 700, 701 & 702), CL-600-2C11 (Regional Jet Series 550), CL-600-2D15 (Regional Jet Series 705), CL-600-2D24 (Regional Jet Series 900), and CL-600-2E25 (Regional Jet Series 1000) airplanes. This AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. This AD requires revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective January 16, 2026.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of January 16, 2026.

ADDRESSES:

AD Docket: You may examine the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2025-2261; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For Transport Canada material identified in this AD, contact Transport Canada, Transport Canada National Aircraft Certification, 159 Cleopatra Drive, Nepean, Ontario K1A 0N5, Canada; telephone 888-663-3639; email TC.AirworthinessDirectives-Consignesde navigabilite.TC@tc.gc.ca. You may find this material on the Transport Canada website at tc.canada.ca/en/aviation.

- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195. It is also available at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2025-2261.

FOR FURTHER INFORMATION CONTACT:

Fatin Saumik, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 516-228-7300; email: 9-avs-nyaco-cos@faa.gov.

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would

apply to all MHI RJ Aviation ULC Model CL-600-2C10 (Regional Jet Series 700, 701 & 702), CL-600-2C11 (Regional Jet Series 550), CL-600-2D15 (Regional Jet Series 705), CL-600-2D24 (Regional Jet Series 900), and CL-600-2E25 (Regional Jet Series 1000) airplanes. The NPRM was published in the **Federal Register** on August 21, 2025 (90 FR 40780). The NPRM was prompted by AD CF-2024-41, dated December 5, 2024 (Transport Canada AD CF-2024-41) (also referred to as the MCAI), issued by Transport Canada, which is the aviation authority for Canada. The MCAI states that new or more restrictive airworthiness limitations have been developed.

In the NPRM, the FAA proposed to require revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations, as specified in Transport Canada AD CF-2024-41. The FAA is issuing this AD to address reduced structural integrity and reduced controllability of the airplane.

You may examine the MCAI in the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2025-2261.

Discussion of Final Airworthiness Directive

Comments

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

Conclusion

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

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed Transport Canada AD CF-2024-41, which specifies new or more restrictive airworthiness limitations for airplane structures and safe life limits.

This material is reasonably available because the interested parties have access to it through their normal course

of business or by the means identified in the **ADDRESSES** section.

Costs of Compliance

The FAA estimates that this AD affects 600 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

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

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

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

(3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities

under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2025–25–03 MHI RJ Aviation ULC (Type Certificate Previously Held by Bombardier, Inc.): Amendment 39–23211; Docket No. FAA–2025–2261; Project Identifier MCAI–2024–00717–T.

(a) Effective Date

This airworthiness directive (AD) is effective January 16, 2026.

(b) Affected ADs

This AD affects the ADs specified in paragraphs (b)(1) through (4) of this AD.

(1) AD 2023–06–06, Amendment 39–22392 (88 FR 17682, March 24, 2023); corrected April 12, 2023 (88 FR 21900) (AD 2023–06–06).

(2) AD 2023–09–02, Amendment 39–22425 (88 FR 32625, May 22, 2023) (AD 2023–09–02).

(3) AD 2023–24–03, Amendment 39–22619 (88 FR 87331, December 18, 2023) (AD 2023–24–03).

(4) AD 2025–11–11, Amendment 39–23057 (90 FR 24315, June 10, 2025) (AD 2025–11–11).

(c) Applicability

This AD applies to all MHI RJ Aviation ULC (Type Certificate previously held by Bombardier, Inc.) airplanes, certificated in any category, identified in paragraphs (c)(1) through (5) of this AD.

(1) Model CL–600–2C10 (Regional Jet Series 700, 701, & 702) airplanes.

(2) Model CL–600–2C11 (Regional Jet Series 550) airplanes.

(3) Model CL–600–2D15 (Regional Jet Series 705) airplanes.

(4) Model CL–600–2D24 (Regional Jet Series 900) airplanes.

(5) Model CL–600–2E25 (Regional Jet Series 1000) airplanes.

(d) Subject

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

(e) Unsafe Condition

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

(f) Compliance

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

(g) Maintenance or Inspection Program Revision

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, Transport Canada AD CF–2024–41, dated December 5, 2024 (Transport Canada AD CF–2024–41).

(h) Exception to Transport Canada AD CF–2024–41

(1) Where Transport Canada AD CF–2024–41 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where Transport Canada AD CF–2024–41 specifies to “complete the new or more restrictive limitations contained in the MHIRJ MRM CSP B–053 Part 2, revision 27, dated 15 September 2023, as applicable to the aeroplane model and configuration within the thresholds and repeat intervals or discard time identified within the tasks”, this AD requires replacing that text with “revise the existing maintenance or inspection program, as applicable, by incorporating the information specified in MHIRJ MRM CSP B–053 Part 2, Revision 27, dated September 15, 2023, except when incorporating Appendix A2, only incorporate the AMM tasks, including the interval limitation, specified in the limitations table in Appendix A2”.

(3) The initial compliance time for doing the tasks specified in the “Corrective Actions” section of Transport Canada AD CF–2024–41 is at the applicable time specified in paragraph (h)(3)(i) or (ii) of this AD.

(i) For tasks that have “thresholds” and “discard times” specified: The initial compliance time is at the applicable “thresholds” and “discard times” as specified in the material referenced in Transport Canada AD CF–2024–41, or within 30 days after the effective date of this AD, whichever occurs later.

(ii) For tasks that only have “intervals” specified: The initial compliance time is before the applicable interval limitation specified in the material referenced in Transport Canada AD CF–2024–41 since the date of issuance of the original airworthiness certificate or the original export certificate of airworthiness, or within 30 days after the effective date of this AD, whichever occurs later.

(i) Provisions for Alternative Actions, Intervals, and Critical Design Configuration Control Limitations (CDCCLs)

After the existing maintenance or inspection program has been revised as required by paragraph (g) of this AD, no alternative actions (e.g., inspections),

intervals, and CDCCLs are allowed unless they are approved as specified in the provisions of the “Corrective Actions” section of Transport Canada AD CF–2024–41.

(j) Terminating Action for Certain Tasks Required by Other ADs

Accomplishing the actions required by this AD terminates the corresponding requirements of paragraph (h) of AD 2023–09–02 and paragraph (h) of AD 2023–24–03 for the AMM tasks identified in the material referenced in Transport Canada AD CF–2024–41 only.

(k) Terminating Action for AD 2023–06–06 and AD 2025–11–11

Accomplishing the actions required by this AD terminates all requirements of AD 2023–06–06 and AD 2025–11–11.

(l) Additional AD Provisions

The following provisions also apply to this AD:

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

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

(m) Additional Information

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

(n) Material Incorporated by Reference

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

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

(i) Transport Canada AD CF–2024–41, dated December 5, 2024.

(ii) [Reserved]

(3) For Transport Canada material identified in this AD, contact Transport Canada, Transport Canada National Aircraft Certification, 159 Cleopatra Drive, Nepean, Ontario K1A 0N5, Canada; telephone 888–663–3639; email TC.AirworthinessDirectives-Consignesdenavigabilite.TC@tc.gc.ca. You

may find this material on the Transport Canada website at tc.canada.ca/en/aviation.

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

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

Issued on December 5, 2025.

Steven W. Thompson,

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

[FR Doc. 2025-22642 Filed 12-11-25; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2025-2260; Project Identifier MCAI-2025-00043-T; Amendment 39-23207; AD 2025-24-10]

RIN 2120-AA64

Airworthiness Directives; Gulfstream Aerospace LP (Type Certificate Previously Held by Israel Aircraft Industries, Ltd.) Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for all Gulfstream Aerospace LP Model Gulfstream 100, Astra SPX, and 1125 Westwind Astra airplanes. This AD was prompted by a determination that new airworthiness limitations are necessary. This AD requires revising the existing maintenance or inspection program, as applicable, to incorporate new airworthiness limitations. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective January 16, 2026.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of January 16, 2026.

ADDRESSES:

AD Docket: You may examine the AD docket at regulations.gov under Docket No. FAA-2025-2260; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory

continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For Civil Aviation Authority of Israel (CAAI) material identified in this AD, contact CAAI, P.O. Box 1101, Golan Street, Airport City, 70100, Israel; telephone 972-3-9774665; email aip@mot.gov.il. You may find this material on the CAAI website at www.gov.il/en/pages/israeli-airworthiness-directives.

- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195. It is also available at regulations.gov under Docket No. FAA-2025-2260.

FOR FURTHER INFORMATION CONTACT:

Trevor Carlton, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 404-474-5597; email: trevor.p.carlton@faa.gov.

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to all Gulfstream Aerospace LP Model Gulfstream 100, Astra SPX, and 1125 Westwind Astra airplanes. The NPRM was published in the **Federal Register** on August 21, 2025 (90 FR 40784). The NPRM was prompted by CAAI AD I-32-25-01-7, dated January 13, 2025 (CAAI AD ISR I-32-25-01-7) (also referred to as the MCAI), issued by CAAI, which is the aviation authority for Israel. The MCAI states an in-service failure of the nose landing gear (NLG) actuator-to-strut attachment pin was reported. The FAA has determined that new airworthiness limitations are necessary for NLG actuator-to-strut attachment pins, part numbers (P/Ns) 2247.0500.007 and 2247.0500.008.

In the NPRM, the FAA proposed to require revising the existing maintenance or inspection program, as applicable, to incorporate new airworthiness limitations, as specified in CAAI AD ISR I-32-25-01-7. The FAA is issuing this AD to prevent failure of the NLG actuator-to-strut attachment pin. The unsafe condition, if not addressed, could result in failure of the NLG to retract and lock after takeoff or extend and lock before landing.

You may examine the MCAI in the AD docket at regulations.gov under Docket No. FAA-2025-2260.

Discussion of Final Airworthiness Directive

Comments

The FAA received a comment from an individual who supported the NPRM without change.

Conclusion

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

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed CAAI AD ISR I-32-25-01-7, which specifies new airworthiness limitations for safe life limits of the NLG actuator-to-strut attachment pins, P/Ns 2247.0500.007 and 2247.0500.008. This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

Costs of Compliance

The FAA estimates that this AD affects 86 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

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

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2025–24–10 Gulfstream Aerospace LP (Type Certificate Previously Held by Israel Aircraft Industries, Ltd.):
Amendment 39–23207; Docket No. FAA–2025–2260; Project Identifier MCAI–2025–00043–T.

(a) Effective Date

This airworthiness directive (AD) is effective January 16, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all Gulfstream Aerospace LP Model Gulfstream 100, Astra SPX, and 1125 Westwind Astra airplanes, certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 32, Landing gear.

(e) Unsafe Condition

This AD was prompted by a determination that new airworthiness limitations are necessary. The FAA is issuing this AD to prevent failure of the nose landing gear (NLG) actuator-to-strut attachment pin. The unsafe condition, if not addressed, could result in failure of the NLG to retract and lock after takeoff or extend and lock before landing.

(f) Compliance

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

(g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, CAAI AD ISR I–32–25–01–7, dated January 13, 2025 (CAAI AD ISR I–32–25–01–7).

(h) Exceptions to CAAI AD ISR I–32–25–01–7

(1) Where CAAI AD ISR I–32–25–01–7 refers to its effective date, this AD requires using the effective date of this AD.

(2) The initial compliance time for doing the tasks specified in the Action paragraph of CAAI AD ISR I–32–25–01–7 is at the applicable discard interval specified in the material referenced in the Action paragraph of CAAI AD ISR I–32–25–01–7, or within 3 months after the effective date of this AD, whichever occurs later.

(3) Where the Action paragraph of CAAI AD ISR I–32–25–01–7 specifies "to incorporate AMM Revision 26", this AD requires replacing that text with "revise the existing maintenance or inspection program, as applicable, by incorporating the information in the Nose Landing Gear Actuator Attachment Pin—Life Limit (Scrap) tasks for SHL part numbers 2247.0500.007 and 2247.0500.008".

(4) Where the Action paragraph of CAAI AD ISR I–32–25–01–7 specifies "to incorporate AMM Revision 32", this AD requires replacing that text with "revise the existing maintenance or inspection program, as applicable, by incorporating the

information in the NLG Actuator Attachment Pin—Life Limit (Scrap) tasks for SHL part numbers 2247.0500.007 and 2247.0500.008".

(i) Provisions for Alternative Actions and Intervals

After the existing maintenance or inspection program has been revised as required by paragraph (g) of this AD, no alternative actions (e.g., inspections) and intervals are allowed unless they are approved as specified in the provisions of paragraph (j)(1) of this AD.

(j) Additional AD Provisions

The following provisions also apply to this AD:

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

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, International Validation Branch, FAA; or CAAI; or CAAI's authorized Designee. If approved by the CAAI Designee, the approval must include the Designee's authorized signature.

(k) Additional Information

(1) For more information about this AD, contact Trevor Carlton, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 404–474–5597; email: trevor.p.carlton@faa.gov.

(l) Material Incorporated by Reference

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

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

(i) Civil Aviation Authority of Israel (CAAI) AD ISR I–32–25–01–7, dated January 13, 2025.

(ii) [Reserved]

(3) For CAAI material identified in this AD, contact CAAI, P.O. Box 1101, Golan Street, Airport City, 70100, Israel; telephone 972–3–9774665; fax 972–3–9774592; email aip@mot.gov.il. You may find this material on the CAAI website at gov.il/en/pages/israeli-airworthiness-directives.

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

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

Issued on December 4, 2025.

Steven W. Thompson,

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

[FR Doc. 2025–22628 Filed 12–11–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–0481; Project Identifier AD–2024–00614–T; Amendment 39–23212; AD 2025–25–04]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is superseding Airworthiness Directive (AD) 2023–09–04, which applied to certain The Boeing Company Model 737–600, –700, –700C, –800, –900, and –900ER series airplanes, and certain Model 737–8 and –9 airplanes. AD 2023–09–04 required inspecting all escape slide assemblies to identify affected parts and replacing affected escape slide assemblies with different assemblies. This AD was prompted by the determination that additional airplanes might be affected by the unsafe condition. This AD retains the requirements of AD 2023–09–04 and requires those actions for additional airplanes, including Model 737–8200 airplanes. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective January 16, 2026.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of January 16, 2026.

The Director of the Federal Register approved the incorporation by reference of certain other publications listed in this AD as of June 29, 2023 (88 FR 33817, May 25, 2023).

ADDRESSES:

AD Docket: You may examine the AD docket at regulations.gov under Docket No. FAA–2025–0481; or in person at Docket Operations between 9 a.m. and

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

Material Incorporated by Reference:

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

- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available at regulations.gov under Docket No. FAA–2025–0481.

FOR FURTHER INFORMATION CONTACT: Katherine Venegas, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 562–627–5353; email: katherine.venegas@faa.gov.

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to supersede AD 2023–09–04, Amendment 39–22427 (88 FR 33817, May 25, 2023) (AD 2023–09–04). AD 2023–09–04 applied to certain The Boeing Company Model 737–600, –700, –700C, –800, –900, and –900ER series airplanes, and certain Model 737–8 and –9 airplanes. The NPRM was published in the **Federal Register** on April 10, 2025 (90 FR 15321). The NPRM was prompted by the determination that additional airplanes might be affected by the unsafe condition. In the NPRM, the FAA proposed to continue to require the actions in AD 2023–09–04 and requires those actions for additional airplanes, including Model 737–8200 airplanes. The FAA is issuing this AD to address inflation of the escape slide while it is in the escape slide compartment, which could result in injury to passengers and crew during normal operation, or impede an emergency evacuation by rendering the exit unusable.

Discussion of Final Airworthiness Directive

Comments

The FAA received comments from the Air Line Pilots Association,

International (ALPA), Aviation Partners Boeing (APB), Boeing, ProTech Aero Services Limited (ProTech), and United Airlines who supported the NPRM without change.

The FAA received an additional comment from the Turkish Airlines. The following presents the comment received on the NPRM and the FAA's response to the comment.

Request To Revise the Credit for Previous Actions Paragraph

Turkish Airlines requested that the FAA revise paragraph (j)(1) of the proposed AD to provide credit for the actions specified in paragraph (g) of the proposed AD if those actions were performed before the effective date of the proposed AD, using Boeing Special Attention Requirements Bulletin 737–25–1855 RB, dated August 31, 2021; or Boeing Special Attention Requirements Bulletin 737–25–1866 RB, dated September 27, 2021; as applicable. In the NPRM, the FAA proposed to provide credit only if those actions were performed before June 29, 2023 (the effective date of AD 2023–09–04). The commenter stated that paragraph (j)(1) of the proposed AD does not cover actions performed between June 29, 2023, and the effective date of the proposed AD.

The FAA disagrees with the request. Paragraphs (g) and (j)(1) of this AD retain the requirements of paragraphs (g) and (i), respectively, of AD 2023–09–04 with no changes. Accordingly, paragraph (j)(1) of this AD provides credit for the requirements of paragraph (g) of this AD using the original issue of the applicable requirements bulletin, only if performed before June 29, 2023. After June 29, 2023, the requirements of paragraph (g) must be accomplished using Revision 1 of the applicable requirements bulletin. If operators would like to use the original issue of the applicable requirements bulletin after June 29, 2023, operators must request approval to use that service information as an alternative method of compliance (AMOC) under the provisions of paragraph (k) of this AD. The FAA has not changed the AD in this regard.

Conclusion

The FAA reviewed the relevant data, considered any comments received, and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products. Except for minor editorial changes, this AD is adopted as proposed in the NPRM. None of the changes will

increase the economic burden on any operator.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed Boeing Special Attention Requirements Bulletin 737–25–1866 RB, Revision 2, dated July 19, 2024. This material specifies procedures for inspecting all escape slide assemblies to identify any escape slide assembly having part number (P/N) 5A3307–7 and replacing it with an assembly having P/N 5A3307–9 or P/N

5A3307–701. Escape slide assembly P/N 5A3307–701 is one on which a firing cable retention has been modified and the assembly has been reidentified with a new part number.

This AD also requires Boeing Special Attention Requirements Bulletin 737–25–1855 RB, Revision 1, dated April 13, 2022; and Boeing Special Attention Requirements Bulletin 737–25–1866 RB, Revision 1, dated April 11, 2022, which the Director of the Federal Register approved for incorporation by reference

as of June 29, 2023 (88 FR 33817, May 25, 2023).

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

Costs of Compliance

The FAA estimates that this AD affects 2,666 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS				
Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspection or maintenance records review (retained action from AD 2023–09–04).	2 work-hours × \$85 per hour = \$170.	\$0	\$170	\$425,340 (2,502 airplanes)
Inspection or maintenance records review (new action)	2 work-hours × \$85 per hour = \$170.	0	170	\$27,880 (164 airplanes)

The FAA estimates the following costs to do any replacements that would

be required based on the results of the inspection. The agency has no way of

determining the number of aircraft that might need these replacements:

ON-CONDITION COSTS			
Action	Labor cost	Parts cost	Cost per product
Replacement	Up to 1 work hour × \$85 per hour = up to \$85 ...	Up to \$19,000	Up to \$19,085 per escape slide assembly.

Authority for This Rulemaking

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

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

Regulatory Findings

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

responsibilities among the various levels of government.

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

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

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

- 2. The FAA amends § 39.13 by:

- a. Removing Airworthiness Directive (AD) 2023–09–04, Amendment 39–22427 (88 FR 33817, May 25, 2023); and
- b. Adding the following new AD:

2025–25–04 The Boeing Company: Amendment 39–23212; Docket No. FAA–2025–0481; Project Identifier AD–2024–00614–T.

(a) Effective Date

This airworthiness directive (AD) is effective January 16, 2026.

(b) Affected ADs

This AD replaces AD 2023–09–04, Amendment 39–22427 (88 FR 33817, May 25, 2023) (AD 2023–09–04).

(c) Applicability

This AD applies to The Boeing Company Model 737–600, –700, –700C, –800, –900, and –900ER series airplanes, and Model 737–8, 737–9, and 737–8200 airplanes, certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 25, Equipment/furnishings.

(e) Unsafe Condition

This AD was prompted by reports of uncommanded escape slide deployments in the passenger compartment, caused by too much tension in the inflation cable and the movement of the escape slide assembly in the escape slide compartment. The FAA is issuing this AD to address inflation of the

escape slide while it is in the escape slide compartment, which could result in injury to passengers and crew during normal operation, or impede an emergency evacuation by rendering the exit unusable.

(f) Compliance

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

(g) Retained Inspection, With No Changes

This paragraph restates the requirements of paragraph (g) of AD 2023–09–04, with no changes. For airplanes identified in Boeing Special Attention Requirements Bulletin 737–25–1855 RB, Revision 1, dated April 13, 2022; and Boeing Special Attention Requirements Bulletin 737–25–1866 RB, Revision 1, dated April 11, 2022: Except as specified in paragraph (i) of this AD, at the applicable times specified in the “Compliance” paragraph of Boeing Special Attention Requirements Bulletin 737–25–1855 RB, Revision 1, dated April 13, 2022; and Boeing Special Attention Requirements Bulletin 737–25–1866 RB, Revision 1, dated April 11, 2022, do all applicable actions identified in, and in accordance with, the Accomplishment Instructions of Boeing Special Attention Requirements Bulletin 737–25–1855 RB, Revision 1, dated April 13, 2022 (for Model 737–600, –700, –700C, –800, –900, and –900ER series airplanes); and Boeing Special Attention Requirements Bulletin 737–25–1866 RB, Revision 1, dated April 11, 2022 (for Model 737–8 and –9 airplanes); as applicable.

Note 1 to paragraph (g): Guidance for accomplishing the actions required by paragraph (g) of this AD can be found in Boeing Special Attention Service Bulletin 737–25–1855, Revision 1, dated April 13, 2022, which is referred to in Boeing Special Attention Requirements Bulletin 737–25–1855 RB, Revision 1, dated April 13, 2022.

Note 2 to paragraph (g): Guidance for accomplishing the actions required by paragraph (g) of this AD can be found in Boeing Special Attention Service Bulletin 737–25–1866, Revision 1, dated April 11, 2022, which is referred to in Boeing Special Attention Requirements Bulletin 737–25–1866 RB, Revision 1, dated April 11, 2022.

(h) New Required Actions

For airplanes not identified in Boeing Special Attention Requirements Bulletin 737–25–1855 RB, Revision 1, dated April 13, 2022; or Boeing Special Attention Requirements Bulletin 737–25–1866 RB, Revision 1, dated April 11, 2022: Except as specified in paragraph (i) of this AD, at the applicable times specified in the “Compliance” paragraph of Boeing Special Attention Requirements Bulletin 737–25–1855 RB, Revision 1, dated April 13, 2022; and Boeing Special Attention Requirements Bulletin 737–25–1866 RB, Revision 2, dated July 19, 2024, do all applicable actions identified in, and in accordance with, the Accomplishment Instructions of Boeing Special Attention Requirements Bulletin 737–25–1855 RB, Revision 1, dated April 13, 2022 (for Model 737–600, –700, –700C, –800, –900, and –900ER series airplanes), and Boeing Special Attention Requirements

Bulletin 737–25–1866 RB, Revision 2, dated July 19, 2024 (for Model 737–8, 737–9, and 737–8200 airplanes); as applicable.

Note 3 to paragraph (h): Guidance for accomplishing the actions required by paragraph (h) of this AD can be found in Boeing Special Attention Service Bulletin 737–25–1855, Revision 1, dated April 13, 2022, which is referred to in Boeing Special Attention Requirements Bulletin 737–25–1855 RB, Revision 1, dated April 13, 2022.

Note 4 to paragraph (h): Guidance for accomplishing the actions required by paragraph (h) of this AD can be found in Boeing Special Attention Service Bulletin 737–25–1866, Revision 2, dated July 19, 2024, which is referred to in Boeing Special Attention Requirements Bulletin 737–25–1866 RB, Revision 2, dated July 19, 2024.

(i) Exceptions to Requirements Bulletin Specifications

(1) For paragraph (g) of this AD: Where the Compliance Time columns of the tables in the “Compliance” paragraph of Boeing Special Attention Requirements Bulletin 737–25–1855 RB, Revision 1, dated April 13, 2022, use the phrase “the Original Issue date of Requirements Bulletin 737–25–1855 RB,” this AD requires using June 29, 2023 (the effective date of AD 2023–09–04).

(2) For paragraph (g) of this AD: Where the Compliance Time columns of the tables in the “Compliance” paragraph of Boeing Special Attention Requirements Bulletin 737–25–1866 RB, Revision 1, dated April 11, 2022, use the phrase “the Original Issue date of Requirements Bulletin 737–25–1866 RB,” this AD requires using June 29, 2023 (the effective date of AD 2023–09–04).

(3) For paragraph (h) of this AD: Where the Compliance Time columns of the tables in the “Compliance” paragraph of Boeing Special Attention Requirements Bulletin 737–25–1855 RB, Revision 1, dated April 13, 2022, use the phrase “the Original Issue date of Requirements Bulletin 737–25–1855 RB,” this AD requires using the effective date of this AD.

(4) For paragraph (h) of this AD: Where the Compliance Time columns of the tables in the “Compliance” paragraph of Boeing Special Attention Requirements Bulletin 737–25–1866 RB, Revision 2, dated July 19, 2024, use the phrase “the Original Issue date of Requirements Bulletin 737–25–1866 RB,” this AD requires using the effective date of this AD.

(5) Where Boeing Special Attention Requirements Bulletin 737–25–1855 RB, Revision 1, dated April 13, 2022; Boeing Special Attention Requirements Bulletin 737–25–1866 RB, Revision 1, dated April 11, 2022; and Boeing Special Attention Requirements Bulletin 737–25–1866 RB, Revision 2, dated July 19, 2024, specify doing an inspection of the escape slide assembly to determine whether P/N 5A3307–7 is installed, for this AD a review of airplane maintenance records is acceptable in lieu of this inspection, provided the part number of the escape slide assembly can be conclusively determined from that review.

(j) Credit for Previous Actions

(1) This paragraph provides credit for the actions specified in paragraph (g) of this AD,

if those actions were performed before June 29, 2023 (the effective date of AD 2023–09–04) using Boeing Special Attention Requirements Bulletin 737–25–1855 RB, dated August 31, 2021; or Boeing Special Attention Requirements Bulletin 737–25–1866 RB, dated September 27, 2021; as applicable.

(2) This paragraph provides credit for the actions specified in paragraph (h) of this AD, if those actions were performed before the effective date of this AD using Boeing Special Attention Requirements Bulletin 737–25–1855 RB, dated August 31, 2021; Boeing Special Attention Requirements Bulletin 737–25–1866 RB, dated September 27, 2021; or Boeing Special Attention Requirements Bulletin 737–25–1866 RB, Revision 1, dated April 11, 2022; as applicable.

(k) Alternative Methods of Compliance (AMOCs)

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

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

(3) AMOCs approved for AD 2023–09–04 are approved as AMOCs for the corresponding provisions of paragraph (g) of this AD.

(l) Additional Information

(1) For more information about this AD, contact Katherine Venegas, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 562–627–5353; email: katherine.venegas@faa.gov.

(2) Material identified in this AD that is not incorporated by reference is available at the address specified in paragraph (m)(5) this AD.

(m) 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.

(3) The following material was approved for IBR on January 16, 2026.

(i) Boeing Special Attention Requirements Bulletin 737–25–1866 RB, Revision 2, dated July 19, 2024.

(ii) [Reserved]

(4) The following material was approved for IBR on June 29, 2023 (88 FR 33817, May 25, 2023).

(i) Boeing Special Attention Requirements Bulletin 737–25–1855 RB, Revision 1, dated April 13, 2022.

(ii) Boeing Special Attention Requirements Bulletin 737–25–1866 RB, Revision 1, dated April 11, 2022.

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

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

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

Issued on December 3, 2025.

Peter A. White,

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

[FR Doc. 2025–22629 Filed 12–11–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–1728; Project Identifier MCAI–2025–00076–T; Amendment 39–23208; AD 2025–24–11]

RIN 2120–AA64

Airworthiness Directives; Bombardier, Inc., Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for all Bombardier, Inc., Model CL–600–2A12 (601) and CL–600–2B16 (601–3A, 601–3R, and 604 Variants) airplanes. This AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. This AD requires revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective January 16, 2026.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of January 16, 2026.

ADDRESSES:

AD Docket: You may examine the AD docket at regulations.gov under Docket No. FAA–2025–1728; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

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

- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available at regulations.gov under Docket No. FAA–2025–1728.

FOR FURTHER INFORMATION CONTACT:

Joseph Catanzaro, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 516–228–7300; email: 9-avs-nyaco-cos@faa.gov.

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to all Bombardier, Inc., Model CL–600–2A12 (601) and CL–600–2B16 (601–3A, 601–3R, and 604 Variants) airplanes. The NPRM was published in the **Federal Register** on August 5, 2025 (90 FR 37434). The NPRM was prompted by AD CF–2025–06, dated January 20, 2025 (Transport Canada AD CF–2025–06) (also referred to as the MCAI), issued by Transport Canada, which is the aviation authority for Canada. The MCAI states that new or more restrictive airworthiness limitations have been developed. The flightcrew of a Challenger airplane started the auxiliary power unit (APU) during the approach and allowed it to

run for approximately 10 minutes after landing. When the flightcrew shut the APU down, an APU FIRE warning message was posted on the engine indicating and crew alerting system (EICAS). The APU fire suppression was discharged; however, the fire was not fully extinguished following the discharge of the fire bottles. Upon further investigation, it was discovered that a fuel solenoid valve was leaking, and the APU muffler drainage was blocked leading to an accumulation of fuel in the muffler. The fuel in the APU muffler was ignited by the high-temperature exhaust gases in the muffler.

In the NPRM, the FAA proposed to require revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. The FAA is issuing this AD to address an accumulation of fuel in the APU muffler caused by a drainage block in the muffler. This condition, if not corrected, could lead to an accumulation of fuel in the muffler being ignited by the high-temperature exhaust gases in the muffler, and could subsequently lead to an uncontrolled fire in the APU bay.

You may examine the MCAI in the AD docket at regulations.gov under Docket No. FAA–2025–1728.

Discussion of Final Airworthiness Directive

Comments

The FAA received a comment from Bombardier. The following presents the comment received on the NPRM and the FAA's response to the comment.

Request To Clarify Source of Fuel Leakage

Bombardier noted the Background section of the proposed AD states that upon further investigation, it was discovered that a fuel solenoid valve was leaking. Bombardier stated it was suspected that there was an internal fuel leakage from the fuel solenoid valve, not that the valve was found leaking.

The FAA acknowledges Bombardier's request. The FAA notes that the information in the Background section of the proposed AD restates the information provided in the MCAI, so no change to the AD is necessary in this regard.

Conclusion

These products have been approved by the civil aviation authority of another country and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, that authority

has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA reviewed the relevant data, considered any comments received, and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products. Except for minor editorial changes, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed the following Bombardier material:

- Temporary Revision No. 5–2–6, dated June 28, 2024, which includes new Task 49–15–01–101*, “Functional Test of the Auxiliary Power Unit (APU) Muffler Drain.”
- Temporary Revision No. 5–2–30, dated June 28, 2024, which includes new Task 49–15–01–101*, “Functional Test of the Auxiliary Power Unit (APU) Muffler Drain.”
- Temporary Revision No. 5–2–74, dated June 28, 2024, which includes new Task 49–15–01–101*, “Functional Test of the Auxiliary Power Unit (APU) Muffler Drain (A/C 5301 to 5630, Post SB 604–49–006, and A/C 5631 and Subs).”
- Temporary Revision No. TR 5–271, dated September 30, 2024, which includes, among other tasks, new Task 49–15–01–101*, “Functional Test of the APU Muffler Drain.”
- Temporary Revision No. TR 5–285, dated September 30, 2024, which includes, among other tasks, new Task 49–15–01–101*, “Functional Test of the APU Muffler Drain.”

(The asterisk (or “one star”) with the last three digits of the task numbers listed above indicates that the task is an airworthiness limitation task.)

Temporary Revision Nos. 5–2–6, 5–2–30, 5–2–74, TR 5–271, and TR 5–285 introduce, among other tasks, functional tests of the APU muffler drain. These documents are distinct since they apply to different airplane configurations.

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

Costs of Compliance

The FAA estimates that this AD affects 550 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

The FAA has determined that revising the maintenance or inspection program

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

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2025–24–11 Bombardier, Inc.: Amendment 39–23208; Docket No. FAA–2025–1728; Project Identifier MCAI–2025–00076–T.

(a) Effective Date

This airworthiness directive (AD) is effective January 16, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all Bombardier, Inc., Model CL–600–2A12 (601) and CL–600–2B16 (601–3A, 601–3R, and 604 Variants) airplanes, certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 49, Auxiliary Power

(e) Unsafe Condition

This AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. The FAA is issuing this AD to address an accumulation of fuel in the auxiliary power unit (APU) muffler caused by a drainage block in the muffler. This condition if not corrected, could lead to an accumulation of fuel in the muffler being ignited by the high-temperature exhaust gases in the muffler, and could subsequently lead to an uncontrolled fire in the APU bay.

(f) Compliance

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

(g) Maintenance or Inspection Program Revision

Within 90 days after the effective date of this AD, revise the existing maintenance or inspection program, as applicable, to incorporate the information specified in the applicable tasks identified in figure 1 to paragraph (g) of this AD. The initial compliance time for doing the tasks is at the time specified in the applicable tasks identified in figure 1 to paragraph (g) of this AD, or within 90 days after the effective date of this AD, whichever occurs later.

Figure 1 to Paragraph (g)—Temporary Revisions and Tasks

Model	Temporary Revision	Task Numbers and Title
Bombardier, Inc., Model CL-600-2A12 (601) airplanes	Bombardier Temporary Revision No. TR 5-271, dated September 30, 2024	Task 49-15-01-101*, “Functional Test of the APU Muffler Drain”
Bombardier, Inc., CL-600-2B16 (601-3A and 601-3R Variants) airplanes	Bombardier Temporary Revision No. TR 5-285, dated September 30, 2024	Task 49-15-01-101*, “Functional Test of the APU Muffler Drain”
Bombardier, Inc., CL-600-2B16 (604 Variant) airplanes (Challenger 604)	Bombardier Temporary Revision No. 5-2-74, dated June 28, 2024	Task 49-15-01-101*, “Functional Test of the Auxiliary Power Unit (APU) Muffler Drain (A/C 5301 to 5630, Post SB 604-49-006, and A/C 5631 and Subs)”
Bombardier, Inc., CL-600-2B16 (604 Variant) airplanes (Challenger 605)	Bombardier Temporary Revision No. 5-2-30, dated June 28, 2024	Task 49-15-01-101*, “Functional Test of the Auxiliary Power Unit (APU) Muffler Drain”
Bombardier, Inc., CL-600-2B16 (604 Variant) airplanes (Challenger 650)	Bombardier Temporary Revision No. TR 5-2-6, dated June 28, 2024	Task 49-15-01-101*, “Functional Test of the Auxiliary Power Unit (APU) Muffler Drain”

Note 1 to figure 1 to paragraph (g): The asterisk (or “one star”) with the last three digits of the task numbers listed in table 1 to paragraph (g) of this AD indicates that the task is an airworthiness limitation task.

(h) No Alternative Actions or Intervals

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

(i) Additional AD Provisions

The following provisions also apply to this AD:

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

inspector, the manager of the Flight Standards Office.

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

(j) Additional Information

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

(k) Material Incorporated by Reference

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

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

(i) Bombardier Temporary Revision No. 5–2–6, dated June 28, 2024.

(ii) Bombardier Temporary Revision No. 5–2–30, dated June 28, 2024.

(iii) Bombardier Temporary Revision No. 5–2–74, dated June 28, 2024.

(iv) Bombardier Temporary Revision No. TR 5–271, dated September 30, 2024.

(v) Bombardier Temporary Revision No. TR 5–285, dated September 30, 2024.

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

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

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

Issued on November 24, 2025.

Steven W. Thompson,

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

[FR Doc. 2025–22630 Filed 12–11–25; 8:45 am]

BILLING CODE 4910–13–P

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Part 1218

[Docket No. CPSC–2010–0028]

Safety Standard for Bassinets and Cradles

AGENCY: Consumer Product Safety Commission.

ACTION: Direct final rule.

SUMMARY: In 2013, the U.S. Consumer Product Safety Commission (CPSC) published a consumer product safety standard for bassinets and cradles under section 104 of the Consumer Product Safety Improvement Act of 2008 (CPSIA). The standard incorporated by reference ASTM F2194–13, *Standard Consumer Safety Specification for Bassinets and Cradles*, with modifications to make the standard more stringent. The CPSIA sets forth a process for updating mandatory standards for durable infant or toddler products that are based on a voluntary standard, when a voluntary standards organization revises the standard. Consistent with the CPSIA update process, this direct final rule updates the mandatory standard for bassinets and cradles to incorporate by reference ASTM's 2025 version of the voluntary standard.

DATES: The rule is effective on February 21, 2026, unless the Commission receives a significant adverse comment by January 12, 2026. If the Commission receives such a comment, it will publish a document in the **Federal Register**, withdrawing this direct final rule before its effective date. The incorporation by reference of certain material listed in this rule is approved by the Director of the Federal Register as of February 21, 2026.

ADDRESSES: You can submit comments, identified by Docket No. CPSC–2010–0028, by any of the following methods:

Electronic Submissions: Submit electronic comments to the Federal eRulemaking Portal at: <https://www.regulations.gov>. Follow the instructions for submitting comments. CPSC typically does not accept comments submitted by electronic mail (email), except as described below. CPSC encourages you to submit electronic comments by using the Federal eRulemaking Portal.

Mail/Hand Delivery/Courier/Confidential Written Submissions: Submit comments by mail, hand delivery, or courier to: Office of the Secretary, Consumer Product Safety Commission, 4330 East West Highway,

Bethesda, MD 20814; telephone: (301) 504–7479. If you wish to submit confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public, you may submit such comments by mail, hand delivery, or courier, or you may email them to: cpsc-os@cpsc.gov.

Instructions: All submissions must include the agency name and docket number. CPSC may post all comments without change, including any personal identifiers, contact information, or other personal information provided, to: <https://www.regulations.gov>. Do not submit through this website: confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public. If you wish to submit such information, please submit it according to the instructions for mail/hand delivery/courier/confidential written submissions.

Docket: For access to the docket to read background documents or comments received, go to: <https://www.regulations.gov>, and insert the docket number, CPSC–2010–0028, into the “Search” box, and follow the prompts.

FOR FURTHER INFORMATION CONTACT: Keysha Walker, Compliance Officer, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814; telephone: 301–504–6820; email: kwalker@cpsc.gov or Celestine Kish, Project Manager for Bassinet and Cradle Regulation, U.S. Consumer Product Safety Commission, 5 Research Place, Rockville, MD 20850; telephone: 301–987–2547; email: ckish@cpsc.gov.

SUPPLEMENTARY INFORMATION:

I. Background

A. Statutory Authority

Section 104(b)(1) of the CPSIA requires the Commission to assess the effectiveness of voluntary standards for durable infant or toddler products and adopt mandatory standards for these products. 15 U.S.C. 2056a(b)(1). The mandatory standard must be “substantially the same as” the voluntary standard, or it may be “more stringent than” the voluntary standard, if the Commission determines that more stringent requirements would further reduce the risk of injury associated with the product. *Id.*

Section 104(b)(4)(B) of the CPSIA specifies the process for updating the Commission's rules when a voluntary standards organization revises a standard that the Commission incorporated by reference under section

104(b)(1). First, the voluntary standards organization must notify the Commission of the revision. Once the Commission receives this notification, the Commission may reject or accept the revised standard. The Commission may reject the revised standard by notifying the voluntary standards organization, within 90 days of receiving notice of the revision, that it has determined that the revised standard does not improve the safety of the consumer product and that it is retaining the existing standard. If the Commission does not take this action to reject the revised standard, the revised voluntary standard will be considered a consumer product safety standard issued under section 9 of the Consumer Product Safety Act (15 U.S.C. 2058), effective 180 days after the Commission received notification of the revision or on a later date specified by the Commission in the **Federal Register**. 15 U.S.C. 2056a(b)(4)(B).

B. Safety Standard for Bassinets and Cradles

Under section 104(b)(1) of the CPSIA, the Commission adopted a mandatory rule for bassinets and cradles, codified in 16 CFR part 1218, “Safety Standard for Bassinets and Cradles.” The rule incorporated by reference ASTM F2194–13, *Standard Consumer Safety Specification for Bassinets and Cradles*, with modifications to make the standard more stringent. 78 FR 63019 (Oct. 23, 2013). At the time the Commission published the final rule, ASTM F2194–13 was the current version of the voluntary standard.

Since CPSC promulgated a final rule for bassinets and cradles in October 2013, which incorporated by reference ASTM F2194–13 with modifications, ASTM published five revisions to ASTM F2194. However, CPSC was not notified until the fifth revision, ASTM F2194–22^{e1}. The staff briefing package in response to the ASTM F2194–22^{e1} notification provides a detailed discussion of all the changes to the ASTM standard from the mandatory standard for bassinets and cradles, part 1218.¹

Pursuant to the procedure outlined for revised voluntary standards in section 104(b)(4) of the CPSIA, 15 U.S.C. 2056a(b)(4), on September 23, 2022, the Commission determined that ASTM F2194–22^{e1} did not improve the safety of the consumer products covered by that standard. Therefore, ASTM F2194–13 (with modifications described in 16

¹ Available at: <https://www.cpsc.gov/s3fs-public/ASTMs-Notice-of-a-Revised-Voluntary-Standard-for-Bassinets-and-Cradles.pdf?VersionId=x73F5OmeW4AJujWJEq8.kBZ28aTFLb2x>.

CFR 1218) remains the mandatory standard. After the Commission's rejection of ASTM F2194–22^{e1}, staff continued to work with the ASTM F15.18 Bassinets and Cradles Subcommittee and the ASTM F15.18 Bassinet Elevated Surface and Data Task Group (Task Group) to revise the performance requirements for bassinets/ cradles to set acceptable baseline safe sleep requirements for products covered by the standard.

On August 1, 2025, ASTM approved and on August 12, 2025, published a new version (ASTM F2194–25) of the safety standard for bassinets and cradles. The revised voluntary standard includes performance requirements and test methods, as well as requirements for warning labels and instructions, to address hazards to infants. On August 25, 2025, ASTM notified CPSC of the newest revision to ASTM F2194. On September 10, 2025, the Commission provided notice in the **Federal Register** of the availability of the revised standard and sought comment on the effect of the revisions on the safety standard for bassinets and cradles. 90 FR 43581. CPSC received four comments.

Although the notice of availability requested comments solely on the revised voluntary 2025 standard (ASTM F2194–25), three of the four comments instead are fully or partially related to a previous notice of proposed rulemaking for bassinets and cradles that CPSC published in April 2024. 89 FR 27246. The comment period for that rulemaking closed on June 17, 2024, and comments relating to that rulemaking are out of scope of this direct final rule. Therefore, those comments will not be addressed here. One comment expressed support for accepting ASTM F2194–25 as the mandatory standard referenced in 16 part CFR 1218. One comment pointed out an inaccuracy in the electrical requirements of the standard. Staff appreciates this comment and assesses that this issue can be corrected through the ASTM process in a future revision to the standard and it is not a reduction in safety that would prevent the revised standard from becoming mandatory. One commenter asserted that a side-by-side comparison of the regulation and the new ASTM standard was not provided, making it difficult to evaluate the changes. Staff assesses that such a comparison was not required and notes that ASTM made available a read-only copy of the existing, incorporated standard (ASTM F2194–13), as well as ASTM F2194–16^{e1} (which is essentially the same as CPSC's mandatory standard), and the revised standard

(ASTM F2194–25). The rest of the issues raised by that commenter were out of scope of this direct final rule.

As discussed below, based on staff's review of ASTM F2194–25 and the public comments received, the Commission will allow the revised voluntary standard to become the mandatory standard. Accordingly, by operation of law under section 104(b)(4)(B) of the CPSIA, ASTM F2194–25 will become the mandatory consumer product safety standard for bassinets and cradles on February 21, 2026. 15 U.S.C. 2056a(b)(4)(B). This direct final rule updates 16 CFR part 1218 to incorporate by reference the revised voluntary standard, ASTM F2194–25.

II. Revisions to ASTM F2194

ASTM F2194–25 includes several additions and revisions, including new definitions, new performance requirements and test methods, clarifications to existing requirements, as well as editorial revisions that do not alter substantive requirements in the standard or impact safety. The Commission considers the revisions in ASTM F2194–25 discussed below to be an improvement to the safety of bassinets and cradles because the standard now includes: aftermarket mattresses within scope; new performance requirements regarding height, stability, rigidity, and electrically- and battery-operated product safety; and warnings and instruction improvements.

A. Scope and Definitions

ASTM F2194–25 includes a new discussion in section 3.1.4.1 with the “bassinet/cradle accessory” definition that clarifies that such an accessory includes “a bassinet/cradle that may have hand-holds, handle(s), or grip openings and is intended to carry an occupant whose torso is completely supported by the product.” This improves safety by adding clarity for users to identify what components or products are subject to the requirements for bassinet/cradle accessories under the standard.

ASTM F2194–25 adds aftermarket bassinet mattresses to the scope and includes a corresponding new definition for the term “aftermarket mattress,” which means “a mattress sold or distributed separately for a bassinet or cradle, that is intended to replace the original equipment manufacturer (OEM) mattress.” (Sections 1.3.1.1, 3.1.1, 6.16, 8.6.7). This definition does not include replacement mattresses provided or sold by the OEM that are equivalent with respect to dimensions and specifications

to the mattress that was provided with the bassinet or cradle. Aftermarket bassinet mattresses could pose entrapment, suffocation, or fall hazards if they do not meet the same requirements as OEM mattresses, and their safety is not addressed in the current regulation. Therefore, this expansion to the scope of the standard is an improvement in safety.

A new definition of the term “intended use orientation,” (section 3.1.9) meaning “the bassinet bed orientation . . . with respect to the base/stand, as recommended by the manufacturer for intended use,” has been added to the standard.

A new definition of the term “mattress,” (section 3.1.11) meaning a “pad with a fabric, vinyl, or other material case filled with resilient material (such as cotton, foam, fiberfill, etc.) used as or on the floor of the unit,” which is not currently defined in part 1218, has been added to the standard.

These new definitions clarify for users how to read and understand the standard and are therefore improvements in safety.

B. Performance and Testing Requirements

ASTM F2194–25 replaces the word “pad” with “mattress” throughout the performance and testing requirements. This change is a terminology update and does not impact the safety of any requirements in ASTM F2194.

ASTM F2194–25 also adds three new performance requirements under the header in section 6.12 *Bassinet Structural Elements* that are not in part 1218. Bassinets must meet the structural elements requirement in one of two options. The first option is for bassinets to meet side wall integrity and occupant support requirements, as follows:

- 6.12.1.1 *Side wall integrity*—no side wall shall be less than 7.5 inches when loaded with a 23 pound vertical load and a 5 pound horizontal load; and
- 6.12.1.2 *Occupant support*—top surface of bassinet/cradle mattress or sleep surface support shall not deflect more than 1.5 inches when the infant hinged weight gauge is placed in the product.

The second option is for bassinets to meet section 6.12.2 *Minimum Bassinet/ Cradle Height*:

- The lowest uncompressed bassinet/ cradle top rail shall be at minimum 16 inches from the external floor supporting the unit.

These new requirements are an improvement in safety because they require all bassinets to maintain the 7.5 inches side height, regardless of design and material, and ensure the sleep

surface is flat, to prevent falls and suffocation due to the bassinet tilting if a low-to-the-ground bassinet is placed on a soft surface. The height requirement also addresses fall hazards because it is intended to dissuade consumers from placing the bassinet on an elevated surface.

In addition, ASTM F2194–25 requires that the head-to-toe sleep surface angle (section 6.13) not exceed 10 degrees; expands the requirement that the lateral sleep surface angle (section 6.14) be less than or equal to 7 degrees from rocking products to all bassinets/cribbs; adds electrically or battery powered requirements (section 6.15) identical to requirements in other juvenile products; and adds performance requirements to ensure aftermarket bassinet mattresses (section 6.16) perform similarly to OEM mattresses.

The revised voluntary standard also includes the corresponding tests for the new performance requirements: the side wall integrity test (section 7.13), the occupant support test (section 7.14), the maximum sleep surface head-to-toe angle test (section 7.16), the lateral sleep surface angle weighted test (section 7.17), the lateral sleep surface angle low weight test (section 7.18), and the battery test (section 7.19).

These requirements are not in the current part 1218. These new performance and testing requirements are intended to address fall and suffocation hazards that arise from inadequate occupant containment, angled sleep surfaces, as well as electrical hazards. Therefore, they provide new requirements to address these hazards and thus are an improvement to safety.

C. Warnings and Instructions

The warning and instructions for ASTM F2194–25 are updated to reflect ASTM Ad Hoc Language that has been developed over the years since part 1218 was published in 2013. The Ad Hoc Language provides consistency across juvenile standards warning and labeling requirements that will bring part 1218 into agreement with warnings and labels for other juvenile products. F2194–25 also includes battery-operated product markings, aftermarket mattress product requirements, and updates to the instructional literature. The revised standard also provides visual examples of warning labels and instructional literature labels exhibiting stated requirements (FIG. 28, 29, FIG. 30, FIG. 31, and FIG. 32). In addition, the new warnings for batteries and aftermarket mattresses provide consumers with additional information that was not previously required. Accordingly, staff

considers these revisions to the warnings and instructions to be an improvement to the safety of bassinets and cradles because the warnings and instructions are more visible and comprehensive, presenting uniformity of warnings to attract consumers' attention.

D. Other Revisions

ASTM F2194–25 also includes several minor additions and revisions that are editorial in nature, such as updates to section and figure numbers to reflect revised and new sections and figures and an updated Rationale section of the standard to move explanations from within the standard to the Rationale section. These revisions do not impact safety because they do not alter any substantive requirements in the standard.

III. Incorporation by Reference

Section 1218.2 of the direct final rule incorporates by reference ASTM F2194–25. The Office of the Federal Register (OFR) has regulations regarding incorporation by reference. 1 CFR part 51. Under these regulations, agencies must discuss, in the preamble to a final rule, ways in which the material the agency incorporates by reference is reasonably available to interested parties, and how interested parties can obtain the material. In addition, the preamble to the final rule must summarize the material. 1 CFR 51.5(b).

In accordance with the OFR regulations, section I. of this preamble summarizes the major provisions of ASTM F2194–25 that the Commission incorporates by reference into 16 CFR part 1218. The standard is reasonably available to interested parties in several ways. Until the direct final rule takes effect, a read-only copy of ASTM F2194–25 is available for viewing on ASTM's website at: <https://www.astm.org/CPSC.htm>. Once the rule takes effect, a read-only copy of the standard will be available for viewing on the ASTM website at: <https://www.astm.org/READINGLIBRARY/>. Additionally, interested parties can purchase a copy of ASTM F2194–25 from ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428–2959 USA; phone: (610) 832–9585; www.astm.org. Finally, interested parties can schedule an appointment to inspect a copy of the standard at CPSC's Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814, telephone: (301) 504–7479; email: cpsc-os@cpsc.gov.

IV. Certification

Section 14(a) of the Consumer Product Safety Act (CPSA; 15 U.S.C. 2051–2089) requires manufacturers, including importers, of products subject to a consumer product safety rule under the CPSA, or to a similar rule, ban, standard, or regulation under any other act enforced by the Commission, to certify that the products comply with all applicable CPSC requirements. 15 U.S.C. 2063(a). Such certification must be based on a test of each product, or on a reasonable testing program, or, for children's products, on tests of a sufficient number of samples by a third party conformity assessment body accredited by CPSC to test according to the applicable requirements. As noted, standards issued under section 104(b)(1)(B) of the CPSIA are “consumer product safety standards.” Thus, they are subject to the testing and certification requirements of section 14 of the CPSA.

Because bassinets and cradles are children's products, a CPSC-accepted third party conformity assessment body must test samples of the products. Products subject to part 1218 also must comply with all other applicable CPSC requirements, such as the lead content requirements in section 101 of the CPSIA;² the phthalates prohibitions in section 108 of the CPSIA³ and 16 CFR part 1307; the tracking label requirements in section 14(a)(5) of the CPSA;⁴ and the consumer registration form requirements in section 104(d) of the CPSIA.⁵ ASTM F2194–25 makes no changes that would impact any of these existing requirements.

V. Notice of Requirements

In accordance with section 14(a)(3)(B)(iv) of the CPSIA, the Commission previously published a notice of requirements (NOR) for accreditation of third party conformity assessment bodies (third party labs) for testing bassinets and cradles, and codified the requirement at 16 CFR 1112.15(b)(33). 78 FR 63019 (Oct. 23, 2013). The NOR provided the criteria and process for CPSC to accept accreditation of third party conformity assessment bodies for testing bassinets and cradles to 16 CFR part 1218. The NORs for all mandatory standards for durable infant or toddler products are listed in the Commission's rule, “Requirements Pertaining to Third Party Conformity Assessment Bodies,” codified in 16 CFR part 1112.

² 15 U.S.C. 1278a.

³ 15 U.S.C. 2057c.

⁴ 15 U.S.C. 2063(a)(5).

⁵ 15 U.S.C. 2056a(d).

ASTM F2194–25 includes new requirements for testing bassinets and cradles, including the infant hinged weight gauge, that is new to the bassinet standard but is not new to juvenile product testing. Accordingly, the revisions do not significantly change the way that third party conformity assessment bodies test these products for compliance with the safety standard for bassinets and cradles. Laboratories will begin testing to the new standard when ASTM F2194–25 goes into effect, and the existing accreditations that the Commission has accepted for testing to this standard will cover testing to the revised standard. Therefore, the Commission considers the existing CPSC-accepted laboratories for testing to ASTM F2194–13 to be capable of testing to ASTM F2194–25 as well. Accordingly, the existing NOR for this standard will remain in place, and CPSC-accepted third party conformity assessment bodies are expected to update the scope of the testing laboratories' accreditations to reflect the revised standard in the normal course of renewing their accreditations.

VI. Direct Final Rule Process

On September 10, 2025, the Commission provided notice in the **Federal Register** of the revision to the standard and requested comment on whether the revision improves the safety of bassinets and cradles covered by the standard. 90 FR 43581. CPSC received four comments. Now, the Commission is issuing this rule as a direct final rule. Although the Administrative Procedure Act (APA; 5 U.S.C. 551–559) generally requires agencies to provide notice of a rule and an opportunity for interested parties to comment on it, section 553 of the APA provides an exception when the agency “for good cause finds” that notice and comment are “impracticable, unnecessary, or contrary to the public interest.” *Id.* 553(b)(B). The Commission concludes that when it updates a reference to an ASTM standard that the Commission incorporated by reference under section 104(b) of the CPSIA, notice and comment are not necessary.

The purpose of this direct final rule is to update the reference in the Code of Federal Regulations (CFR) so that it reflects the version of the standard that takes effect by operation of law. This rule updates the reference in the CFR, but under the terms of the CPSIA, ASTM F2194–25 would take effect as the new CPSC standard for bassinets and cradles in the absence of any action by the Commission. Thus, public comments would not lead to substantive changes to the standard or to the effect

of the revised standard as a consumer product safety rule under section 104(b) of the CPSIA. Under these circumstances, notice and comment are unnecessary.

In Recommendation 2024–6, the Administrative Conference of the United States (ACUS) endorses direct final rulemaking as an appropriate procedure to expedite rules that are unlikely to elicit any significant adverse comments. *See* 89 FR 106406 (Dec. 30, 2024). ACUS recommends that agencies use the direct final rule process when they act under the “unnecessary” prong of the good cause exemption in 5 U.S.C. 553(b)(4)(B). 89 FR 106406, 106409. ACUS also explains that notice and comment may be “unnecessary” when the agency lacks discretion regarding the substance of the rule. *Id.* at 106408. As noted, this rule updates a reference in the CFR to reflect a change that occurs by operation of law. Consistent with the ACUS recommendation, the Commission is publishing this rule as a direct final rule, because CPSC does not expect any significant adverse comments.

Unless CPSC receives a significant adverse comment within 30 days of this notification, the rule will become effective on February 21, 2026. In accordance with ACUS's recommendation, the Commission considers a significant adverse comment to be “one where the commenter explains why the rule would be inappropriate,” including an assertion that undermines “the rule's underlying premise or approach,” or a showing that the rule “would be ineffective or unacceptable without change.” 60 FR 43108, 43111. As noted, this rule updates a reference in the CFR to reflect a change that occurs by statute.

If the Commission receives a significant adverse comment, the Commission will withdraw this direct final rule. Depending on the comment and other circumstances, the Commission may then incorporate the adverse comment into a subsequent direct final rule or publish a notice of proposed rulemaking, providing an opportunity for public comment.

VII. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA; 5 U.S.C. 601–612) generally requires agencies to review proposed and final rules for their potential economic impact on small entities, including small businesses, and prepare regulatory flexibility analyses. 5 U.S.C. 603, 604. The RFA applies to any rule that is subject to notice and comment procedures under section 553 of the APA. *Id.* As discussed in section VII. of

this preamble, the Commission has determined notice and comment are unnecessary for this rule. Therefore, the RFA does not apply. CPSC also notes the limited nature of this document, which merely updates the incorporation by reference to reflect the mandatory CPSC standard that takes effect under section 104 of the CPSIA by operation of law.

VIII. Paperwork Reduction Act

The current mandatory standard for bassinets and cradles includes requirements for marking, labeling, and instructional literature that constitute a “collection of information,” as defined in the Paperwork Reduction Act (PRA; 44 U.S.C. 3501–3521). The Commission took the steps required by the PRA for information collections when it promulgated 16 CFR part 1218, and the marking, labeling, and instructional literature for bassinets and cradles are currently approved under OMB Control Number 3041–0157. The revision does not affect the information collection requirements or approval related to the standard.

IX. Environmental Considerations

The Commission's regulations provide for a categorical exclusion from any requirement to prepare an environmental assessment or an environmental impact statement where they “have little or no potential for affecting the human environment.” 16 CFR 1021.5(c)(2). This rule falls within the categorical exclusion, so no environmental assessment or environmental impact statement is required.

X. Preemption

Section 26(a) of the CPSA provides that where a consumer product safety standard is in effect and applies to a product, no state or political subdivision of a state may either establish or continue in effect a requirement dealing with the same risk of injury unless the state requirement is identical to the Federal standard. 15 U.S.C. 2075(a). Section 26(c) of the CPSA also provides that states or political subdivisions of states may apply to CPSC for an exemption from this preemption under certain circumstances. Section 104(b) of the CPSIA deems rules issued under that provision “consumer product safety standards.” Therefore, once a rule issued under section 104 of the CPSIA takes effect, it will preempt in accordance with section 26(a) of the CPSA.

XI. Effective Date

Under the procedure set forth in section 104(b)(4)(B) of the CPSIA, when a voluntary standards organization revises a standard that the Commission adopted as a mandatory standard, the revision becomes the CPSC standard 180 days after notification to the Commission, unless the Commission determines that the revision does not improve the safety of the product, or the Commission sets a later date in the **Federal Register**. 15 U.S.C. 2056a(b)(4)(B). The Commission is taking neither of those actions with respect to the revised standard for bassinets and cradles. Therefore, ASTM F2194–25 automatically will take effect as the new mandatory standard for bassinets and cradles on February 21, 2026, 180 days after the Commission received notice of the revision. As a direct final rule, unless the Commission receives a significant adverse comment within 30 days of this notice, the rule will become effective on February 21, 2026.

XII. Congressional Review Act and Executive Order 12866

Pursuant to the Congressional Review Act (CRA) and Executive Order (E.O.) 12866, the Office of Management and Budget's Office of Information and Regulatory Affairs has determined that this rule does not qualify as a "major rule," as defined in 5 U.S.C. 804(2), and is not a significant regulatory action as defined under section 2(f) of E.O. 12866. To comply with the CRA, CPSC will submit the required information to each House of Congress and the Comptroller General.

List of Subjects in 16 CFR Part 1218

Consumer protection, Imports, Incorporation by reference, Infants and children, Law enforcement, Safety.

For the reasons discussed in the preamble, the Commission amends 16 CFR chapter II as follows:

PART 1218—SAFETY STANDARD FOR BASSINETS AND CRADLES

■ 1. The authority citation for part 1218 is revised to read as follows:

Authority: 15 U.S.C. 2056a.

■ 2. Revise § 1218.1 to read as follows:

§ 1218.1 Scope.

This part establishes a consumer product safety standard for bassinets and cradles.

■ 3. Revise § 1218.2 to read as follows:

§ 1218.2 Requirements for bassinets and cradles.

Each bassinet and cradle must comply with all applicable provisions of ASTM F2194–25. ASTM F2194–25, Standard Consumer Safety Specification for Bassinets and Cradles, approved August 1, 2025, which is incorporated by reference into this section with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. This incorporation by reference (IBR) material is available for inspection at the U.S. Consumer Product Safety Commission (CPSC) and at the National Archives and Records Administration (NARA). Contact CPSC at: the Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814; phone: (301) 504–7479; email: cpsc-os@cpsc.gov. For information on the availability of this material at NARA, visit www.archives.gov/federalregister/cfr/ibr-locations or email fr.inspection@nara.gov. A read-only copy of the standard is available for viewing on the ASTM website at <https://www.astm.org/READINGLIBRARY/>. You may obtain a copy from ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428–2959; phone: (610) 832–9585; website: www.astm.org.

Alberta E. Mills,
Secretary, Consumer Product Safety Commission.

[FR Doc. 2025–22697 Filed 12–11–25; 8:45 am]

BILLING CODE 6355–01–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

31 CFR Part 528

Publication of International Criminal Court-Related Sanctions Regulations Web General License 10

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Publication of a web general license.

SUMMARY: The Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing a general license (GL) issued pursuant to the International Criminal Court-Related Sanctions Regulations: GL 10.

DATES: GL 10 was issued on September 4, 2025. See **SUPPLEMENTARY INFORMATION** for additional relevant dates.

FOR FURTHER INFORMATION CONTACT: OFAC: Assistant Director for Regulatory

Affairs, 202–622–4855; or <https://ofac.treasury.gov/contact-ofac>.

SUPPLEMENTARY INFORMATION:

Electronic Availability

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

Background

On September 4, 2025, OFAC issued GL 10 to authorize certain transactions otherwise prohibited by the International Criminal Court-Related Sanctions Regulations, 31 CFR part 528. This GL expired on October 4, 2025. This GL was made available on OFAC's website (<https://ofac.treasury.gov>) when it was issued. The text of this GL is provided below.

OFFICE OF FOREIGN ASSETS CONTROL

International Criminal Court-Related Sanctions Regulations

31 CFR Part 528

GENERAL LICENSE NO. 10

Authorizing the Wind Down of Transactions Involving Certain Persons Blocked on September 4, 2025

(a) Except as provided in paragraph (b) of this general license, all transactions prohibited by the International Criminal Court-Related Sanctions Regulations (ICCSR), 31 CFR part 528, that are ordinarily incident and necessary to the wind down of any transaction involving one or more of the following blocked persons are authorized through 12:01 a.m. eastern daylight time, October 4, 2025, provided that any payment to a blocked person is made into a blocked interest-bearing account located in the United States, in accordance with the ICCSR:

(1) Al Haq Law in the Service of Mankind;

(2) Al Mezan Center for Human Rights;

(3) Palestinian Centre for Human Rights; or

(4) Any entity in which one or more of the above persons own, directly or indirectly, individually or in the aggregate, a 50 percent or greater interest.

(b) This general license does not authorize any transactions otherwise prohibited by the ICCSR, including transactions involving any person blocked pursuant to the ICCSR other than the blocked persons described in paragraph (a) of this general license, unless separately authorized.

Bradley T. Smith,
Director, Office of Foreign Assets Control.

Dated: September 4, 2025.

Bradley T. Smith,

Director, Office of Foreign Assets Control.

Editorial Note: This document was received for publication by the Office of the Federal Register on December 10, 2025.

[FR Doc. 2025–22656 Filed 12–11–25; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

31 CFR Part 528

Publication of International Criminal Court-Related Sanctions Regulations Web General License 9

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Publication of a web general license.

SUMMARY: The Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing a general license (GL) issued pursuant to the International Criminal Court-Related Sanctions Regulations: GL 9.

DATES: GL 9 was issued on August 20, 2025. See **SUPPLEMENTARY INFORMATION** for additional relevant dates.

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

SUPPLEMENTARY INFORMATION:

Electronic Availability

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

Background

On August 20, 2025, OFAC issued GL 9 to authorize certain transactions otherwise prohibited by the International Criminal Court-Related Sanctions Regulations, 31 CFR part 528. This GL expired September 19, 2025. This GL was made available on OFAC's website (<https://ofac.treasury.gov>) when it was issued. The text of this GL is provided below.

OFFICE OF FOREIGN ASSETS CONTROL

International Criminal Court-Related Sanctions Regulations

31 CFR Part 528

GENERAL LICENSE NO. 9

Authorizing the Wind Down of Transactions Involving Certain Persons Blocked on August 20, 2025

(a) Except as provided in paragraph (b) of this general license, all transactions prohibited by the International Criminal Court-Related Sanctions Regulations (ICCSR), 31 CFR part 528, that are ordinarily incident and necessary to the wind down of any transaction involving one or more of the following blocked persons are authorized through 12:01 a.m. eastern daylight time, September 19, 2025, provided that any payment to a blocked person is made into a blocked interest-bearing account located in the United States, in accordance with the ICCSR:

- (1) Nicolas Yann Guillou;
- (2) Nazhat Shameem Khan;
- (3) Mame Mandiaye Niang;
- (4) Kimberly Prost; or
- (5) Any entity in which one or more of the above persons own, directly or indirectly, individually or in the aggregate, a 50 percent or greater interest.

(b) This general license does not authorize any transactions otherwise prohibited by the ICCSR, including transactions involving any person blocked pursuant to the ICCSR other than the blocked persons described in paragraph (a) of this general license, unless separately authorized.

Bradley T. Smith,
Director, Office of Foreign Assets Control

Dated: August 20, 2025.

Bradley T. Smith,

Director, Office of Foreign Assets Control.

Editorial Note: This document was received for publication by the Office of the Federal Register on December 10, 2025.

[FR Doc. 2025–22655 Filed 12–11–25; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

31 CFR Parts 587 and 589

Publication of Russian Harmful Foreign Activities Sanctions Regulations and Ukraine-/Russia-Related Sanctions Regulations Web General License 125

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Publication of a web general license.

SUMMARY: The Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing a general license (GL) issued pursuant to the Russian Harmful Foreign Activities Sanctions Regulations and the Ukraine-/Russia-Related Sanctions Regulations: GL 125, which was previously made available on OFAC's website.

DATES: GL 125 was issued on August 13, 2025. See **SUPPLEMENTARY INFORMATION** for additional relevant dates.

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

SUPPLEMENTARY INFORMATION:

Electronic Availability

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

Background

On August 13, 2025, OFAC issued GL 125 to authorize certain transactions otherwise prohibited by the Russian Harmful Foreign Activities Sanctions Regulations, 31 CFR part 587, and the Ukraine-/Russia-Related Sanctions Regulations, 31 CFR part 589. This GL was made available on OFAC's website (<https://ofac.treasury.gov>) when it was issued. The text of this GL is provided below.

OFFICE OF FOREIGN ASSETS CONTROL

Russian Harmful Foreign Activities Sanctions Regulations

31 CFR Part 587

Ukraine-/Russia-Related Sanctions Regulations

31 CFR Part 589

GENERAL LICENSE NO. 125

Authorizing Transactions Related to Meetings Between the Government of the United States of America and the Government of the Russian Federation in Alaska

(a) To the extent authorization is required and except as provided in paragraph (b) of this general license, all transactions prohibited by the Russian Harmful Foreign Activities Sanctions Regulations, 31 CFR part 587 (RuHSR), or the Ukraine-/Russia-Related Sanctions Regulations, 31 CFR part 589 (URSR), that are ordinarily incident and necessary to the attendance at or support of meetings in the State of Alaska between the Government of the

United States of America and the Government of the Russian Federation are authorized through 12:01 a.m. eastern daylight time, August 20, 2025.

(b) This general license does not authorize:

(1) The unblocking or release of any property blocked or effectively immobilized pursuant to any part of 31 CFR chapter V; or

(2) Any transactions otherwise prohibited by the RuHSR or the URSR, except as authorized by paragraph (a) of this general license, or any transaction or activity prohibited by any other Executive order or any part of 31 CFR chapter V.

Bradley T. Smith,
Director, Office of Foreign Assets Control.

Dated: August 13, 2025.

Bradley T. Smith,
Director, Office of Foreign Assets Control.

Editorial Note: This document was received for publication by the Office of the Federal Register on December 10, 2025.

[FR Doc. 2025–22653 Filed 12–11–25; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2025–1106]

RIN 1625–AA00

Safety Zone; Between Lights 7 Through 19; Texas City Channel, Texas City, TX

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for navigable waters between lights 7 through 19 of the Texas City Channel. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards created by a vessel collision and salvage operation. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port (COTP) Houston-Galveston or a designated representative.

DATES: This rule is effective without actual notice from December 12, 2025, through 3:00 p.m. on December 31, 2025, unless cancelled earlier by the COTP. For the purposes of enforcement, actual notice will be used from December 5, 2025, until December 12, 2025.

ADDRESSES: To view available documents go to <https://www.regulations.gov> and search for USCG–2025–1106.

FOR FURTHER INFORMATION CONTACT: If you have questions about this proposed rulemaking, call or email Lieutenant Ignacio J. Fernández-Cuervo, Marine Safety Unit Texas City, Waterways Management Division, U.S. Coast Guard; telephone (281) 309–1617, email MSUTexasCityWaterways@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

On December 5, 2025, the Coast Guard received notification that a collision occurred between a vessel and a dredge pipeline in the Texas City Channel, resulting in floating and sunken debris in the channel. The Captain of the Port (COTP) Houston-Galveston has determined that this collision has created potential hazards to navigation for anyone navigating within the Texas City Channel. Therefore, the COTP is issuing this rule under the authority in 46 U.S.C. 70034, which is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone.

The Coast Guard is issuing this rule without prior notice and comment. As is authorized by 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it is impracticable and contrary to the public interest. Delaying the effective date of this rule is impracticable because prompt action is needed to respond to the potential safety hazards associated with obstructions that resulted from the vessel collision.

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

III. Discussion of the Rule

This rule establishes a safety zone from 3:00 p.m. on December 5, 2025, through 3:00 p.m. on December 31, 2025, unless cancelled earlier by the COTP. The safety zone will cover all navigable waters between lights 7 through 19 of the Texas City Channel.

The duration of the zone is intended to protect personnel, vessels, and the marine environment in these navigable waters while debris is collected and unaccounted spud is located. 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(d) 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; DHS Delegation No. 00170.1, Revision No. 01.4.

- 2. Add § 165.T08–1106 to read as follows:

§ 165.T08–1106 Safety Zone; Between Lights 7 through 19; Texas City Channel, Texas City, TX.

(a) *Location.* The following area is a safety zone: All waters in the Texas City Channel, from surface to bottom, encompassed by a line connecting the

following points beginning at 29°22′45.2″ N, 094°52′55.4″ W, thence to 29°22′54.6″ N, 094°53′04.4″ W, thence to 29°23′16″ N, 094°53′15″ W, along the shoreline thence to 29°21′54.6″ N, 094°48′53.1″ W, thence to 29°21′42.9″ N, 094°49′00.7″ W and back to the beginning point. These coordinates are based on the World Geodetic System (WGS 84)/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 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 (281) 464–4855. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Enforcement period.* This section will be enforced from 3:00 p.m. on December 5, 2025, through 3:00 p.m. on December 31, 2025, unless cancelled earlier by the COTP.

Ronald J. Caputo, Jr.,

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

[FR Doc. 2025–22688 Filed 12–11–25; 8:45 am]

BILLING CODE 9110–04–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1, 13, 17, 20, 22, 24, 26, 27, 30, 54, 74, 80, 87, 88, 90, 95, 96, 97, and 101

[GN Docket No. 25–133; FCC 25–77; FR ID 318984]

Delete, Delete, Delete; Removal of Obsolete Regulations

AGENCY: Federal Communications Commission.

ACTION: Direct final rule; request for comments.

SUMMARY: In this document, Commission acts to eliminate certain

outdated, obsolete, and unnecessary rules.

DATES: Effective February 10, 2026, unless significant adverse comments are received by January 2, 2026. In the event the Commission receives significant adverse comments, the Commission will publish a timely withdrawal in the **Federal Register** informing the public the provisions of the rule(s) for which significant adverse comments were received and elimination will not take effect.

ADDRESSES: You may submit comments, identified by GN Docket No. 25–133, electronically or on paper. See **SUPPLEMENTARY INFORMATION** for specific information and addresses for electronic or paper filings.

FOR FURTHER INFORMATION CONTACT:

Amy Brett, Federal Communications Commission, Wireless Telecommunications Bureau, Amy.Brett@fcc.gov, (202) 418–2703.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Direct Final Rule, GN Docket No. 25–133, FCC 25–77, adopted on October 28, 2025 and released on October 29, 2025. The full text of this document is available for public inspection and can be downloaded at <https://www.fcc.gov/document/deleting-obsolete-and-duplicative-wireless-rules-0>. Alternative formats are available for people with disabilities (Braille, large print, electronic files, audio format) by sending an email to fcc504@fcc.gov or calling the Commission's Consumer and Governmental Affairs Bureau at (202) 418–0530 (voice), (202) 418–0432 (TTY).

Comment Period and Filing Procedures. Interested parties may file comments on or before the dates provided in the **DATES** section of this document. Comments must be filed in GN Docket No. 25–133. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS). See Electronic Filing of Documents in Rulemaking Proceedings, 63 FR 24121 (1998).

- All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- **Electronic Filers:** Comments may be filed electronically using the internet by accessing the ECFS: <https://www.fcc.gov/ecfs/>.

• *Paper Filers:* Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

• Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.

• U.S. Postal Service first-class, Express, and Priority mail must be addressed to 45 L Street NE, Washington, DC 20554.

Procedural Matters

Paperwork Reduction Act of 1995 Analysis: This document does not contain new or modified information collections subject to the Paperwork Reduction Act of 1995 (PRA), 44 U.S.C. 3501–3521. In addition, therefore, it does not contain any new or modified information collection burden for small business concerns with fewer than 25 employees, pursuant to the Small Business Paperwork Relief Act of 2002, 44 U.S.C. 3506(c)(4).

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 Direct Final Rule to Congress and the Government Accountability Office pursuant to 5 U.S.C. 801(a)(1)(A).

Synopsis

1. This Direct Final Rule continues our efforts to modernize our regulatory framework by rescinding certain wireless rules and requirements in parts 1, 13, 17, 20, 22, 24, 26, 27, 30, 54, 74, 80, 87, 88, 90, 95, 96, 97, and 101. In this proceeding, we have undertaken a sweeping review eventually aimed at eliminating outdated rules, reducing unnecessary regulatory burdens, accelerating infrastructure deployment, promoting network modernization, and spurring innovation. Our objective is to streamline, simplify, and smartly deregulate across multiple fronts simultaneously to better serve the public and support technological progress.

2. In initiating this proceeding, we generally sought to identify rules that are outdated, obsolete, unlawful, anticompetitive, or otherwise no longer in the public interest. In this item, we specifically focus on the repeal of

certain wireless rules in various parts for which prior notice and comment are unnecessary, but for which we elect to provide an opportunity for input on that assessment. Absent any significant adverse comments in response to this Direct Final Rule, these rules will be repealed.

3. *Good Cause to Forgo Notice and Comment.* Under the Administrative Procedure Act (APA), when an agency for good cause finds that notice and public comment “are impracticable, unnecessary, or contrary to the public interest,” it need not follow notice and comment procedures before modifying or repealing rules. Prior notice and comment are “unnecessary” when “the administrative rule is a routine determination, insignificant in nature and impact, and inconsequential to the industry and to the public.”

4. We have identified approximately 396 rule provisions and rule parts, totaling 58,218 words and covering approximately 137 pages in the Code of Federal Regulations, that plainly no longer serve the public interest because they have sunset by operation of law;¹ govern an expired event;² regulate an

¹ § 20.6 (providing rule that ceased to be effective January 1, 2003); § 20.12(b) (providing rule that sunset on November 24, 2002); §§ 27.1021–27.1041 (governing H Block auction and reimbursement processes, which are complete and therefore rules have sunset by operation of law ten years after the issuance of the first license in the Lower H Block and Upper H Block in 2014. *See* 47 CFR 27.1041(a)); §§ 27.1160–27.1190 (governing cost sharing and reimbursement process for BRS relocation which is now complete therefore these rules have sunset by operation of law); § 54.317 (c) (governing Alaska Plan support for competitive eligible telecommunications carriers during the period from January 1, 2012, until December 31, 2016), (g) (governing a phasedown period Alaska Plan support for certain competitive eligible communications carriers; phasedown period has elapsed); § 54.321(a) (providing for the filing of certifications Alaska Plan participants no later than 60 days after the end of each participating carrier's first five-year term of support, which all ended in 2022); § 95.1933(b) (providing reporting requirements that sunset on January 1, 2023).

² § 1.9030(d)(4)(iv) (governing unjust enrichment obligations related to leases from a licensee that participates in the installment payment program, which the Commission paused in 1997); § 1.9045 (governing requirements for spectrum leasing arrangements entered into by licensees participating in the installment payment program, which the Commission paused); §§ 13.7(b)(1)–(3), 13.8(a), (c), 13.11(a)(1)–(3) (referring to First, Second, and Third Class Radiotelegraph Operator Certifications, which no longer exist because any such certificates were renewed as Radiotelegraph Operator Licenses or as Marine Radio Operator Permits. *See* 47 CFR 13.13(a)); § 13.17 (stating the requirements for commercial radio operators to acquire a replacement paper license, which are no longer applicable because licenses are now available on the Commission's website); § 24.321(c) (providing that certain Narrowband PCS winners of licenses in auctions prior to 2000 will be eligible to pay in installments); § 24.711 (providing the option for Broadband PCS C Block license winners to pay for auctioned licenses through the installment payment

program, which the Commission paused in 1997, and the Commission has not auctioned new Broadband PCS C Block licenses since Auction 71 in 2007); § 24.712(c) (providing that certain part 1 unjust enrichment provisions shall not apply to Broadband PCS C Block licenses acquired in auctions in 1995 and 1996; such provisions already do not apply to these licenses because the unjust enrichment period has passed); § 24.714(c) (governing rules for Broadband PCS auction winners to pay for licenses through the installment payment program, which the Commission paused in 1997, and the Commission has not auctioned new Broadband PCS F Block licenses since Auction 71 in 2007); § 27.5(i)(5) (governing the involuntary relocation of grandfathered EBS point-to-point stations, which no longer exist); § 27.14(l) (requiring certain Wireless Communications Service licensees to file reports on the status of their efforts to meet their performance requirements and indicating that the final report was due in 2016); § 27.58 (governing the obligation of WCS licensees to remedy interference to BRS/EBS block downconverters for complaints received prior to February 20, 2002, none of which continue to be pending); § 27.604 (prohibiting the same entity from winning both the A and B Block licenses in the 700 MHz Guard Band in the first auction of those licenses, which was held in 2000; therefore, the rule has no practical effect); §§ 27.1111, 27.1131, 27.1132 (governing the relocation of fixed microwave service licensees in the 2110–2150 MHz, the 2150–2160/62 MHz, and the 2160–2200 MHz bands, which has concluded); § 27.1200 (stating that, as of January 10, 2005, licensees assigned to the Multipoint Distribution Service and the Multichannel Multipoint Distribution Service would be reassigned to the Broadband Radio Service and that licensees in the Instructional Television Fixed Service would be reassigned to the Educational Broadband Service); § 27.1213 (establishing designated entity provisions for bidding on BRS licenses in Commission auctions commencing prior to January 1, 2004); § 27.1216(b) (stating that the deadline for determining different GSAs for grandfathered E and F Group EBS licenses was October 17, 2006); §§ 27.1250–27.1255 (governing the transition of Broadband Radio Service (BRS) in the Advanced Wireless Service (AWS) band, which has concluded); § 27.1604–27.1605 (establishing that 3.45 GHz Licensees must pay a pro rata portion to reimburse the costs incurred by authorized non-federal, secondary radiolocation licensees for relocating from the 3.3–3.55 GHz band; the reimbursement process was completed in 2025. *See* Wireless Telecommunications Bureau Grants the 3.45 GHz Clearinghouse's Request to Wind Down and Suspend Operations, WT Docket 19–348, Public Notice, DA 25–230 (WTB, rel. March 14, 2025)); § 30.4(d)(2) (authorizing 39 GHz licensees to operate on a particular channel plan “[p]ending transition to the new channel plan,” which subsequently was completed); § 30.102 (stating that, on December 14, 2016, Local Multipoint Distribution Service licenses in the 27.5–28.35 GHz band issued on a Basic Trading Area basis shall be disaggregated into county-based licenses and 39 GHz licenses issued on an Economic Area basis shall be disaggregated into Partial Economic Area-based license); § 74.551 (governing Aural Broadcast Auxiliary Services for which there is no longer an allocation in the relevant band); § 74.602(h)(3), (h)(4) (second sentence), (h)(5), (h)(6) (governing TV channels which are no longer available under subpart F after DTV transition, which concluded on June 13, 2009, and the incentive-auction transition, which concluded on July 13, 2020); § 74.603(c) (addressing the continued operation of Aural STL or intercity relay stations licensed as of July 10,

Continued

obsolete technology;³ regulate virtually

1970 until such time as a future rulemaking proceeding addressed their disposition. Such a rulemaking proceeding occurred in 1984 and implemented § 74.502(a), which allows aural BAS in the 944–952 MHz band and grandfathers such stations licensed in 942–944 MHz); § 74.651 (governing Television Broadcast Auxiliary Services for which there is no longer an allocation in the relevant band); § 74.802(e) (requiring Low Power Auxiliary Station (LPAS) licensees to transition out of the 700 MHz band by June 12, 2010); §§ 74.802(f), 74.870(i) (governing use of frequencies for LPAS and Wireless Video Assist Devices until 39 months after 2017 channel reassignment public notice, which has long since passed); § 74.851(l) (governing equipment which, since 2018, can no longer be marketed); § 80.151(b)(9)–(11) (governing rules concerning classification of maritime operator licenses that beginning May 20, 2013 the FCC no longer accepted for filing); § 80.205(b)(2) (governing stations authorized prior to 1961, none of which exist today); § 80.209(a) n.1 (governing transmitters authorized prior to 1990 and 1992); § 80.383(a) n.1, n.2 (governing Vessel Traffic Services (VTS) system frequencies providing guidance for a class of licenses that no longer exist in this frequency); § 87.87(b)(1), (2), (3) (providing classification of operator licenses and endorsements authority which expired in 2018); § 90.235(e) (establishing a transition period, which expired on December 31, 1999, for signaling systems to comply with the 2 second message duration and 3 message repetition requirements); § 90.423(c) (authorizing mobile operations aboard aircraft in part 90 services, under licenses in effect September 14, 1973, without complying with the technical and operational requirements in paragraph (a) of this section, only for the balance of the current license term if the aircraft are regularly flown at altitudes greater than 1.6 km (1 mi) above the earth's surface and for one additional license term if the aircraft are regularly flown at altitudes below 1.6 km (1 mi) above the earth's surface); §§ 90.615(d), 90.617(l) (prohibiting applicants from licensing interstitial channels until after the release of a public notice announcing the availability of those channels for licensing in a National Public Safety Planning Advisory Committee Region, which occurred on June 6, 2022); § 90.617(m) (stating that incumbent licensees in the 470–512 MHz band in the urban areas specified in § 90.303 will have priority access over mutually exclusive applicants to all interstitial channel pairs in the public safety pool or the business/industrial/land transportation pool for a three-year period, which ended on July 7, 2025); § 90.743 (providing renewal requirements that were only in effect until January 1, 2023); Appendix A to Part 95 (providing cross references to previous rules that date back to 2017 and serve no current purpose); §§ 101.69–101.82 (governing a transition of fixed microwave services in the 2 GHz range, which has resulted in incumbent fixed microwave operations being transitioned to other bands).

³ § 17.9 (regulating antenna farms, which are *de facto* permissible and of which none have been designated by rulemaking to date); §§ 22.165(f), 22.859 (regulating incumbent commercial aviation air-ground systems licenses, of which there are none); §§ 80.76(c), 80.80(a)(3), (b)–(f) (regulating older equipment and providing no practical application in today's advanced marine radio marketplace); § 80.203(b)(5), (o) (discussing outdated technical requirements, license classes that no longer exist, and grandfathered equipment installation until 2003); §§ 90.203(a)(2), 90.213(a) n.10 (governing Dedicated Short-Range Communications (DSRC) licensing, although there was no new licensing permitted as of December 2024, no new DSRC licenses can be issued after February 11, 2025, and the service sunsets December 14, 2026); § 90.203(o) (containing requirements for equipment in the NN Service (3650–3700 MHz), which sunset as of January 8,

a null set of FCC licensees;⁴ regulate an outdated market structure;⁵ are no

2023); § 90.237(a) (providing dated and unnecessary requirement in a coordinated service); § 90.363 (providing grandfathering provisions for a service where there are no licensees); §§ 90.461(b), (c), 90.471, 90.473, 90.475 (outlining obsolete and outdated requirements regarding internal transmitter control systems); § 95.977 (regulating CB radio tone transmissions for old technology from decades ago and is no longer needed in the CB Radio marketplace); § 97.315(b)(2) (discussing certification of external RF power amplifiers for equipment that is almost 50 years old, making the provision no longer necessary); § 101.64 (governing service areas for 38.6–40 GHz service, which is now Upper Microwave Flexible Use Service (UMFUS)); §§ 101.501–101.538 (governing (1) services in the 24 GHz band that no longer exist and were replaced by UMFUS, and (2) Digital Electronic Message Service, which no longer exist).

⁴ § 22.959 (governing processing of applications for initial cellular systems that occurred decades ago); § 27.5(i)(1) (governing the prior BRS/EBS band plan under which no licensees may operate); § 27.5(i)(4) (governing temporary fixed broadband service that does not operate in the band); §§ 27.53(m)(5), 27.55(a)(4)(i) (providing emission limits and power strength limits for the prior BRS/EBS band plan under which no licensees may operate); §§ 27.1214, 27.1215 (governing grandfathered EBS and BRS leases which no longer remain in existence); § 87.263(a)(5) (governing a set of licensees which no longer exists); § 90.35(d)(2) (governing channels available to applicants prior to 1961; there are no current part 90 licenses in this portion of the band); § 90.121 (providing rules related to Article 2/3 of the Convention with Canada, even though the FCC no longer uses Form 410, and the Convention does not require that licensees file it with the Commission); § 90.173(k) (providing rules regarding finder's preference provisions, which are no longer applicable after July 29, 1998. *Amendment of Part 90 Concerning the Commission's Finder's Preference Rules*, WT Docket No 96–199, Report and Order, 13 FCC Rcd 23816 (1998)); § 90.175(j)(7) (providing rules which are no longer necessary because the 800 MHz rebanding is complete. *Improving Public Safety Communications in the 800 MHz Band*, WT Docket No. 02–55, Order Terminating Proceeding, 36 FCC Rcd 7690 (2021)); § 90.353(e) (providing dated reference to AVM/LMS Sharing in the 902–928 MHz band as no grandfathered AVM licenses remain in the band); §§ 90.1301–90.1338 (providing rules which are no longer necessary following the completion of the transition period for the last grandfathered Wireless Broadband licensees on January 8, 2023, see *The Wireless Internet Service Providers Association and the Utilities Technology Council Request for Waiver of Sections 90.1307(c) and (d) and Sections 90.1338(a) and (b) of the Commission's Rules*, WT Docket No. 18–353, Order, 35 FCC Rcd 2750, 2752 para. 5 (WTB 2020)).

⁵ § 20.22(c) (providing for six-year limitations on 600 MHz auction licenses issued on December 6, 2018; since the time period has elapsed, the rules are unnecessary); §§ 90.801–90.815 (licenses in this band are not granted pursuant to this subpart, but other rules, such as 900 MHz eligibility or site-based Industrial/Business Use; thus these rules are unnecessary); § 90.903–90.913, 90.1017, 90.1019(a)(1)–(3), 90.1021–90.1025 (outlining outdated competitive bidding rules); § 101.45 (providing for mutual exclusivity, which is already avoided by the structure of the part 101 licensing framework); § 101.51 (governing comparative evaluation of mutually exclusive part 101 applications, which is no longer relevant given the deletion of mutual exclusivity rules in section 101.45).

longer used in practice by the FCC or licensees;⁶ or are otherwise duplicative,

⁶ § 74.19 (providing that the FCC may require a broadcast auxiliary station licensee to keep certain operating and maintenance records, which is no longer applied); § 74.28 (noting that if part 74 rules do not cover “external effects of all phases of part 74 operation,” the FCC can issue an additional order in a specific case; such a rule is not necessary); § 74.432(j) (providing requirements related to licensee retention of hard copy licenses, which is no longer necessary as licenses are stored online); §§ 74.634(b), 74.635(b) (repeating that the FCC has authority to issue an order in specific cases); § 80.71 (establishing prescriptive operating controls for coast stations, Alaska-public fixed stations, and Alaska-private fixed stations for outdated types of radios no longer in use); § 80.108 (governing provisions regarding transmission of traffic lists by coast stations that are outdated and have no practical application in today's marketplace); § 80.131(d)(2) (governing hard copy licenses, which the FCC no longer prints); § 80.175 (governing hard copy licenses, which the FCC no longer prints); § 80.407(a) (referencing outdated information regarding how to find forms and filing procedures); § 80.415 (providing outdated information on a list of certain International Telecommunication Union (ITU) Publications and outdated information on how to obtain a copy of the publications. The most up to date publications are available on ITU's website); § 80.559(c) n.1, 87.451 n.1 (referencing OET Bulletins referenced which do not exist on their bulletin website and providing an obsolete method for obtaining copies of the bulletins); § 80.953(c) (requiring a vessel owner, operator, or ship's master to maintain physical inspection certificates on board, which is an outdated requirement, as maritime operators now maintain electronic recording practices); § 80.1155(d) (establishing authorization procedure for ship station radioprinter operations that are now governed by other procedures); § 87.25(d), (e) (providing outdated and inaccurate information regarding the licensing processes; ground stations are not licensed as fleet licenses, and the modification/transfer of control procedures referenced in this rule are no longer accurate); § 90.351(a) (providing for collection of information that is unnecessary for FCC licensing purposes); § 90.445 (providing outdated record formatting requirements); § 90.437(a) (providing now-obsolete requirements given storage of original license authorizations in the FCC's Universal Licensing System); § 90.623(b)–(d), 90.627(b), 90.631(g), 90.633(f) (providing obsolete authorization requirements, which are not relevant to how systems are licensed and operate today and are unused in practice); § 97.29 (governing replacement of hard copy licenses, which the FCC no longer prints); § 97.521(b) (providing volunteer-examiner coordinator (VEC) qualifications provision based on serving in specific regions, which are unnecessary because remote exams are now allowed and offered by VEC organizations); Part 97 Appendix 2 (providing VEC region information that is no longer accurate because VECs are no longer coordinated by region); § 101.119 (providing rule regarding simultaneous use of common antenna structures, which is unnecessary and unused in practice); § 101.311 (cross-referencing a rule section that no longer exists); § 101.705 (requiring special showing for renewal of common carrier station facilities using frequency diversity reports that are no longer used and are unnecessary); § 101.1109 (requiring winning bidders of Local Multipoint Distribution System licenses that qualify as designated entities to keep certain physical records, which are not recorded); § 101.1417 (providing for annual report for MVDDS, which has never been used for MVPD and the reports are unnecessary).

outdated, or unnecessary.⁷ Applying the “good cause” standard discussed above, we conclude that prior notice and comment are unnecessary before repealing the rules identified in the Appendix.

⁷ Certain rules list for informational purposes the basis, scope, applicability, or purpose of a rule subpart: § 1.901 (providing basis and purpose); § 1.9001 (stating purpose and scope and otherwise redundant with section 1.9005); § 13.1 (providing basis and purpose); § 17.1 (providing basis and purpose); § 20.1 (providing purpose); § 22.1 (providing basis and purpose); § 22.225 (providing for retention of physical records related to small businesses bidding for cellular licenses; all of the records are available online); § 24.10 (describing scope); § 24.50 (describing scope); § 26.1 (providing basis and purpose); § 27.1 (providing basis and purpose); § 27.210(a) (providing definitions, including “Scope”); § 27.801 (describing scope); § 27.901 (describing scope); § 80.1 (providing basis and purpose); § 80.11 (describing scope); § 80.114(b) (explaining that Commission rules do not apply to federal stations); § 80.201 (describing scope); § 80.251(a), (d) (describing scope); § 80.351 (describing scope); § 80.365 (describing scope); § 80.551 (describing applicability); § 80.751 (describing scope); § 80.1051 (describing scope); § 87.1(a) (providing basis and purpose); § 87.17 (describing scope); § 90.1 (providing basis and purpose); § 90.31 (describing scope); § 90.101 (describing scope); § 90.111 (describing scope); § 90.171 (describing scope); § 90.201 (describing scope); § 90.231 (describing scope); § 90.251 (describing scope); § 90.301 (describing scope); § 90.401 (describing scope); § 90.460 (describing scope); § 90.739 (explaining there is no limit on the number of licenses that may be authorized to a single licensee); § 95.301 (describing scope); § 95.501 (describing scope); § 95.701 (describing scope); § 95.901 (describing scope); § 95.1701 (describing scope); § 95.1901 (describing scope); § 95.2101 (describing scope); § 95.2301 (describing scope); § 95.2501 (describing scope); § 95.2701 (describing scope); § 95.2901 (describing scope); § 95.3301 (describing scope); § 101.1 (describing scope and authority); § 101.1301 (describing scope). Certain rules cross-reference for informational purposes that certain statutory provisions, rules, or regulations apply to a given service: § 1.981 (describing reports, annual and semiannual, “where required by the particular service rules”); § 13.5 (stating that licensed commercial radio operators are required to comply with duties under Parts 80 and 87); § 13.7(a) (stating commercial operator licenses classified in accordance with ITU Radio Regulations); § 20.2 (providing other applicable rule parts); § 22.9 (referring to operation of certificated signal boosters governed by section 20.21); § 22.227 (stating petitions to deny are governed by section 1.939 and limitations on settlements are governed by section 1.935); § 24.2 (providing other applicable rule parts); § 26.4 (providing other applicable rule parts); § 27.3 (providing other applicable rule parts); § 27.308 (providing that applications required by this part must comply with existing application requirements); § 74.452 (providing equipment changes specified in sections 1.929, 1.947, and 74.451(a)); § 80.2 (providing other regulations that apply); § 80.3 (providing other applicable rule parts of this chapter); § 80.31 (stating that part 63 pertains to discontinuance of service); § 80.45 (stating requirements for frequencies already specified in subpart H of part 80); § 80.86 (providing international regulations that are applicable); § 80.121(c) (stating requirements for frequencies already specified in subpart H of part 80); § 80.131(c)(1) (stating requirements for frequencies already specified in subpart H of part 80); § 80.151(a) (stating commercial operator licenses classified in accordance with ITU Radio Regulations); § 80.332(b) (providing for equipment

to aid search and rescue operations by cross-referencing to part 80, subparts V and X); § 80.333 (affirming that sections 80.311 and 80.324 apply to maritime mobile satellite service stations); § 80.375(e) (referring to subpart W of part 80 as providing technical standards); § 80.385(b)(4) (referring to requirements set forth in Parts 1.1301 and 1.1319); § 80.411(a) (referring to application requirements specified in sections 80.59); § 80.417 (stating where to obtain FCC Rules and Regulations); § 80.451 (listing supplemental eligibility requirements already specified in section 80.15(b)); § 80.459 (providing frequencies for digital selective calling already specified in subpart H of part 80); § 80.461 (providing frequencies for narrow-band direct-printing already specified in subpart H of part 80); § 80.465 (providing for assignment and use of frequencies for telephony already specified in subpart H of part 80); § 80.509 (providing frequency assignments already specified in subpart H of part 80); § 80.603 (providing for assignment and use of frequencies already specified in subpart H of part 80); § 80.709 (providing frequencies available which are already specified in subpart H of part 80); § 80.1114 (stating requirements applicable to false distress alerts already specified in sections 80.334 and 80.335); § 87.3 (providing other applicable rule parts); § 87.87(a) (stating commercial operator licenses classified in accordance with ITU Radio Regulations); § 88.111 (referencing certification requirements under part 2); § 95.313 (describing penalties for violations of the Communications Act or FCC rules); § 95.331 (referencing permissible uses specified in other rules); § 95.351 (providing information on station identification specified in other rules); § 95.353 (referencing false distress signals prohibited by 47 U.S.C. 325(a)); § 95.363 (providing channels available for use specified in other rules); § 95.1919 (referencing other rule subparts relating to license transferability); § 95.1935 (stating that station identification is not required); § 97.27 (restating requirements of 47 U.S.C. 316 regarding FCC modification of station license grant). Certain rules restate requirements specified in other rule subparts and are otherwise duplicative: § 1.933(c)(8)–(9) (providing for public notices, already covered by 1.933(c)(11)); § 1.9046 (d)(1) and (e) (providing special provisions related to spectrum manager leasing in the Citizens Broadband Radio Service that are duplicative of section 1.9020(h)(1) and (h)(4)); § 1.9050 (noting who may sign spectrum leasing notifications and applications, duplicating section 1.917); § 1.9055 (providing for assignment of file numbers to spectrum leasing notifications and applications and duplicating section 1.926); § 22.107 (providing general application requirements that are duplicative of subpart F of part 1); § 22.213 (providing guidelines for filing of long-form applications that are duplicative of sections 1.2107 and 22.221); § 22.365 (providing requirements for antenna structures and air navigation safety duplicative of part 17); § 22.509 (providing procedures for mutually exclusive applications in the Paging and Radiotelephone Service that are duplicative of section 22.131 and section 22.567); § 22.529 (providing application requirements for the Paging and Radiotelephone Service, which are already covered by 1.913); § 24.235 (providing guidelines regarding frequency stability, which are unnecessary due to section 24.238, specifying emission limit); § 24.430 (providing guidelines on opposition to applications, which are duplicative of section 1.939); § 24.431(b) (providing guidelines regarding mutually exclusive applications, which are duplicative of 24.301); § 24.830 (providing guidelines on opposition to applications, which are duplicative of section 1.939); § 24.831(b) (providing guidelines regarding mutually exclusive applications, which are duplicative of 24.701); § 26.304 (providing requirements for antenna structures and air navigation safety that are duplicative of part 17); § 27.54 (providing guidelines regarding frequency

stability, which are unnecessary due to section 27.53, specifying emission limit); § 27.607 (providing annual reporting requirements that are duplicative of construction, operation, and renewal reporting requirements for guard band licensees); § 27.1502 (providing for permanent discontinuance of 900 MHz broadband licenses, which is duplicative of section 1.953); § 74.24(i), (j) (providing guidelines on short-term operation, which are duplicative of section 1.924 as provided in section 74.6); § 74.34(c)–(e) (providing for period of construction and certification of completion of construction, which is duplicative of section 1.946 as provided in section 74.6); § 74.432(k) (providing licensing requirements and procedures, which are duplicative of section 1.953(c) as provided in section 74.6); § 74.433 (providing guidelines on temporary authorizations, which are duplicative of section 1.931(b) as provided in section 74.6); § 74.465 (providing guidelines on frequency monitors and measurements, which are duplicative of section 74.462); § 74.532(f) (providing licensing requirements, which are duplicative of section 1.953); § 74.537 (providing guidelines on temporary authorizations, which are duplicative of section 1.931(b) as provided in section 74.6); § 74.562 (providing guidelines on frequency monitors and measurements, which are duplicative of section 75.535); § 74.602(e) (providing for frequency assignment (LTTS), which is duplicative of section 101.803(b)); § 74.633 (providing guidelines regarding temporary authorizations, which are duplicative of section 1.931(b) as provided in section 74.6); § 74.662 (providing guidelines on frequency monitors and measurements, which are duplicative of section 74.637); § 80.15(b)(2) (providing for eligibility for station license, which is duplicative of section 80.15(a)); § 80.96 (providing guidelines on maintenance tests, which are duplicative of sections 80.89(d) and 80.98); § 80.110 (providing for inspection and maintenance of antenna structure markings and associated control equipment, which is duplicative of part 17); § 80.149 (providing requirements regarding an answer to notice of violation, which are duplicative of sections 1.89 and 1.951); § 80.159(d) (providing operator requirements of Title III of the Communications Act and the Safety Convention, which are duplicative of section 80.1073); § 80.314(d) (providing guidelines regarding distress communications, which are duplicative of section 80.335); § 80.409(f)(1)(i)(F), (f)(2)(iv) (providing guidelines for station logs, which are duplicative of section 80.59); § 80.455 (providing for assignment and use of frequencies for manual Morse code telegraphy, which is duplicative of section 80.355 and 80.357); § 80.1252 (describing designated entities, which is duplicative of section 1.2110); § 87.29 (providing for partial grant of application, which is duplicative of section 1.110); § 87.35 (providing for cancellation of licenses, which is duplicative of section 1.953(f)); § 90.137(a)(3) (providing guidelines regarding applications for operation at temporary locations, which are duplicative of sections 1.931 and 90.175(a)); § 90.149(b) (providing for license term, which is duplicative of section 90.149(a)); § 90.185(c) (duplicating section 90.477); § 90.205(s) (duplicating band-specific rules specifying ERP and output power); § 90.207(a) (duplicating section 2.201); § 90.275 (providing for selection and assignment of frequencies in the 421–430 MHz band, which is duplicative of section 90.175(b)); § 90.365 (providing for partitioned licenses and disaggregated spectrum, which is duplicative of section 1.948 and section 1.950); § 90.441 (providing for inspection and maintenance of antenna structure marking and associated control equipment, which is duplicative of part 17); § 90.492 (providing for one way paging operations in the 806–824/851–869 MHz and 896–901/935–940 MHz bands, which is duplicative of sections 90.645(e) and (f)); § 90.605 (providing for forms to

Continued

be used, duplicative of subpart F of part 1 and section 90.127); § 90.607 (providing guidelines on supplemental information to be furnished by applicants for facilities under this subpart, which is duplicative of section 90.175); § 90.621(a)(1)(iii), (b)(1) (providing for selection and assignment of frequencies, which is duplicative of section 90.627); § 90.633(c), (d) (providing conventional systems loading requirements, which are duplicative of section 90.155); § 90.651 (providing guidelines on supplemental reports required of licensees authorized under this subpart, which is duplicative of section 1.946); § 90.735(a) (providing guidelines on station identification, which are duplicative of section 90.425); § 90.1019 (b)–(c) (providing for eligibility for partitioned licenses, which is duplicative of section 1.948 and section 1.950); § 90.1103 (providing guidelines on designated entities, which are duplicative of section 1.2110); § 95.561(a), (b) (providing for transmitter certification, which is duplicative of section 95.361); § 95.939(b) (duplicating the first sentence of the rule); § 95.961 (providing for CB Radio Service transmitter certification, which is duplicative of section 95.361); § 95.1741 (providing GMRS antenna height limits, which are duplicative of section 95.317 and part 17); § 95.1931 (providing service requirements, which are duplicative of section 95.1933); § 95.1951 (providing guidelines on certification, which are duplicative of section 95.361); § 95.2161 (providing for LPRS transmitter certification, which is duplicative of section 95.361); § 95.2361 (providing for WMTS transmitter certification, which is duplicative of section 95.361); § 95.2761(a), (b) (providing for MURS transmitter certification, which is duplicative of section 95.361); § 95.2961 (providing for PLB and MSLD transmitter certification, which is duplicative of section 95.361); § 95.3161 (providing for OBU transmitter certification, which is duplicative of section 95.361); § 95.3202 (providing for OBU transmitter certification, which is duplicative of section 95.361); § 95.3361 (providing guidelines on certification, which are duplicative of section 95.361); § 96.1 (describing scope); § 101.23 (providing for waiver of rules, which is duplicative of section 1.925); § 101.63(e)–(f) (providing guidelines on period of construction and certification of completion of construction, which are duplicative of section 1.946); § 101.211 (providing operator requirements, which are duplicative of section 101.135); § 101.303 (providing guidelines regarding answers to notices of violation, which are duplicative of sections 1.89 and 1.951); § 101.309 (outlining requirement that licensees respond to official communications, which is duplicative of sections 1.934 and 1.951); § 101.819 (providing guidelines for stations affected by coordination contour procedures, which are duplicative of section 101.21); § 101.1111 (providing guidelines on partitioning and disaggregation, which are duplicative of section 1.948 and section 1.950); § 101.1309 (duplicating requirements specified in the application process); § 101.1311 (duplicating requirements set forth in section 101.1329 and subpart F of part 1d); § 101.1321 (providing guidelines on license transfers, which are duplicative of sections 1.2111 and 1.948); § 101.1323 (providing guidelines on spectrum aggregation, disaggregation, and partitioning, which are duplicative of section 1.948 and section 1.950); § 101.1411 (b), (c) (providing for regulatory status and eligibility, which is duplicative of section 101.7); § 101.1413(c) (duplicating of section 1.949). Certain rules state for informational purposes that licensees and manufacturers must comply with the Commission's radio frequency exposure requirements, thereby duplicating substantive obligations already set forth elsewhere in Parts 1 and 2 of the Commission's rules: § 22.379 (affirming obligation to comply with RF exposure requirements); § 24.52 (same); § 27.52 (same); § 30.207 (same); § 80.83 (same); § 88.115 (same); § 101.1425 (same); § 101.1525 (same).

5. Accordingly, *it is ordered*, pursuant to section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), and 0.331 and 1.3 of the Commission's rules, 47 CFR 0.331 and 1.3, that the June 5, 2023 date included within § 20.19(b) is extended to December 5, 2023.

6. *Direct Final Rule Process.* In this *Direct Final Rule*, we follow the processes previously outlined by the Commission regarding direct final rules, which we briefly summarize here. At times when the Commission has found prior notice and comment unnecessary before modifying or repealing rules, it simply adopted the relevant rule change without any additional process. Although we reserve the right to proceed in that manner, we elect in this decision to proceed using what is known as a “direct final rule” process. By proceeding through a direct final rule, the Commission chooses to provide *expanded* opportunities for public comment when it is not legally required to do so under the “good cause” standard. Under a direct final rule process, rule changes are adopted without prior notice and comment, but accompanied by an opportunity for the public to file comments—and if we conclude that significant adverse comments have been filed, the relevant rule changes would not take effect until after a full notice and comment process.

7. In particular, we will publish this item adopting direct final rules in the **Federal Register**, and allow for comment from interested parties within 20 days of **Federal Register** publication. Until 20 days after **Federal Register** publication, this shall be a “permit-but-disclose” proceeding for purposes of our *ex parte* rules. Because this comment process is directed toward the discrete objective of the direct final rule process, and to avoid unwarranted delay in that process, we prohibit filings addressing the rule changes contemplated in this *Direct Final Rule* more than 20 days after **Federal Register** publication,

Certain rules state for informational purposes that licensees must comply with the Commission's rules or international coordination agreements: § 22.305 (requiring licensees to comply with FCC rules); § 22.357 (stating that emission types must comply with the emission rules in sections 22.359, 22.861, and 22.917); § 30.206 (stating that operations in the 27.5–28.35 GHz, 37–38.6, and 38.6–40 GHz bands are subject to existing and future international agreements with Canada and Mexico); § 30.209 (stating that stations must comply with the other technical and operational requirements specified in this part when employing duplexing as permitted); § 95.761(b) (stating RCRS transmitter certification requires compliance with applicable rules); § 95.2561(b) (stating MedRadio transmitter certification requires compliance with applicable rules); § 95.2587(b) (stating MedRadio must comply with rules); § 101.307 (referencing sections 1.771 through 1.815 as applicable).

absent further direction from the Commission published in the **Federal Register**. This both accords with the purpose of the comment process for direct final rules, and is similar (though not identical) to actions the Commission has taken in other contexts to provide a defined end-point for public filings to enable the Commission to focus its attention on the submissions already before it.

8. The direct final rules will be effective 60 days after **Federal Register** publication. To the extent that the Commission receives comments on these direct final rules, we will evaluate whether they are significant adverse comments that warrant further procedures before changing the rules. In our assessment, we plan to be guided by ACUS's recommendation that “[a]n agency should consider any comment received during direct final rulemaking to be a significant adverse comment if the comment explains why: a. The [direct final] rule would be inappropriate, including challenges to the rule's underlying premise or approach; or b. The [direct final] rule would be ineffective or unacceptable without a change.”

9. In the event that we conclude that significant adverse comments have been filed, the Wireless Telecommunications Bureau (WTB) will publish a timely withdrawal in the **Federal Register** so that this *Direct Final Rule* does not become effective until any appropriate additional procedures have been followed. If significant adverse comments are filed only with respect to a subset of the rule revisions addressed by this *Direct Final Rule*, WTB will withdraw the portions of the *Direct Final Rule* that were subject to significant adverse comments. For example, if a significant adverse comment is filed regarding a single rule within a direct final rule addressing multiple rules, we will publish a withdrawal addressing only that rule.

10. In the event that no comments are filed in response to this *Direct Final Rule*, we do not anticipate publishing a confirmation of the effective date in the **Federal Register**, but simply will allow the rule changes to take effect as originally specified. Where comments are filed, but none of the comments are significant adverse comments, where warranted by the record WTB will issue a Public Notice that will briefly explain why any comments filed were not determined to be significant adverse comments.

Ordering Clauses

11. Accordingly, it is ordered that, pursuant to sections 4(i), 4(j), and 303(r)

of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), (j), 303(r), this *Direct Final Rule* is adopted. Except as specified below, this *Direct Final Rule* shall be effective upon **Federal Register** publication of the rule changes set forth in the Appendix, which also shall serve as the date of public notice of that action.

12. *It is further ordered* that the amendments of the Commission's rules as set forth in the Appendix shall be effective 60 days after **Federal Register** publication. In the event that significant adverse comments are filed, the Wireless Telecommunications Bureau shall publish a timely document in the **Federal Register** withdrawing the rule so that the rule change does not become effective until any additional procedures have been followed. In the event that significant adverse comments are filed with respect to only a subset of the rule revisions, we direct the Wireless Telecommunications Bureau to publish a timely document in the **Federal Register** withdrawing only such rule so that the rule change does not become effective until any additional procedures have been followed.

13. *It is further ordered* that the Office of the Managing Director, Performance Program Management, *shall send* a copy of this *Direct Final Rule* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, 5 U.S.C. 801(a)(1)(A).

List of Subjects

47 CFR Part 1

Communications; Reporting and recordkeeping requirements; Telecommunications.

47 CFR Part 13

Radio.

47 CFR Part 17

Aviation safety; Communications equipment; Reporting and recordkeeping requirements.

47 CFR Part 20

Communications equipment; Radio; Reporting and recordkeeping requirements; Telecommunications; Telephone.

47 CFR Part 22

Communications; Communications equipment; Radio; Reporting and recordkeeping requirements; Telecommunications.

47 CFR Part 24

Communications equipment; Radio; Reporting and recordkeeping requirements; Telecommunications.

47 CFR Part 26

Telecommunications.

47 CFR Part 27

Communications common carriers; Communications requirements; Radio; Reporting and recordkeeping requirements; Telecommunications.

47 CFR Part 30

Communications common carriers; Communications equipment; Reporting and recordkeeping requirements.

47 CFR Part 54

Reporting and recordkeeping requirements; Telecommunications.

47 CFR Part 74

Communications equipment; Radio; Reporting and recordkeeping requirements; Telecommunications.

47 CFR Part 80

Communications equipment; Marine safety; Radio; Reporting and recordkeeping requirements; Telegraph; Vessels.

47 CFR Part 87

Air transportation; Communications equipment; Radio; Reporting and recordkeeping requirements.

47 CFR Part 88

Communications; Communications equipment; Radio; Reporting and recordkeeping requirements.

47 CFR Part 90

Business and industry; Communications; Communications equipment; Radio; Reporting and recordkeeping requirements; Telecommunications.

47 CFR Part 95

Communications equipment; Radio; Telecommunications.

47 CFR Part 96

Telecommunications.

47 CFR Part 97

Communications equipment; Radio; Reporting and recordkeeping requirements.

47 CFR Part 101

Communications; Communications equipment; Radio; Reporting and recordkeeping requirements.

Federal Communications Commission.

Marlene Dortch,

Secretary.

Final Rules

For the reasons discussed in the preamble, the Federal Communications

Commission amends parts 1, 13, 17, 20, 22, 24, 26, 27, 30, 54, 74, 80, 87, 88, 90, 95, 96, 97, and 101 of Title 47 of the Code of Federal Regulations as follows:

PART 1—PRACTICE AND PROCEDURE

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

Authority: 47 U.S.C. chs. 2, 5, 9, 13; 28 U.S.C. 2461 note; 47 U.S.C. 1754, unless otherwise noted.

§ 1.901 [Removed and Reserved]

■ 2. Remove and reserve § 1.901.

§ 1.933 [Amended]

■ 3. Section 1.933 is amended by removing and reserving paragraphs (c)(8) and (9).

§ 1.981 [Removed and Reserved]

■ 4. Remove and reserve § 1.981.

Subpart X—Spectrum Leasing

§ 1.9001 [Removed and Reserved]

■ 5. Remove and reserve § 1.9001.

§ 1.9030 [Amended]

■ 6. Section 1.9030 is amended by removing and reserving paragraph (d)(4)(iv).

§ 1.9045 [Removed and Reserved]

■ 7. Remove and reserve § 1.9045.

§ 1.9046 [Amended]

■ 8. Section 1.9046 is amended by removing and reserving paragraphs (d)(1) and (e).

§ 1.9050 [Removed and Reserved]

■ 9. Remove and reserve § 1.9050.

§ 1.9055 [Removed and Reserved]

■ 10. Remove and reserve § 1.9055.

PART 13—COMMERCIAL RADIO OPERATORS

■ 11. The authority citation for part 13 continues to read as follows:

Authority: 47 U.S.C. 154, 303, unless otherwise noted.

§ 13.1 [Removed and Reserved]

■ 12. Remove and reserve § 13.1.

§ 13.5 [Removed and Reserved]

■ 13. Remove and reserve § 13.5.

■ 14. Amend § 13.7 by:

■ a. Removing and reserving paragraph (a);

■ b. Revising paragraph (b) introductory text and removing and reserving paragraphs (b)(1) through (3); and

■ c. Revising paragraphs (c)(1) and (2).

The revisions read as follows:

§ 13.7 Classification of operator licenses and endorsements.

* * * * *

(b) There are nine types of commercial radio operator licenses, certificates and permits (licenses). The license's ITU classification, if different from its name, is given in parentheses.

* * * * *

(c) * * *

(1) Ship Radar Endorsement (Radiotelegraph Operator License, General Radiotelephone Operator License, GMDSS Radio Maintainer's License).

(2) Six Months Service Endorsement (Radiotelegraph Operator License)

* * * * *

■ 15. Amend § 13.8 by

■ a. Removing and reserving paragraph (a);

■ b. Revising paragraph (b); and

■ c. Removing and reserving paragraph (c)

The revision reads as follows:

§ 13.8 Authority conveyed.

* * * * *

(b) A Radiotelegraph Operator License conveys all of the operating authority of the Restricted Radiotelephone Operator Permit and the Marine Radio Operator Permit.

* * * * *

■ 16. Section 13.9 is amended by revising paragraph (f)(4) to read as follows:

§ 13.9 Eligibility and application for new license or endorsement.

* * * * *

(f) * * *

(4) The applicant held a FCC-issued Radiotelegraph Operator License during this entire six month qualifying period; and

* * * * *

§ 13.11 [Amended]

■ 17. Section 13.11 is amended by removing and reserving paragraphs (a)(1) through (3).

■ 18. Section 13.13 is amended by revising paragraphs (a), (b), and (d) to read as follows:

§ 13.13 Application for a renewed or modified license.

(a) Each application to renew a Radiotelegraph Operator License must be made on FCC Form 605. The application must be accompanied by the appropriate fee and submitted in accordance with § 1.913 of this chapter.

(b) If a license expires, application for renewal may be made during a grace

period of five years after the expiration date without having to retake the required examinations. The application must be accompanied by the required fee and submitted in accordance with § 1.913 of this chapter. During the grace period, the expired license is not valid. A license renewed during the grace period will be effective as of the date of the renewal. Licensees who fail to renew their licenses within the grace period must apply for a new license and take the required examination(s).

* * * * *

(d) Provided that a person's commercial radio operator license was not revoked, or suspended, and is not the subject of an ongoing suspension proceeding, a person holding a General Radiotelephone Operator License, Marine Radio Operator Permit, Radiotelegraph Operator License, GMDSS Radio Operator's License, GMDSS Radio Maintainer's License, or GMDSS Radio Operator/Maintainer License, who has an application for another commercial radio operator license which has not yet been acted upon pending at the FCC and who holds a PPC(s) indicating that he or she passed the necessary examination(s) within the previous 365 days, is authorized to exercise the rights and privileges of the license for which the application is filed. This temporary conditional operating authority is valid for a period of 90 days from the date the application is received. This temporary conditional operating authority does not relieve the licensee of the obligation to comply with the certification requirements of the Standards of Training, Certification and Watchkeeping (STCW) Convention. The FCC, in its discretion, may cancel this temporary conditional operating authority without a hearing.

* * * * *

■ 19. Revise § 13.15 to read as follows:

§ 13.15 License term.

Commercial radio operator licenses are normally valid for the lifetime of the holder.

§ 13.17 [Removed and Reserved]

■ 20. Remove and reserve § 13.17.

PART 17—CONSTRUCTION, MARKING, AND LIGHTING OF ANTENNA STRUCTURES

■ 21. The authority citation for part 17 continues to read as follows:

Authority: 47 U.S.C. 154, 301, 303, 309 unless otherwise noted.

§ 17.1 [Removed and Reserved]

■ 22. Remove and reserve § 17.1.

Subpart B—Federal Aviation Administration Notification Criteria

§ 17.9 [Removed and Reserved]

■ 23. Remove and reserve § 17.9.

PART 20—COMMERCIAL MOBILE SERVICES

■ 24. The authority citation for part 20 continues to read as follows:

Authority: 47 U.S.C. 151, 152(a), 154(i), 155, 157, 160, 201, 214, 222, 251(e), 301, 302, 303, 303(b), 303(r), 307, 307(a), 309, 309(j)(3), 316, 316(a), 332, 610, 615, 615a, 615b, and 615c, unless otherwise noted.

§ 20.1 and 20.2 [Removed and Reserved]

■ 25. Remove and reserve § 20.1 and 20.2.

§ 20.6 [Removed and Reserved]

■ 26. Remove and reserve § 20.6.

§ 20.12 [Amended]

■ 27. Section 20.12 is amended by removing and reserving paragraph (b).

§ 20.22 [Amended]

■ 28. Section 20.22 is amended by removing and reserving paragraph (c).

PART 22—PUBLIC MOBILE SERVICES

■ 29. The authority citation for part 22 continues to read as follows:

Authority: 47 U.S.C. 154, 222, 303, 309, and 332, unless otherwise noted.

Subpart A—Scope and Authority

§ 22.1 [Removed and Reserved]

■ 30. Remove and reserve § 22.1.

§ 22.9 [Removed and Reserved]

■ 31. Remove and reserve § 22.9.

Subpart B—Licensing Requirements and Procedures

§ 22.107 [Removed and Reserved]

■ 32. Remove and reserve § 22.107.

§ 22.165 [Amended]

■ 33. Section 22.165 is amended by removing and reserving paragraph (f).

§ 22.213 [Removed and Reserved]

■ 34. Remove and reserve § 22.213.

§ 22.225 [Removed and Reserved]

■ 35. Remove and reserve § 22.225.

§ 22.227 [Removed and Reserved]

■ 36. Remove and reserve § 22.227.

Subpart C—Operational and Technical Requirements

§ 22.305 [Removed and Reserved]

■ 37. Remove and reserve § 22.305.

§ 22.357 [Removed and Reserved]

- 38. Remove and reserve § 22.357.

§ 22.365 [Removed and Reserved]

- 39. Remove and reserve § 22.365.

§ 22.379 [Removed and Reserved]

- 40. Remove and reserve § 22.379.

Subpart E—Paging and Radiotelephone Service**§ 22.509 [Removed and Reserved]**

- 41. Remove and reserve § 22.509.

§ 22.529 [Removed and Reserved]

- 42. Remove and reserve § 22.529.

Subpart G—Air-Ground Radiotelephone Service**§ 22.859 [Removed and Reserved]**

- 43. Remove and reserve § 22.859.

Subpart H—Cellular Radiotelephone Service**§ 22.959 [Removed and Reserved]**

- 44. Remove and reserve § 22.959.

PART 24—PERSONAL COMMUNICATIONS SERVICES

- 45. The authority citation for part 24 continues to read as follows:

Authority: 47 U.S.C. 154, 301, 302, 303, 309, and 332, unless otherwise noted.

Subpart A—General Information**§ 24.2 [Removed and Reserved]**

- 46. Remove and reserve § 24.2.

Subpart B—Applications and Licenses**§ 24.10 [Removed and Reserved]**

- 47. Remove and reserve § 24.10.

Subpart C—Technical Standards**§ 24.50 [Removed and Reserved]**

- 48. Remove and reserve § 24.50.

§ 24.52 [Removed and Reserved]

- 49. Remove and reserve § 24.52.

Subpart E—Broadband PCS**§ 24.235 [Removed and Reserved]**

- 50. Remove and reserve § 24.235.

Subpart F—Competitive Bidding Procedures for Narrowband PCS**§ 24.321 [Amended]**

- 51. Section 24.321 is amended by removing and reserving paragraph (c).

Subpart G—Interim Application, Licensing and Processing Rules for Narrowband PCS**§ 24.430 [Removed and Reserved]**

- 52. Remove and reserve § 24.430.

§ 24.431 [Amended]

- 53. Section 24.431 is amended by removing and reserving paragraph (b).

Subpart H—Competitive Bidding Procedures for Broadband PCS**§ 24.711 [Removed and Reserved]**

- 54. Remove and reserve § 24.711.

§ 24.712 [Amended]

- 55. Section 24.712 is amended by removing and reserving paragraph (c).

§ 24.714 [Amended]

- 56. Section 24.714 is amended by removing and reserving paragraph (c).

§ 24.716 [Removed and Reserved]

- 57. Remove and reserve § 24.716.

Subpart I—Interim Application, Licensing, and Processing Rules for Broadband PCS**§ 24.830 [Removed and Reserved]**

- 58. Remove and reserve § 24.830.

§ 24.831 [Amended]

- 59. Section 24.831 is amended by removing and reserving paragraph (b).

PART 26—SPACE LAUNCH SERVICES

- 60. The authority citation for part 26 continues to read as follows:

Authority: 47 U.S.C. 151, 152, 154, 301, 303, unless otherwise noted.

Subpart A—General Information**§ 26.1 [Removed and Reserved]**

- 61. Remove and reserve § 26.1.

§ 26.4 [Removed and Reserved]

- 62. Remove and reserve § 26.4.

Subpart D—Technical Standards**§ 26.304 [Removed and Reserved]**

- 63. Remove and reserve § 26.304.

PART 27—MISCELLANEOUS WIRELESS COMMUNICATIONS SERVICES

- 64. The authority citation for part 27 continues to read as follows:

Authority: 47 U.S.C. 151, 152, 154, 301, 303, unless otherwise noted.

Subpart A—General Information**§ 27.1 [Removed and Reserved]**

- 65. Remove and reserve § 27.1.

§ 27.3 [Removed and Reserved]

- 66. Remove and reserve § 27.3.

§ 27.5 [Amended]

- 67. Section 27.5 is amended by removing and reserving paragraphs (i)(1), (i)(4), and (i)(5).

§ 27.14 [Amended]

- 68. Section 27.14 is amended by removing and reserving paragraph (l).

Subpart C—Technical Standards**§ 27.52 [Removed and Reserved]**

- 69. Remove and reserve § 27.52.

Subpart C—Technical Standards**§ 27.53 [Amended]**

- 70. Section 27.53 is amended by removing and reserving paragraph (m)(5).

§ 27.54 [Removed and Reserved]

- 71. Remove and reserve § 27.54.

§ 27.55 [Amended]

- 72. Section 27.55 is amended by removing and reserving paragraph (a)(4)(i).

§ 27.58 [Removed and Reserved]

- 73. Remove and reserve § 27.58.

Subpart D—Competitive Bidding Procedures for the 2305–2320 MHz and 2345–2360 MHz Bands**§ 27.210 [Amended]**

- 74. Section 27.210 is amended by removing and reserving paragraph (a).

Subpart E—Application, Licensing, and Processing Rules for WCS**§ 27.308 [Removed and Reserved]**

- 75. Remove and reserve § 27.308.

Subpart G—Guard Band A and B Blocks (757–758/787–788 MHz and 775–776/805–806 MHz Bands)**§ 27.604 [Removed and Reserved]**

- 76. Remove and reserve § 27.604.

§ 27.607 [Removed and Reserved]

- 77. Remove and reserve § 27.607.

Subpart I—1.4 GHz Band**§ 27.801 [Removed and Reserved]**

- 78. Remove and reserve § 27.801.

Subpart J—1670–1675 MHz Band**§ 27.901 [Removed and Reserved]**

- 79. Remove and reserve § 27.901.

Subpart K—1915–1920 MHz and 1995–2000 MHz

■ 80a. Remove the undesignated center heading “*Reimbursement Obligation of Licensees at 1915–1920 MHz and 1995–2000 MHz*”.

§ 27.1021 [Removed and Reserved]

- 80. Remove and reserve § 27.1021.

§ 27.1031 [Removed and Reserved]

- 81. Remove and reserve § 27.1031.

§ 27.1041 [Removed and Reserved]

- 82. Remove and reserve § 27.1041.

Subpart L—1695–1710 MHz, 1710–1755 MHz, 1755–1780 MHz, 2110–2155 MHz, 2155–2180 MHz, 2180–2200 MHz Bands**§ 27.1111 [Removed and Reserved]**

- 83. Remove the undesignated center heading “Relocation of Incumbents” and remove and reserve § 27.1111.

§§ 27.1131 and 27.1132 [Removed and Reserved]

- 84. Remove and reserve §§ 27.1131 and 27.1132.

§§ 27.1160 through 27.1174 [Removed and Reserved]

- 85. Remove the undesignated center heading “Cost-Sharing Policies Governing Microwave Relocation From the 2110–2150 MHz and 2160–2200 MHz Bands”, and remove and reserve §§ 27.1160 through 27.1174.

§§ 27.1176 through 27.1190 [Removed and Reserved]

- 86. Remove the undesignated center heading “Cost-Sharing Policies Governing Broadband Radio Service Relocation From the 2150–2160/62 MHz Band” and remove and reserve §§ 27.1176 through 27.1190.

Subpart M—Broadband Radio Service and Educational Broadband Service**§ 27.1200 [Removed and Reserved]**

- 87. Remove and reserve § 27.1200.

§§ 27.1213 through 27.1215 [Removed and Reserved]

- 88. Remove and reserve §§ 27.1213 through 27.1215.

§ 27.1216 [Amended]

- 89. Section 27.1216 is amended by removing and reserving paragraph (b).

§§ 27.1250 through 27.1255 [Removed and Reserved]

- 90. Remove the undesignated center heading “Relocation Procedures for the 2150–2160/62 MHz Band” and remove and reserve §§ 27.1250 through 27.1255.

Subpart P—Regulations Governing Licensing and Use of 900 MHz Broadband Service in the 897.5–900.5 MHz and 936.5–939.5 MHz Bands**§ 27.1502 [Removed and Reserved]**

- 91. Remove and reserve § 27.1502.

Subpart Q—3.45 GHz Service (3450–3550 MHz)**§§ 27.1604 and 27.1605 [Removed and Reserved]**

- 92. Remove and reserve §§ 27.1604 and 27.1605.

PART 30—UPPER MICROWAVE FLEXIBLE USE SERVICES

- 93. The authority citation for part 30 continues to read as follows:

Authority: 47 U.S.C. 151, 152, 153, 154, 301, 303, 304, 307, 309, 310, 316, 332, 1302, unless otherwise noted.

Subpart A—General**§ 30.4 [Amended]**

- 94. Section 30.4 is amended by removing and reserving paragraph (d)(2).

Subpart B—Applications and Licenses**§ 30.102 [Removed and Reserved]**

- 95. Remove and reserve § 30.102.

Subpart C—Technical Standards**§§ 30.206 and 30.207 [Removed and Reserved]**

- 96. Remove and reserve §§ 30.206 and 30.207.

§ 30.209 [Removed and Reserved]

- 97. Remove and reserve § 30.209.

PART 54—UNIVERSAL SERVICE

- 98. 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.

Subpart D—Universal Service Support for High Cost Areas**§ 54.317 [Amended]**

- 99. Section 54.317 is amended by removing and reserving paragraphs (c) and (g).

§ 54.321 [Amended]

- 100. Section 54.321 is amended by removing and reserving paragraph (a).

PART 74—EXPERIMENTAL RADIO, AUXILIARY, SPECIAL BROADCAST AND OTHER PROGRAM DISTRIBUTIONAL SERVICES

- 101. The authority citation for part 74 continues to read as follows:

Authority: 47 U.S.C. 154, 302a, 303, 307, 309, 310, 325, 336, and 554, unless otherwise noted.

Subpart—General; Rules Applicable to All Services in Part 74**§ 74.19 [Removed and Reserved]**

- 102. Remove and reserve § 74.19.

§ 74.24 [Amended]

- 103. Section 74.24 is amended by removing and reserving paragraphs (i) and (j).

§ 74.28 [Removed and Reserved]

- 104. Remove and reserve § 74.28.

§ 74.34 [Amended]

- 105. Section 74.34 is amended by removing and reserving paragraphs (c), (d), and (e).

Subpart D—Remote Pickup Broadcast Stations**§ 74.432 [Amended]**

- 106. Section 74.432 is amended by removing and reserving paragraphs (j) and (k).

§ 74.433 [Removed and Reserved]

- 107. Remove and reserve § 74.433.

§ 74.452 [Removed and Reserved]

- 108. Remove and reserve § 74.452.

§ 74.465 [Removed and Reserved]

- 109. Remove and reserve § 74.465.

Subpart E—Aural Broadcast Auxiliary Stations**§ 74.532 [Amended]**

- 110. Section 74.532 is amended by removing paragraph (f).

§ 74.537 [Removed and Reserved]

- 111. Remove and reserve § 74.537.

§ 74.551 [Removed and Reserved]

- 112. Remove and reserve § 74.551.

§ 74.562 [Removed and Reserved]

- 113. Remove and reserve § 74.562.

Subpart F—Television Broadcast Auxiliary Stations

■ 114. Section 74.602 is amended by removing and reserving paragraphs (e), (h)(3), (h)(5), and (h)(6), and by revising paragraph (h)(4) to read as follows:

§ 74.602 Frequency assignment.

* * * * *

(h) * * *

(4) TV translator relay stations licensed for operation on UHF TV channels 52–59 based on applications filed before the end of DTV transition may continue to operate under the terms of their current authorizations indefinitely. Applications for TV translator relay stations operating on UHF TV channels 52–69 will not be accepted for filing on or after the end of DTV Transition.

* * * * *

§ 74.603 [Amended]

■ 115. Section 74.603 is amended by removing and reserving paragraph (c).

§ 74.633 [Removed and Reserved]

■ 116. Remove and reserve § 74.633.

§ 74.634 [Amended]

■ 117. Section 74.634 is amended by removing and reserving paragraph (b).

§ 74.635 [Amended]

■ 118. Section 74.635 is amended by removing and reserving paragraph (b).

§ 74.651 [Removed and Reserved]

■ 119. Remove and reserve § 74.651.

§ 74.662 [Removed and Reserved]

■ 120. Remove and reserve § 74.662.

Subpart H—Low Power Auxiliary Stations

§ 74.802 [Amended]

■ 121. Section 74.802 is amended by removing and reserving paragraphs (e) and (f).

■ 122. Section 74.851 is amended by removing paragraph (l) and by revising the section heading to read as follows:

§ 74.851 Certification of equipment; prohibition on manufacture, import, sale, lease, offer for sale or lease, or shipment of devices that operate in the 700 MHz Band or the 600 MHz Band; labeling for 700 MHz or 600 MHz equipment destined for non-U.S. markets.

§ 74.870 [Amended]

■ 123. Section 74.870 is amended by removing paragraph (i).

PART 80—STATIONS IN THE MARITIME SERVICES

■ 124. The authority citation for part 80 continues to read as follows:

Authority: 47 U.S.C. 151–155, 301–609; 3 U.S.T. 3450, 3 U.S.T. 4726, 12 U.S.T. 2377, unless otherwise noted.

Subpart A—General Information

§§ 80.1 through 80.3 [Removed and Reserved]

■ 125. Remove and reserve §§ 80.1 through 80.3.

Subpart B—Applications and Licenses

§ 80.11 [Removed and Reserved]

■ 126. Remove and reserve § 80.11.

§ 80.15 [Amended]

■ 127. Section 80.15 is amended by removing and reserving paragraph (b)(2).

§ 80.31 [Removed and Reserved]

■ 128. Remove and reserve § 80.31.

§ 80.45 [Removed and Reserved]

■ 129. Remove and reserve § 80.45.

Subpart C—Operating Requirements and Procedures

§ 80.71 [Removed and Reserved]

■ 130. Remove and reserve § 80.71.

§ 80.76 [Amended]

■ 131. Section 80.76 is amended by removing and reserving paragraph (c).

§ 80.80 [Amended]

■ 132. Section 80.80 is amended by removing and reserving paragraphs (a)(3) and (b) through (f).

§ 80.83 [Removed and Reserved]

■ 133. Remove and reserve § 80.83.

§ 80.86 [Removed and Reserved]

■ 134. Remove and reserve § 80.86.

§ 80.96 [Removed and Reserved]

■ 135. Remove and reserve § 80.96.

§ 80.108 [Removed and Reserved]

■ 136. Remove and reserve § 80.108.

§ 80.110 [Removed and Reserved]

■ 137. Remove and reserve § 80.110.

§ 80.114 [Amended]

■ 138. Section 80.114 is amended by removing and reserving paragraph (b).

§ 80.121 [Amended]

■ 139. Section 80.121 is amended by removing and reserving paragraph (c).

§ 80.131 [Amended]

■ 140. Section 80.131 is amended by removing and reserving paragraphs (c)(1) and (d)(2).

§ 80.149 [Removed and Reserved]

■ 141. Remove and reserve § 80.149.

Subpart D—Operator Requirements

§ 80.151 [Amended]

■ 142. Section 80.151 is amended by removing and reserving paragraphs (a) and (b)(9) through (b)(11).

§ 80.159 [Amended]

■ 143. Section 80.159 is amended by removing and reserving paragraph (d).

§ 80.175 [Removed and Reserved]

■ 144. Remove and reserve § 80.175.

Subpart E—General Technical Standards

§ 80.201 [Removed and Reserved]

■ 145. Remove and reserve § 80.201.

§ 80.203 [Amended]

■ 146. Section 80.203 is amended by removing and reserving paragraphs (b)(5) and (o).

§ 80.205 [Amended]

■ 147. Section 80.205 is amended by removing and reserving paragraph (b)(2).

§ 80.209 [Amended]

■ 148. Amend § 80.209 by revising the table in paragraph (a) to read as follows:

Frequency bands and categories of stations	Tolerances
(1) Band 100–525 kHz:	
(i) Coast stations:	
For single sideband emissions	20 Hz.
For transmitters with narrow-band direct printing and data emissions	10 Hz. ¹
For transmitters with digital selective calling emissions	10 Hz.

Frequency bands and categories of stations	Tolerances
For all other emissions	100.
(ii) Ship stations:	
For transmitters with narrow-band direct printing and data emissions	20 Hz.
For transmitters with digital selective calling emissions	10 Hz. ¹
For all other transmitters	10 Hz.
(iii) Ship stations for emergency only:	
For all emissions	20 Hz.
(iv) Survival craft stations:	
For all emissions	20 Hz.
(v) Radiodetermination stations:	
For all emissions	100.
(2) Band 1600–4000 kHz:	
(i) Coast stations and Alaska fixed stations:	
For single sideband and facsimile	20 Hz.
For narrow-band direct printing and data emissions	10 Hz. ¹
For transmitters with digital selective calling emissions	10 Hz. ¹
For all other emissions	50 Hz.
(ii) Ship stations:	
For transmitters with narrow-band direct printing and data emissions	10 Hz. ¹
For transmitters with digital selective calling emissions	10 Hz.
For all other transmitters	20 Hz.
(iii) Survival craft stations	20 Hz.
(iv) Radiodetermination stations:	
With power 200W or less	20.
With power above 200W	10.
(3) Band 4000–27500 kHz:	
(i) Coast stations and Alaska fixed stations:	
For single sideband and facsimile	20 Hz.
For narrow-band direct printing and data emissions	10 Hz. ¹
For digital selective calling emissions	10 Hz.
For Morse telegraphy emissions	10.
For all other emissions	15 Hz.
(ii) Ship stations:	
For transmitters with narrow-band direct printing and data emissions	10 Hz. ¹
For transmitters with digital selective calling emissions	10 Hz.
For all other transmitters	20 Hz.
(iii) Survival craft stations	50 Hz.
(4) Band 72–76 MHz:	
(i) Fixed stations:	
Operating in the 72.0–73.0 and 75.4–76.0 MHz bands	5.
Operating in the 73.74.6 MHz band	50.
(5) Band 156–162 MHz:	
(i) Coast stations:	
For carriers licensed to operate with a carrier power:	
Below 3 watts	10.
3 to 100 watts	5. ³
(ii) Ship stations	10. ²
(iii) Survival craft stations operating on 121.500 MHz	50.
(iv) EPIRBs:	
Operating on 121.500 and 243.000 MHz	50.
Operating on 156.750 and 156.800 MHz	10.
(6) Band 216–220 MHz:	
(i) Coast stations:	
For all emissions	5.
(ii) Ship stations:	
For all emissions	5.
(7) Band 400–466 MHz:	
(i) EPIRBs operating on 406–406.1 MHz	5.
(ii) On-board stations	5.
(iii) Radiolocation and telecommand stations	5.
(8) Band 1626.5–1646.5 MHz:	
(i) Ship earth stations	5.

¹ The frequency tolerance for narrow-band direct printing and data transmitters installed before January 2, 1992, is 15 Hz for coast stations and 20 Hz for ship stations. The frequency tolerance for narrow-band direct printing and data transmitters approved or installed after January 1, 1992, is 10 Hz.

² For transmitters in the radiolocation and associated telecommand service operating on 154.584 MHz, 159.480 MHz, 160.725 MHz and 160.785 MHz the frequency tolerance is 15 parts in 10.

³ For transmitters operated at private coast stations with antenna heights less than 6 meters (20 feet) above ground and output power of 25 watts or less the frequency tolerance is 10 parts in 10.

Subpart F—Equipment Authorization for Compulsory Ships**§ 80.251 [Amended]**

■ 149. Section 80.251 is amended by removing and reserving paragraphs (a) and (d).

Subpart G—Safety Watch Requirements and Procedures**§ 80.314 [Amended]**

■ 150. Section 80.314 is amended by removing and reserving paragraph (d).

§ 80.332 [Amended]

■ 151. Section 80.332 is amended by removing and reserving paragraph (b).

§ 80.333 [Removed and Reserved]

■ 152. Remove and reserve § 80.333.

Subpart H—Frequencies**§ 80.351 [Removed and Reserved]**

■ 153. Remove and reserve § 80.351.

§ 80.365 [Removed and Reserved]

■ 154. Remove and reserve § 80.365.

§ 80.375 [Amended]

■ 155. Section 80.375 is amended by removing and reserving paragraph (e).

Subpart H—Frequencies**§ 80.383 [Amended]**

■ 156. Section 80.383 is amended by removing footnotes 1 and 2 to paragraph (a).

§ 80.385 [Amended]

■ 157. Section 80.385 is amended by removing and reserving paragraph (b)(4).

Subpart I—Station Documents

■ 158. Section 80.407 is amended by revising the introductory paragraph and removing and reserving paragraph (a) to read as follows:

§ 80.407 Operator authorization.

This section contains information and rules pertinent to the posting of radio operator authorizations. Rules applicable to radio operator requirements are contained in subpart D of this part and other rules pertinent to commercial radio operators are contained in part 13 of this chapter.

* * * * *

§ 80.409 [Amended]

■ 159. Section 80.409 is amended by removing and reserving paragraphs (f)(1)(i)(F) and (f)(2)(iv).

§ 80.411 [Amended]

■ 160. Section 80.411 is amended by removing and reserving paragraph (a).

§ 80.415 [Removed and Reserved]

■ 161. Remove and reserve § 80.415.

§ 80.417 [Removed and Reserved]

■ 162. Remove and reserve § 80.417.

Subpart J—Public Coast Stations**§ 80.451 [Removed and Reserved]**

■ 163. Remove and reserve § 80.451.

§§ 80.455 through 80.461 [Removed and Reserved]

■ 164a. Remove the undesignated center heading “*Use of Telegraphy*” and remove and reserve §§ 80.455 through 80.461.

§ § 80.465 [Removed and Reserved]

■ 164. Remove and reserve § 80.465.

Subpart K—Private Coast Stations and Marine Utility Stations**§ 80.509 [Removed and Reserved]**

■ 165. Remove and reserve § 80.509.

Subpart L—Operational Fixed Stations**§ 80.551 [Removed and Reserved]**

■ 166. Remove and reserve § 80.551.

§ 80.559 [Amended]

■ 167. Section 80.559 is amended by removing footnote 1 to paragraph (c).

Subpart M—Stations in the Radiodetermination Service**§ 80.603 [Removed and Reserved]**

■ 168. Remove and reserve § 80.603.

Subpart O—Alaska Fixed Stations**§ 80.709 [Removed and Reserved]**

■ 169. Remove and reserve § 80.709.

Subpart P—Standards for Computing Public Coast Station VHF Coverage**§ 80.751 [Removed and Reserved]**

■ 170. Remove and reserve § 80.751.

Subpart T—Radiotelephone Installation Required for Vessels on the Great Lakes**§ 80.953 [Amended]**

■ 171. Section 80.953 is amended by removing and reserving paragraph (c).

Subpart V—Emergency Position Indicating Radiobeacons (EPIRB's)**§ 80.1051 [Removed and Reserved]**

■ 172. Remove and reserve § 80.1051.

Subpart W—Global Maritime Distress and Safety System (GMDSS)**§ 80.1114 [Removed and Reserved]**

■ 173. Remove and reserve § 80.1114.

Subpart X—Voluntary Radio Installations**§ 80.1155 [Amended]**

■ 174. Section 80.1155 is amended by removing and reserving paragraph (d).

Subpart Y—Competitive Bidding Procedures**§ 80.1252 [Removed and Reserved]**

■ 175. Remove and reserve § 80.1252.

PART 87—AVIATION SERVICES

■ 176. The authority citation for part 87 continues to read as follows:

Authority: 47 U.S.C. 154, 303 and 307(e), unless otherwise noted.

Subpart A—General Information

■ 177. Section 87.1 is amended by removing and reserving paragraph (a) and revising the section heading to read as follows:

§ 87.1 Purpose.

* * * * *

§ 87.3 [Removed and Reserved]

■ 178. Remove and reserve § 87.3.

Subpart B—Applications and Licenses**§ 87.17 [Removed and Reserved]**

■ 179. Remove and reserve § 87.17.

§ 87.25 [Amended]

■ 180. Section 87.25 is amended by removing and reserving paragraphs (d) and (e).

§ 87.29 [Removed and Reserved]

■ 181. Remove and reserve § 87.29.

§ 87.35 [Removed and Reserved]

■ 182. Remove and reserve § 87.35.

Subpart C—Operating Requirements and Procedures**§ 87.87 [Amended]**

■ 183. Section 87.87 is amended by removing and reserving paragraphs (a) and (b)(1) through (3).

Subpart I—Aeronautical Enroute Stations, Aeronautical Fixed Stations, and Aircraft Data Link Land Test Stations**§ 87.263 [Amended]**

■ 184. Section 87.263 is amended by removing and reserving paragraph (a)(5).

Subpart P—Operational Fixed Stations**§ 87.451 [Amended]**

- 185. Section 87.451 is amended by removing footnote 1.

PART 88—UNCREWED AIRCRAFT SYSTEM SERVICES

- 186. The authority citation for part 88 continues to read as follows:

Authority: 47 U.S.C. 154(i), 303 and 307, unless otherwise noted.

Subpart D—Technical Requirements**§ 88.111 [Removed and Reserved]**

- 187. Remove and reserve § 88.111.

§ 88.115 [Removed and Reserved]

- 188. Remove and reserve § 88.115.

PART 90—PRIVATE LAND MOBILE RADIO SERVICES

- 189. The authority citation for part 90 continues to read as follows:

Authority: 47 U.S.C. 154(i), 161, 303(g), 303(r), 332(c)(7), 1401–1473, unless otherwise noted.

Subpart A—General Information**§ 90.1 [Removed and Reserved]**

- 190. Remove and reserve § 90.1.

Subpart C—Industrial/Business Radio Pool**§ 90.31 [Removed and Reserved]**

- 191. Remove and reserve § 90.31.

Subpart C—Industrial/Business Radio Pool**§ 90.35 [Amended]**

- 192. Section 90.35 is amended by removing and reserving paragraph (d)(2).

Subpart F—Radiolocation Services**§ 90.101 [Removed and Reserved]**

- 193. Remove and reserve § 90.101.

Subpart G—Applications and Authorizations**§ 90.111 [Removed and Reserved]**

- 194. Remove and reserve § 90.111.

§ 90.121 [Removed and Reserved]

- 195. Remove and reserve § 90.121.

§ 90.137 [Amended]

- 196. Section 90.137 is amended by removing and reserving paragraph (a)(3).

§ 90.149 [Amended]

- 197. Section 90.149 is amended by removing and reserving paragraph (b).

Subpart H—Policies Governing the Assignment of Frequencies**§ 90.171 [Removed and Reserved]**

- 198. Remove and reserve § 90.171.

§ 90.173 [Amended]

- 199. Section 90.173 is amended by removing and reserving paragraph (k).

§ 90.175 [Amended]

- 200. Section 90.175 is amended by removing and reserving paragraph (j)(7).

§ 90.185 [Amended]

- 201. Section 90.185 is amended by removing and reserving paragraph (c).

Subpart I—General Technical Standards**§ 90.201 [Removed and Reserved]**

- 202. Remove and reserve § 90.201.

§ 90.203 [Amended]

- 203. Section 90.203 is amended by removing and reserving paragraphs (a)(2) and (o).

§ 90.205 [Amended]

- 204. Section 90.205 is amended by removing and reserving paragraph (s).

§ 90.207 [Amended]

- 205. Section 90.207 is amended by removing and reserving paragraph (a).

§ 90.213 [Amended]

- 206. Section 90.213 is amended by removing and reserving footnote 10 to paragraph (a).

Subpart J—Non-Voice and Other Specialized Operations**§ 90.231 [Removed and Reserved]**

- 207. Remove and reserve § 90.231.

- 208. Section 90.235 is amended by removing and reserving paragraph (e) and by revising paragraph (d) to read as follows:

§ 90.235 Secondary fixed signaling operations.

* * * * *

(d) The maximum duration of any non-voice signaling transmission shall not exceed 2 seconds and shall not be repeated more than 3 times. Signaling transmissions may be staggered at any interval or may be continuous. In the Public Safety Pool, the maximum duration of any voice signaling transmission shall not exceed 6 seconds and shall not be repeated more than 3 times.

* * * * *

§ 90.237 [Amended]

- 209. Section 90.237 is amended by removing and reserving paragraph (a).

Subpart K—Standards for Special Frequencies or Frequency Bands**§ 90.251 [Removed and Reserved]**

- 210. Remove and reserve § 90.251.

§ 90.275 [Removed and Reserved]

- 211. Remove and reserve § 90.275.

Subpart L—Authorization in the Band 470–512 MHz (UHF–TV Sharing)**§ 90.301 [Removed and Reserved]**

- 212. Remove and reserve § 90.301.

Subpart M—Intelligent Transportation Systems Radio Service**§ 90.351 [Amended]**

- 213. Section 90.351 is amended by removing and reserving paragraph (a).

§ 90.353 [Amended]

- 214. Section 90.353 is amended by removing and reserving paragraph (e).

§ 90.363 [Removed and Reserved]

- 215. Remove and reserve § 90.363.

§ 90.365 [Removed and Reserved]

- 216. Remove and reserve § 90.365.

Subpart N—Operating Requirements**§ 90.401 [Removed and Reserved]**

- 217. Remove and reserve § 90.401.

- 218. Section 90.423 is amended by revising the introductory text of paragraph (a), removing and reserving paragraph (c), and by revising paragraph (d) to read as follows:

§ 90.423 Operation on board aircraft.

(a) Except as provided in paragraphs (b) and (d) of this section, and except as may be provided in other sections of this part with respect to operation on specific frequencies, mobile stations first authorized after September 14, 1973, under this part may be operated aboard aircraft for air-to-mobile, air-to-base, air-to-air and air-to-ship communications subject to the following:

* * * * *

(d) Operation of radiolocation mobile stations may be authorized without regard to limitations and conditions set forth in paragraphs (a) and (b) of this section.

§ 90.437 [Amended]

- 219. Section 90.437 is amended by removing and reserving paragraph (a).

§ 90.441 [Removed and Reserved]

- 220. Remove and reserve § 90.441.

§ 90.445 [Removed and Reserved]

- 221. Remove and reserve § 90.445.

Subpart O—Transmitter Control**§ 90.460 [Removed and Reserved]**

- 222. Remove and reserve § 90.460.

§ 90.461 [Amended]

- 223. Section 90.461 is amended by removing and reserving paragraphs (b) and (c).

§ § 90.471 through 90.475 [Removed and Reserved]

- 224. Remove and reserve §§ 90.471 through 90.475.

§ 90.492 [Removed and Reserved]

- 225. Remove and reserve § 90.492.

Subpart S—Regulations Governing Licensing and Use of Frequencies in the 806–824, 851–869, 896–901, and 935–940 MHz Bands**§ 90.605 [Removed and Reserved]**

- 226. Remove and reserve § 90.605.

§ 90.607 [Removed and Reserved]

- 227. Remove and reserve § 90.607.

§ 90.615 [Amended]

- 228. Section 90.615 is amended by removing and reserving paragraph (d).

§ 90.617 [Amended]

- 229. Section 90.617 is amended by removing and reserving paragraphs (l) and (m).

§ 90.621 [Amended]

- 230. Section 90.621 is amended by removing and reserving paragraphs (a)(1)(iii) and (b)(1).

§ 90.623 [Amended]

- 231. Section 90.623 is amended by removing and reserving paragraphs (b), (c), and (d).

§ 90.627 [Amended]

- 232. Section 90.627 is amended by removing and reserving paragraph (b).

§ 90.631 [Amended]

- 233. Section 90.631 is amended by removing and reserving paragraph (g).

§ 90.633 [Amended]

- 234. Section 90.633 is amended by removing and reserving paragraphs (c), (d), and (f).

§ 90.651 [Removed and Reserved]

- 235. Remove and reserve § 90.651.

Subpart T—Regulations Governing Licensing and Use of Frequencies in the 220–222 MHz Band**§ 90.735 [Amended]**

- 236. Section 90.735 is amended by removing and reserving paragraph (a).

Subpart T—Regulations Governing Licensing and Use of Frequencies in the 220–222 MHz Band**§ 90.739 [Removed and Reserved]**

- 237. Remove and reserve § 90.739.

§ 90.743 [Removed and Reserved]

- 238. Remove and reserve § 90.743.

Subpart U—[Removed and Reserved]

- 239. Remove and reserve subpart U, consisting of §§ 90.801 through 90.815.

Subpart V—Competitive Bidding Procedures for 800 MHz Specialized Mobile Radio Service**§ § 90.903 through 90.913 [Removed and Reserved]**

- 240. Remove and reserve §§ 90.903 through 90.913.

Subpart W—Competitive Bidding Procedures for the 220 MHz Service**§ 90.1017 [Removed and Reserved]**

- 241. Remove and reserve § 90.1017.

§ 90.1019 [Amended]

- 242. Section 90.1019 is amended by removing and reserving paragraphs (a)(1) through (3), (b), and (c).

§ § 90.1021 through 90.1025 [Removed and Reserved]

- 243. Remove and reserve §§ 90.1021 through 90.1025.

§ 90.1103 [Removed and Reserved]

- 244. Remove and reserve § 90.1103.

Subpart Z—[Removed and Reserved]

- 245. Remove and reserve subpart Z, consisting of §§ 90.1301 through 90.1338.

PART 95—PERSONAL RADIO SERVICES

- 246. The authority citation for part 95 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 307, unless otherwise noted.

General Rules for the Personal Radio Services**§ 95.301 [Removed and Reserved]**

- 247. Remove and reserve § 95.301.

§ 95.313 [Removed and Reserved]

- 248. Remove and reserve § 95.313.

§ 95.331 [Removed and Reserved]

- 249. Remove and reserve § 95.331.

§ 95.351 [Removed and Reserved]

- 250. Remove and reserve § 95.351.

§ 95.353 [Removed and Reserved]

- 251. Remove and reserve § 95.353.

§ 95.363 [Removed and Reserved]

- 252. Remove and reserve § 95.363.

Subpart B—Family Radio Service (FRS)**§ 95.501 [Removed and Reserved]**

- 253. Remove and reserve § 95.501.

§ 95.561 [Amended]

- 254. Section 95.561 is amended by removing and reserving paragraphs (a) and (b).

Subpart C—Radio Control Radio Service**§ 95.701 [Removed and Reserved]**

- 255. Remove and reserve § 95.701.

§ 95.761 [Amended]

- 256. Section 95.761 is amended by removing and reserving paragraph (b).

Subpart D—CB Radio Service**§ 95.901 [Removed and Reserved]**

- 257. Remove and reserve § 95.901.

§ 95.939 [Amended]

- 258. Section 95.939 is amended by removing and reserving paragraph (b).

§ 95.961 [Removed and Reserved]

- 259. Remove and reserve § 95.961.

Subpart D—CB Radio Service**§ 95.977 [Removed and Reserved]**

- 260. Remove and reserve § 95.977.

§ 95.1701 [Removed and Reserved]

- 261. Remove and reserve § 95.1701.

§ 95.1741 [Removed and Reserved]

- 262. Remove and reserve § 95.1741.

Subpart F—218–219 MHz Service**§ 95.1901 [Removed and Reserved]**

- 263. Remove and reserve § 95.1901.

§ 95.1919 [Removed and Reserved]

- 264. Remove and reserve § 95.1919.

§ 95.1931 [Removed and Reserved]

- 265. Remove and reserve § 95.1931.

§ 95.1933 [Amended]

■ 266. Section 95.1933 is amended by removing and reserving paragraph (b).

§ 95.1935 [Removed and Reserved]

■ 267. Remove and reserve § 95.1935.

§ 95.1951 [Removed and Reserved]

■ 268. Remove and reserve § 95.1951.

Subpart G—Low Power Radio Service**§ 95.2101 [Removed and Reserved]**

■ 269. Remove and reserve § 95.2101.

§ 95.2161 [Removed and Reserved]

■ 270. Remove and reserve § 95.2161.

Subpart H—Wireless Medical Telemetry Service**§ 95.2301 [Removed and Reserved]**

■ 271. Remove and reserve § 95.2301.

§ 95.2361 [Removed and Reserved]

■ 272. Remove and reserve § 95.2361.

Subpart I—Medical Device Radio Communications Service**§ 95.2501 [Removed and Reserved]**

■ 273. Remove and reserve § 95.2501.

§ 95.2561 [Amended]

■ 274. Section 95.2561 is amended by removing and reserving paragraph (b).

§ 95.2587 [Amended]

■ 275. Section 95.2587 is amended by removing and reserving paragraph (b).

Subpart J—Multi-Use Radio Service**§ 95.2701 [Removed and Reserved]**

■ 276. Remove and reserve § 95.2701.

§ 95.2761 [Amended]

■ 277. Section 95.2761 is amended by removing and reserving paragraphs (a) and (b).

Subpart K—Personal Locator Beacons and Maritime Survivor Locating Devices**§ 95.2901 [Removed and Reserved]**

■ 278. Remove and reserve § 95.2901.

Subpart K—Personal Locator Beacons and Maritime Survivor Locating Devices**§ 95.2961 [Removed and Reserved]**

■ 279. Remove and reserve § 95.2961.

Subpart L—Intelligent Transportation Systems (ITS) On-Board Units (OBUs) in the 5895–5925 MHz Band**§ 95.3161 [Removed and Reserved]**

■ 280. Remove and reserve § 95.3161.

§ 95.3202 [Removed and Reserved]

■ 281. Remove and reserve § 95.3202.

Subpart M—The 76–81 GHz Band Radar Service**§ 95.3301 [Removed and Reserved]**

■ 282. Remove and reserve § 95.3301.

§ 95.3361 [Removed and Reserved]

■ 283. Remove and reserve § 95.3361.

Appendix A to Part 95 [Removed]

■ 284. Remove Appendix A to Part 95.

PART 96—CITIZENS BROADBAND RADIO SERVICE

■ 285. The authority citation for part 96 continues to read as follows:

Authority: 47 U.S.C. 154(i), 303, 307, unless otherwise noted.

Subpart A—General Rules**§ 96.1 [Removed and Reserved]**

■ 286. Remove and reserve § 96.1.

PART 97—AMATEUR RADIO SERVICE

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

Authority: 47 U.S.C. 151–155, 301–609, unless otherwise noted.

Subpart A—General Provisions**§ 97.27 [Removed and Reserved]**

■ 288. Remove and reserve § 97.27.

§ 97.29 [Removed and Reserved]

■ 289. Remove and reserve § 97.29.

Subpart D—Technical Standards**§ 97.315 [Amended]**

■ 290. Section 97.315 is amended by removing and reserving paragraph (b)(2).

Subpart F—Qualifying Examination Systems**§ 97.521 [Amended]**

■ 291. Section 97.521 is amended by removing and reserving paragraph (b).

Appendix 2 to Part 97 [Removed]

■ 292. Remove Appendix 2 to Part 97.

PART 101—FIXED MICROWAVE SERVICES

■ 293. The authority citation for part 101 continues to read as follows:

Authority: 47 U.S.C. 154, 303, unless otherwise noted.

Subpart A—General**§ 101.1 [Removed and Reserved]**

■ 294. Remove and reserve § 101.1.

Subpart B—Applications and Licenses**§ 101.23 [Removed and Reserved]**

■ 295. Remove and reserve § 101.23.

Subpart B—Applications and Licenses**§ 101.45 [Removed and Reserved]**

■ 296. Remove and reserve § 101.45.

§ 101.51 [Removed and Reserved]

■ 297. Remove and reserve § 101.51.

§ 101.63 [Amended]

■ 298. Section 101.63 is amended by removing and reserving paragraphs (e) and (f).

§ 101.64 [Removed and Reserved]

■ 299. Remove and reserve § 101.64.

§§ 101.69 through 101.82 [Removed and Reserved]

■ 300. Remove and reserve §§ 101.69 through 101.82 and remove the undesignated center heading reading: “Policies Governing Microwave Relocation From the 1850–1990 and 2110–2200 MHz Bands.”

Subpart C—Technical Standards**§ 101.119 [Removed and Reserved]**

■ 301. Remove and reserve § 101.119.

Subpart D—Operational Requirements**§ 101.211 [Removed and Reserved]**

■ 302. Remove and reserve § 101.211.

Subpart E—Miscellaneous Common Carrier Provisions**§ 101.303 [Removed and Reserved]**

■ 303. Remove and reserve § 101.303.

§§ 101.307 through 101.311 [Removed and Reserved]

■ 304. Remove and reserve §§ 101.307 through 101.311.

Subpart G—[Removed and Reserved]

■ 305. Remove and reserve subpart G, consisting of §§ 101.501 through 101.538.

Subpart I—Common Carrier Fixed Point-to-Point Microwave Service**§ 101.705 [Removed and Reserved]**

■ 306. Remove and reserve § 101.705.

Subpart J—Local Television Transmission Service**§ 101.819 [Removed and Reserved]**

- 307. Remove and reserve § 101.819.

Subpart M—Competitive Bidding Procedures for LMDS**§ 101.1109 [Removed and Reserved]**

- 308. Remove and reserve § 101.1109.

§ 101.1111 [Removed and Reserved]

- 309. Remove and reserve § 101.1111.

Subpart O—Multiple Address Systems**§ 101.1301 [Removed and Reserved]**

- 310. Remove and reserve § 101.1301.

§ 101.1309 [Removed and Reserved]

- 311. Remove and reserve § 101.1309.

§ 101.1311 [Removed and Reserved]

- 312. Remove and reserve § 101.1311.

§ 101.1321 [Removed and Reserved]

- 313. Remove and reserve § 101.1321.

§ 101.1323 [Removed and Reserved]

- 314. Remove and reserve § 101.1323.

Subpart P—Multichannel Video Distribution and Data Service Rules for the 12.2–12.7 GHz Band**§ 101.1411 [Amended]**

- 315. Section 101.1411 is amended by removing paragraphs (b) and (c).

§ 101.1413 [Amended]

- 316. Section 101.1413 is amended by removing paragraph (c).

§ 101.1417 [Removed and Reserved]

- 317. Remove and reserve § 101.1417.

§ 101.1425 [Removed and Reserved]

- 318. Remove and reserve § 101.1425.

Subpart Q—Service and Technical Rules for the 70/80/90 GHz Bands**§ 101.1525 [Removed and Reserved]**

- 319. Remove and reserve § 101.1525.

[FR Doc. 2025–22633 Filed 12–11–25; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 622**

[Docket No. 140818679–5356–02; RTID 0648–XF379]

Reef Fish Fishery of the Gulf of America; Reopening of the Red Snapper Recreational For-Hire Fishing Season in the Gulf of America

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

ACTION: Temporary rule; reopening.

SUMMARY: NMFS is reopening the recreational fishing season for the Federal charter vessel/headboat (for-hire) component for red snapper in the exclusive economic zone (EEZ) of the Gulf of America (Gulf) through this temporary rule. The most recent landings data for the red snapper for-hire component in the Gulf indicate the component annual catch target (ACT) for the 2025 fishing year has not yet been reached. Therefore, the red snapper recreational for-hire component in the Gulf EEZ will reopen to allow harvest of the remaining for-hire component ACT. NMFS intends this action to increase benefits to for-hire fishermen while protecting the Gulf red snapper resource by continuing to constrain harvest to the component quota.

DATES: This temporary rule is effective from 12:01 a.m., local time, December 11, 2025, through 12:01 a.m., local time, on January 1, 2026.

FOR FURTHER INFORMATION CONTACT: Frank Helies, NMFS Southeast Regional Office, telephone: 727–209–5988, email: frank.helies@noaa.gov.

SUPPLEMENTARY INFORMATION: The Gulf reef fish fishery, which includes red snapper, is managed under the Fishery Management Plan for the Reef Fish Resources of the Gulf (FMP). The FMP was prepared by the Gulf Fishery Management Council, approved by the Secretary of Commerce, and is implemented by NMFS under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) by regulations at 50 CFR part 622.

All weights described in this temporary rule are in round weight.

The final rule implementing Amendment 40 to the FMP established two components within the recreational sector fishing for Gulf red snapper: the

private angling component and the Federal for-hire component (80 FR 22422, April 22, 2015). Amendment 40 also allocated the red snapper recreational annual catch limit (recreational quota) between the components and established separate seasonal closures for the two components. The Federal for-hire component's red snapper ACT is 9 percent below the for-hire component quota (87 FR 74014, December 2, 2022; 50 CFR 622.41(q)(2)(iii)(B)).

The red snapper for-hire component seasonal closure is projected using the component's ACT to reduce the likelihood of the harvest exceeding the component quota and the total recreational quota. The Federal for-hire component ACT for red snapper in the Gulf EEZ is 3,076,322 pounds (lb)(1,395,396 kilograms (kg)) (50 CFR 622.41(q)(2)(iii)(B)).

NMFS previously determined that the 2025 Federal Gulf red snapper for-hire fishing season would be 107 days based on when landings were expected to reach the component ACT. NMFS projected this season length based on average catch rates for 2020–2022, 2020–2024, and 2022–2024, and using only 2024 landings. For details about the projection for 2025, see <https://www.fisheries.noaa.gov/southeast/sustainable-fisheries/recreational-red-snapper-management-gulf-america>. Based on this projection, NMFS announced in the **Federal Register** that the 2025 recreational season for the Federal for-hire component would begin at 12:01 a.m., local time, on June 1, 2025, and close at 12:01 a.m., local time, on September 16, 2025 (90 FR 20127, May 12, 2025).

The most recent landings data for the Gulf red snapper for-hire component indicate that approximately 843,701 lb (382,696 kg), of the for-hire component ACT has not been harvested. NMFS projects that the remaining ACT will allow for harvest through the remainder of the current 2025 fishing year.

Therefore, in accordance with 50 CFR 622.8(c), NMFS reopens the Gulf red snapper Federal for-hire component for the remainder of the 2025 fishing year to allow for harvest of the component ACT. The recreational season for the Federal for-hire component will reopen at 12:01 a.m., local time, December 11, 2025, and close at 12:01 a.m., local time, on January 1, 2026. When the for-hire component closes again on January 1, 2026, the bag and possession limits for red snapper for Federal for-hire vessels will be zero. When the Federal for-hire component is closed, these bag and possession limits apply in the Gulf on board a vessel for which a valid Federal

for-hire permit for Gulf reef fish has been issued, without regard to where red snapper were harvested, *i.e.*, in state or Federal waters. In addition, a person aboard a vessel that has been issued a charter vessel/headboat permit for Gulf reef fish any time during the fishing year may not harvest or possess red snapper in or from the Gulf EEZ when the Federal charter vessel/headboat component is closed.

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is taken under 50 CFR 622.8(c), which was issued pursuant to section 304(b) of the Magnuson-Stevens Act, and is exempt from review under Executive Order 12866, and other applicable laws.

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment is unnecessary and contrary to the public interest. Such procedures are unnecessary because the regulation at 50 CFR 622.8(c) has already been subject to notice and comment, and all that remains is to notify the public that additional harvest is available under the established Federal for-hire component ACT, and therefore, the Federal for-hire component for Gulf red snapper will reopen. Such procedures are contrary to the public interest because of need to immediately implement this action to allow persons on board Federal for-hire vessels the opportunity to harvest the remainder of the Federal for-hire component ACT. Prior notice and opportunity for public comment would not allow the re-opening to occur.

For the aforementioned reasons, there is also good cause to waive the 30-day delay in the effectiveness of this action under 5 U.S.C. 553(d)(3).

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

Dated: December 10, 2025.

Kelly Denit,

*Director, Office of Sustainable Fisheries,
National Marine Fisheries Service.*

[FR Doc. 2025–22706 Filed 12–11–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[Docket No. 251118–0171]

RIN 0648–BN15

Magnuson-Stevens Act Provisions; Fisheries off West Coast States; Pacific Coast Groundfish Fishery; Pacific Coast Groundfish Fishery Management Plan; Amendment 34; Groundfish Exclusion Area for Coral Research and Restoration

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

ACTION: Final rule.

SUMMARY: This final rule implements regulations for amendment 34 to the Pacific Coast Groundfish Fishery Management Plan (Groundfish FMP). The regulations include a closure to commercial groundfish bottom contact gear in Monterey Bay National Marine Sanctuary (MBNMS). Specifically, NMFS is implementing a new groundfish exclusion area (GEA) for the purposes of coral research and restoration within MBNMS at the site of Sur Ridge. This action closes the Sur Ridge site within the MBNMS off California to commercial groundfish bottom contact gear in order to protect future deep-sea coral research and restoration projects from the impact of fishing gear. The Office of National Marine Sanctuaries (ONMS) conducts scientific research in National Marine Sanctuaries, including on deep sea coral survival, growth and reproduction, under the National Marine Sanctuaries Act (NMSA) and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

DATES: Effective January 12, 2026.

ADDRESSES: Information relevant to amendment 34, which includes an analysis that addresses Presidential Executive Order 12866, the Regulatory Flexibility Act (RFA), and the statutory requirements of the Magnuson-Stevens Act (the Analysis), may be obtained from the NMFS West Coast Region website at: <https://www.fisheries.noaa.gov/region/west-coast>.

FOR FURTHER INFORMATION CONTACT: Megan Mackey, 206–526–6140, megan.mackey@noaa.gov.

SUPPLEMENTARY INFORMATION: The Pacific Coast groundfish fishery in the U.S. exclusive economic zone (EEZ)

seaward of Washington, Oregon, and California is managed under the Groundfish FMP. The Pacific Fishery Management Council (Council) developed the Groundfish FMP pursuant to the Magnuson-Stevens Act (16 U.S.C. 1801 *et seq.*). The Secretary of Commerce approved the Groundfish FMP and implemented the provisions of the plan at 50 CFR part 660, subparts C through G. Species managed under the Groundfish FMP include more than 90 species of groundfish, flatfish, rockfish, sharks, and skates.

This final rule implements regulations for amendment 34 to the Groundfish FMP. Consistent with section 303(c)(1) of the Magnuson-Stevens Act, the Council deemed the regulations consistent with and necessary to implement amendment 34 in an October 1, 2024 letter from the Council Executive Director to the Regional Administrator. The notice of availability for amendment 34, which describes the specific changes being made to the Groundfish FMP, was published on October 9, 2024 (89 FR 81878) and was open for public comment through December 8, 2024. The proposed rule for amendment 34, which includes the regulations necessary for implementing amendment 34, was published on October 23, 2024 (89 FR 84511), and was open for public comment through November 22, 2024.

Background

The Council met throughout 2023 and 2024 to consider developing fisheries closures for deep-sea coral restoration and research in response to a request from the ONMS. ONMS conducts scientific research in National Marine Sanctuaries, including within MBNMS, under the NMSA and the Magnuson-Stevens Act.

In September 2023, ONMS presented a scoping paper that posed 5 locations with 10 sites within Greater Farallones National Marine Sanctuary (GFNMS) and MBNMS for deep sea coral restoration and research (section 1.2 of the Analysis). At that meeting, the Council chose to continue to scope closures in MBNMS only, at the locations of Año Nuevo and Ascension Canyons (two sites) and Sur Ridge (one site), for areas to conduct coral research and restoration. The Council proposed that these areas could be closed to bottom contact gears as GEAs. GEAs were established by amendment 32 to the Groundfish FMP (88 FR 83830, December 1, 2023) and are a management tool intended to mitigate the impacts to sensitive environments from certain groundfish fishing activity.

At the June 2024 meeting, the Council adopted its final preferred alternative to develop one GEA for commercial groundfish bottom contact gear at Sur Ridge in MBNMS. It is anticipated that ONMS may begin deep-sea coral outplanting at Sur Ridge in 2026.

The GEA at Sur Ridge applies to commercial groundfish vessels using bottom contact gear. Currently, the GEA area is within a bottom trawl essential fish habitat conservation area (EFHCA), and therefore no bottom trawling is permitted. If the EFHCA were to be removed in the future, the GEA will continue to prohibit bottom trawl. The GEA creates new restrictions for non-trawl commercial groundfish vessels using bottom contact gears in the limited entry fixed gear, directed open access, and shore-based individual fishing quota sectors. Vessels using non-bottom contact gear will still be permitted to operate in the area. The GEA will close 36.64 square nautical miles of area, with depths ranging from 2,690 to 5,118 feet (448 to 853 fathoms (fm)) (4,919 meters (m)). Overall, this GEA allows ONMS to perform deep-sea coral research and restoration while having limited impact on the groundfish fisheries.

Amendment 34

NMFS is implementing amendment 34 to the Groundfish FMP in alignment with the Council's recommendation in June 2024. Amendment 34 revises the description of GEAs in the Groundfish FMP to remove references to specific GEAs, consistent with how other closed area types are included in the Groundfish FMP. Active GEAs are currently listed in the FMP. With this amendment, active GEAs will instead be noted in the Federal groundfish regulations at § 660.70, and the history of a specific GEA will likely be provided in the groundfish Stock Assessment Fishery Evaluation document.

Revisions to GEAs

In addition to revising the description of GEAs under amendment 34, in alignment with the Council's recommendation, NMFS is revising regulations to modify the use of GEAs as a management tool in the following ways. This final rule will:

- Add GEAs to the general groundfish prohibitions found at § 660.12;
- Revise the descriptions of GEAs found in §§ 660.230, 660.330, and 660.360 to remove the specific references to the Southern California Bight; and,
- Establish a new GEA at Sur Ridge in MBNMS.

This final rule will add GEAs to the general groundfish prohibitions found in regulations by adding § 660.12(a)(23) to the list of prohibitions in § 660.12(a). This will clarify that it is unlawful for fishermen to violate any regulations that apply to activity in GEAs. This final rule will also revise the descriptions of GEAs in the regulations by updating §§ 660.230, 660.330, and 660.360 to remove specific references to the Southern California Bight and to generalize the GEA descriptions to allow for GEAs to be located more broadly. This final rule will also update the GEA description at § 660.70(t) to note that there will be a total of nine GEAs and to remove the specific reference to GEAs being areas south of Point Conception, California. Finally, this final rule will add § 660.70(t)(9) to the list of GEAs found in that section and will include the latitude and longitude coordinates and other information relevant to establishing the Sur Ridge GEA.

Expected Effects of This Action

The Council prepared a detailed Analysis (see **ADDRESSES**) that analyzed the effects of amendment 34 on various resources. A brief summary of expected effects from the Analysis is provided below and is also included in the proposed rule (89 FR 84511, October 23, 2024).

All commercial groundfish participants that use bottom contact gear for fisheries in the EEZ off Washington, Oregon, and California, which are managed under the Groundfish FMP, may be affected by this final rule. Bottom contact gear is defined at 50 CFR 660.11: "fishing gear designed or modified to make contact with the bottom. This includes, but is not limited to, beam trawl, bottom trawl, dredge, fixed gear, set net, demersal seine, dinglebar gear, and other gear (including experimental gear) designed or modified to make contact with the bottom. Gear used to harvest bottom dwelling organisms (*e.g.*, by hand, rakes, and knives) are also considered bottom contact gear for purposes of this subpart."

This list is non-exhaustive. The coral research and restoration area is within existing bottom trawl EFHCAs, which prohibit all bottom trawl gears from operating within those EFHCA boundaries. Given that these areas are currently closed to bottom trawl vessels, this action will establish no new impact to those vessels. Therefore, the action will impact only fishing with non-trawl bottom contact gear types within the GEA at Sur Ridge. The commercial gears that will be permitted to operate within

the newly closed area are midwater trawl and select non-trawl gear types (troll gear and commercial vertical hook-and-line gear not anchored to the bottom, such as vertical jig gear or rod-and-reel gear with weights suspended off the bottom).

From 2019 to 2023, there were 429 distinct vessels that utilized non-trawl bottom contact gears¹ in the 3 commercial groundfish sectors (directed open access (OA), limited entry fixed gear (LEFG), and individual fishing quota (IFQ) gear switching) with an annual average of 175 vessels operating annually (table 1) between the latitudes of 40°30' N and 36° N. As described in section 3.5.2 of the Analysis, this is the catch area that encompassed the three coral restoration and research areas proposed within MBNMS in late 2023. The Council ultimately only recommended one offshore area to move forward as a GEA. Therefore, the estimated values here are expected to reflect the maximum number of vessels that could potentially be affected by this action. The actual number is likely lower. The majority of affected vessels would participate in the directed OA fishery. To protect the confidentiality of vessel data, IFQ gear switching vessels were combined with LEFG vessels in table 1.

TABLE 1—RANGE OF VESSELS BY FISHERY SECTOR [2019–2023]

Fishery sector	Range	Average
OA	130–172	149
LEFG/IFQ	24–29	26

For purposes of this action, directed OA vessels are assumed to be small entities, with ex-vessel revenues for all landings (groundfish and non-groundfish) averaging \$71,959. In 2023, 26 of the 29 LEFG permits associated with vessels that would likely be subject to this action (*i.e.*, required to fish in the primary or LE trip limit fisheries) were owned by small entities (self-reported). For gear switching vessels likely to be affected by this action, all were reported as small entities in 2023.

Note that there is not a strict one-to-one correlation between vessels and entities, nor between permits and entities; therefore, some persons or firms likely have ownership interests in more than one vessel or permit.

¹ Vessels were selected based on FOS Groundfish Sector Codes of "Catch Shares", "LE Fixed Gear Daily Trip Limit", "Limited entry Sablefish", and "OA Fixed Gear" and were not declared (using declaration code) associated with non-bottom contact gears.

Therefore, the actual number of entities regulated by this final action may be lower than the estimates presented here.

If the area to be closed is key to the affected parties' fishing, and if there are limited replacement fishing opportunities available, the economic impact of the action may disproportionately affect small entities compared to large entities and may result in some profit loss. Given other likely current and future fishing restrictions impacting the relevant catch area (e.g., nearshore restrictions north of the area and limited or non-existent salmon seasons), offshore opportunities are likely to be of greater importance in the portfolios of California fishing vessels. However, given the limited documented historical fishing activity at Sur Ridge and the depth of the closure, it is likely that a limited subset of vessels might be impacted. Additionally, these vessels could potentially move to other fishing areas to maintain similar harvest opportunities.

Public Comments

The notice of availability for amendment 34 was published on October 9, 2024 (89 FR 81878), and was open for public comment until December 8, 2024. The proposed rule for amendment 34 was published on October 23, 2024 (89 FR 84511), and was open for public comment until November 22, 2024. NMFS received a total of nine public comment submissions. Seven of these nine submissions are discrete comment letters from individuals or organizations. Two of these nine submissions, from the Center for Biological Diversity (CBD), a nonprofit membership organization, included two attachments. The first attachment submitted had 9,177 comments from CBD's supporters, and the second attachment submitted included 342 additional comments from CBD's supporters, thereby bringing the total number of public comments to 9,526 after adding the additional seven discrete comment letters. The comments from CBD's supporters are largely form responses, reiterating a script provided by CBD. Specifically, these form responses support the development of the GEA prohibiting commercial groundfish bottom contact gear at Sur Ridge, in MBNMS, but also ask the agency to protect additional areas (i.e., Año Nuevo and Ascension Canyons) in MBNMS for coral research and restoration. NMFS also reviewed the CBD submissions for unique comments, including themes, not captured in the form responses.

To address both the volume of comments from CBD members and the individual comments on this action, in addition to responding to individual comments below, NMFS has identified themes raised in the form submissions on which to focus our response. Overall, the comments generally expressed support for the action. NMFS appreciates the thoughtful comments and has considered them thoroughly.

Comments 1 & 2: Two commenters expressed general support for this action.

Response: Your support for this action is noted.

Comment 3: One commenter discussed farming activity causing harm to western shorelines in Florida.

Response: This comment is outside the scope of this action.

Comment 4: One commenter expressed support for this action and requested information on whether areas adjacent to the Sur Ridge GEA would be open to bottom contact gear, whether the Sur Ridge area would be re-opened to bottom contact gear after completion of coral restoration, and on the potential economic impacts of the Sur Ridge GEA to small businesses.

Response: This action only addresses the fishing restrictions established by the GEA at the area of Sur Ridge and not adjacent areas. The GEA at Sur Ridge applies to commercial groundfish vessels using bottom contact gear. Currently, the GEA is within a bottom trawl EFHCA, and therefore no bottom trawling is permitted. If the EFHCA were to be removed in the future, the GEA would continue to prohibit bottom trawling. This GEA creates new restrictions for non-trawl commercial groundfish vessels using bottom contact gears in the limited entry fixed gear, directed open access, and shore-based individual fishing quota sectors. Vessels using non-bottom contact gear will still be permitted to operate in the area. The Council has requested periodic updates from the ONMS on future coral restoration projects in the Sur Ridge GEA, and, similar to all groundfish fishery regulations, the Council and NMFS may re-evaluate this new GEA based on new information in the future.

It was determined at the proposed rule stage that this action would not have a significant adverse economic impact on a substantial number of small entities and this determination remains unchanged. NMFS determined that this action would apply to the entirety of all entities fishing with bottom contact gear within the GEA and the majority of those entities are considered small entities for RFA purposes (5 U.S.C. 601 *et seq.*). However, this action is

expected to have a limited impact on a modest number of small entities because there has been limited documented fishing activity in the Sur Ridge area and because bottom trawl gear is currently prohibited within the new GEA under the EFHCA. The factual basis for this analysis has not changed and, as a result, the final rule will not have a significant economic impact on a substantial number of small entities. A more in-depth analysis on the potential impacts to small businesses is contained in the proposed rule (89 FR 84511) and in the Analysis.

Comment 5: Oceana expressed support for this action, but also expressed concern that the decision to choose only one location in the MBNMS as a GEA, instead of including the additional areas in both the MBNMS and the GFNMS under consideration during the Council process, would limit the functionality and success of ONMS's research and restoration program. The commenter also suggested that the areas in the GFNMS originally proposed by ONMS should have had further consideration through the action development process. Finally, the commenter indicated its support for fishing closures in additional areas, including in GFNMS and Año Nuevo and Ascension canyons in MBNMS.

Response: This action closes the area within the Sur Ridge GEA to commercial groundfish bottom contact gear in order to protect future deep sea coral research and restoration projects from the impacts of fishing gear. Neither the specifics of those future coral research and restoration projects themselves nor their consistency with, or ability to promote the success of, ONMS's larger research and restoration program are within the scope of this action. As described in the proposed rule, NMFS is implementing this rule pursuant to sections 303(c) and 304(b)(1) of the Magnuson-Stevens Act. Consistent with section 303(c), the Council determined that the proposed regulations are necessary to implement amendment 34 and submitted their proposed regulations to NMFS on October 1, 2024. Under section 304(b)(1)(A), NMFS reviews regulations proposed by the Council "to determine whether they are consistent with the fishery management plan, plan amendment, [the statute] and other applicable law." If NMFS finds in the affirmative, NMFS publishes proposed regulations in the **Federal Register**, and, as outlined in section 304(b)(3), after a public comment period, publishes final regulations.

As described in the proposed rule, at the September 2023 Council meeting,

the ONMS proposed 5 locations with 10 sites within GFNMS and MBNMS for Council consideration for potential fishing closures. At that same meeting, the Council chose to scope three of these areas, all within MBNMS. Areas proposed in the GFNMS were not included in the range of alternatives that went forward for public review during the Council process. At its June 2024 meeting, the Council selected its final preferred alternative of establishing a GEA in Sur Ridge for purposes of deep sea coral restoration and research. Additional closure areas under consideration, including Año Nuevo Canyon and Ascension Canyon, were ultimately not included in the Council's final preferred alternative following public engagement, including multiple opportunities for comment at Council meetings in 2023 and 2024. The Council's final preferred alternative reflects its intent to balance the purpose of coral research and restoration against the potential impacts from closures to commercial fisheries. An in-depth analysis of the Council's considerations is available in the Analysis (see **ADDRESSES**). The Council's decision to recommend proceeding with the Sur Ridge closure alone limits this action's impacts on commercial groundfish fisheries, while also creating a GEA in which ONMS can conduct future coral research and restoration. NMFS agrees with the Council's recommendation. As described in the proposed rule, NMFS made an affirmative determination that the Council's proposed regulations are consistent with the national standards, the Groundfish FMP, the other provisions of the Magnuson-Stevens Act, and other applicable law; therefore, consistent with section 304(b), NMFS has adopted the proposed regulations to implement amendment 34.

Comment 6: The National Ocean Protection Coalition expressed support for this action and asked that the Council also consider further protections through additional closures in areas recommended by ONMS to protect deep sea coral from bottom contact gear. The commenter requested that the Council provide a scientific and ecological justification as to why additional closure areas were not also considered and justification as to why amendment 34 is not in accordance with MBNMS's science needs assessment.

Response: NMFS notes that this comment letter was addressed to the Council and specifically made requests for future action for the Council to consider. Council meetings include opportunities for public comment on actions being considered by the Council

and, throughout the Council process, there were multiple opportunities for public comment on this action. NMFS emphasizes that although the Council process informs its decisions on which regulations to implement, that NMFS, not the Council, makes the final decision on the substance of its regulations. Although this comment letter was not addressed to NMFS, given that it was submitted on the proposed rule, NMFS is responding to the substance of the letter as it relates to the proposed rule, although some of the commenter's requests are beyond the scope of this action. Given the overlap of this comment with comment 5, NMFS incorporates its response to comment 5.

The Council's final preferred alternative of creating a GEA at Sur Ridge reflects its careful consideration of the intent to balance the request from ONMS for new fishing area closures for coral research and restoration (including the potential scientific and ecological benefits) against the need to mitigate likely adverse impacts on the fishing industry, small businesses, and fishing communities from the potential loss of currently utilized fishing areas.

Neither the specifics of future coral research and restoration in MBNMS nor their consistency with MBNMS's science needs assessment are within the scope of this action. ONMS's Science Needs Assessment is an evaluation of the science and information required to address the conservation issues facing each sanctuary in the national marine sanctuary system, which is designed to support ONMS's science and management staff working to address information gaps and to communicate science needs to potential partners, interested organizations, and individuals to direct investments towards priority needs and opportunities. The MBNMS's science needs assessment was not developed in correlation with this action and is outside the scope of this rulemaking. NMFS determined the Council's proposed regulations were consistent with the national standards, the Groundfish FMP, the other provisions of the Magnuson-Stevens Act, and other applicable law.

Comment 7: The Center for Biological Diversity asserted that NMFS should implement GEAs at all 10 sites, or at a minimum three sites, contending that the available scientific evidence indicates that the 10 sites require fishing restrictions to support coral research and restoration. The commenter further asserts that NMFS violated the National Environmental Policy Act (NEPA) by failing to analyze the environmental

impacts of not designating all 10 sites originally presented by ONMS for scoping as GEAs. Finally, the commenter asserted that NMFS improperly deferred to the Council by "advanc[ing] only three out of 10 sites to the rulemaking process" and failed to justify in the **Federal Register** the change in agency position.

Response: Given the overlap with comment 5 above, NMFS incorporates its response to comment 5. As described in the response to comment 5, NMFS reviewed the Council's proposals and determined that the Council's final preferred alternative for this action is consistent with the national standards, the Groundfish FMP, other provisions of the Magnuson-Stevens Act, and other applicable law. Accordingly, consistent with the Magnuson-Stevens Act, NMFS adopted the Council's final preferred alternative.

The Council developed its range of alternatives and final preferred alternative through the standard process established by the Magnuson-Stevens Act, with the preferred alternative reflecting the intent to balance ONMS's request for new fishing area closures for coral research and restoration (including the potential scientific and ecological benefits) against the need to mitigate likely adverse impacts on the fishing industry, small businesses, and fishing communities from the potential loss of currently utilized fishing areas. NMFS has reviewed these findings and agrees with the Council's recommendation of the final preferred alternative.

With respect to NEPA, NMFS determined that the proposed action falls within one of the NOAA Categorical Exclusion categories listed in Appendix F of the Companion Manual for NOAA Administrative Order 216-6A; specifically, CE category A1: "An action that is a technical correction or a change to a fishery management action or regulation, which does not result in a substantial change in any of the following: fishing location, timing, effort, authorized gear types, or harvest levels." Given the relatively small area of 36.64 sq. nm that the Sur Ridge GEA closes to bottom contact gear, NMFS concludes that the new GEA will have limited impact to the groundfish fisheries and is not likely to result in a substantial change in fishing location, timing, effort, authorized gear types, or harvest levels, especially since the area is already closed to bottom trawling.

Finally, NMFS disagrees that there has been a change in agency position. When presenting its proposal at the November 2023 Council meeting, ONMS stated: "ONMS developed this document that provides the basis for

scoping should the Council take the opportunity to prepare draft regulations under the [Magnuson-Stevens Act] for fishing, as deemed necessary. This scope of action provides 10 areas total within five larger locations for the Council to consider as they address the request to provide protected areas for [deep sea coral] research and restoration” (Agenda Item H.2.a ONMS Report 1, available at <https://www.pcouncil.org/documents/2023/08/h-2-a-onms-report-1-scoping-document.pdf>). The Council considered this proposal, selected a range of three alternatives, and ultimately selected one site as its final preferred alternative to recommend to NMFS. NMFS then made the determination that the Council’s proposed regulations are consistent with the national standards, the Groundfish FMP, other provisions of the Magnuson-Stevens Act, and other applicable law.

Form Letter Comments, Theme 1: NMFS has an opportunity and an obligation to set aside Año Nuevo and Ascension Canyons as GEAs, in addition to Sur Ridge, in order to mitigate human impacts in the national marine sanctuaries. This theme was included in nearly all of the form letter comments.

Response: This action closes the area within the Sur Ridge GEA to commercial groundfish bottom contact gear in order to protect future deep sea coral research and restoration projects from the impacts of fishing gear. The mitigation of adverse human impacts to deep sea coral ecosystems in the national marine sanctuaries—whether required, elective, or stemming from specific incidents or general activity—is outside of the scope of this action. NMFS incorporates its response to comment letter 5 above. While multiple areas for potential GEAs were considered during the Council’s process, the Council included only a GEA in Sur Ridge as its final preferred alternative. NMFS found the Council’s proposed regulations consistent with the national standards, the Groundfish FMP, the other provisions of the Magnuson-Stevens Act, and other applicable law.

Form Letter Comments, Theme 2: NMFS should ban destructive fishing gear, like heavy traps, from the sites of Año Nuevo Canyon, Ascension Canyon, and Sur Ridge to prevent habitat degradation and coral loss. This theme was included in nearly all of the form letter comments.

Response: This action closes the area within the Sur Ridge GEA to commercial groundfish bottom contact gear in order to protect future deep sea coral research and restoration projects

from the impacts of fishing gear. The Sur Ridge GEA will prohibit all commercial groundfish bottom contact gear, including pot (trap) gear, in federally-managed fisheries. The authorization of and/or gear restrictions within state-managed fisheries and other federal fisheries are outside the scope of this action. This action does not include opening any new areas within the national marine sanctuaries to fishing or to allow fishing in sanctuary areas with new gear types; therefore, evaluating the potential impacts of fishing gear on sanctuary resources is beyond the scope of the proposed action.

Form Letter Comments, Theme 3: By designating only one area as a GEA and not including the additional areas of Año Nuevo Canyon and Ascension Canyon, NMFS is caving to industry pressure. This theme was included in a handful of the form letter comments.

Response: While multiple areas for potential GEAs within national marine sanctuaries were considered during the Council’s process, the Council only included a GEA in Sur Ridge as its final preferred alternative. The Council recommended closing one area, the largest under consideration, after careful consideration of balancing the request from ONMS for new fishing area closures for deep sea coral research and restoration against the need to mitigate likely adverse impacts on the fishing industry, small businesses, and fishing communities, from the potential loss of currently utilized fishing areas. Balancing such considerations is an appropriate aspect of the NMFS’s and the Council’s roles under the Magnuson-Stevens Act as the decisionmaker and advisor, respectively, for regulations promulgated under the Magnuson-Stevens Act. Additionally, NMFS notes that other fishery closures already exist in the national marine sanctuaries on the U.S. West Coast and that these closed areas may be suitable for future consideration for deep sea coral research and restoration work, without requiring additional fishery closure actions.

Changes From the Proposed Rule

NMFS has identified minor technical corrections in the draft regulations for implementing amendment 34. These corrections are needed to incorporate regulatory updates from the final rule implementing amendment 33 to the Groundfish FMP (89 FR 101514, December 16, 2024). These corrections are addressed in the final regulations below.

No changes were made to the final rule in response to public comments on the proposed rule.

Classification

Pursuant to sections 303(c) and 304(b)(1)(A) of the Magnuson-Stevens Act, the NMFS Assistant Administrator has determined that this final rule to implement amendment 34 is consistent with the FMP, other provisions of the Magnuson-Stevens Act, and other applicable law.

This final rule has been determined to be not significant for purposes of Executive Order (E.O.) 12866.

This final rule is not an E.O. 14192 regulatory action because this action is not significant under E.O. 12866.

There are no relevant Federal rules that may duplicate, overlap, or conflict with this action.

This action 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; therefore, consultation with Tribal officials under E.O. 13175 is not required, and the requirements of section (5)(b) and (5)(c) of E.O. 13175 also do not apply. A Tribal summary impact statement under section (5)(b)(2)(B) and section (5)(c)(2)(B) of E.O. 13175 is not required and has not been prepared.

The Chief Counsel for Regulation, Department of Commerce, certified to the Chief Counsel for Advocacy of the Small Business Administration during the proposed rule stage that this action will not have a significant economic impact on a substantial number of small entities. The factual basis for the certification was published in the proposed rule and is not repeated here. No comments were received regarding this certification, although NMFS received one non-specific comment about the economic impacts of the rule. This comment did not change the factual basis for this certification and a response to the comment is included in the Comments and Responses section of this final rule. As a result, a regulatory flexibility analysis was not required and none was prepared.

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

List of Subjects in 50 CFR Part 660

Fisheries, Fishing, Reporting and recordkeeping requirements.

Dated: November 18, 2025.

Samuel D. Rauch III,

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

For the reasons set out in the preamble, NMFS amends 50 CFR part 660 as follows:

PART 660—FISHERIES OFF WEST COAST STATES

- 1. The authority citation for part 660 continues to read as follows:

Authority: 16 U.S.C. 1801 *et seq.*, 16 U.S.C. 773 *et seq.*, and 16 U.S.C. 7001 *et seq.*

- 2. Amend § 660.12 by adding paragraph (a)(23) to read as follows:

§ 660.12 General groundfish prohibitions.

* * * * *

(a) * * *

(23) Fish for, take and retain, possess (except for the purpose of continuous transit), or land any species of groundfish in the GEAs as defined at § 660.11 with coordinates defined at § 660.70.

* * * * *

- 3. Amend § 660.70 by revising the introductory text of paragraph (t) and adding paragraph (t)(9) to read as follows:

§ 660.70 Groundfish conservation areas.

* * * * *

(t) *Groundfish Exclusion Areas.* The Groundfish Exclusion Areas (GEAs) include nine areas off the coast of California intended to protect sensitive areas, including areas with coral and sea pens. GEAs are closed to both commercial and recreational groundfish fisheries unless otherwise noted.

* * * * *

(9) *Sur Ridge.* The Sur Ridge GEA is closed to commercial groundfish bottom contact gear only and is defined by straight lines connecting the following specific latitude and longitude coordinates in the order listed and connecting back to 36°26.00' N lat., 122°20.81' W long:

(i) 36°26.00' N lat., 122°20.81' W long.;

(ii) 36°25.55' N lat., 122°15.23' W long.;

(iii) 36°21.71' N lat., 122°15.32' W long.;

(iv) 36°17.95' N lat., 122°17.13' W long.;

(v) 36°16.42' N lat., 122°16.69' W long.; and

(vi) 36°16.41' N lat., 122°20.76' W long.

* * * * *

- 4. Amend § 660.230 by revising paragraphs (a) and (d)(16) to read as follows:

§ 660.230 Fixed gear fishery—management measures.

(a) *General.* Most species taken in limited entry fixed gear (longline and pot/trap) fisheries will be managed with cumulative trip limits (see trip limits in tables 2b (North) and 2b (South) of this subpart), size limits (see § 660.60(h)(5)), seasons (see trip limits in tables 2a (North), 2b (North), 2a (South), and 2b (South) of this subpart and sablefish primary season details in § 660.231), gear restrictions (see paragraph (b) of this section), and closed areas (see paragraph (d) of this section and §§ 660.70 through 660.79). Cowcod, yelloweye, and California quillback rockfish retention is prohibited in all fisheries, and groundfish vessels must adhere to GEA restrictions (see paragraph (d)(16) of this section and § 660.70). Regulations governing tier limits for the limited entry fixed gear sablefish primary season north of 36° N lat. are found in § 660.231. Vessels not participating in the sablefish primary season are subject to daily or weekly sablefish limits in addition to cumulative limits for each cumulative limit period. Only one sablefish landing per week may be made in excess of the daily trip limit and, if the vessel chooses to make a landing in excess of that daily trip limit, then that is the only sablefish landing permitted for that week. The trip limit for black rockfish caught with hook-and-line gear also applies, see paragraph (e) of this section. The trip limits in tables 2b (North) and 2b (South) of this subpart apply to vessels participating in the limited entry groundfish fixed gear fishery and may not be exceeded.

* * * * *

(d) * * *

(16) *Groundfish exclusion areas (GEAs).* GEAs are closed areas defined by specific latitude and longitude coordinates (specified at § 660.70) where recreational and/or commercial fishing for groundfish is prohibited unless otherwise noted at § 660.70(t). It is unlawful to fish for, take and retain, possess (except for the purpose of continuous transit) or land groundfish within the GEAs unless otherwise specified at § 660.70(t). All prohibited fishing gear for targeting groundfish, as specified at § 660.70(t), must be stowed while transiting through a GEA. If fishing for non-groundfish species within a GEA, where all groundfish fishing is prohibited, then no groundfish may be on board the vessel.

* * * * *

- 5. Amend § 660.330 by revising paragraphs (a) and (d)(18) to read as follows:

§ 660.330 Open access fishery—management measures.

(a) *General.* Groundfish species taken in open access fisheries will be managed with cumulative trip limits (see trip limits in tables 3b (North) and 3b (South) of this subpart), size limits (see § 660.60(h)(5)), seasons (see seasons in tables 3a (North), 3b (North), 3a (South), and 3b (South) of this subpart), gear restrictions (see paragraph (b) of this section), and closed areas (see paragraph (d) of this section and §§ 660.70 through 660.79). Unless otherwise specified, a vessel operating in the open access fishery is subject to, and must not exceed any trip limit, frequency limit, and/or size limit for the open access fishery. Retention of cowcod, yelloweye rockfish, and quillback rockfish off California is prohibited in all fisheries, and groundfish vessels must adhere to GEA restrictions (see paragraph (d)(18) of this section and § 660.70). For information on the open access daily/weekly trip limit fishery for sablefish, see § 660.332 and the trip limits in tables 3b (North) and 3b (South) of this subpart. Open access vessels are subject to daily or weekly sablefish limits in addition to cumulative limits for each cumulative limit period. Only one sablefish landing per week may be made in excess of the daily trip limit and, if the vessel chooses to make a landing in excess of that daily trip limit, then that is the only sablefish landing permitted for that week. The trip limit for black rockfish caught with hook-and-line gear also applies, see paragraph (e) of this section.

* * * * *

(d) * * *

(18) *Groundfish exclusion areas (GEAs).* GEAs are closed areas defined by specific latitude and longitude coordinates (specified at § 660.70) where recreational and/or commercial fishing for groundfish is prohibited unless otherwise noted at § 660.70(t). It is unlawful to fish for, take and retain, possess (except for the purpose of continuous transit) or land groundfish within the GEAs unless otherwise specified at § 660.70(t). All prohibited fishing gear for targeting groundfish, as specified at § 660.70(t), must be stowed while transiting through a GEA. If fishing for non-groundfish species within a GEA, where all groundfish fishing is prohibited, then no groundfish may be on board the vessel.

* * * * *

■ 6. Amend § 660.360 by revising paragraph (c)(3)(i)(B) to read as follows:

§ 660.360 Recreational fishery—management measures.

* * * *

(c) * * *

(3) * * *

(i) * * *

(B) *Groundfish exclusion areas (GEAs)*. GEAs are closed areas defined

by specific latitude and longitude coordinates (specified at § 660.70) where recreational and/or commercial fishing for groundfish is prohibited unless otherwise noted at § 660.70(t). It is unlawful to fish for, take and retain, possess (except for the purpose of continuous transit) or land groundfish within the GEAs unless otherwise specified at § 660.70(t). Prohibited recreational fishing gear for targeting

groundfish, as specified at § 660.70(t), may not be deployed while transiting through a GEA. If fishing for non-groundfish species within a GEA, where all groundfish fishing is prohibited, then no groundfish may be on board the vessel.

* * * *

[FR Doc. 2025–22672 Filed 12–11–25; 8:45 am]

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Proposed Rules

Federal Register

Vol. 90, No. 237

Friday, December 12, 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 71

[Docket No. FAA-2025-3288; Airspace
Docket No. 25-ANM-158]

RIN 2120-AA66

Establishment of United States Area Navigation Route T-581 in the Vicinity of Missoula, Montana

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking
(NPRM).

SUMMARY: This action proposes to establish United States Area Navigation (RNAV) Route T-581 in the vicinity of Missoula, Montana. The FAA is proposing this action to increase navigational flexibility and safety margins for the users and to expand Air Traffic Control operational capabilities.

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

ADDRESSES: Send comments identified by FAA Docket No. FAA-2025-3288 and Airspace Docket No. 25-ANM-158 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 Western Service Center, Federal Aviation Administration, 2200 South 216th St., Des Moines, WA 98198.

Incorporation by Reference

United States Area Navigation Routes are published in paragraph 6011 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 proposing to establish RNAV Route T-581 between the Missoula, MT, Very High Frequency (VHF) Omni-directional Range (VOR)/Distance Measuring Equipment (DME), and Kalispell, MT, VOR/DME. The new route will directly overlay existing VOR Federal Airway V-231 between the Missoula VOR/DME and the Kalispell VOR/DME. This area is within mountainous terrain and because the existing V-231 relies on ground-based VHF navigation signal coverage, the Minimum Enroute Altitudes (MEA) are higher than what could be expected with a similar RNAV route that is non-dependent of ground-based NAVAIDs. RNAV Route T-581 will use the same points as V-231 between the Missoula VOR/DME and the Kalispell VOR/DME and the MEAs will be generally lower since there is no reliance on ground-based navigation signals. These lower MEAs will provide greater navigational flexibility and safety margins for the users and will expand ATC operational capabilities.

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 to establish RNAV Route T-581 in the vicinity of Missoula, Montana. T-581: T-581 would extend between the Missoula, MT, VOR/DME and the Kalispell, MT, 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 6011 United States Area Navigation Routes.
* * * * *

T-581 Missoula, MT (MSO) to Kalispell, MT (FCA) [NEW]		
Missoula, MT (MSO)	VOR/DME	(Lat. 46°54'28.68" N, long. 114°05'01.15" W)
SULFY, MT	FIX	(Lat. 47°07'27.30" N, long. 114°06'00.88" W)
ARLEE, MT	FIX	(Lat. 47°08'27.42" N, long. 114°05'59.11" W)
Kalispell, MT (FCA)	VOR/DME	(Lat. 48°12'50.77" N, long. 114°10'33.21" W)

* * * * *

Issued in Washington, DC, on December 9, 2025.
Alex W. Nelson,
Acting Manager, Rules and Regulations Group.
[FR Doc. 2025-22635 Filed 12-11-25; 8:45 am]
BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION
Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2025-4609; Airspace Docket No. 25-AGL-9]

RIN 2120-AA66

Revocation of Very High Frequency Omnidirectional Range Federal Airway V-320 in the Vicinity of Mount Pleasant, Michigan

AGENCY: Federal Aviation Administration (FAA), DOT.
ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to revoke Very High Frequency Omnidirectional Range (VOR) Federal Airway V-320 in the vicinity of Mount Pleasant, Michigan. The FAA is proposing this action due to the planned

decommissioning of the VOR portion of the Mount Pleasant, MI VOR/Distance Measuring Equipment (DME) navigational aid (NAVAID). The VOR portion of this NAVAID is being decommissioned as part of the FAA’s VOR Minimum Operational Network (MON) program. The DME portion of this NAVAID will be retained.

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

ADDRESSES: Send comments identified by FAA Docket No. FAA-2025-4609 and Airspace Docket No. 25-AGL-9 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

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 Mount Pleasant, MI, VOR/DME in support of the FAA's VOR MON program as 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) under Docket No. FAA–2011–1082.

Although the VOR portion of the Mount Pleasant 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) route affected by the planned decommissioning of the Mount Pleasant VOR is V–320.

V–320 currently extends between the Pellston, MI, VOR/Tactical Air Navigation (VORTAC), the Traverse City, MI, VOR/DME, the Mount Pleasant VOR/DME, and the Saginaw, MI, VOR/DME. The segment of V–320 between the Pellston VORTAC and the Traverse City VOR/DME is not directly supported by the Mount Pleasant VOR; however, this segment is overlaid by V–193 and therefore duplicative in nature and will therefore further supports removal of that segment of V–320. The other segments of V–320 are supported by the Mount Pleasant VOR and will become unusable when the NAVAID is decommissioned. Instrument Flight Rules (IFR) air traffic equipped for conventional navigation, flying through and around the area affected by the loss of V–320, may utilize adjacent VOR Federal Airways V–78, V–133, V–420. Area Navigation (RNAV) equipped aircraft may also navigate via RNAV Route T–265 or may utilize point-to-point navigation via the airspace fixes that remain in place. Visual flight rules (VFR) pilots, who normally navigate via the impacted Victor Airways, may also utilize the adjacent VOR Federal Airways, or RNAV Route T–265, and

point-to-point navigation, if the aircraft is properly equipped. Additionally, all aircraft have the option to request and receive radar vectors from Air Traffic Control, to facilitate navigation.

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 to revoke VOR Federal Airway V-320 in the vicinity of Mount Pleasant, Michigan.

V-320: V-320 currently extends between the Pellston, MI, VOR/Tactical Air Navigation (VORTAC), the Traverse City, MI, VOR/DME, the Mount Pleasant VOR/DME, and the Saginaw, MI, VOR/DME. The FAA is proposing to revoke this route in its entirety.

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 6010 VOR Federal Airways.

* * * * *

V-320 [Removed]

* * * * *

Issued in Washington, DC, on December 8, 2025.

Alex W. Nelson,

Acting Manager, Rules and Regulations Group.

[FR Doc. 2025–22632 Filed 12–11–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2025–3585; Airspace Docket No. 25–AAL–143]

RIN 2120–AA66

Amendment of United States Area Navigation Route Q–10 and Revocation of Alaska Area Navigation Routes J–804R and J–889R in Alaska

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend United States Area Navigation (RNAV) Route Q–10 and revoke Alaska RNAV Routes J–804R and J–889R in Alaska. These actions are part of a large and comprehensive airway modernization project for the state of Alaska.

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

ADDRESSES: Send comments identified by FAA Docket No. FAA–2025–3585 and Airspace Docket No. 25–AAL–143 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 Western Service Center, Federal Aviation Administration, 2200 South 216th St., Des Moines, WA 98198.

Incorporation by Reference

Alaska RNAV Routes are published in paragraph 2005 and United States RNAV Routes are published in paragraph 2006 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

This proposed action is a part of a large and comprehensive airway modernization project for the state of Alaska. The FAA's goal is to decommission underutilized and obsolete navigational aids (NAVAID) and to modernize Alaska's route structure using satellite-based RNAV. Industry and general aviation users have supported the FAA's goal to transition the Alaskan en route navigation structure away from dependency on ground-based NAVAIDS, moving instead to develop and improve the RNAV route structure. The result of these actions contributes to the FAA's goal of transitioning the National Airspace System (NAS) to utilize Performance-Based Navigation (PBN) through use of the Global Positioning System (GPS) as the primary means of aircraft navigation. A traffic study was conducted that examined the utilization of J-804R and J-889R. The study concluded that J-804R was routinely used and J-889R was seldom assigned by Anchorage Air Route Traffic Control Center (ZAN) due to the availability of direct or more efficient route alternatives.

To mitigate the loss of J-804R, the FAA is proposing to extend Q-10 along essentially the same track as the current J-804R. The amended track would extend between Middleton Island, AK, Very High Frequency Omnidirectional Range/Distance Measuring Equipment (VOR/DME), the SNOUT, AK, Fix, the EEDEN, AK, Fix, and the EURKA, AK, Waypoint (WP). EURKA is a new WP and will be established on the United States and Canadian Border.

The FAA is proposing to revoke J-889R in its entirety due to its lack of usage.

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 by revoking Alaska RNAV Routes J-804R and J-889R and amending United States RNAV Route Q-10 in Alaska.

J-804R: J-804R currently extends between the Anchorage, AK, VOR/DME and the FRIED, OP, Canada, WP, excluding the airspace within Canada. As part of the transition away from

ground-based NAVAIDS, the FAA is proposing to revoke J-804R in its entirety.

J-889R: J-889R currently extends between the NOWEL, AK, Fix and the LAIRE, AK, Fix. Due to its lack of use and as part of the transition away from ground-based NAVAIDS, the FAA is proposing to revoke J-889R in its entirety.

Q-10: Q-10 currently extends between the Kukuliak, AK, VOR/DME and the Middleton Island, AK, VOR/DME. As a mitigation to the loss of J-804R, the FAA is proposing to extend Q-10 beyond the Middleton Island VOR/DME. As amended, Q-10 would extend between the Kukuliak VOR/DME and the EURKA, OP, Canada, WP.

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 2005 Alaska Area Navigation Routes.

* * * * *

J–804R [Removed]

J–889R [Removed]

* * * * *

Paragraph 2006 United States Area Navigation Routes.

* * * * *

Q–10 Kukuliak, AK (ULL) to Fried, OP [Amended]

Kukuliak, AK (ULL)	VOR/DME	(Lat. 63°41′32.39″ N, long. 170°28′11.65″ W)
Emmonak, AK (ENM)	VOR/DME	(Lat. 62°47′04.52″ N, long. 164°29′15.12″ W)
ANIAK, AK	FIX	(Lat. 61°37′02.22″ N, long. 159°37′52.61″ W)
Sparrevohn, AK (SQA)	VOR/DME	(Lat. 61°05′54.89″ N, long. 155°38′04.49″ W)
Kenai, AK (ENA)	VOR/DME	(Lat. 60°36′52.93″ N, long. 151°11′42.87″ W)
Middleton Island, AK (MDO)	VOR/DME	(Lat. 59°25′18.50″ N, long. 146°21′00.05″ W)
EURKA, OP	WP	(Lat. 54°24′41.98″ N, long. 133°59′26.91″ W)

* * * * *

Issued in Washington, DC, on December 8, 2025.

Alex W. Nelson,
Acting Manager, Rules and Regulations Group.

[FR Doc. 2025–22634 Filed 12–11–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Parts 531, 533, 535, and 537

[NHTSA–2025–0491]

RIN 2127–AM76

Public Hearing for Corporate Average Fuel Economy Standards: The Safer Affordable Fuel-Efficient (SAFE) Vehicle Rule III for Model Years 2022 to 2031 Passenger Cars and Light Trucks

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Notification of public hearing.

SUMMARY: The National Highway Traffic Safety Administration (NHTSA) is announcing a virtual public hearing to be held January 7, 2026 on its proposal for the “*The Safer Affordable Fuel-Efficient (SAFE) Vehicle Rule III for Model Years 2022 to 2031 Passenger Cars and Light Trucks*,” which was signed on December 2, 2025. This hearing also allows the public to provide oral comments regarding the Draft Supplemental Environmental Impact Statement (Draft SEIS) that accompanies the proposal. An additional virtual session will be held on January 8, 2026, if necessary, to accommodate the number of people that sign up to speak.

DATES: NHTSA will hold a virtual public hearing on January 7, 2026. An additional session will be held on

January 8, 2026, if necessary, to accommodate the number of people that sign up to testify. Please refer to the **SUPPLEMENTARY INFORMATION** section for additional information on the public hearing.

ADDRESSES: The virtual public hearing will be held on January 7, 2026. An additional session will be held on January 8, 2026, if necessary, to accommodate the number of speakers that sign up to testify. Each day the hearing will convene at 9:00 a.m. Eastern Time and will conclude when the last pre-registered speaker has testified but no later than 6:00 p.m. Eastern Time. All hearing attendees, including those who do not intend to provide oral testimony, should register by December 31, 2025. The link to register will be available at <http://www.nhtsa.gov/cafe>. Additional information regarding the hearing appears below under **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: For questions regarding how to register to attend the hearing, please contact NHTSA’s Office of Communications at NHTSA.Communication@dot.gov. For any other questions about this notice, please contact Joseph Bayer, Corporate Average Fuel Economy (CAFE) Program Division Chief, Office of Rulemaking, NHTSA, at CAFE_mbox@dot.gov.

SUPPLEMENTARY INFORMATION: NHTSA, on behalf of the Department of Transportation, is proposing to amend CAFE standards for light-duty vehicles for model years (MYs) 2022–2026 and MYs 2027–2031. Consistent with the requirements of the CAFE program, the fuel economy standards proposed in this rule are founded on light-duty vehicles powered by gasoline and diesel fuels, a category that these rules treat as including non-plug-in hybrid vehicles. In formulating the proposed standards, NHTSA has not considered the imputed fuel-economy performance of battery-powered electric vehicles or the electric

operation of vehicles that use plug-in hybrid electric powertrains and has not considered compliance credits nor adjustments to the statutorily required two-cycle fuel economy test procedures to account for air conditioning and off-cycle technologies, since such consideration is prohibited by statute. NHTSA is proposing to set fuel economy standards that increase from the newly proposed MY 2022 standards at 0.5 percent per year through MY 2026 followed by 0.25 percent per year through MY 2031, with MY 2027 stringency as a bridge between the two sets of standards. The reduced stringency in later years, coupled with a reevaluation of the coefficients that define the fuel economy standards functions, are intended to enable the industry to adapt to proposals to remove credit trading and to classify passenger and non-passenger automobiles appropriately, based on their attributes and capabilities, starting in MY 2028. NHTSA projects that the amended standards would correspond to industry fleetwide average all light-duty vehicles of roughly 34.5 miles per gallon (mpg) in MY 2031. The proposal was signed on December 2, 2025, and was published in the **Federal Register** on December 5, 2025 (90 FR 56438). A notice of availability for the accompanying Draft SEIS was published in the **Federal Register** on December 5, 2025 (90 FR 56144). The Draft SEIS is available on NHTSA’s CAFE website, <https://www.nhtsa.gov/cafe>, and is also available in Docket ID No. NHTSA–2025–0490.

Participation in Virtual Public Hearing

NHTSA will begin pre-registering speakers for the hearing upon publication of this document in the **Federal Register**. To register to speak at the virtual hearing, please follow the instructions below. The last day to register to speak at the hearing will be December 31, 2025.

- *To watch the hearing (without providing oral comments):* Click the link at <https://www.nhtsa.gov/cafe> and register. Indicate NO on the registration page that you do not wish to provide testimony. Within 24 hours of registering, you will be emailed your link to join.

- *To provide oral comment at the hearing:* Click the link at <https://www.nhtsa.gov/cafe> and register by December 31, 2025. Indicate YES on the registration page that you would like to provide comments. Within 1 hour of registering, you will be emailed your link to join. Additionally, you will receive an email with your approximate date and time to testify as well as additional information about how to turn on your audio and camera to comment. We recommend you join via a computer, but if you are unable to do so, an option to join via phone will also be provided in that email.

If you do not receive your confirmation email(s), or have further questions about this hearing, please email NHTSA.Communication@dot.gov. NHTSA is committed to providing equal access to this event for all participants. Closed captioning will be available. People with disabilities who need additional accommodations should send a request to NHTSA.Communication@dot.gov no later than December 31, 2025.

dot.gov no later than December 31, 2025.

Each commenter will have 3 minutes to provide oral testimony. NHTSA may ask clarifying questions during the oral presentations but will not otherwise respond to the presentations at that time. NHTSA recommends submitting the text of your oral comments as written comments to the rulemaking docket or to the Draft SEIS docket, as appropriate. Written statements and supporting information submitted during the comment period will be considered with the same weight as oral comments and supporting information presented at the public hearing. If identical comments are submitted by the same commenter more than once to the docket, NHTSA does not consider those comments to carry more weight than if they had been submitted only once. If the oral testimony is specifically intended to reference the Draft SEIS, please mention that in your opening remarks.

Please note that any updates made to any aspects of the hearing logistics, including any change to the date of the hearing or a potential additional session on January 8, 2026, will be posted online at the CAFE website at <https://www.nhtsa.gov/cafe>. While NHTSA expects the hearing to go forward as set forth above, please monitor our website

or contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to determine if there are any updates. NHTSA does not intend to publish a document in the **Federal Register** announcing updates. Finally, NHTSA will post a video recording of the hearing at <https://www.nhtsa.gov/cafe> and will make a transcript of the hearing available in the rule making docket as soon as practicable.

How can I get copies of the proposed action, the Draft SEIS, and other related information?

NHTSA has established a docket for the proposal under Docket ID No. NHTSA–2025–0491 and a separate docket for the Draft SEIS at Docket ID No. NHTSA–2025–0490. Relevant documents and information can also be accessed at NHTSA’s CAFE website at <https://www.nhtsa.gov/cafe>. Please refer to the notice of proposed rulemaking for detailed information on accessing information related to the proposal and the Draft SEIS.

Issued on December 10, 2025, in Washington, DC, under authority delegated in 49 CFR 1.95.

Jonathan Morrison,
Administrator.

[FR Doc. 2025–22674 Filed 12–11–25; 8:45 am]

BILLING CODE 4910–59–P

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

National Agricultural Statistics Service

Notice of Intent To Request Revision and Extension of a Currently Approved Information Collection

AGENCY: National Agricultural Statistics Service, USDA.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the intention of the National Agricultural Statistics Service (NASS) to request revision and extension of a currently approved information collection, the Agricultural Resource Management Phase 3 Economic Surveys.

DATES: Comments on this notice must be received by February 10, 2026 to be assured of consideration.

ADDRESSES: You may submit comments, identified by docket number 0535–0275, by any of the following methods:

- *Email:* ombofficer@nass.usda.gov. Include docket number above in the subject line of the message.
- *eFax:* (855) 838–6382.
- *Mail:* Mail any paper, disk, or CD-ROM submissions to: NASS OMB Clearance Officer, U.S. Department of Agriculture, Room 5336 South Building, 1400 Independence Avenue SW, Washington, DC 20250–2024.
- *Hand Delivery/Courier:* Hand deliver to: NASS OMB Clearance Officer, U.S. Department of Agriculture, Room 5336 South Building, 1400 Independence Avenue SW, Washington, DC 20250–2024.

FOR FURTHER INFORMATION CONTACT: Jody R. McDaniel, Associate Administrator, National Agricultural Statistics Service, U.S. Department of Agriculture, (202) 720–2707. Copies of this information collection and related instructions can be obtained without charge from NASS

OMB Clearance Officer, at (202) 720–2206 or at ombofficer@nass.usda.gov.

SUPPLEMENTARY INFORMATION:

Title: Agricultural Resource Management Phase 3 Economic Surveys.

OMB Control Number: 0535–0275.

Expiration Date of Current Approval: June 30, 2026.

Type of Request: To revise and extend a currently approved information collection for a period of three years.

Abstract: The Agricultural Resource Management Surveys (ARMS) are the primary source of information for the U.S. Department of Agriculture on a broad range of issues related to production practices, costs and returns, and contractor expenses. Data are collected at both the whole-farm level and for selected commodities.

The ARMS Phase 3 Economic Surveys are the only annual source of information available for objective evaluation of many critical issues related to agriculture and the rural economy. These include annual whole-farm financial data sufficient to estimate income by type of operation, loan commodities, operator household income, credit, farm structure and organization; as well as marketing information and other economic data related to input usage, production practices, and crop substitution possibilities.

Data from ARMS are used to produce estimates of net farm income by type of commercial producer as required in 7 U.S.C. 7998, as amended, and estimates of enterprise production costs as required in 7 U.S.C. 1441(a), as amended. ARMS data are also used to develop the Prices Paid Index, a component of the Parity Index referenced in the Agricultural Adjustment Act of 1938, as amended. These indexes are used to calculate the annual federal grazing fee rates under the Public Rangelands Improvement Act of 1978 and Executive Order 12548, and as promulgated in regulations at 36 CFR 222.51, as amended.

In addition, ARMS data support estimates of sector-wide production expenditures and other income components used by the USDA Economic Research Service (ERS) to construct national income and value-added estimates. These are transmitted to the U.S. Department of Commerce, Bureau of Economic Analysis, for use in

calculating Gross Domestic Product (GDP), in accordance with a 1956 agreement between the Office of Management and Budget and the Departments of Agriculture and Commerce to publish a single set of farm income estimates.

Authority: These data will be collected under the authority of 7 U.S.C. 2204(a). Individually identifiable data collected under this authority are governed by section 1770 of the Food Security Act of 1985, 7 U.S.C. 2276, which requires USDA to afford strict confidentiality to non-aggregated data provided by respondents. This Notice is submitted in accordance with the Paperwork Reduction Act of 1995 (at 44 U.S.C. 3501, *et seq.*) and Office of Management and Budget regulations at 5 CFR part 1320.

All NASS employees and NASS contractors must also fully comply with all provisions of the Confidential Information Protection and Statistical Efficiency Act (CIPSEA) of 2018, Title III of Public Law 115–435, codified in 44 U.S.C. Ch. 35. CIPSEA supports NASS's pledge of confidentiality to all respondents and facilitates the agency's efforts to reduce burden by supporting statistical activities of collaborative agencies through designation of NASS agents, subject to the limitations and penalties described in CIPSEA.

Estimate of Burden: The public reporting burden for this collection of information is estimated to average approximately 22 minutes per respondent.

Respondents: Farmers, ranchers, farm managers, farm contractors, and farm households.

Estimated Number of Respondents: Approximately 48,500 respondents will be sampled annually.

Estimated Total Annual Burden on Respondents: Approximately 71,000 hours per year.

Comments: Comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the

burden of the collection of information on those who are to respond, through the use of appropriate automated, electronic, mechanical, technological or other forms of information technology collection methods.

All responses to this notice will become a matter of public record and be summarized in the request for OMB approval.

Signed at Washington, DC, December 10, 2025.

Jody R. McDaniel,

Associate Administrator.

[FR Doc. 2025–22663 Filed 12–11–25; 8:45 am]

BILLING CODE 3410–20–P

DEPARTMENT OF AGRICULTURE

National Agricultural Statistics Service

Notice of Intent To Request Revision and Extension of a Currently Approved Information Collection

AGENCY: National Agricultural Statistics Service, USDA.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the intention of the National Agricultural Statistics Service (NASS) to request revision and extension of a currently approved information collection, the Agricultural Resources Management Survey (ARMS), Phases 1 and 2, as well as Chemical Use Surveys.

DATES: Comments on this notice must be received by February 10, 2026 to be assured of consideration.

ADDRESSES: You may submit comments, identified by docket number 0535–0218, by any of the following methods:

- *Email:* ombofficer@nass.usda.gov. Include docket number above in the subject line of the message.
- *eFax:* (855) 838–6382.
- *Mail:* Mail any paper, disk, or CD-ROM submissions to: NASS OMB Clearance Officer, U.S. Department of Agriculture, Room 5336 South Building, 1400 Independence Avenue SW, Washington, DC 20250–2024.
- *Hand Delivery/Courier:* Hand deliver to: NASS OMB Clearance Officer, U.S. Department of Agriculture, Room 5336 South Building, 1400 Independence Avenue SW, Washington, DC 20250–2024.

FOR FURTHER INFORMATION CONTACT: Jody R. McDaniel, Associate Administrator, National Agricultural Statistics Service, U.S. Department of Agriculture, (202) 720–2707. Copies of this information collection and related instructions can

be obtained without charge from NASS OMB Clearance Officer, at (202) 720–2206 or at ombofficer@nass.usda.gov.

SUPPLEMENTARY INFORMATION:

Title: Agricultural Resources Management Survey and Chemical Use Surveys.

OMB Control Number: 0535–0218.

Expiration Date of Current Approval: July 31, 2027.

Type of Request: To revise and extend a currently approved information collection for a period of three years.

Abstract: The Agricultural Resource Management Surveys (ARMS) are the primary source of information for the U.S. Department of Agriculture on a broad range of issues related to production practices, costs and returns, pest management, chemical usage, and contractor expenses. Data are collected at both the whole-farm level and for selected commodities.

Historically, the ARMS docket included a screening phase, a chemical use phase, and an economic phase. This notice and information collection focus on ARMS Phases 1 and 2—screening, production practices, and chemical use surveys.

Cost of Production: Congress mandates the development of annual estimates for the cost of producing wheat, feed grains, cotton, and dairy commodities. USDA also collects cost of production data for soybeans, rice, peanuts, hogs, and beef cow-calf operations to support economic comparisons among major farm commodities competing for U.S. agricultural resources.

Chemical Use Surveys: Congress has directed NASS and ERS to build nationally coordinated databases on agricultural chemical use and related farm practices. These databases are essential for producing environmental and economic estimates and help producers and researchers address on-farm environmental concerns while maintaining productivity.

Authority: These data will be collected under the authority of 7 U.S.C. 2204(a). Individually identifiable data collected under this authority are governed by section 1770 of the Food Security Act of 1985, 7 U.S.C. 2276, which requires USDA to afford strict confidentiality to non-aggregated data provided by respondents. This Notice is submitted in accordance with the Paperwork Reduction Act of 1995 (at 44 U.S.C. 3501, *et seq.*) and Office of Management and Budget regulations at 5 CFR part 1320.

All NASS employees and NASS contractors must also fully comply with all provisions of the Confidential

Information Protection and Statistical Efficiency Act (CIPSEA) of 2018, Title III of Public Law 115–435, codified in 44 U.S.C. Ch. 35. CIPSEA supports NASS's pledge of confidentiality to all respondents and facilitates the agency's efforts to reduce burden by supporting statistical activities of collaborative agencies through designation of NASS agents, subject to the limitations and penalties described in CIPSEA.

Estimate of Burden: The public reporting burden for this collection is estimated to average approximately 8 minutes per response.

Respondents: Farmers, ranchers, farm managers, farm contractors, and farm households.

Estimated Number of Respondents: Approximately 118,000 respondents will be sampled annually. Fewer than 20 percent will be contacted more than once per year.

Estimated Total Annual Burden on Respondents: Approximately 52,000 hours per year.

Comments: Comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, through the use of appropriate automated, electronic, mechanical, technological or other forms of information technology collection methods.

All responses to this notice will become a matter of public record and be summarized in the request for OMB approval.

Signed at Washington, DC, December 10, 2025.

Jody R. McDaniel,

Associate Administrator.

[FR Doc. 2025–22664 Filed 12–11–25; 8:45 am]

BILLING CODE 3410–20–P

DEPARTMENT OF AGRICULTURE

National Agricultural Statistics Service

Notice of Intent To Request Revision and Extension of a Currently Approved Information Collection

AGENCY: National Agricultural Statistics Service, USDA.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the intention of the National Agricultural Statistics Service (NASS) to request revision and extension of a currently approved information collection, the Current Agricultural Industrial Reports (CAIR) program.

DATES: Comments on this notice must be received by February 10, 2026 to be assured of consideration.

ADDRESSES: You may submit comments, identified by docket number 0535–0254, by any of the following methods:

- *Email:* ombofficer@nass.usda.gov.

Include docket number above in the subject line of the message.

- *eFax:* (855) 838–6382.

- *Mail:* Mail any paper, disk, or CD–ROM submissions to: NASS OMB Clearance Officer, U.S. Department of Agriculture, Room 5336 South Building, 1400 Independence Avenue SW, Washington, DC 20250–2024.

- *Hand Delivery/Courier:* Hand deliver to: NASS OMB Clearance Officer, U.S. Department of Agriculture, Room 5336 South Building, 1400 Independence Avenue SW, Washington, DC 20250–2024.

FOR FURTHER INFORMATION CONTACT: Jody R. McDaniel, Associate Administrator, National Agricultural Statistics Service, U.S. Department of Agriculture, (202) 720–2707. Copies of this information collection and related instructions can be obtained without charge from NASS OMB Clearance Officer, at (202) 720–2206 or at ombofficer@nass.usda.gov.

SUPPLEMENTARY INFORMATION:

Title: Current Agricultural Industrial Reports (CAIR).

OMB Control Number: 0535–0254.

Expiration Date of Approval: June 30, 2026.

Type of Request: To revise and extend a currently approved information collection for a period of three years.

Abstract: NASS began collecting data for the Current Agricultural Industrial Reports (CAIR) program in the latter half of 2014, replacing a portion of the Current Industrial Reports (CIR) program (0607–0476) previously conducted by the U.S. Census Bureau. The CIR program was discontinued on April 30, 2012, and included 47 different surveys.

The CAIR program produces four separate publications that provide critical data on the utilization of U.S. agricultural commodities. These include crop data on acreage, production, prices, and stocks (e.g., grains, oilseeds, cotton, nuts), as well as livestock and poultry data on production, slaughter, prices, and cold storage volumes. CAIR data

also inform how these commodities are processed into products such as fuels, cooking oils, flour, and fabric—offering a more complete picture of agriculture’s role in the U.S. economy.

Primary users of the data include government agencies, regulatory bodies, trade associations, business firms, and research organizations. The USDA World Agricultural Outlook Board (WAOB), Bureau of Economic Analysis (BEA), and Bureau of Labor Statistics (BLS) use the data for GDP estimation, productivity analysis, and industrial monitoring.

NASS will use the information collected solely for statistical purposes and will publish only aggregated data.

Authority: The census of agriculture and subsequent follow-on censuses are required by law under the “Census of Agriculture Act of 1997,” 7 U.S.C. 2204(g). Individually identifiable data collected under this authority are governed by Section 1770 of the Food Security Act of 1985 as amended, 7 U.S.C. 2276, which requires USDA to afford strict confidentiality to non-aggregated data provided by respondents. This Notice is submitted in accordance with the Paperwork Reduction Act of 1995, Public Law 104–13 and Office of Management and Budget regulations at 5 CFR part 1320.

All NASS employees and NASS contractors must also fully comply with all provisions of the Confidential Information Protection and Statistical Efficiency Act (CIPSEA) of 2018, Title III of Public Law 115–435, codified in 44 U.S.C. Ch. 35. CIPSEA supports NASS’s pledge of confidentiality to all respondents and facilitates the agency’s efforts to reduce burden by supporting statistical activities of collaborative agencies through designation of NASS agents, subject to the limitations and penalties described in CIPSEA.

Estimate of Burden: The public reporting burden for this information collection is estimated to average between 10 and 40 minutes per response. Publicity materials and instruction sheets are expected to contribute approximately 15 minutes of burden per respondent annually. To support response rates, NASS will send email and text reminders, which are estimated to result in a total annual burden of 190 hours. For respondents who decline to complete the survey, an estimated 2 minutes of burden per contact attempt will be applied.

Respondents: Managers of processing facilities that produce oils and fats from animals, grains, oilseeds, nuts, tree fruits, or vegetables; or operations involved in storing, rendering, or marketing these products. Managers of

ethanol plants, cotton gins, and flour mills are also included.

Estimated Number of Respondents: 650.

Estimated Total Annual Burden on Respondents: 2,400 hours.

Comments: Comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency’s estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, technological or other forms of information technology collection methods.

All responses to this notice will become a matter of public record and be summarized in the request for OMB approval.

Signed at Washington, DC, December 10, 2025.

Jody R. McDaniel,

Associate Administrator.

[FR Doc. 2025–22667 Filed 12–11–25; 8:45 am]

BILLING CODE 3410–20–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[S–203–2025]

Approval of Subzone Status; PINNACLEMOD LLC; Aberdeen, Washington

On July 1, 2025, the Executive Secretary of the Foreign-Trade Zones (FTZ) Board docketed an application submitted by the Port of Grays Harbor, grantee of FTZ 173, requesting subzone status subject to the existing activation limit of FTZ 173, on behalf of PINNACLEMOD LLC, in Aberdeen, Washington.

The application was processed in accordance with the FTZ Act and Regulations, including notice in the **Federal Register** inviting public comment (90 FR 29840, July 7, 2025). The FTZ staff examiner reviewed the application and determined that it meets the criteria for approval. Pursuant to the authority delegated to the FTZ Board Executive Secretary (15 CFR 400.36(f)), the application to establish Subzone 173B was approved on

December 9, 2025, subject to the FTZ Act and the Board's regulations, including section 400.13, and further subject to FTZ 173's 2,000-acre activation limit.

Dated: December 9, 2025.

Elizabeth Whiteman,

Executive Secretary.

[FR Doc. 2025-22637 Filed 12-11-25; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B-51-2025]

Foreign-Trade Zone (FTZ) 189, Notification of Proposed Production Activity; Plascore, Incorporated; (Metal, Aramid Paper and Plastic Honeycomb); Zeeland, Michigan

The Kent-Ottawa-Muskegon Foreign-Trade Zone, grantee of FTZ 189, submitted a notification of proposed production activity to the FTZ Board (the Board) on behalf of Plascore, Incorporated (Plascore) for Plascore's facilities in Zeeland, Michigan within Subzone 189I. The notification conforming to the requirements of the Board's regulations (15 CFR 400.22) was received on December 8, 2025.

Pursuant to 15 CFR 400.14(b), FTZ production activity would be limited to the specific foreign-status material(s)/ component(s) and specific finished product(s) described in the submitted notification (summarized below) and subsequently authorized by the Board. The benefits that may stem from conducting production activity under FTZ procedures are explained in the background section of the Board's website—accessible via www.trade.gov/ftz.

The proposed finished products include: polypropylene expanded honeycomb; polycarbonate expanded honeycomb; polypropylene expanded honeycomb with coating; meta aramid fiber expanded honeycomb; fiberglass expanded honeycomb; para aramid fiber expanded honeycomb; fiberglass corrugated honeycomb; commercial alloy aluminum honeycomb (expanded and unexpanded); 5000 series alloy aluminum honeycomb (expanded and unexpanded); 5000 series alloy aluminum corrugated honeycomb; stainless steel honeycomb (expanded and unexpanded); aluminum extrusion assembly; aluminum extruded angles, tubes, bars, and channels; heat curable epoxy resin curing agent; steel fasteners; aluminum fasteners; rubber gasket and seals; aluminum doors, windows and

their frames, window frames, and door frames; steel architectural components, such as beams, brackets, return air grilles; stainless steel architectural components; cold rolled steel bars, plates, rods, sheets, and strips; composite panel consisting of phenolic skins and aramid honeycomb; composite panel for rail car applications consisting of aluminum/melamine skins and aluminum honeycomb; composite panel for rail car applications consisting of high pressure laminate skins and aluminum honeycomb; composite panel for rail car applications consisting of aluminum/melamine skins and plywood core; composite panel for rail car applications consisting of aluminum/melamine and stainless steel skins and plywood core; composite panel consisting of aluminum skins and aramid honeycomb; composite panel consisting of wood skins and plastic honeycomb; composite panel consisting of aluminum skins and aluminum honeycomb; composite panel consisting of wood skins and aluminum honeycomb; composite panel consisting of steel skins and aluminum honeycomb; composite panel consisting of aluminum skins and plastic honeycomb; composite panel consisting of carbon fiber skins and plastic honeycomb; composite panel consisting of carbon fiber skins and aluminum honeycomb; composite panel consisting of epoxy and fiberglass skins and aluminum honeycomb; composite panel consisting of epoxy and fiberglass skins and aramid honeycomb; composite panel consisting of high pressure laminate skins and polyisocyanurate foam; commercial alloy aluminum honeycomb with thermoset composite core splice; 5000 series alloy aluminum honeycomb with thermoset composite core splice; stainless steel honeycomb with thermoset composite core splice; and, fiberglass expanded honeycomb with thermoset composite core splice (duty rate ranges from duty-free to 6.5%).

The proposed foreign-status materials/components include: aluminum sheets (thickness exceeding 0.2mm: clad/not clad); aluminum extrusions C-channel; aluminum extrusions T-mold; stainless steel hinge assemblies; melamine-laminated aluminum (clad/not clad); mineral fiber insulation with pressure sensitive adhesive one side; aluminum automatic door bottom seals; stainless steel door hinges and assemblies; steel door handles, with spindle and handle and cylinder covers; stainless steel fabricated door hardware; epoxy syntactic foam; aluminum extrusions,

custom profile; clear tempered glass; steel air transfer grills; foil aluminum 5052 alloy; foil aluminum 5056 alloy; foil aluminum commercial grade; felt products for rail applications, pressure sensitive adhesive on one side; stainless steel wood inserts (passivated); stainless steel door hinges; aluminum composite panel consisting of aluminum skins, aluminum honeycomb and stainless steel fasteners; stainless steel fasteners; pvc cold weld white, 132 gram tubes; polyolefin film carrier, siliconized on one side, acrylic adhesive one side; steel door latch sets for aluminum doors; wire mesh clip and joiner, stainless steel; thermoplastic sheets, natural chopped polypropylene/fiberglass; meta aramid paper; para aramid paper; stainless steel foil; polyester spunbond non-woven veil; natural fiber laminates; thermoplastic film adhesives; carbon fiber thermoplastic laminates; thermoplastic films; fiberglass laminates; polypropylene laminates; thermoplastic laminates; and, laminated birch plywood sheets (duty rate ranges from duty-free to 6.5%). The request indicates that certain materials/ components are subject to duties under section 1702(a)(1)(B) of the International Emergency Economic Powers Act (section 1702), section 232 of the Trade Expansion Act of 1962 (section 232), or section 301 of the Trade Act of 1974 (section 301), depending on the country of origin. The applicable section 1702, section 232, and section 301 decisions require subject merchandise to be admitted to FTZs in privileged foreign status (19 CFR 146.41). The request also indicates that aluminum thin-gauge foil is subject to an antidumping/ countervailing duty (AD/CVD) order/ investigation if imported from certain countries. The Board's regulations (15 CFR 400.13(c)(2)) require that merchandise subject to AD/CVD orders, or items which would be otherwise subject to suspension of liquidation under AD/CVD procedures if they entered U.S. customs territory, be admitted to the zone in privileged foreign status.

Public comment is invited from interested parties. Submissions shall be addressed to the Board's Executive Secretary and sent to: ftz@trade.gov. The closing period for their receipt is January 21, 2026.

A copy of the notification will be available for public inspection in the "Online FTZ Information System" section of the Board's website.

For further information, contact Christopher Wedderburn at Chris.Wedderburn@trade.gov.

Dated: December 9, 2025.

Elizabeth Whiteman,

Executive Secretary.

[FR Doc. 2025–22617 Filed 12–11–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–570–085]

Certain Quartz Surface Products From the People’s Republic of China: Rescission of Countervailing Duty Administrative Review; 2024

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

SUMMARY: The U.S. Department of Commerce (Commerce) is rescinding the administrative review of the countervailing duty (CVD) order on certain quartz surface products from the People’s Republic of China (China). The period of review (POR) is January 1, 2024, through December 31, 2024.

DATES: Applicable December 12, 2025.

FOR FURTHER INFORMATION CONTACT: Ajay Menon, AD/CVD Operations, Office IX, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–0208.

SUPPLEMENTARY INFORMATION:

Background

On June 30, 2025, Commerce published in the **Federal Register** a notice of opportunity to request an administrative review of the CVD order on certain quartz surface products from China.¹ Commerce received a timely request for review of the CVD order from Karinastone (Malaysia) Sdn Bhd (Karinastone), an exporter of the subject merchandise.²

On August 22, 2025, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.221(c)(1)(i), Commerce published the initiation notice in the **Federal Register**.³ On September 12, 2025, we notified interested parties that information from U.S. Customs and Border Protection (CBP) indicated that there were no POR entries of the subject

merchandise.⁴ Further, on September 22, 2025, we notified interested parties of our intent to rescind this administrative review due to a lack of suspended entries.⁵ We received no comments from interested parties regarding our intent to rescind.

Rescission of Review

Pursuant to 19 CFR 351.213(d)(3), it is Commerce’s practice to rescind an administrative review of a CVD order where it concludes that there were there are no entries of subject merchandise during the POR for which liquidation is suspended.⁶ Normally, upon completion of an administrative review, the suspended entries are liquidated at the CVD rates calculated for the review period.⁷ Therefore, for an administrative review to be conducted, there must be a reviewable, suspended entry that Commerce can instruct CBP to liquidate at the calculated CVD rates for the review period.⁸ As noted above, there were no suspended entries of subject merchandise for the company under review during the POR. Accordingly, in the absence of reviewable, suspended entries of subject merchandise during the POR, we are hereby rescinding this administrative review in its entirety, in accordance with 19 CFR 351.213(d)(3).

Cash Deposit Requirements

As Commerce has proceeded to a final rescission of this administrative review, no cash deposit rates will change. Accordingly, the current cash deposit requirements shall remain in effect until further notice.

Assessment

Commerce will instruct CBP to assess countervailing duties on all appropriate entries. Countervailing duties shall be assessed at rates equal to the cash deposit rate of estimated countervailing duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). Commerce intends to issue assessment instructions to CBP

⁴ See Memorandum, “Customs Entry Data from U.S. Customs and Border Protection,” dated September 12, 2025.

⁵ See Memorandum, “Notice of Intent to Rescind Review, in Part,” dated September 22, 2025.

⁶ See, e.g., *Welded Line Pipe from the Republic of Turkey: Rescission of the Antidumping Duty Administrative Review; 2019–2020*, 87 FR 27988 (May 10, 2022); see also, e.g., *Certain Softwood Lumber Products from Canada: Final Results and Final Rescission, in Part, of the Countervailing Duty Administrative Review, 2020*, 87 FR 48455 (August 9, 2022); and *Certain Non-Refillable Steel Cylinders from the People’s Republic of China: Rescission of Countervailing Duty Administrative Review; 2020–2021*, 87 FR 64008 (October 21, 2022).

⁷ See 19 CFR 351.212(b)(2).

⁸ See 19 CFR 351.212(d)(3).

no earlier than 35 days after the date of publication of this rescission notice in the **Federal Register**.

Notification Regarding Administrative Protective Order

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

Notification to Interested Parties

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(d)(4).

Dated: December 9, 2025.

Scot Fullerton,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2025–22591 Filed 12–11–25; 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 Region Groundfish Trawl Fishery Electronic Monitoring Program

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public’s reporting burden. Public comments were previously requested via the **Federal Register** on June 16, 2025 during a 60-day comment period. This notice allows for an additional 30 days for public comments.

¹ See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review and Join Annual Inquiry Service List*, 90 FR 27841 (June 30, 2025).

² See Karinastone’s Letter, “Karinastone Request for Administrative Review,” dated July 31, 2025.

³ See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 90 FR 41043 (August 22, 2025).

Agency: National Oceanic and Atmospheric Administration, Commerce.

Title: West Coast Region Groundfish Trawl Fishery Electronic Monitoring Program.

OMB Control Number: 0648–0785.

Form Number(s): None.

Type of Request: Regular submission [extension of a current information collection].

Number of Respondents: 866.

Average Hours per Response: Vessel operators: captain training 1.5 hr., logbook .17 hr., hard drive submission .17 hr.; Vessel owners: initial application 0.5 hr., final application 6.3 hr., updated application .17 hr., EM unit/installation, 4 hr., VMP 2 hr., EM system certification form .15, self-enforcing agreement 3 hr., change to VMP .5 hr., appeal 5 hr., renewal 1.5 hr., EM system maintenance 1 hr.; EM service provider: Application 8 hr., EM service plan 40 hr., 2 units 1 hr., copy of contracts 0.5 hr., other copies 0.5 hr., appeal 4 hr., change to EMSP 2 hr., renewal (biennial) 3 hr., EM system certification form 0.5 hr., reports 0.36 hr., technical assistance 0.2 hr., harassment etc. 1 hr., compliance reports 0.33 hr., catch reports 0.5 hr., feedback to vessel 0.3 hr., data storage 0.25 hr., debrief of EM staff 1.2 hr.

Total Annual Burden Hours: 3,651 hours.

Needs and Uses: This is a request for the renewal of an approved information collection. Under the authority of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act (16 U.S.C. 1801 *et seq.*), the Pacific coast groundfish fishery is managed under the Pacific Coast Groundfish Fishery Management Plan (FMP) by the National Marine Fisheries Service (NMFS) West Coast Region (WCR). One sector of the groundfish fishery has limited entry permits endorsed for trawl gear and is managed under a catch share program. The catch share program implemented requirements for 100 percent observer

coverage at-sea and dockside to ensure full accountability for catch of allocated species and a level playing field for all participants. To provide a cost-effective alternative to human observer coverage, vessels may choose to use electronic monitoring (EM). EM uses video cameras and integrated sensors (e.g., global positioning system (GPS), motion sensor, and hydraulic pressure sensor) to passively monitor fishing activity at-sea. An analyst onshore can review the video and sensor data after the trip to collect information about location and amount of catch and fishing effort. EM has the potential to reduce monitoring costs because it does not require deploying a person on the vessel and the logistical and travel expenses that generates. This information collection includes a permit application and associated documents for EM service provider companies, a permit application and associated documents for vessels participating in EM, and a logbook and video hard drive submissions for participating vessels. The information is used to allow vessels to utilize EM in lieu of the 100% human observer requirement and for fishery catch accounting to occur according to regulations in place at 50 CFR 660 subpart J.

Affected Public: Individuals or households; Business or other for-profit organizations.

Frequency: On occasion and biennially.

Respondent's Obligation: Required to Obtain or Retain Benefits.

Legal Authority: The Magnuson-Stevens Fishery Conservation and Management Reauthorization Act (16 U.S.C. 1801 *et seq.*), 50 CFR part 660, subpart J.

This information collection request may be viewed at www.reginfo.gov. Follow the instructions to view the Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be

submitted within 30 days of the publication of this notice on the following website www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function and entering either the title of the collection or the OMB Control Number 0648–0785.

Sheleen Dumas,

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

[FR Doc. 2025–22661 Filed 12–11–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 24–97]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense (DoD).

ACTION: Arms sales notice.

SUMMARY: The DoD is publishing the unclassified text of an arms sales notification.

FOR FURTHER INFORMATION CONTACT:

Urooj Zahra at (703) 695–6233, urooj.zahra.civ@mail.mil, or dsca.ncr.rsrcmgt.list.cns-mbx@mail.mil.

SUPPLEMENTARY INFORMATION: This 36(b)(1) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives with attached Transmittal 24–97, Policy Justification, and Sensitivity of Technology.

Dated: December 9, 2025.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 6001–FR–P



DEFENSE SECURITY COOPERATION AGENCY
 2800 Defense Pentagon
 Washington, DC 20301-2800

October 18, 2024

The Honorable Mike Johnson
 Speaker of the House
 U.S. House of Representatives
 H-209, The Capitol
 Washington, DC 20515

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 24-97, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Japan for defense articles and services estimated to cost \$360 million. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

Michael F. Miller
 Director

Enclosures:

1. Transmittal
2. Policy Justification
3. Sensitivity of Technology

BILLING CODE 6001-FR-C

Transmittal No. 24-97

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser:* Government of Japan

(ii) *Total Estimated Value:*

Major Defense Equipment *	\$315 million
Other	\$ 45 million

TOTAL \$360 million

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

Major Defense Equipment (MDE):

Up to two hundred twelve (212)
 Rolling Airframe Missiles (RAM)

Block 2B, RIM-116E

Non-Major Defense Equipment:

The following non-MDE items will also be included: RAM Guided Missiles Round Pack (GMRP); Tri-Pack shipping and storage containers; training equipment; operator manuals and technical documentation; United States (U.S.) Government and contractor engineering, technical, and logistics support and assistance; support for establishment of an Intermediate Level Maintenance Facility (ILMF); and other related elements of logistics and program support.

(iv) *Military Department:* Navy (JA-P-AVM)

(v) *Prior Related Cases, if any:* JA-P-AUF; JA-P-AUN; JA-P-AUU

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:* None known at this time

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:* See Attached Annex

(viii) *Date Report Delivered to Congress:* October 18, 2024

* as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Japan—Rolling Airframe Missile Block 2B Tactical Missiles

The Government of Japan has requested to buy up to two hundred

twelve (212) Rolling Airframe Missiles (RAM) Block 2B, RIM-116E. The following non-MDE items will also be included: RAM Guided Missiles Round Pack (GMRP); Tri-Pack shipping and storage containers; training equipment; operator manuals and technical documentation; U.S. Government and contractor engineering, technical, and logistics support and assistance; support for establishment of an Intermediate Level Maintenance Facility (ILMF); and other related elements of logistics and program support. The estimated total cost is \$360 million.

This proposed sale will support the foreign policy goals and national security objectives of the United States by improving the security of a major ally that is a force for political stability and economic progress in the Indo-Pacific region.

The proposed sale will improve Japan's capability to meet current and future threats by providing significantly enhanced area defense capabilities over critical East Asian and Western Pacific air and sea lines of communication. It is vital to U.S. national interests that Japan develops and maintains a strong and ready self-defense capability. Japan will have no difficulty absorbing these articles into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be RTX Corporation, located in Tucson, AZ. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. or contractor representatives to Japan.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 24-97

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex

Item No. vii

(vii) *Sensitivity of Technology*

1. The RIM-116E Rolling Airframe Missile (RAM) is an autonomous, lightweight, supersonic, surface-to-air tactical missile for ship self-defense against current and evolving anti-ship cruise missile threats. Advanced technology in the RIM-116E includes dual-mode (radio frequency/infrared) (RF/IR) guidance with IR all-the-way capability for non-emitting threats.

2. The highest classification of defense articles, components, and services included in this potential sale is CONFIDENTIAL.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that Japan can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been

authorized for release and export to the Government of Japan.

[FR Doc. 2025-22598 Filed 12-11-25; 8:45 am]

BILLING CODE 6001-FR-P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 20-79]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense (DoD).

ACTION: Arms sales notice.

SUMMARY: The DoD is publishing the unclassified text of an arms sales notification.

FOR FURTHER INFORMATION CONTACT:

Urooj Zahra at (703) 695-6233, urooj.zahra.civ@mail.mil, or dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil.

SUPPLEMENTARY INFORMATION: This 36(b)(1) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104-164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives with attached Transmittal 20-79, Policy Justification, and Sensitivity of Technology.

Dated: December 9, 2025.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 6001-FR-P



DEFENSE SECURITY COOPERATION AGENCY
2800 Defense Pentagon
Washington, DC 20301-2800

OCT 11 2024

The Honorable Mike Johnson
Speaker of the House
U.S. House of Representatives
H-209, The Capitol
Washington, DC 20515

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 20-79 concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of the United Arab Emirates for defense articles and services estimated to cost \$1.2 billion. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

Michael F. Miller
Director

- Enclosures:
- 1. Transmittal
 - 2. Policy Justification
 - 3. Sensitivity of Technology
 - 4. Regional Balance (Classified document provided under separate cover)

BILLING CODE 6001-FR-C

Transmittal No. 20-79
Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser:* Government of the United Arab Emirates
(ii) *Total Estimated Value:*

Major Defense Equipment *	\$1.15 billion
Other	\$.05 billion
TOTAL	\$1.20 billion

Funding Source: National Funds
(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

Major Defense Equipment (MDE):
Two hundred fifty-nine (259) Guided Multiple Launch Rocket System (GMLRS) M31A1 Unitary Pods (1,554 missiles at six missiles per pod)
Two hundred three (203) Army Tactical Missile Systems (ATACMS) M57 Unitary Missiles

Non-MDE:

Also included are publications; personnel training and training equipment; software development; United States (U.S.) Government and contractor engineering, technical and logistics support services; and other related elements of logistical and program support.

(iv) *Military Department:* Army (AE-B-ZUZ)
(v) *Prior Related Cases, if any:* AE-B-ZVE
(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:* None
(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:* See Attached Annex
(viii) *Date Report Delivered to Congress:* October 11, 2024

* as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

United Arab Emirates—GMLRS and ATACMS Munitions

The Government of the United Arab Emirates has requested to buy two hundred fifty-nine (259) Guided Multiple Launch Rocket System (GMLRS) M31A1 Unitary Pods (1,554 missiles at six missiles per pod) and two hundred three (203) Army Tactical Missile Systems (ATACMS) M57 Unitary Missiles. Also included are publications; personnel training and training equipment; software development; U.S. Government and contractor engineering, technical and logistics support services; and other related elements of logistical and program support. The estimated total cost is \$1.2 billion.

The proposed sale will support the foreign policy and national security objectives of the U.S. by helping to improve the security of an important regional partner. The United Arab

Emirates has been, and continues to be, a vital U.S. partner for political stability and economic progress in the Middle East.

The proposed sale will improve the United Arab Emirates' capability to meet current and future threats by modernizing its armed forces. This sale will contribute to the United Arab Emirates' military goals of updating capability while further enhancing interoperability with the U.S. and other partners. The United Arab Emirates will have no difficulty absorbing these articles into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be Lockheed Martin, Grand Prairie, TX. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require the temporary assignment of four (4) U.S. Government and four (4) U.S. contractor representatives to the United Arab Emirates for a duration of no longer than ten (10) days to support new software equipment training and the stockpile reliability program.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 20–79

Notice of Proposed Issuance of Letter of Offer and Acceptance Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex

Item No. vii

(vii) *Sensitivity of Technology:*

1. The Guided Multiple Launch Rocket System (GMLRS) is a solid propellant artillery rocket for the High Mobility Artillery Rocket System (HIMARS). GMLRS uses GPS-aided inertial guidance to accurately and quickly deliver a single high-explosive blast fragmentation warhead to targets. The GMLRS has an operational range of 15–70km.

2. The M57 Army Tactical Missile Systems (ATACMS) is a conventional, semi-ballistic missile for the High Mobility Artillery Rocket System (HIMARS). ATACMS is a guided by GPS-aided inertial navigation systems to provide precise targeting over ranges of up to 300km.

3. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

4. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

5. A determination has been made that the United Arab Emirates can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

6. All defense articles and services listed in this transmittal have authorized for release and export to the

Government of the United Arab Emirates.

[FR Doc. 2025–22605 Filed 12–11–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 24–0W]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense (DoD).

ACTION: Arms sales notice.

SUMMARY: The DoD is publishing the unclassified text of an arms sales notification.

FOR FURTHER INFORMATION CONTACT:

Urooj Zahra at (703) 695–6233, urooj.zahra.civ@mail.mil, or dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil.

SUPPLEMENTARY INFORMATION: This 36(b)(5)(C) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives with attached Transmittal 24–0W.

Dated: December 9, 2025.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 6001–FR–P



DEFENSE SECURITY COOPERATION AGENCY
2800 Defense Pentagon
Washington, DC 20301-2800

October 21, 2024

The Honorable Mike Johnson
Speaker of the House
U.S. House of Representatives
H-209, The Capitol
Washington, DC 20515

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(5)(C) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 24-0W. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 19-44 of August 27, 2019.

Sincerely,

Michael F. Miller
Director

Enclosures:

1. Transmittal

BILLING CODE 6001-FR-C

Transmittal No. 24-0W

*REPORT OF ENHANCEMENT OR
UPGRADE OF SENSITIVITY OF
TECHNOLOGY OR CAPABILITY (SEC.
36(B)(5)(C), AECA)*

(i) *Prospective Purchaser:* Government of Denmark

(ii) *Sec. 36(b)(1), AECA Transmittal No.:* 19-44

Date: August 27, 2019

Implementing Agency: Navy

(iii) *Description:* On August 27, 2019, Congress was notified by congressional certification transmittal number 19-44 of the possible sale, under Section 36(b)(1) of the AECA, of up to nine (9) AN/AQS-22 Airborne Low Frequency Sonar (ALFS) Systems. Also included

were six hundred (600) AN/SSQ-36/53/62 Sonobuoys; spare and repair parts; support and test equipment; communication equipment; publications and technical documentation; personnel training and training equipment; United States (U.S.) Government and contractor engineering, technical, and logistics support services; and other related elements of logistical and program support. The total estimated value was \$200 million. Major Defense Equipment (MDE) constituted \$100 million of this total.

On November 20, 2019, Congress was notified by congressional certification transmittal number 1J-19, under Section 36(b)(5)(A) of the Arms Export Control Act, of the addition of the following MDE: 1) twenty (20) MK 54 All Up

Round Lightweight Torpedoes; and 2) two (2) MK 54 Exercise Torpedoes (EXTORPS) (MK 54 Kit Procurement Required). Also included were MK 54 LWT Spares; torpedo containers; Recoverable Exercise Torpedoes (REXTORP) with containers; Fleet Exercise Section (FES) and fuel tanks; air launch accessories for fixed wing; torpedo spare parts, training, publications, support, and test equipment; U.S. Government and contractor engineering, technical, and logistics support services; and other related elements of logistics and program support. The addition of these items resulted in a net increase in MDE cost of \$19 million, resulting in a revised MDE cost of \$119 million. The

total estimated case value increased to \$240 million.

This transmittal notifies the inclusion of the following additional MDE items: twelve (12) MK 54 MOD 0 Lightweight Torpedo all up rounds. The following non-MDE items will also be included: torpedo containers; Recoverable Exercise Torpedoes (REXTORP); Fleet Exercise Sections (FES) and fuel tanks; U.S. Government and contractor engineering, technical, and logistics support services; and other related elements of logistics and program support. The estimated total value of the new MDE items is \$40 million, resulting in a revised estimated MDE value of \$159 million. The estimated total value of the new non-MDE items is \$15 million, resulting in a revised non-MDE value of \$136 million. The estimated total case value will increase by \$55 million to \$295 million.

(iv) *Significance*: This notification is being provided because the additional items were not enumerated in the original notification. The proposed sale will improve Denmark's capability to meet current and future threats.

(v) *Justification*: This proposed sale will support the foreign policy goals and national security objectives of the U.S. by improving the security of a NATO

Ally that is a force for political stability and economic progress in Europe.

(vi) *Sensitivity of Technology*:

The MK 54 Lightweight Torpedo is a conventional torpedo that can be launched from surface ships, rotary and fixed wing aircrafts. The MK 54 LWT is an upgrade to the MK 46 Torpedo that entails replacement of the torpedo's sonar and guidance and control systems with modern technology. The new guidance and control system uses a mixture of commercial-off-the-shelf and custom-built electronics. The warhead, fuel tank, and propulsion system from the MK 46 torpedo are re-used in the MK 54 torpedo configuration with minor modifications.

The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

(vii) *Date Report Delivered to Congress*: October 21, 2024

[FR Doc. 2025-22601 Filed 12-11-25; 8:45 am]

BILLING CODE 6001-FR-P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 20-62]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense (DoD).

ACTION: Arms sales notice.

SUMMARY: The DoD is publishing the unclassified text of an arms sales notification.

FOR FURTHER INFORMATION CONTACT:

Urooj Zahra at (703) 695-6233, urooj.zahra.civ@mail.mil, or dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil.

SUPPLEMENTARY INFORMATION: This 36(b)(1) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104-164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives with attached Transmittal 20-62, Policy Justification, and Sensitivity of Technology.

Dated: December 9, 2025.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 6001-FR-P



DEFENSE SECURITY COOPERATION AGENCY
 2800 Defense Pentagon
 Washington, DC 20301-2800

OCT 11 2024

The Honorable Mike Johnson
 Speaker of the House
 U.S. House of Representatives
 H-209, The Capitol
 Washington, DC 20515

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 20-62 concerning the Army's proposed Letter(s) of Offer and Acceptance to the Kingdom of Saudi Arabia for defense articles and services estimated to cost \$655 million. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

Michael F. Miller
 Director

Enclosures:

1. Transmittal
2. Policy Justification
3. Sensitivity of Technology
4. Regional Balance (Classified document provided under separate cover)

BILLING CODE 6001-FR-C

Transmittal No. 20-62

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser:* Kingdom of Saudi Arabia

(ii) *Total Estimated Value:*

Major Defense Equipment *	\$653 million
Other	\$ 2 million

TOTAL \$655 million

Funding Source: National Funds

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

Major Defense Equipment (MDE):

Two Thousand Five Hundred Three (2,503) AGM-114R3 Hellfire II Missiles (3 for lot acceptance testing)

Non-MDE:

Also included are support and test

equipment; integration and test support; spare and repair parts; software delivery and support; publications and technical documentation; personnel training and training equipment; United States (U.S.) Government and contractor engineering, technical and logistics support services; storage; and other related elements of logistical and program support.

(iv) *Military Department:* Army (SR-B-WCZ)

(v) *Prior Related Cases, if any:* SR-B-WAL

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:* None

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:* See Attached Annex

(viii) *Date Report Delivered to Congress:* October 11, 2024

* as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Kingdom of Saudi Arabia—AGM-114R3 Hellfire II Missiles

The Kingdom of Saudi Arabia has requested to buy Two Thousand Five Hundred Three (2,503) AGM-114R3 Hellfire II missiles (3 for lot acceptance testing). Also included are support and test equipment; integration and test support; spare and repair parts; software delivery and support; publications and technical documentation; personnel training and training equipment; U.S. Government and contractor engineering, technical and logistics support services; storage; and other related elements of logistical and program support. The total estimated cost is \$655 million.

This proposed sale will support the foreign policy and national security of

the U.S. by helping to improve the security of a friendly country that continues to be an important force for political and economic progress in the Middle East.

The proposed sale will improve Saudi Arabia's capability to meet current and future threats and improve interoperability with systems operated by U.S. Forces and other Gulf countries. Saudi Arabia's continued investment in its defensive capabilities is crucial to protecting its borders, energy infrastructure, and its residents. Saudi Arabia will have no difficulty absorbing these missiles into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be The Lockheed Martin Corporation, Troy, AL. The purchaser typically requests offsets. Any offset agreement will be defined in negotiations between the purchaser and the contractor.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Saudi Arabia. The only additional U.S. military support required would be Technical Assistance Field Team (TAFT) visits during training phases.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 20-62

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex

Item No. vii

(vii) *Sensitivity of Technology:*

1. The AGM-114R3 Hellfire II missile is a precision strike, Semi-Active Laser (SAL)-guided missile and is the principal air-to-ground weapon for the Army. The AGM-114R3 Hellfire II missile provides the warfighter with an air-to-ground, point-target precision strike capability to defeat advanced armor and an array of traditional and nontraditional targets.

2. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

3. If a technologically advanced adversary were to obtain knowledge of the hardware and software elements, the information could be used to develop countermeasures or equivalent systems which might reduce system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that the Government of Saudi Arabia can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal are authorized

for release and export to the Kingdom of Saudi Arabia.

[FR Doc. 2025-22606 Filed 12-11-25; 8:45 am]

BILLING CODE 6001-FR-P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 21-15]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense (DoD).

ACTION: Arms sales notice.

SUMMARY: The DoD is publishing the unclassified text of an arms sales notification.

FOR FURTHER INFORMATION CONTACT:

Urooj Zahra at (703) 695-6233, urooj.zahra.civ@mail.mil, or dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil.

SUPPLEMENTARY INFORMATION: This 36(b)(1) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104-164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives with attached Transmittal 21-15, Policy Justification, and Sensitivity of Technology.

Dated: December 9, 2025.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 6001-FR-P



DEFENSE SECURITY COOPERATION AGENCY
2800 Defense Pentagon
Washington, DC 20301-2800

OCT 11 2024

The Honorable Mike Johnson
Speaker of the House
U.S. House of Representatives
H-209, The Capitol
Washington, DC 20515

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(5)(C) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 24-0A. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 15-17 of May 20, 2015.

Sincerely,

Michael F. Miller
Director

Enclosures:

1. Transmittal
2. Regional Balance (Classified document provided under separate cover)

BILLING CODE 6001-FR-C

Transmittal No. 21-15

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser:* Kingdom of Saudi Arabia

(ii) *Total Estimated Value:*

Major Defense Equipment *	\$ 9 million
Other	\$130 million

TOTAL	\$139 million
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Funding Source: National Funds

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

Major Defense Equipment (MDE):

Ten thousand (10,000) M456 Series, 105mm, High Explosive Anti-Tank Tracer Cartridges

Non-MDE:

Also included are various types of tank, howitzer, and machine gun

ammunition; propelling charges; fuzes; primers; grenades; support and test equipment; integration and test support; spare and repair parts; software delivery and support; publications and technical documentation; personnel training and training equipment; United States (U.S.) Government and contractor engineering, technical and logistics support services; storage; and other related elements of logistical and program support.

(iv) *Military Department:* Army (SR-B-UDA, SR-B-UDC)

(v) *Prior Related Cases, if any:* None
(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:* None

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:* See Attached Annex

(viii) *Date Report Delivered to Congress:* October 11, 2024

* as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Kingdom of Saudi Arabia—Ammunition for Artillery Systems, Machine Guns, and Tanks

The Kingdom of Saudi Arabia has requested to buy ten thousand (10,000) M456 series, 105mm, High Explosive Anti-Tank Tracer cartridges. Also included are various types of tank, howitzer, and machine gun ammunition; propelling charges; fuzes; primers; grenades; support and test equipment; integration and test support; spare and repair parts; software delivery and support; publications and technical documentation; personnel training and training equipment; U.S. Government and contractor engineering, technical and logistics support services; storage; and other related elements of logistical

and program support. The total estimated cost is \$139 million.

This proposed sale will support U.S. foreign policy and national security objectives by helping to improve the security of a friendly country that continues to be an important force for political stability and economic growth in the Middle East.

The proposed sale will improve Saudi Arabia's capability to meet current and future threats and improve interoperability with systems operated by U.S. Forces and other Gulf countries. Saudi Arabia's continued investment in its defense capabilities is crucial to protecting its borders, energy infrastructure, and its residents. Saudi Arabia will have no difficulty absorbing these munitions into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

This ammunition will come from a combination of U.S. Army stock and new procurement. The procurement vendors are unknown at this time. The purchaser typically requests offsets. Any offset agreement will be defined in negotiations between the purchaser and the contractor.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Saudi Arabia.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 21–15

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex

Item No. vii

(vii) *Sensitivity of Technology:*

1. The 105mm M456A2 High Explosive, Antitank Multipurpose, with Tracer, Cartridge (DODIC C508) is designed for use against armored targets and contains Composition B Explosive (an explosive consisting of castable mixtures of RDX and TNT) and a copper shaped charge liner inside a steel body. Saudi Arabia will use them in their M60A3 tanks.

2. The 155mm M795 High Explosive Projectile (DODIC D529), will be used in Saudi Arabia's M109 series howitzers. This item is employed against personnel; trucks; electronic surveillance and target acquisition devices; supply points; command and

control and communications (C3) installations; and mechanized and armored forces.

3. The 155mm M231 Propelling Charge (DODIC DA12) will be used in Saudi Arabia's M109 series howitzers. The Modular Artillery Charge System (MACS) consists of two propelling charge module types, the M231 and the M232/M232A1, and their associated packaging. The system is compatible with all current and planned 155mm field artillery weapons.

4. The 155mm M232A1 Propelling Charge (DODIC DA13), will be used in Saudi Arabia's M109 series howitzers. The Modular Artillery Charge System (MACS) consists of two propelling charge module types, the M231 and the M232/M232A1, and their associated packaging. The system is compatible with all current and planned 155mm field artillery weapons.

5. The .50 Cal M8 Armor Piercing Incendiary/M20 Armor Piercing Incendiary-Tracer, linked 4/1 (DODIC A576), is machine gun ammunition. The cartridges contain a manganese molybdenum steel core, a point filler of incendiary composition, and a lead-antimony base seal. This configuration combines the functions of an armor piercing bullet and an incendiary bullet, and is used against flammable targets and light-armored or unarmored targets, concrete shelters, and similar bullet-resisting targets. The addition of a tracer in the M20 enables the shooter to follow the projectile trajectory to make aiming corrections.

6. The M67 Fragmentation Hand Grenade (DODIC G881) is an anti-personnel munition used to supplement small arms fire against enemies in close combat.

7. The M739A1 Artillery Point Detonating/Delay Fuze (DODIC N340) will be used in Saudi Arabia's M109 series howitzers. This item is the U.S. Army's preferred, primary fuze for 105mm and 155mm projectiles to address point detonating/delay artillery functions.

8. The M82 Percussion Primer (DODIC N523) will be used in Saudi Arabia's M109 series howitzers.

9. The 120MM Insensitive Munitions High Explosive—Tracer Non-US Inventory will be used in the M1A2 tanks. Insensitive munitions are munitions that are designed to withstand stimuli representative of severe but credible accidents. The current range of stimuli are shock, heat and adjacent detonating munitions.

10. The highest level of classification of defense articles, components, and services included in this potential sale is UNCLASSIFIED.

11. If a technologically advanced adversary were to obtain knowledge of the hardware and software elements, the information could be used to develop countermeasures or equivalent systems which might reduce system effectiveness or be used in the development of a system with similar or advanced capabilities.

12. A determination has been made that the Government of Saudi Arabia can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

13. All defense articles and services listed in this transmittal are authorized for release and export to the Kingdom of Saudi Arabia.

[FR Doc. 2025–22604 Filed 12–11–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 24–0A]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense (DoD).

ACTION: Arms sales notice.

SUMMARY: The DoD is publishing the unclassified text of an arms sales notification.

FOR FURTHER INFORMATION CONTACT:

Urooj Zahra at (703) 695–6233, urooj.zahra.civ@mail.mil, or dsca.ncr.rsrgmgt.list.cns-mbx@mail.mil.

SUPPLEMENTARY INFORMATION: This 36(b)(5)(C) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives with attached Transmittal 24–0A.

Dated: December 9, 2025.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 6001–FR–P



DEFENSE SECURITY COOPERATION AGENCY

2800 Defense Pentagon
Washington, DC 20301-2800

OCT 11 2024

The Honorable Mike Johnson
Speaker of the House
U.S. House of Representatives
H-209, The Capitol
Washington, DC 20515

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(5)(C) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 24-0A. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 15-17 of May 20, 2015.

Sincerely,

Michael F. Miller
Director

Enclosures:

1. Transmittal
2. Regional Balance (Classified document provided under separate cover)

BILLING CODE 6001-FR-C

Transmittal No. 24-0A

**REPORT OF ENHANCEMENT OR
UPGRADE OF SENSITIVITY OF
TECHNOLOGY OR CAPABILITY (SEC.
36(B)(5)(C), AECA)**

(i) *Prospective Purchaser:* Kingdom of Saudi Arabia

(ii) *Sec. 36(B)(1), AECA Transmittal No.:* 15-17

Date: May 20, 2015

Implementing Agency: Navy

Funding Source: National Funds

(iii) *Description:* On May 20, 2015, Congress was notified by congressional certification transmittal number 15-17 of the possible sale, under Section 36(b)(1) of the Arms Export Control Act, of ten (10) MH-60R multi-mission helicopters with fourteen (14) APS-153(V) Multi-Mode radars (10 installed, 2 spares and 2 for testing); twenty-four T-700 GE 401 C engines (20 installed and 4 spares); twelve (12) APX-123 Identification Friend or Foe

transponders (10 installed and 2 spares); fourteen (14) AN/AAS-44C(V) Multi-Spectral Targeting Systems Forward Looking Infrared Radars (10 installed, 2 spares, and 2 for testing); twenty-six (26) Embedded Global Positioning System/Inertial Navigation Systems with Selective Availability/Anti-Spoofing Module (20 installed and 6 spares); Link-16 capability; one-thousand (1,000) AN/SSQ-36/53/62 Sonobuoys; thirty-eight (38) AGM-114R Hellfire II missiles; five (5) AGM-114 M36-E9 Captive Air Training missiles; four (4) AGM-114Q Hellfire Training Missiles; three-hundred eighty (380) Advanced Precision Kill Weapons Systems rockets; twelve (12) M-240D crew served weapons; and twelve (12) GAU-21 crew served weapons. Also included were spare engine containers, facilities study and design; spare and repair parts; support and test equipment; communication equipment; aerial refueling services; ferry support; publications and technical

documentation; personnel training and training equipment; United States (U.S.) Government and contractor engineering, technical and logistics support services; and other elements of logistical and program support. The estimated cost was \$1.90 billion. Major Defense Equipment (MDE) constituted \$1.25 billion of this total.

On September 15, 2015, Congress was notified by congressional certification transmittal number 0J-15 of the inclusion of two (2) AN/AQS-22 Airborne Low Frequency Sonar (ALFS). The AN/AQS-22 was declared Major Defense Equipment (MDE) in early June 2015, after transmittal number 15-17 was notified to Congress. Prior to this determination, the units were included in the value of the original transmittal but not enumerated or valued as MDE. Upgrading the status of this equipment to MDE resulted in an increase in MDE of \$9 million, but the total case value remained at \$1.90 billion.

On May 24, 2019, Congress was notified by congressional certification transmittal number 00–19 of the inclusion of ten (10) Link 16 Multifunctional Information Distribution System—Low Volume Terminals (MIDS–LVT) Block Upgrade Two terminals to be installed on Saudi Arabia’s MH–60R Helicopters; twenty-four (24) spare Link 16 MIDS–LVT Block Upgrade Two terminals; support equipment; engineering and technical support, training, and other related elements of program support. The total MDE value was \$10.9 million. The revised MDE total value was \$1.269 billion. The total value remained \$1.90 billion.

This transmittal notifies inclusion of the following additional MDE items: six hundred eighty-two (682) Advanced Precision Kill Weapons System (APKWS) rockets; one hundred fifty-three (153) AGM–114R Hellfire II missiles; and one (1) M240D 7.62mm machine gun. The following non-MDE items will also be included: engineering and technical support; training; and other related elements of program support. The estimated total value of the new items is \$71 million. This will result in a net increase in MDE value of \$71 million, and a revised total MDE value of \$1.34 billion. The estimated

total case value will remain \$1.90 billion.

(iv) *Significance*: This notification is being provided as the additional MDE items were not enumerated in the original notification. The proposed articles and services will support the Kingdom of Saudi Arabia by improving security in the Arabian Gulf, interoperability with U.S. forces, and the ease in conducting coordinated operations.

(v) *Justification*: This proposed sale will support the foreign policy goals and national security objectives of the U.S. by improving the security of a partner country that is a force for political stability and economic progress in the Gulf Region.

(vi) *Sensitivity of Technology*:

The Sensitivity of Technology Statement contained in the original notification applies to items reported here.

The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

(vii) Date Report Delivered to Congress: October 11, 2024

[FR Doc. 2025–22603 Filed 12–11–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 24–46]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense (DoD).

ACTION: Arms sales notice.

SUMMARY: The DoD is publishing the unclassified text of an arms sales notification.

FOR FURTHER INFORMATION CONTACT:

Urooj Zahra at (703) 695–6233, urooj.zahra.civ@mail.mil, or dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil.

SUPPLEMENTARY INFORMATION: This 36(b)(1) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives with attached Transmittal 24–46, Policy Justification, and Sensitivity of Technology.

Dated: December 9, 2025.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 6001–FR–P



DEFENSE SECURITY COOPERATION AGENCY
2800 Defense Pentagon
Washington, DC 20301-2800

OCT 11 2024

The Honorable Mike Johnson
Speaker of the House
U.S. House of Representatives
H-209, The Capitol
Washington, DC 20515

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 24-46, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Kingdom of Saudi Arabia for defense articles and services estimated to cost \$251.8 million. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

Michael F. Miller
Director

Enclosures:

1. Transmittal
2. Policy Justification
3. Sensitivity of Technology
4. Regional Balance (Classified document provided under separate cover)

BILLING CODE 6001-FR-C

Transmittal No. 24-46

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser:* Kingdom of Saudi Arabia

(ii) *Total Estimated Value:*

Major Defense Equipment *	\$192.4 million
Other	\$ 59.4 million

TOTAL \$251.8 million

Funding Source: National Funds

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

Major Defense Equipment (MDE):

Two-hundred twenty (220) AIM-9X Block II Sidewinder Tactical Missiles

Non-MDE:

Also included are missile containers; support equipment; spares; missile software; training; United States

(U.S.) Government and contractor technical assistance; and other related elements of logistics and program support.

(iv) *Military Department:* Navy (SR-P-ACD)

(v) *Prior Related Cases, if any:* None

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:* None known at this time

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:* See Attached Annex

(viii) *Date Report Delivered to Congress:* October 11, 2024

* as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Kingdom of Saudi Arabia—AIM-9X Block II Sidewinder Missiles

The Kingdom of Saudi Arabia has requested to buy two-hundred twenty

(220) AIM-9X Block II Sidewinder Tactical Missiles. Also included are missile containers; support equipment; spares; missile software; training; and U.S. Government and contractor technical assistance; and other related elements of logistics and program support. The estimated total cost is \$251.8 million.

This proposed sale will contribute to the foreign policy and national security objectives of the U.S. by ensuring the readiness of a friendly country that continues to be an important force for political stability and economic growth in the Middle East.

The proposed sale will improve the Kingdom of Saudi Arabia's capability to meet current and future threats, provide increased air defense capabilities, and support conducting self-defense and regional security missions in the Middle East. Saudi Arabia will have no

difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be RTX Corporation, located in Arlington, VA. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require the assignment of three U.S. Government and two to four contractor representatives annually to Saudi Arabia for a period of one week. However, ad hoc travel may be required for engineering and other support.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 24–46

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex

Item No. vii

(vii) *Sensitivity of Technology:*

1. The AIM–9X Block II Sidewinder Missile represents a substantial increase in performance over the AIM–9M and replaces the AIM–9X Block I Missile configuration. The missile includes a high off-boresight seeker, enhanced countermeasure rejection capability, low drag and high angle of attack airframe, and the ability to integrate the Helmet Mounted Cueing System. The

most current AIM–9X Block II Operational Flight Software developed for all International Partner countries, which is authorized by U.S.

Government export policy, provides fifth-generation infrared missile capabilities such as Lock-On-After-Launch, Weapons Data Link, Surface Attack, and Surface Launch. No software source code or algorithms will be released.

2. The highest level of classification of defense articles, components and services included in this potential sale is SECRET.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that the Kingdom of Saudi Arabia can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to the Kingdom of Saudi Arabia.

[FR Doc. 2025–22600 Filed 12–11–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 24–109]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense (DoD).

ACTION: Arms sales notice.

SUMMARY: The DoD is publishing the unclassified text of an arms sales notification.

FOR FURTHER INFORMATION CONTACT:

Urooj Zahra at (703) 695–6233, urooj.zahra.civ@mail.mil, or dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil.

SUPPLEMENTARY INFORMATION: This 36(b)(1) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives with attached Transmittal 24–109, Policy Justification, and Sensitivity of Technology.

Dated: December 9, 2025.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 6001–FR–P



DEFENSE SECURITY COOPERATION AGENCY
 2800 Defense Pentagon
 Washington, DC 20301-2800

October 7, 2024

The Honorable Mike Johnson
 Speaker of the House
 U.S. House of Representatives
 H-209, The Capitol
 Washington, DC 20515

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 24-109, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Romania for defense articles and services estimated to cost \$110 million. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,


 Michael F. Miller
 Director

Enclosures:

1. Transmittal
2. Policy Justification
3. Sensitivity of Technology

Transmittal No. 24-109

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser:* Government of Romania

(ii) *Total Estimated Value:*

Major Defense Equipment *	\$ 70 million
Other	\$ 40 million

TOTAL \$110 million

Funding Source: National Funds and Foreign Military Financing (including Ukraine Supplemental Appropriations Act funding (USAA))

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

Major Defense Equipment (MDE):

Four (4) AN/MPQ-64 F1 Sentinel radar systems

Non-Major Defense Equipment:

The following non-MDE items will also be included: IPS-250X High Assurance internet Protocol Encryptors (HAPE); KIV-77 Identification Friend-or-Foe (IFF) crypto appliqué with Mode 5 and Mode S capability; AN/PSN-13 Defense Advanced Global Positioning System (GPS) Receivers (DAGR) with Selective Availability Anti-Spoofing Module (SAASM); AN/PYQ-10 Simple Key Loaders (SKL); support equipment; spare and repair parts, consumables, accessories and repair and return support; classified software; classified command and control (C2) systems and communications and data supply systems; prime movers; new equipment training; weapon system support and test equipment; publications and technical documentation; personnel

training and training equipment; classified software; classified books and publications; United States (U.S.) Government and contractor engineering, technical, and logistics support services; and other related elements of logistics and program support.

(iv) *Military Department:* Army (RO-B-UGX)

(v) *Prior Related Cases, if any:* None

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:* None known at this time

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:* See Attached Annex

(viii) *Date Report Delivered to Congress:* October 7, 2024

* as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION**Romania—Sentinel Radar Systems**

The Government of Romania has requested to buy four (4) AN/MPQ–64 F1 Sentinel radar systems. The following non-MDE items will also be included: IPS–250X High Assurance Internet Protocol Encryptors (HAIPE); KIV–77 Identification Friend-or-Foe (IFF) crypto appliqué with Mode 5 and Mode S capability; AN/PSN–13 Defense Advanced Global Positioning System (GPS) Receivers (DAGR) with Selective Availability Anti-Spoofing Module (SAASM); AN/PYQ–10 Simple Key Loaders (SKL); support equipment; spare and repair parts, consumables, accessories and repair and return support; classified software; classified command and control (C2) systems and communications and data supply systems; prime movers; new equipment training; weapon system support and test equipment; publications and technical documentation; personnel training and training equipment; classified software; classified books and publications; U.S. Government and contractor engineering, technical, and logistics support services; and other related elements of logistics and program support. The estimated total cost is \$110 million.

This proposed sale will support the foreign policy goals and national security objectives of the United States by improving the security of a NATO Ally that is a force for political stability and economic progress in Europe.

The proposed sale will improve Romania's capability to meet current and future threats by providing a credible force that is capable of deterring adversaries and participating in NATO operations. Romania will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be RTX Corporation, located in Andover, MA. There are no known offset agreements in connection with this potential sale.

Implementation of this proposed sale will require approximately five U.S.

Government and five U.S. contractor representatives to travel to Romania for a duration of up to five years to support equipment fielding and training.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 24–109

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex

Item No. vii

(vii) *Sensitivity of Technology:*

1. The AN/MPQ–64F1 Sentinel radar's detection range, mobility and 360-degree azimuth coverage allow it to support short or medium range air defense weapons located throughout the battle area. Sentinel acquires, tracks, and reports cruise missiles, unmanned aerial systems, and fixed and rotary wing aircraft in environments with electronic countermeasures or other complex challenges. The Sentinel F1 radar provides track data and status messages to and receives commands from the Fire Distribution Center (FDC) over the Remote Radar Data Link (RRDL). The Data Link Terminal provides the hardware connection between the radar's output panel and the FDC communication media.

2. The Sentinel radar also supports target identification by means of an integrated Identification Friend-or-Foe (IFF) system. The IFF system interrogates targets and threats automatically or as directed by the operator, and the results are automatically correlated within the radar. The radar contains operational software with specific electronic counter-countermeasures capability designed to counter electronic attack.

3. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

4. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might

reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

5. A determination has been made that Romania can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This proposed sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

6. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Romania.

[FR Doc. 2025–22597 Filed 12–11–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE**Office of the Secretary**

[Transmittal No. 24–82]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense (DoD).

ACTION: Arms sales notice.

SUMMARY: The DoD is publishing the unclassified text of an arms sales notification.

FOR FURTHER INFORMATION CONTACT:

Urooj Zahra at (703) 695–6233, urooj.zahra.civ@mail.mil, or dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil.

SUPPLEMENTARY INFORMATION: This 36(b)(1) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives with attached Transmittal 24–82, Policy Justification, and Sensitivity of Technology.

Dated: December 9, 2025.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 6001–FR–P



DEFENSE SECURITY COOPERATION AGENCY

2800 Defense Pentagon
Washington, DC 20301-2800

October 16, 2024

The Honorable Mike Johnson
Speaker of the House
U.S. House of Representatives
H-209, The Capitol
Washington, DC 20515

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 24-82, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of the Netherlands for defense articles and services estimated to cost \$1.42 billion. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

Michael F. Miller
Director

Enclosures:

1. Transmittal
2. Policy Justification
3. Sensitivity of Technology

BILLING CODE 6001-FR-C

Transmittal No. 24-82

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser:* Government of the Netherlands

(ii) *Total Estimated Value:*

Major Defense Equipment *	\$0
Other	\$1.42
TOTAL	\$1.42 billion

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

Major Defense Equipment (MDE):
None

Non-Major Defense Equipment:

The following non-MDE items will be included: AN/PRC-117G radios; AN/PRC-152A radios; AN/PRC-160 radios; AN/PRC-163 radios; AN/PRC-167 radios; tactical key loaders; network encryptors; Government and contractor technical assistance; spares; and

other related elements of logistics and program support.

(iv) *Military Department:* Army (NE-B-YBW)

(v) *Prior Related Cases, if any:* None

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:* None

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:* See Attached Annex

(viii) *Date Report Delivered to Congress:* October 16, 2024

* as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

The Netherlands—Radio Equipment

The Government of the Netherlands has requested to buy the following non-Major Defense Equipment items: AN/PRC-117G radios; AN/PRC-152A radios; AN/PRC-160 radios; AN/PRC-163 radios; AN/PRC-167 radios; tactical key loaders; network encryptors; Government and contractor technical assistance; spares; and other related

elements of logistics and program support. The estimated total cost is \$1.42 billion.

This proposed sale will support the foreign policy goals and national security objectives of the United States (U.S.) by improving the security of a NATO Ally that is a force for political stability and economic progress in Europe.

The proposed sale will improve the Netherlands' military, secure communications to improve interoperability with other NATO military forces and meet current and future enemy threats. The Netherlands will use the enhanced capability to strengthen its homeland defense, deter regional threats, and provide direct support to coalition and security cooperation efforts. The Netherlands will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be L3Harris Global Communications, Inc., located in Rochester, NY. The purchaser typically requests offsets. Any offset agreement will be defined in negotiations between the purchaser and the principal contractor. Products and services of TrellisWare Technologies, Inc., located in San Diego, CA, and ViaSat, Inc., located in Carlsbad, CA are included in the Foreign Military Sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government representatives to the Netherlands.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 24–82

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex

Item No. vii

(vii) *Sensitivity of Technology:*

1. The AN/PRC–117G radios, AN/PRC–152A radios, AN/PRC–160 radios, AN/PRC–163 radios, AN/PRC–167 radios, and radio accessories are used to transmit and receive voice and data information using Type-1 encryption.

2. The highest level of classification of defense articles, components, and services included in this potential sale is UNCLASSIFIED.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that the Government of the Netherlands can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of the Netherlands.

[FR Doc. 2025–22599 Filed 12–11–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 24–0G]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense (DoD).

ACTION: Arms sales notice.

SUMMARY: The DoD is publishing the unclassified text of an arms sales notification.

FOR FURTHER INFORMATION CONTACT:

Urooj Zahra at (703) 695–6233, urooj.zahra.civ@mail.mil, or dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil.

SUPPLEMENTARY INFORMATION: This 36(b)(5)(C) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives with attached Transmittal 24–0G.

Dated: December 9, 2025.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 6001–FR–P



DEFENSE SECURITY COOPERATION AGENCY
2800 Defense Pentagon
Washington, DC 20301-2800

OCT 11 2024

The Honorable Mike Johnson
Speaker of the House
U.S. House of Representatives
H-209, The Capitol
Washington, DC 20515

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 20-62 concerning the Army's proposed Letter(s) of Offer and Acceptance to the Kingdom of Saudi Arabia for defense articles and services estimated to cost \$655 million. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

Michael F. Miller
Director

Enclosures:

1. Transmittal
2. Policy Justification
3. Sensitivity of Technology
4. Regional Balance (Classified document provided under separate cover)

BILLING CODE 6001-FR-C

Transmittal No. 24-0G

**REPORT OF ENHANCEMENT OR
UPGRADE OF SENSITIVITY OF
TECHNOLOGY OR CAPABILITY (SEC.
36(B)(5)(C), AECA)**

(i) *Prospective Purchaser:* Kingdom of Saudi Arabia

(ii) *Sec. 36(B)(1), AECA Transmittal No.:* 15-68

Date: October 19, 2015

Implementing Agency: Navy

Funding Source: National Funds

(iii) *Description:* On October 19, 2015, Congress was notified by congressional certification transmittal number 15-68 of the possible sale, under Section 36(b)(1) of the Arms Export Control Act, of a comprehensive naval modernization program referred to as the Saudi Naval Expansion Program II (SNEP- II). This 2015 notification of the next phase of that program will include Multi-Mission Surface Combatant (MMSC) ships and program office

support. The MMSC will consist of the following Major Defense Equipment (MDE): four (4) MMSC ships (a derivative of the Freedom Variant of the U.S. Navy Littoral Combat Ship (LCS) Class) that incorporate five (5) COMBATSS-21 Combat Management Systems (four (4) installed, one (1) spare) with five (5) TRS-4D Radars (four (4) installed, one (1) spare); five (5) Identification Friend or Foe (IFF) (Mode 4- and Mode 5-capable) UPX-29 (four (4) installed, one (1) spare); five (5) Compact Low Frequency Active Passive Variable Depth Sonar (four (4) installed, one (1) spare); eight (8) MK-41 Vertical Launch Systems (VLS) (two (2) eight-cell assemblies per ship for 16 cells per hull); five-hundred thirty-two (532) tactical RIM-162 Evolved Sea Sparrow Missiles (ESSM) (one hundred twenty-eight (128) installed, twenty (20) test and training rounds, three hundred eighty-four (384) spares); five (5) AN/SWG-1 (V) Harpoon Ship Command Launch Control Systems (four (4)

installed (one (1) per ship), one (1) spare); eight (8) Harpoon Shipboard Launchers (two (2) installed four-tube assemblies per ship); forty-eight (48) RGM-84 Harpoon Block II Missiles (thirty-two (32) installed, sixteen (16) test and training rounds); five (5) MK-15 Mod 31 SeaRAM Close-In Weapon System (CIWS) (four (4) installed, one (1) spare); one-hundred eighty-eight (188) RIM 116C Block II Rolling Airframe Missiles (RAM) (forty-four (44) installed, twelve (12) test and training rounds, one hundred thirty-two (132) spares); five (5) MK-75 76mm OTO Melara Gun Systems (four (4) installed, one (1) spare); and forty-eight (48) 50-caliber machine guns (forty (40) installed (ten (10) per ship), eight (8) spares); ordnance; and Selective Availability Anti-Spoofing Module (SAASM) Global Positioning System/ Precise Positioning Service (GPS/PPS) navigation equipment. Also included in this sale in support of the MMSC are: study, design and construction of

operations; support and training facilities; spare and repair parts; support and test equipment; communications equipment employing Link 16 equipment; Fire Control System/Ceros 200 Sensor and Illuminator; 20mm Narwhal Gun; Nixie AN/SLQ-25A Surface Ship Torpedo Defense System; MK-32 Surface Vessel Torpedo Tubes; WBR-2000 Electronic Support Measure and Threat Warning System; Automatic Launch of Expendables (ALEX) Chaff and Decoy-Launching System; ARC-210 Radios; Combined Enterprise Regional Information Exchange System (CENTRIXS); Automated Digital Network System; publications and technical documentation; personnel training and training equipment; U.S. Government and contractor engineering, technical and logistics support services; and other related elements of logistical and program support. In addition, this case provided overarching program office support for the SNEP II to include: U.S. Government and contractor engineering, technical and logistics support, and other related elements of program support to meet necessities for program execution. The estimated cost was \$11.25 billion. Major Defense Equipment (MDE) constituted \$4.30 billion of this total.

On May 24, 2019, Congress was notified by congressional certification transmittal number OP-19 of the inclusion of four (4) Multifunctional Information Distribution System Joint Tactical Radio Systems (MIDS JTRS) to be installed on Saudi Arabia's Multi-Mission Surface Combatant (MMSC) ships, support equipment, engineering and technical support, training, and other related elements of program support. The estimated total value remained at \$11.25 billion. The total MDE value increased by \$7 million to a revised MDE total of \$4.307 billion.

This transmittal notifies the inclusion of one hundred forty-eight (148) RGM-114-L Longbow Hellfire missiles (32 for each of 4 ships, 20 for testing); five (5) Indra Rigel Electronic Attack Systems (1 per ship, 1 for training); and sixteen (16) M240B machine guns (4 per ship) for installation on the Kingdom of Saudi Arabia's Multi-Mission Surface Combatant (MMSC) ships. Also included is engineering and technical support; training; and other related elements of logistics and program support. The estimated total case value will remain \$11.25 billion. The total MDE value will increase by \$403 million to a revised \$4.71 billion.

(iv) *Significance*: This notification is being provided as the additional MDE items were not enumerated in the original notification. The proposed sale

will support the Kingdom of Saudi Arabia with added protection in the Persian Gulf to meet current and future maritime threats. The Kingdom of Saudi Arabia intends to use the capability to support interoperability with U.S. forces and to support joint and coalition warfighting capabilities in the region.

(v) *Justification*: This proposed sale will contribute to the foreign policy and national security objectives of the United States by ensuring the readiness of a friendly country that continues to be an important force for political stability and economic growth in the Middle East.

(vi) *Sensitivity of Technology*:

Longbow Hellfire (LBHF) is a short-range, precision strike, air-to-surface missile that uses millimeter wave (MMW) radar guidance. LBHF was developed as an anti-armor weapon for helicopters. As part of the U.S. Navy's Littoral Combat Ship (LCS) program, the missile was modified to serve in a shipboard surface-to-surface role. This modified missile was adapted for use in a quad pack canister installed into the Mk-41 Vertical Launch System (VLS) for the Multi-Mission Surface Combatant (MMSC) ships.

The Indra Electronic Warfare (EW) suite will provide electronic surveillance, electronic protection, and electronic attack capabilities for the MMSC ships. The EW suite that will be installed on the MMSC ships is comprised of radar electronic support measures, which detect and identify enemy communications, and active radar electronic countermeasures, which jam and disrupt enemy radar performance and communications. The Indra EW suite will not be integrated with the ship's combat management system, will not exchange classified data, and the U.S. Navy will not provide threat library information. The EW suite is available internationally through Indra.

The M240B machine guns will provide shipboard self-defense for MMSC ships in the Arabian Gulf, helping to protect critical ports and waterways while ensuring freedom of navigation.

The Sensitivity of Technology Statement contained in the original notification applies to additional items reported here.

The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

(vii) *Date Report Delivered to Congress*: October 11, 2024

[FR Doc. 2025-22602 Filed 12-11-25; 8:45 am]

BILLING CODE 6001-FR-P

DEPARTMENT OF EDUCATION

[Docket No.: ED-2025-SCC-1076]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Request for Designation as an Eligible Institution Under Section 312 of the HEA and Waivers of the Non-Federal Cost Share Reimbursement

AGENCY: Office of Postsecondary Education (OPE), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act (PRA) of 1995, the Department is proposing an extension without change to a currently approved information collection request (ICR).

DATES: Interested persons are invited to submit comments on or before January 12, 2026.

ADDRESSES: Written comments and recommendations for proposed information collection requests should be submitted within 30 days of publication of this notice. Click on this link www.reginfo.gov/public/do/PRAMain to access the site. Find this information collection request (ICR) by selecting "Department of Education" under "Currently Under Review," then check the "Only Show ICR for Public Comment" checkbox. *Reginfo.gov* provides two links to view documents related to this information collection request. Information collection forms and instructions may be found by clicking on the "View Information Collection (IC) List" link. Supporting statements and other supporting documentation may be found by clicking on the "View Supporting Statement and Other Documents" link.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Nemeka Mason-Clerc, 202-987-1340.

SUPPLEMENTARY INFORMATION: 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: Request for Designation as an Eligible Institution Under Section 312 of the HEA and Waivers of the Non-Federal Cost Share Reimbursement.

OMB Control Number: 1840–0103.

Type of Review: Extension without change to a currently approved ICR.

Respondents/Affected Public: Private Sector; State, Local, and Tribal Governments.

Total Estimated Number of Annual Responses: 700.

Total Estimated Number of Annual Burden Hours: 4,900.

Abstract: This collection of information is necessary in order for the Secretary of Education to designate an institution of higher education eligible to apply for funding under Section 312 of the Higher Education Act of 1965, as amended. An institution must apply to the Secretary to be designated as an eligible institution.

This collection of information is gathered electronically by the Department for the purpose of determining an institution's eligibility to participate in grant programs under Section 312 of the Higher Education Act of 1965 based on its enrollment of needy students and low average Core Expenses per full-time equivalent student. This collection also allows an institution to request a waiver of certain non-Federal cost-share requirements under the Federal Work-Study Program, Federal Supplemental Educational Opportunity Grant, and Student Support Services Program.

The collection is paired with a computational exercise that results in the simultaneous publication of an Eligibility Matrix, a listing of postsecondary institutions potentially eligible to apply for grants in Institutional Service. Criteria derived from applicable legislation and regulations are applied to enrollment and financial data from Department sources to determine the eligibility of each institution for each program. Only those institutions that either do not meet the financial criteria or do not appear in the Eligibility Matrix need to go through the application process.

The results of the application process are a determination of eligibility for grant application and waiver, and updated information on institutional eligibility which is added to the Eligibility Matrix.

This collection is being submitted under the Streamlined Clearance Process for Discretionary Grant Information Collections (1894–0001). Therefore, the 30-day public comment

period notice will be the only public comment notice published for this information collection.

Brian Fu,

Program and Management Analyst, Office of the Chief Data Officer, Office of Planning, Evaluation and Policy Development.

[FR Doc. 2025–22658 Filed 12–11–25; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

[Docket Nos. 18–70–LNG, 22–167–LNG]

Change in Control: Mexico Pacific Limited LLC

AGENCY: Office of Fossil Energy and Carbon Management, Department of Energy.

ACTION: Notice of change in control.

SUMMARY: The Office of Fossil Energy and Carbon Management (FECM) of the Department of Energy (DOE) gives notice of receipt of a “Response to Request for Further Updates in Change in Control Proceeding and Fourth Supplement to March 5, 2025 CIC Notice” (Fourth Supplement) filed by Mexico Pacific Limited LLC (MXP) on November 24, 2025, among other developments. The Fourth Supplement is the latest supplement to MXP’s Change in Control (CIC) Notice filed on March 6, 2025 (CIC Notice), as discussed below, and provides additional information concerning a change in MXP’s upstream ownership. The CIC Notice and supplements, including the Fourth Supplement, were filed under the Natural Gas Act, and in accordance with DOE’s regulations and DOE’s Procedures for Changes in Control Affecting Applications and Authorizations to Import or Export Natural Gas (CIC Procedures).

DATES: Protests, motions to intervene, or notices of intervention, as applicable, and written comments are to be filed as detailed in the Public Comment Procedures section no later than 4:30 p.m., Eastern time, December 29, 2025.

ADDRESSES:

Electronic Filing by email (Strongly encouraged): fergas@hq.doe.gov.

Postal Mail, Hand Delivery, or Private Delivery Services (e.g., FedEx, UPS, etc.): U.S. Department of Energy (FE–34), Office of Regulation, Analysis, and Engagement, Office of Fossil Energy and Carbon Management, Forrestal Building, Room 3E–056, 1000 Independence Avenue SW, Washington, DC 20585.

Due to potential delays in DOE’s receipt and processing of mail sent through the U.S. Postal Service, we

encourage respondents to submit filings electronically to ensure timely receipt.

FOR FURTHER INFORMATION CONTACT:

Jennifer Wade or Peri Ulrey, U.S. Department of Energy (FE–34), Office of Regulation, Analysis, and Engagement, Office of Resource Sustainability, Office of Fossil Energy and Carbon Management, Forrestal Building, Room 3E–042, 1000 Independence Avenue SW, Washington, DC 20585, (202) 586–4749 or (202) 586–7893, jennifer.wade@hq.doe.gov or peri.ulrey@hq.doe.gov.

Cassandra Bernstein, U.S. Department of Energy (GC–76), Office of the Assistant General Counsel for Energy Delivery and Resilience, Forrestal Building, Room 6D–033, 1000 Independence Avenue SW, Washington, DC 20585, (240) 780–1691, cassandra.bernstein@hq.doe.gov.

SUPPLEMENTARY INFORMATION:¹

This CIC proceeding commenced on March 6, 2025, when MXP filed the CIC Notice,² followed by a supplement (First Supplement)³ on March 21, 2025. The CIC Notice references Mexico Pacific Holdings, L.P. (MXP Holdings)—the entity that owns MXP and is now known as Mexico Pacific Holdings, LLC, as described below.

On May 7, 2025, DOE published notice of both the CIC Notice and the First Supplement in the **Federal Register**.⁴ In response to this notice, DOE received a pleading jointly filed by Public Citizen, Inc., Natural Resources Defense Council (NRDC), and Sierra Club, in which these organizations protested the CIC Notice and Supplement and, as to NRDC and Sierra Club, moved to intervene in the CIC proceeding.⁵

On May 30, 2025, in a “Second Supplement to CIC Notice Submitted March 5, 2025,”⁶ MXP informed DOE

¹ For all documents filed as part of this CIC proceeding, please see Docket Nos. 18–70–LNG and 22–167–LNG.

² Mexico Pacific Limited LLC, Notice of Change in Control, Docket Nos. 18–70–LNG and 22–167–LNG (Mar. 6, 2025) [hereinafter CIC Notice]. Because DOE received the CIC Notice after the close of business on March 5, 2025, it was date-stamped and docketed by DOE on March 6, 2025. However, MXP references the CIC Notice as “submitted March 5, 2025” throughout its documents.

³ Mexico Pacific Limited LLC, Supplement Describing Changes in Equity Ownership that Preceded Changes in Control Described in CIC Notice Submitted March 5, 2025, Docket Nos. 18–70–LNG and 22–167–LNG (Mar. 21, 2025).

⁴ U.S. Dep’t of Energy, Change in Control: Mexico Pacific Limited LLC; Notice of Change in Control, 90 FR 19288 (May 7, 2025).

⁵ Public Citizen, *et al.*, Protest of Public Citizen, Inc., Natural Resources Defense Council and Sierra Club, and Intervention of Natural Resources Defense Council and Sierra Club, Docket Nos. 18–70–LNG and 22–167–LNG (May 22, 2025).

⁶ Mexico Pacific Limited LLC, Second Supplement to March 5, 2025 CIC Notice, Docket Nos. 18–70–LNG and 22–167–LNG (May 30, 2025).

that “multiple new investors are expected to be admitted to MXP Holdings.”⁷

On August 8, 2025, MXP submitted a “Third Supplement to March 5, 2025 CIC Notice” (Third Supplement)⁸ in which it notified DOE of the following changes, effective as of July 9, 2025:

(i) MXP Holdings converted its form of organization from a Delaware limited partnership (Mexico Pacific Holdings, L.P.) to a Delaware limited liability company named Mexico Pacific Holdings, LLC;

(ii) The then sole member and manager of MXP Holdings, Mexico Pacific Holdings GP, LLC (a Delaware limited liability company), with 70% economic interest in MXP Holdings, was renamed Windsor Cliff Sponsor, LLC (Windsor Cliff Sponsor); and

(iii) Three investors—two Florida limited liability companies and an individual—each acquired a 10% economic interest in MXP Holdings.⁹

On October 29, 2025, DOE sent MXP a “Request for Information in Change of Control Proceeding” (Request for Information),¹⁰ in which DOE asked MXP to provide additional information regarding the identity of the three minority investors referenced in the Third Supplement.

On November 24, 2025, MXP submitted the Fourth Supplement.¹¹ In the Fourth Supplement, MXP stated that it is responding to DOE’s Request for Information and “provid[ing] a further supplement to MXP’s March 5, 2025 CIC Notice.”¹² Specifically, MXP stated that, since its submission of its Third Supplement, “one of the three owners of a ten percent (10%) economic interest in MXP Holdings has assigned that minority interest to an Ontario limited partnership.”¹³ Thus, following the completion of the assignment of a 10% economic interest in MXP Holdings, the three minority investors in MXP

Holdings, each holding a 10% economic interest, are now:

- LDM Strategic Holdings, LLC, a Florida limited liability company;
- Avila Blue, LLC, a Florida limited liability company; and
- Sonvapor LP, an Ontario, Canada, limited partnership.¹⁴

MXP stated that there are no affiliations among these entities beyond their minority interest in MXP Holdings.

Additional details can be found in MXP’s filings available on the DOE website at <https://www.energy.gov/fecm/mexico-pacific-limited-llc-mpl-fedkt-no-18-70-lng> (Docket No. 18–70–LNG) and <https://www.energy.gov/fecm/articles/mexico-pacific-limited-llc-mpl-fecm-docket-no-22-167-lng> (Docket No. 22–167–LNG).

DOE Evaluation

In accordance with DOE’s CIC Procedures,¹⁵ DOE will review the CIC Notice, as supplemented through the Fourth Supplement, showing that MXP Holdings’ ownership is now: (i) Windsor Cliff Sponsor holding 70% of the membership interest in MXP Holdings, and (ii) the three minority investors identified above each holding a 10% economic interest in MXP Holdings (30% total).¹⁶ MXP Holdings, in turn, continues to own 100% of MXP, the DOE authorization holder.¹⁷

Consistent with the CIC Procedures, this notice addresses MXP’s existing authorization to export liquefied natural gas (LNG) to countries with which the United States has not entered into a free trade agreement (FTA) requiring national treatment for trade in natural gas and with which trade is not prohibited by United States law or policy (non-FTA countries), granted in DOE/FE Order No. 4312, as amended.¹⁸

¹⁴ *Id.* Due to the foreign economic interests resulting from the Transaction, MXP’s change in control may require the approval of the Committee on Foreign Investment in the United States (CFIUS). DOE expresses no opinion regarding the need for review by CFIUS. Additional information may be obtained at: <https://home.treasury.gov/policy-issues/international/the-committee-on-foreign-investment-in-the-united-states-cfius>.

¹⁵ U.S. Dep’t of Energy, Procedures for Changes in Control Affecting Applications and Authorizations to Import or Export Natural Gas, 79 FR 65541 (Nov. 5, 2014) [hereinafter *CIC Procedures*].

¹⁶ See Fourth Supp. at 2.

¹⁷ See Third Supp. at 3 (stating that “MXP Holdings still controls MXP, the export authorization holder and applicant, and MXP Holdings is still controlled by its former sole member, now known as Windsor Cliff Sponsor”) and Appendix A.

¹⁸ MXP’s CIC Notice and Supplements also apply to: (1) MXP’s existing authorizations to export LNG to FTA countries in Docket Nos. 18–70–LNG and 22–167–LNG, and (2) MXP’s pending application to export LNG to non-FTA countries in Docket No. 22–167–LNG. DOE will respond to those portions of the

If no interested person protests the change in control and DOE takes no action on its own motion, the proposed change in control will be deemed granted 30 days after publication in the **Federal Register**. If one or more protests are submitted, DOE will review any motions to intervene, protests, and answers, and will issue a determination as to whether the proposed change in control has been demonstrated to render the underlying authorizations inconsistent with the public interest.

Public Comment Procedures

Interested persons will be provided 15 days from the date of publication of this notice in the **Federal Register** to move to intervene, protest, and answer CIC Notice, as supplemented through the Fourth Supplement.¹⁹ Protests, motions to intervene, notices of intervention, and written comments are invited in response to this notice only as to the change in control described in the CIC Notice, as supplemented through the Fourth Supplement. All protests, comments, motions to intervene, or notices of intervention must meet the requirements specified by DOE’s regulations in 10 CFR part 590, including the service requirements.

Filings may be submitted using one of the following methods:

(1) Submitting the filing electronically at fergas@hq.doe.gov;

(2) Mailing the filing to the Office of Regulation, Analysis, and Engagement at the address listed in the **ADDRESSES** section; or

(3) Hand delivering the filing to the Office of Regulation, Analysis, and Engagement at the address listed in the **ADDRESSES** section.

For administrative efficiency, DOE prefers filings to be filed electronically. All filings must include a reference to “Docket Nos. 18–70–LNG, *et al.*” or “Mexico Pacific Limited LLC Change in Control” in the title line. Filings must be submitted in English to be considered.²⁰

For electronic submissions: Please include all related documents and attachments (*e.g.*, exhibits) in the original email correspondence. Please do not include any active hyperlinks or password protection in any of the documents or attachments related to the filing. All electronic filings submitted to DOE must follow these guidelines to

CIC Notice, as supplemented, separately pursuant to the CIC Procedures, 79 FR at 65542.

¹⁹ Intervention, if granted, would constitute intervention only in the change in control portion of these proceedings, as described herein.

²⁰ Executive Order 14224 of March 1, 2025, *Designating English as the Official Language of the United States*, 90 FR 11363 (Mar. 6, 2025).

⁷ *Id.* at 3.

⁸ Mexico Pacific Limited LLC, Third Supplement to March 5, 2025 CIC Notice, Docket Nos. 18–70–LNG and 22–167–LNG (Aug. 8, 2025) [hereinafter Third Supp.].

⁹ *Id.* at 3. As Exhibit A to the Third Supplement, MXP provided a diagram depicting its ownership following the July 9, 2025 admission of new investors and related changes.

¹⁰ Ltr. from Amy Sweeney, DOE/FECM, to James F. Bowe, Jr., Counsel for MXP, Docket Nos. 18–70–LNG and 22–167–LNG, re: Request for Information in Change of Control Proceeding (Oct. 29, 2025).

¹¹ Mexico Pacific Limited LLC, Response to Request for Further Updates in Change in Control Proceeding and Fourth Supplement to March 5, 2025 CIC Notice, Docket Nos. 18–70–LNG and 22–167–LNG (Nov. 24, 2025) [hereinafter Fourth Supp.].

¹² *Id.* at 2.

¹³ *Id.*

ensure that all documents are filed in a timely manner.

MXP's filings in this CIC proceeding, and any filed protests, motions to intervene, notices of intervention, and comments, will be available electronically on the DOE website at www.energy.gov/fecm/regulation.

Signed in Washington, DC, on December 9, 2025.

Amy Sweeney,

Director, Office of Regulation, Analysis, and Engagement, Office of Resource Sustainability.

[FR Doc. 2025–22638 Filed 12–11–25; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Agency Information Collection Extension

AGENCY: U.S. Department of Energy.

ACTION: Notice of request for comments.

SUMMARY: The Department of Energy (DOE) has submitted an information collection request to the OMB for extension under the provisions of the Paperwork Reduction Act of 1995. The information collection requests a three-year extension of its ARRA Financing Program Annual Report, OMB Control Number 1910–5150.

DATES: Comments regarding this proposed information collection must be received on or before January 12, 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:

Adam Guzzo, Program Manager, Office of State and Community Energy Programs; 1000 Independence Ave. SW, Washington, DC 20585; (202) 258–6766; EECBG@hq.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.*: 1910–5150;

(2) *Information Collection Request Titled*: ARRA Financing Program Annual Report;

(3) *Type of Review*: Extension;

(4) *Purpose*: DOE requires the collection of information for the revolving loan fund activities under grants awarded by the Energy Efficiency and Conservation Block Grant (EECBG) Program (funded by the American Recovery and Reinvestment Act of 2009). These annual reports are necessary to ensure continued compliance with the terms and conditions of the grant awards. The information collected is used by DOE program staff to track the recipients' activities, monitor their progress, and provide oversight for financing program expenditures and the repurposing of funds. The collected information also enables program staff to provide required or requested information on program activities to OMB, Congress, and the public. The respondents are 60 remaining active financing program entities;

(5) *Annual Estimated Number of Respondents*: 60;

(6) *Annual Estimated Number of Total Responses*: 60;

(7) *Annual Estimated Number of Burden Hours*: 180;

(8) *Annual Estimated Reporting and Recordkeeping Cost Burden*: \$10,829.

Statutory Authority: DOE requires the collection of information for the Energy Efficiency and Conservation Block Grant (EECBG) Program, as set forth in the Energy Independence and Security Act of 2007 (EISA) (Pub. L. 110–140). This collection also meets OMB requirements for: (1) administration of American Recovery and Reinvestment Act of 2009 (ARRA or Recovery Act) (Pub. L. 111–5) Financing programs created as part of the EECBG formula and competitive grants; and (2) ARRA funds. The EECBG is authorized under the Energy Policy and Conservation Act (EPCA), as amended (42 U.S.C. 6321 *et seq.* and 17151 *et seq.*).

Signing Authority

This document of the Department of Energy was signed on December 9, 2025, by Eric Mahroum, Director, Office of State and Community Energy Programs, pursuant to delegated authority from the Acting Under 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 10, 2025.

Jennifer Hartzell,

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

[FR Doc. 2025–22665 Filed 12–11–25; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the commission received the following accounting Request filings:

Filings Instituting Proceedings

Docket Numbers: AC26–11–000.

Applicants: Stingray Pipeline Company, L.L.C.

Description: Stingray Pipeline Company, L.L.C. submits accounting entries related to the abandonment by sale to Triton Gathering LLC certain onshore/offshore facilities and Mainline Facilities Abandonments.

Filed Date: 12/8/25.

Accession Number: 20251208–5230.

Comment Date: 5 p.m. ET 12/29/25.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

The filings are accessible in the Commission's eLibrary system (<https://elibrary.ferc.gov/idmws/search/>)

fercgensearch.asp) by querying the docket number.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502-6595 or *OPP@ferc.gov*.

Dated: December 9, 2025.

Carlos D. Clay,
Deputy Secretary.

[FR Doc. 2025-22645 Filed 12-11-25; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #2

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings in Existing Proceedings

Docket Numbers: PR26-2-001.
Applicants: Bull Run Pipeline LLC.
Description: § 284.123(g) Rate Filing: Amendment to Statement of Operating Conditions to be effective 9/26/2025.
Filed Date: 12/8/25.
Accession Number: 20251208-5233.
Comment Date: 5 p.m. ET 12/29/25.
Docket Numbers: PR26-3-001.
Applicants: Buffalo Run Pipeline LLC.
Description: § 284.123(g) Rate Filing: Amendment to Statement of Operating Conditions to be effective 9/26/2025.
Filed Date: 12/8/25.
Accession Number: 20251208-5239.
Comment Date: 5 p.m. ET 12/29/25.

Any person desiring to protest in any the above proceedings must file in accordance with Rule 211 of the Commission's Regulations (18 CFR 385.211) on or before 5:00 p.m. Eastern time on the specified comment date.

The filings are accessible in the Commission's eLibrary system (<https://elibrary.ferc.gov/idmws/search/fercgensearch.asp>) by querying the docket number.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or *OPP@ferc.gov*.

Dated: December 9, 2025.

Carlos D. Clay,
Deputy Secretary.

[FR Doc. 2025-22644 Filed 12-11-25; 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 Complaints and Compliance filings in EL Dockets:

Docket Numbers: EL26-32-000.
Applicants: Santa Paula Energy Storage, LLC, et al. v. Southern California Edison Co.
Description: Complaint of Santa Paula Energy Storage, LLC, et al. v. Southern California Edison Co.
Filed Date: 12/8/25.
Accession Number: 20251208-5334.
Comment Date: 5 p.m. ET 1/7/26.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER14-199-006.
Applicants: Lakewood Cogeneration, L.P.
Description: Compliance filing: Settlement Compliance Filing to be effective 11/29/2024.
Filed Date: 12/8/25.
Accession Number: 20251208-5321.
Comment Date: 5 p.m. ET 12/29/25.
Docket Numbers: ER14-1480-005.
Applicants: KMC Thermo, LLC.
Description: Compliance filing: Informational Filing Pursuant to Schedule 2 of the PJM OATT to be effective N/A.
Filed Date: 12/8/25.
Accession Number: 20251208-5341.
Comment Date: 5 p.m. ET 12/29/25.
Docket Numbers: ER17-998-000.
Applicants: DATC Path 15, LLC.
Description: Refund Report: Refund Report Compliance Filing to be effective N/A.
Filed Date: 12/8/25.
Accession Number: 20251208-5306.
Comment Date: 5 p.m. ET 12/29/25.
Docket Numbers: ER20-1863-008.
Applicants: Ingenco Wholesale Power, L.L.C.
Description: Refund Report: Refund Report to be effective N/A.
Filed Date: 12/9/25.

Accession Number: 20251209-5163.
Comment Date: 5 p.m. ET 12/30/25.

Docket Numbers: ER20-2452-013.
Applicants: Hamilton Liberty LLC.
Description: Compliance filing: Settlement Compliance Filing to be effective 12/3/2024.
Filed Date: 12/8/25.

Accession Number: 20251208-5328.
Comment Date: 5 p.m. ET 12/29/25.

Docket Numbers: ER20-2453-014.
Applicants: Hamilton Patriot LLC.
Description: Compliance filing: Settlement Compliance Filing to be effective 12/3/2024.
Filed Date: 12/8/25.

Accession Number: 20251208-5347.
Comment Date: 5 p.m. ET 12/29/25.

Docket Numbers: ER23-2760-001; ER23-2760-002.

Applicants: Omnis Pleasants, LLC.
Description: Notice of Change in Status and Supplement to Prior Filing of Omnis Pleasants, LLC.
Filed Date: 12/8/25.

Accession Number: 20251208-5368.
Comment Date: 5 p.m. ET 12/29/25.

Docket Numbers: ER26-336-001.
Applicants: San Diego Gas & Electric.
Description: Tariff Amendment: 2026 TRBAA Update (Amended) to be effective 1/1/2026.
Filed Date: 12/9/25.

Accession Number: 20251209-5144.
Comment Date: 5 p.m. ET 12/30/25.

Docket Numbers: ER26-458-001.
Applicants: Pediment BESS I LLC.
Description: Tariff Amendment: Supplemental Response to be effective 1/6/2026.
Filed Date: 12/8/25.

Accession Number: 20251208-5323.
Comment Date: 5 p.m. ET 12/18/25.

Docket Numbers: ER26-658-000.
Applicants: Pacific Gas and Electric Company.

Description: Informational Filing of 2026 Formula Rate Annual Update of Pacific Gas and Electric Company.
Filed Date: 12/1/25.

Accession Number: 20251201-5801.
Comment Date: 5 p.m. ET 12/22/25.

Docket Numbers: ER26-667-000.
Applicants: Midcontinent Independent System Operator, Inc.
Description: § 205(d) Rate Filing: 2025-12-05 SA 1390 MMPA-NSP 1st Rev GIA (G173 E0023) to be effective 11/25/2025.
Filed Date: 12/5/25.

Accession Number: 20251205-5078.
Comment Date: 5 p.m. ET 12/26/25.

Docket Numbers: ER26-699-000.
Applicants: Tri-State Generation and Transmission Association, Inc.

Description: § 205(d) Rate Filing: Initial Filing of Service Agreement

FERC No. 931 to be effective 12/31/9998.

Filed Date: 12/8/25.

Accession Number: 20251208–5318.

Comment Date: 5 p.m. ET 12/29/25.

Docket Numbers: ER26–700–000.

Applicants: Midcontinent

Independent System Operator, Inc.

Description: § 205(d) Rate Filing:

2025–12–09_SA 4608 Entergy Mississippi-Entergy Mississippi GIA (J4146) to be effective 12/1/2025.

Filed Date: 12/9/25.

Accession Number: 20251209–5049.

Comment Date: 5 p.m. ET 12/30/25.

Docket Numbers: ER26–701–000.

Applicants: American Transmission Systems, Incorporated.

Description: § 205(d) Rate Filing: ATSI submits an Amended IA—SA No. 3992 to be effective 2/9/2026.

Filed Date: 12/9/25.

Accession Number: 20251209–5064.

Comment Date: 5 p.m. ET 12/30/25.

Docket Numbers: ER26–702–000.

Applicants: Mid-Atlantic Interstate Transmission, LLC.

Description: § 205(d) Rate Filing: MAIT submits Amended IA, SA No. 4578 to be effective 2/9/2026.

Filed Date: 12/9/25.

Accession Number: 20251209–5066.

Comment Date: 5 p.m. ET 12/30/25.

Docket Numbers: ER26–703–000.

Applicants: Massachusetts Electric Company.

Description: Massachusetts Electric Company (MECO) submits Notice of Cancellation of the Service Agreement between MECO and The Narragansett Electric Company under MECO's Borderline Sales Tariff, FERC Electric Tariff, Volume No. 1.

Filed Date: 12/5/25.

Accession Number: 20251205–5357.

Comment Date: 5 p.m. ET 12/26/25.

Docket Numbers: ER26–704–000.

Applicants: California Independent System Operator Corporation.

Description: Compliance filing: 2025–12–05 Tariff Amendment to Comply with Order No. 1920 to be effective 2/1/2027.

Filed Date: 12/9/25.

Accession Number: 20251209–5106.

Comment Date: 5 p.m. ET 12/30/25.

Docket Numbers: ER26–705–000.

Applicants: Duke Energy Florida, LLC, Duke Energy Carolinas, LLC.

Description: § 205(d) Rate Filing: Duke Energy Carolinas, LLC submits tariff filing per 35.13(a)(2)(iii): DEF—Gen Replacement and Provisional Interconnection Service Revisions to ATT J to be effective 2/8/2026.

Filed Date: 12/9/25.

Accession Number: 20251209–5116.

Comment Date: 5 p.m. ET 12/30/25.

Docket Numbers: ER26–706–000.

Applicants: Duke Energy Florida, LLC.

Description: § 205(d) Rate Filing: DEF-Excel Generation Replacement Coordinator Agreement to be effective 2/8/2026.

Filed Date: 12/9/25.

Accession Number: 20251209–5128.

Comment Date: 5 p.m. ET 12/30/25.

The filings are accessible in the Commission's eLibrary system (<https://elibrary.ferc.gov/idmws/search/fercgensearch.asp>) by querying the docket number.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502–6595 or OPP@ferc.gov.

Dated: December 9, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–22646 Filed 12–11–25; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL OPRM–FAD–201]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information 202–993–3272 or <https://www.epa.gov/nepa>. Weekly receipt of Environmental Impact Statements (EIS)

Filed December 1, 2025 10 a.m. EST Through December 8, 2025 10 a.m. EST

Pursuant to CEQ Guidance on 42 U.S.C. 4332.

Notice: Section 309(a) of the Clean Air Act requires that EPA make public its

comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: <https://cdxapps.epa.gov/cdx-enepa-II/public/action/eis/search>.

EIS No. 20250169, Draft, BR, CA, Del Puerto Canyon Reservoir, Comment Period Ends: 01/12/2026, Contact: Allison Jacobson 916–978–5075.

Amended Notice:

EIS No. 20250167, Draft Supplement, NHTSA, REG, Draft Supplemental Environmental Impact Statement Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule III for Model Years 2022 to 2031 Passenger Cars and Light Trucks, Comment Period Ends: 01/20/2026, Contact: Joseph Bayer 888–327–4236. Revision to FR Notice Published 12/5/2025; Added Comment Period Due Date January 20, 2026.

Dated: December 8, 2025.

Nancy Abrams,

Deputy Director, Federal Activities Division.

[FR Doc. 2025–22652 Filed 12–11–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2025–0049; FRL–13123–01–OMS]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Bilingual Pesticide Labeling Tracking (New)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) has submitted the following information collection request (ICR), Bilingual Pesticide Labeling (EPA ICR Number 7795.01, OMB Control Number 2070–NEW) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act. Public comments were previously requested via the **Federal Register** on July 21, 2025. This notice allows for an additional 30 days for public comments.

DATES: Comments must be received on or before January 12, 2026.

ADDRESSES: Submit your comments, referencing Docket ID Number EPA–HQ–OPP–2025–0049, to EPA online using www.regulations.gov (our preferred method) or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW, Washington, DC 20460.

EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

Submit written comments and recommendations to OMB for the proposed information collection within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function.

FOR FURTHER INFORMATION CONTACT:

Carolyn Siu, Office of Critical Mission Operations (Mail Code 7602M), Office of Chemical Safety and Pollution Prevention, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; telephone number: (202) 566-1205; email address: siu.carolyn@epa.gov.

SUPPLEMENTARY INFORMATION: This is a request for approval of a new collection. An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

Public comments were previously requested via the **Federal Register** on July 21, 2025, during a 60-day comment period (90 FR 34269). This notice allows for an additional 30 days for public comments. Supporting documents, which explain in detail the information that the EPA will be collecting, are available in the public docket for this ICR. The docket can be viewed online at www.regulations.gov or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave. NW, Washington, DC. The telephone number for the Docket Center is 202-566-1744. For additional information about EPA's public docket, visit <http://www.epa.gov/dockets>.

Abstract: This is a new information collection activity that covers the paperwork burden for tracking the adoption of bilingual labeling of pesticide products. This ICR was developed as part of a requirement by the Pesticide Registration Improvement Act (PRIA). PRIA was enacted in 2004 and established a new system for registering pesticides including fees and guaranteed decision times, along with funding for farmworker protection activities. PRIA was reauthorized in 2007, 2012, 2019, and most recently on December 29, 2022 (PRIA 5). PRIA 5

amended the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) to require bilingual language translation for parts of the end-use pesticide product labels where translation is available in the EPA Spanish Translation Guide for Pesticide Labeling (or the Spanish Translation Guide). PRIA 5 requires that each registered pesticide product released for shipment include either the bilingual language translation for parts of the labeling contained in EPA's Spanish Translation Guide on the pesticide product container, or a link to such translation via scannable technology or other electronic methods readily accessible on the product label. Currently, bilingual labeling is implemented through a non-notification process (see PR Notice 98-10, entitled "Notifications, Non-Notifications and Minor Formulation Amendments" dated October 22, 1998). The non-notification process means that a product label may be updated with Spanish translations without notifying EPA (or EPA reviewing the label), if that is the only change being made to the label. Non-notification label changes are not systematically tracked by EPA. However, PRIA 5 also requires EPA to "develop and implement, and make publicly available, a plan for tracking the adoption of the bilingual labeling." In response, EPA has developed a plan for tracking the adoption of the bilingual labeling. Public comments were originally requested on the draft plan during a 30-day comment period beginning on January 2, 2025 (90 FR 99 (FRL-12231-01)).

In addition to the ICR, EPA is publishing a final Pesticide Registration Notice (PRN), "*Establishment of a Plan to Track the Adoption of Bilingual Labeling on End Use Pesticide Product Labels*", which provides guidance and clarification to pesticide registrants and the public on how the Agency will track the adoption of bilingual labeling. While the requirements in the FIFRA and EPA regulations are binding on EPA and applicants, the PRN is not binding on EPA personnel, pesticide registrants and applicants, or the public. EPA may depart from the guidance where circumstances warrant and without prior notice. Likewise, pesticide applicants may assert that the guidance is not appropriate generally or not applicable to a specific pesticide product or registration decision. Registrants and applicants may propose alternatives to the guidance provided in any application to the Agency.

Form number: PFN-8500-31.

Respondents/affected entities: Entities potentially affected by this ICR include pesticide importers, pesticide

manufacturers and government establishments responsible for agricultural pest and weed regulation.

Respondent's obligation to respond: Mandatory. 40 CFR 152.

Estimated number of potential respondents: 1,517.

Frequency of response: Annually.

Total estimated burden: 27,784 hours (per year). Burden is defined at 5 CFR 1320.3(b).

Total estimated costs: \$3,648,965 (per year), which includes \$0 annualized capital or operation & maintenance costs.

Changes in the estimates: This is a new collection.

Courtney Kerwin,

Deputy Director, Data and Enterprise Programs Division.

[FR Doc. 2025-22589 Filed 12-11-25; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-0093; FR ID 321473]

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 10, 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: 3060–0093.

Title: FCC Form 405—Application for Experimental Licensing Systems (ELS).
Form No.: FCC Form 405.

Type of Review: Extension of a currently approved collection.

Respondents: Individuals or households, business or other for-profit, not-for-profit institutions and state, local or tribal government.

Number of Respondents and Responses: 520 respondents and 520 responses.

Estimated Time per Response: 2.25 hours.

Frequency of Response: On occasion, and every two year reporting requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection (IC) is contained in sections 4(i), 301, 302, 303(e), 303(f), and 303(r), of the Communications Act of 1934, as amended; 47 U.S.C. 154(i), 301, 302, 303(e), 303(f) and 303(r).

Total Annual Burden: 1,170 hours.

Total Annual Cost: \$215,800.

Needs and Uses: This collection will be submitted as an extension after this 60 day comment period in order to obtain the full three year clearance from the OMB. Additionally, a title change to “FCC Form 405—Application for Experimental Licensing Systems (ELS)”.

FCC Form 405 is used by the Experimental Radio Service to apply for renewal of radio station licenses at the FCC. Section 307 of the Communications Act of 1934, as amended, limits the term of radio licenses to five years and requires that written applications be submitted for renewal. The regular license period for stations in the Experimental Radio Service is either two or five years.

The information submitted on FCC Form 405 is used by the Commission staff to evaluate the applicant/licensee’s need for a license renewal. In performing this function, staff performs analysis of the renewal request as compared to the original license grant to ascertain if any changes are requested. If so, additional analysis is performed to determine if such changes met the requirements of the rules of the Experimental Radio Service for interference free operation. If needed, the collected information is used to coordinate such operation with other Commission bureaus or other Federal Agencies. All applications are also analyzed on their merits regarding whether they meet the general requirements for an Experimental license. These requirements are set out in 47 CFR part 5.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2025–22685 Filed 12–11–25; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0760; FR ID 321817]

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 10, 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: 3060–0760.

Title: 272 Sunset Order, WC Docket No. 06–120; Access Charge Reform, CC Docket No. 96–262, First Report and Order; Second Order on Reconsideration and Memorandum Opinion and Order; and Fifth Report and Order; Business Data Services Report and Order, WC Docket No. 16–143 *et al.*

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit.

Number of Respondents and Responses: 13 respondents; 66 responses.

Estimated Time per Response: 3–80 hours.

Frequency of Response: On-occasion reporting requirements and third-party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. 1, 4(i)–(j), 201–205, and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i)–(j), 201–205, and 303(r).

Total Annual Burden: 1,256 hours.

Total Annual Cost: \$68,640.

Needs and Uses: On April 28, 2017, the Commission released the *Business Data Services Order*, WC Docket No. 16–143 *et al.*, FCC 17–43, reforming the business data services/special access regulations for incumbent and competitive LECs. The Commission’s reforms included replacing the application-based pricing flexibility

rules with a new framework under which: (a) packet-based services, time division multiplexing (TDM) services with bandwidth greater than 45 mbps, and TDM transport services are not subject to ex ante pricing regulation; (b) a new standard is applied to determine the extent to which the Commission regulates price cap LECs' TDM end user channel terminations with bandwidth less than 45 mbps and certain other low bandwidth business data services. Under this standard, a price cap LEC is not subject to ex ante pricing regulation in the provision of these services in counties deemed competitive under the Commission's competitive market test or for which the price cap LEC previously obtained Phase II pricing flexibility; (c) the price cap LEC is subject to ex ante pricing regulation in other counties where it is the incumbent LEC, but in these counties the price cap LEC has downward pricing flexibility (*i.e.*, the equivalent of Phase I pricing flexibility under the prior rules); and (d) the Commission will update the competitive market test results every three years using data already collected in FCC Form 477.

Among other rules changes, the *Business Data Services Report and Order* repealed section 1.774, which set forth requirements for pricing flexibility applications, and added section 1.776, which limits the circumstances under which price cap LECs must file their business data services contracts as contract-based tariffs. The Commission also amended section 69.701 of its rules to specify that its pricing flexibility rules no longer apply to business data services.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2025–22686 Filed 12–11–25; 8:45 am]

BILLING CODE 6712–01–P

OFFICE OF MANAGEMENT AND BUDGET

Office of Federal Procurement Policy

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000–0095; Docket No. 2025–0087; Sequence No. 1]

Information Collection; Federal Acquisition Regulation Part 27 Requirements

AGENCY: Office of Federal Procurement Policy (OFPP), Office of Management and Budget (OMB); Department of Defense (DOD); General Services Administration (GSA); and National Aeronautics and Space Administration (NASA).

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 and OMB regulations, OFPP, DoD, GSA, and NASA invite the public to comment on an extension concerning Federal Acquisition Regulation part 27 requirements. OFPP, DoD, GSA, and NASA invite comments on: whether the proposed collection of information is necessary for the proper performance of the functions of Federal Government acquisitions, including whether the information will have practical utility; the accuracy of the estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including the use of automated collection techniques or other forms of information technology. OMB has approved this information collection for use through February 28, 2026. OFPP, DoD, GSA, and NASA propose that OMB extend its approval for use for three additional years beyond the current expiration date.

DATES: OFPP, DoD, GSA, and NASA will consider all comments received by February 10, 2026.

ADDRESSES: OFPP, DoD, GSA, and NASA invite interested persons to submit comments on this collection through <https://www.regulations.gov> and follow the instructions on the site. This website provides the ability to type short comments directly into the comment field or attach a file for lengthier comments. If there are

difficulties submitting comments, contact the GSA Regulatory Secretariat Division at 202–501–4755 or GSARegSec@gsa.gov.

Instructions: All items submitted must cite OMB Control No. 9000–0095, Federal Acquisition Regulation Part 27 Requirements. Comments received generally will be posted without change to <https://www.regulations.gov>, including any personal and/or business confidential information provided. To confirm receipt of your comment(s), please check www.regulations.gov, approximately two-to-three days after submission to verify posting.

FOR FURTHER INFORMATION CONTACT: FARPolicy@gsa.gov or call 202–969–4075.

SUPPLEMENTARY INFORMATION:

A. OMB Control Number, Title, and any Associated Form(s)

9000–0095, Federal Acquisition Regulation Part 27 Requirements

B. Need and Uses

This clearance covers the following information that offerors and contractors must submit in response to the requirements of the provisions and clauses in the Federal Acquisition Regulation (FAR) part 27, as codified in Chapter 1 of Title 48 of the Code of Federal Regulations:

FAR 52.227–2, Notice and Assistance Regarding Patent and Copyright Infringement. This clause requires contractors to notify the Government of any allegations of patent or copyright infringement arising during the performance of the contract. The clause requires contractors to furnish, when requested by the contracting officer, all evidence and information in the contractor's possession regarding such a claim or suit. This clause flows down to subcontracts that are expected to exceed the simplified acquisition threshold (SAT—currently \$350,000).

FAR 52.227–6, Royalty Information. This provision requires offerors to report all royalties anticipated or paid in excess of \$250 for the use of patented inventions by furnishing:

- (1) Name and address of licensor.
- (2) Date of license agreement.
- (3) Patent numbers, patent application serial numbers, or other basis on which the royalty is payable.
- (4) Brief description, including any part or model numbers of each contract item or component on which the royalty is payable.
- (5) Percentage or dollar rate of royalty per unit.
- (6) Unit price of contract item.
- (7) Number of units.

(8) Total dollar amount of royalties.

Also, the contracting officer may ask the offeror to provide a copy of the current license agreement identifying claims to specific patents.

FAR 52.227–9, Refund of Royalties. This clause requires contractors to furnish to the contracting officer, before final payment under a contract, a statement of royalties paid or required to be paid in connection with performing the contract. The clause requires contractors to notify the contracting officer if the contractor is relieved, within three years after final payment under the contract, from payment of royalties included in the final contract price. This clause flows down to subcontracts in which the amount of royalties reported during negotiation of the subcontract exceeds \$250.

FAR 52.227–11, Patent Rights—Ownership by the Contractor, or 52.227–13, Patent Rights—Ownership by the Government—Commerce Patent Regulations. These FAR clauses require a Government contractor to report all inventions made in the performance of work under a Government contract or subcontract for experimental, developmental, or research work to the contracting officer, submit a disclosure of the invention, and identify any publication, sale, or public use of the invention (52.227–11(c), 52.227–13(e)(1)). The contracting officer may modify 52.227–11(e) or otherwise supplement the clause to require contractors to submit periodic or interim and final reports listing subject inventions (27.303(b)(2)(i) and (ii)). The contracting officer may also require a contractor, under FAR 52.227–11, to: provide the filing date, serial number, title, patent number and issue date for any patent application filed on any subject invention in any country or, upon request, copies of any patent application so identified; and furnish the Government an irrevocable power to inspect and make copies of the patent application file when a Government employee is a co-inventor. (27.303(b)(2)(iv) and (v). In order to ensure that subject inventions are reported, the contractor is required to establish and maintain effective procedures for identifying and disclosing subject inventions (52.227–11, Alternate IV; 52.227–13(e)(1)). In addition, the contractor must require its employees, by written agreements, to disclose subject inventions (52.227–11(e)(2); 52.227–13(e)(4)). The contractor also has an obligation to utilize the subject invention, and agree to report, upon request, the utilization

or efforts to utilize the subject invention (27.302(e); 52.227–11(f)).

FAR 52.227–14, Rights in Data—General. This clause enables the contractor to protect qualifying limited rights data and restricted computer software by withholding the data from the Government and instead delivering form, fit, and function data. For unauthorized marking of data, the contractor may provide written justification to substantiate the propriety of the markings for the contracting officer to consider whether or not the markings are to be canceled or ignored. For omitted or incorrect markings of data that has not been disclosed without restriction outside the Government, the contractor may request, within 6 months (or a longer time approved by the contracting officer) after delivery of the data, permission to have authorized notices placed on the data at the contractor's expense. Contractors shall obtain from their subcontractors all data and rights necessary to fulfill the contractor's obligations to the Government under the contract. If a subcontractor refuses to accept terms affording the Government those rights, the contractor shall notify the contracting officer of the refusal.

FAR 52.227–15, Representation of Limited Rights Data and Restricted Computer Software. This provision requires an offeror to represent that it has reviewed the requirements for the delivery of technical data or computer software and state, in response to a solicitation, whether data proposed for fulfilling the data delivery requirements qualifies as limited rights data or restricted computer software. If the Government does not receive unlimited rights, the offeror must provide a list of the data that qualify as limited rights data or restricted computer software. The offeror would identify any proprietary data it would use during contract performance, in order that the contracting officer might ascertain if such proprietary data should be delivered.

FAR 52.227–16, Additional Data Requirements. This clause requires contractors to keep, for possible delivery to the Government, any data, in addition to data already required to be delivered under the contract, first produced or specifically used in performance of the contract for a period of three years from the final acceptance of all items delivered under the contract. The data delivered under this clause may be in the form of computations, preliminary data, records of experiments, etc. For any data to be delivered under this clause, the Government will pay the contractor for converting the data into a

specific form, and for reproducing and delivering the data. The purpose of such recordkeeping requirements is to ensure that, if all data requirements are not known prior to contract award, the Government can fully evaluate the research in order to ascertain future activities and to insure that the research was completed and fully reported, as well as to give the public an opportunity to assess the research results and secure any additional information.

FAR 52.227–17, Rights in Data—Special Works. This clause is included in solicitations and contracts primarily for production or compilation of data. It is used in rare and exceptional circumstances to permit the Government to limit the contractor's rights in data by preventing the release, distribution, and publication of any data first produced in the performance of the contract. This clause may also be limited to particular items and not the entire contract. This clause requires contractors to assign (with or without registration), or obtain the assignment of, the copyright to the Government or its designated assignee.

FAR 52.227–18, Rights in Data—Existing Works. This clause is used when the Government is acquiring existing audiovisual or similar works, such as books, without modification. This clause requires contractors to obtain a license for the Government to reproduce, prepare derivative works, and perform and display publicly the materials.

FAR 52.227–19, Commercial Computer Software License. This clause requires contractors to affix a notice on any commercial software delivered under the contract that provides notice that the Government's rights regarding the data are set forth in the contract.

FAR 52.227–20, Rights in Data—SBIR Program. This clause authorizes contractors under Small Business Innovation Research (SBIR) contracts to affix a notice to SBIR data delivered under the contract to limit the Government's rights to disclose data first produced under the contract. For omitted or incorrect markings of data that has not been disclosed without restriction outside the Government, the contractor may request, within 6 months (or a longer time approved by the contracting officer) after delivery of the data, permission to have authorized notices placed on the data at the contractor's expense. Contractors shall obtain from their subcontractors all data and rights necessary to fulfill the contractor's obligations to the Government under the contract. If a subcontractor refuses to accept terms affording the Government those rights,

the contractor shall notify the contracting officer of the refusal.

FAR 52.227–21, Technical Data Declaration, Revision, and Withholding of Payment—Major Systems. This clause requires major systems contractors to certify that the data delivered under the contract is complete, accurate, and compliant with the requirements of the contract.

FAR 52.227–23, Rights to Proposal Data (Technical). This clause allows the Government to identify pages of a proposal that would not be subject to unlimited rights in the technical data.

The information collected is used to protect the Government's rights and interests.

C. Annual Burden

Respondents/Recordkeepers: 830.

Total Annual Responses: 14,848.

Total Burden Hours: 55,600. (54,673 reporting hours + 927 recordkeeping hours).

Obtaining Copies: Requesters may obtain a copy of the information collection documents from the GSA Regulatory Secretariat Division by calling 202–501–4755 or emailing GSARegSec@gsa.gov. Please cite OMB Control No. 9000–0095, Federal Acquisition Regulation Part 27 Requirements.

Janet Fry,

Director, Federal Acquisition Policy Division,
Office of Governmentwide Acquisition Policy,
Office of Acquisition Policy, Office of
Governmentwide Policy.

[FR Doc. 2025–22636 Filed 12–11–25; 8:45 am]

BILLING CODE 6820–EP–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2025–N–5997]

Biosimilar User Fee Act; Stakeholder Consultation Meetings on Biosimilar User Fee Act Reauthorization; Request for Notification of Stakeholder Intention To Participate

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice; request for notification of participation.

SUMMARY: The Food and Drug Administration (FDA or Agency) is issuing this notice to request that public stakeholders—including patient and consumer advocacy groups—notify FDA of their intent to participate in periodic consultation meetings on the reauthorization of the Biosimilar User

Fee Act (BsUFA). The statutory authority for BsUFA expires in September 2027. At that time, new legislation will be required for FDA to continue collecting biosimilar biological product user fees in future fiscal years. The Federal Food, Drug, and Cosmetic Act (FD&C Act) requires that FDA consult with a range of stakeholders in developing recommendations for the next BsUFA program. The FD&C Act also requires that FDA hold discussions at least once every month with patient and consumer advocacy groups during FDA's negotiations with the regulated industry. The purpose of this request for notification is to ensure continuity and progress in these monthly discussions by establishing consistent stakeholder representation.

DATES: Submit notification of intention to participate in these series of meetings by January 30, 2026. Stakeholder meetings will be held monthly. It is anticipated that they will commence in April 2026. See the **SUPPLEMENTARY INFORMATION** section for registration information.

ADDRESSES: Submit notification of intention to participate in monthly stakeholder meetings by email to BSUFAReauthorization@fda.hhs.gov. The meetings will be held in person at the FDA White Oak Campus, 10903 New Hampshire Ave., Silver Spring, MD 20993–0002, and virtually using the Microsoft Teams platform. In-person participants must be REAL ID compliant to access federal facilities. For additional information regarding REAL ID, refer to <https://www.dhs.gov/real-id/real-id-faqs>. Entrance for the stakeholder meeting participants (non-FDA employees) is through Building 1 where routine security check procedures will be performed. For parking and security information, please refer to <https://www.fda.gov/about-fda/visitor-information>.

FOR FURTHER INFORMATION CONTACT:

Thamar Bailey, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave, Bldg. 32, Rm. 4103, Silver Spring, MD 20993–0002, 301–796–6645, BSUFAReauthorization@fda.hhs.gov.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is requesting that public stakeholders—including patient and consumer advocacy groups—notify the Agency of their intent to participate in periodic stakeholder consultation meetings on the reauthorization of BsUFA. BsUFA authorizes FDA to

collect user fees from the regulated industry to support the process for the review of biosimilar biological products. The authorization for the current program (BsUFA III) expires in September 2027. Without new legislation, FDA will no longer be able to collect user fees for future fiscal years.

Section 744I(f)(1) of the FD&C Act (21 U.S.C. 379j–53(f)(1)) requires that FDA consult with a range of stakeholders, including representatives from patient and consumer advocacy groups, in developing recommendations for the next BsUFA program. FDA will initiate the reauthorization process by holding a public meeting on December 3, 2025, where stakeholders and other members of the public will be given an opportunity to present their views on the reauthorization (90 FR 52967, November 24, 2025). Section 744I(f)(3) of the FD&C Act (21 U.S.C. 379j–53(f)(3)) further requires that FDA continue meeting with representatives from patient and consumer advocacy groups at least once every month during negotiations with the regulated industry to continue discussions of these stakeholders' views on the reauthorization. It is anticipated that these monthly stakeholder consultation meetings will commence in April 2026.

FDA is issuing this **Federal Register** notice to request that representatives from patient and consumer advocacy groups notify FDA of their intent to participate in the periodic stakeholder consultation meetings on BsUFA reauthorization. FDA believes that consistent stakeholder representation at these meetings will be important to ensure progress in these discussions. If you wish to participate in these stakeholder consultation meetings, please designate one or more representatives from your organization who will commit to attending these meetings and preparing for the discussions. Stakeholders who identify themselves through this notice will be included in all patient and consumer advocacy group stakeholder consultation discussions while FDA negotiates with the regulated industry. If a representative from a patient or consumer advocacy group decides to participate in these monthly meetings at a later time, that stakeholder may join the remaining monthly patient and consumer advocacy group stakeholder consultation meetings after notifying FDA of this intention (see **ADDRESSES**). These stakeholder discussions will satisfy the consultation requirement in section 744I(f)(3) of the FD&C Act.

II. Notification of Intent To Participate in Periodic Patient and Consumer Advocacy Group Stakeholder Consultation Meetings

If you intend to participate in these continued periodic stakeholder consultation meetings regarding BsUFA reauthorization, please provide notification by email to BSUFAReauthorization@fda.hhs.gov by January 30, 2026. Your email should contain complete contact information, including name, title, affiliation, address, email address, phone number, and notice of any special accommodations required because of disability. Stakeholders will receive confirmation and additional information about the first meeting after FDA receives this notification. Information concerning BsUFA, including the text of the law, the BsUFA III Commitment Letter, key **Federal Register** documents, BsUFA-related guidances, performance reports, and financial reports may be found on the FDA website at [https://www.fda.gov/industry/fda-user-fee-](https://www.fda.gov/industry/fda-user-fee-programs/biosimilar-user-fee-amendments)

programs/biosimilar-user-fee-amendments.

Lowell M. Zeta,

Acting Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–22619 Filed 12–11–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2025–N–6077]

Pfizer Inc., U.S. Agent for King Pharmaceuticals LLC, et al.; Withdrawal of Approval of 20 Abbreviated New Drug Applications

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) is withdrawing approval of 20 abbreviated new drug applications (ANDAs) from

multiple applicants. The applicants notified the Agency in writing that the drug products were no longer marketed and requested that the approval of the applications be withdrawn.

DATES: Approval is withdrawn as of January 12, 2026.

FOR FURTHER INFORMATION CONTACT:

Martha Nguyen, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 75, Rm. 1676, Silver Spring, MD 20993–0002, 301–796–3471, Martha.Nguyen@fda.hhs.gov.

SUPPLEMENTARY INFORMATION: The applicants listed in table 1 have informed FDA that these drug products are no longer marketed and have requested that FDA withdraw approval of the applications under the process in § 314.150(c) (21 CFR 314.150(c)). The applicants have also, by their requests, waived their opportunity for a hearing. Withdrawal of approval of an application or abbreviated application under § 314.150(c) is without prejudice to refiling.

TABLE 1—ANDAS FOR WHICH APPROVAL IS WITHDRAWN

Application No.	Drug	Applicant
ANDA 040320	TAPAZOLE (methimazole) tablets, 5 milligrams (mg) and 10 mg.	Pfizer Inc., U.S. Agent for King Pharmaceuticals LLC, 66 Hudson Blvd. East, New York, NY 10001.
ANDA 060582	NEOSPORIN (gramicidin; neomycin sulfate; polymyxin B sulfate) solution/drops, 0.025 mg/milliliter (mL); Equivalent to (EQ) 1.75 mg base/mL; 10,000 units/mL.	Pfizer Inc., U.S. Agent for Monarch Pharmaceuticals, LLC, a subsidiary of Pfizer Inc., 66 Hudson Blvd. East, New York, NY 10001.
ANDA 060707	NEOSPORIN G.U. Irrigant (neomycin sulfate; polymyxin B sulfate) solution, EQ 40 mg base/mL; 200,000 units/mL.	Do.
ANDA 062310	HUMATIN (paromomycin sulfate) capsule, EQ 250 mg base	Pfizer Inc., U.S. Agent for Monarch Pharmaceuticals, LLC.
ANDA 062414	Gentamicin Sulfate in sodium chloride 0.9% in plastic container, injectable, EQ 1.2 mg base/mL, EQ 1.4 mg base/mL, EQ 1.6 mg base/mL, EQ 1.8 mg base/mL, EQ 2 mg base/mL, EQ 60 mg base/100 mL, EQ 70 mg base/100 mL, EQ 80 mg base/100 mL, EQ 90 mg base/100 mL, and EQ 100 mg base/100 mL.	Hospira, Inc., 275 North Field Dr., Building H1–3S, Lake Forest, IL 60045.
ANDA 063165	ADRIAMYCIN PFS (doxorubicin HCl) injectable, 2 mg/mL and 200 mg/100 mL.	Pfizer Inc.
ANDA 072320	Pancuronium Bromide injectable, 1 mg/mL	Hospira, Inc.
ANDA 075221	ALFENTANIL (alfentanil HCl) injectable, EQ 0.5 mg base/mL	Do.
ANDA 075458	Enalaprilat injectable, 1.25 mg/mL	Do.
ANDA 075885	Milrinone Lactate in Dextrose 5% in plastic container, injectable, EQ 20 mg base/100 mL (EQ 0.2 mg base/mL) and EQ 40 mg base/200 mL (EQ 0.2 mg base/mL).	Do.
ANDA 076304	Fluconazole in Dextrose 5% in plastic container, injectable, 200 mg/100 mL (2mg/mL) and 400 mg/200 mL (2 mg/mL).	Do.
ANDA 077394	Sodium Bicarbonate injectable, 0.9 milliequivalent (mEq)/mL and 1 mEq/mL.	Do.
ANDA 089070	Procainamide HCl injectable, 500 mg/mL	Do.
ANDA 090621	Zoledronic Acid injectable, EQ 4 mg base/5 mL	Do.
ANDA 202837	Zoledronic Acid injectable, EQ 5 mg base/100 mL	Do.
ANDA 203709	Fludeoxyglucose F 18 injectable, 20–500 millicurie (mCi)/mL	B&H Consulting Services, Inc., U.S. Agent for Wisconsin Medical Radiopharmacy, LLC, 50 Division St., Suite 206, Somerville, NJ 08876.
ANDA 203883	Adenosine solution, 60 mg/20 mL (3mg/mL) and 90 mg/30 mL (3 mg/mL).	Hospira, Inc.
ANDA 204118	Indomethacin Sodium injectable, EQ 1 mg base/vial	Do.
ANDA 208016	Lurasidone HCl tablets, 20 mg, 40 mg, 60 mg, 80 mg, and 120 mg.	Watson Laboratories, Inc. (an indirect, wholly-owned subsidiary of Teva Pharmaceuticals USA, Inc.), 400 Interpace Parkway, Building A, Parsippany, NJ 07054.

TABLE 1—ANDAS FOR WHICH APPROVAL IS WITHDRAWN—Continued

Application No.	Drug	Applicant
ANDA 208833	Celecoxib capsules, 50 mg, 100 mg, 200 mg, and 400 mg ...	Amneal Pharmaceuticals of New York, LLC, 50 Horseblock Rd., Brookhaven, NY 11719.

Therefore, approval of the applications listed in table 1, and all amendments and supplements thereto, are hereby withdrawn as of January 12, 2026. Approval of each entire application is withdrawn, including any strengths and dosage forms inadvertently missing from table 1. Introduction or delivery for introduction into interstate commerce of products listed in table 1 without an approved new drug application or ANDA violates sections 505(a) and 301(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(a) and 331(d)). Drug products that are listed in table 1 that are in inventory on January 12, 2026 may continue to be dispensed until the inventories have been depleted or the drug products have reached their expiration dates or otherwise become violative, whichever occurs first.

Lowell M. Zeta,

Acting Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–22683 Filed 12–11–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2025–N–6494]

Amending Over-the-Counter Monograph M020: Sunscreen Drug Products for Over-the-Counter Human Use

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: In response to an over-the-counter (OTC) monograph order request (OMOR), the Food and Drug Administration (FDA) is announcing the availability on its website of the proposed administrative order (proposed order) (OTC000039) entitled “Amending Over-the-Counter Monograph M020: Sunscreen Drug Products for Over-the-Counter Human Use.” This proposed order, if finalized, will amend Over-the-Counter Monograph M020: Sunscreen Drug Products for Over-the-Counter Human Use (OTC Monograph M020) to add bemotrizinol at concentrations up to 6

percent as a sunscreen active ingredient. A sunscreen drug product containing bemotrizinol would be generally recognized as safe and effective (GRASE) if it meets the conditions described in OTC Monograph M020 as amended by this proposed order, if finalized.

DATES: Submit electronic comments on the proposed order by January 26, 2026.

ADDRESSES: The <https://www.regulations.gov> electronic filing system will accept comments until 11:59 p.m. Eastern Time at the end of January 26, 2026. Please note that late, untimely filed comments will not be considered. Instructions for submitting comments are contained in the proposed order OTC000039, which can be viewed in the OTC Monographs@FDA portal at <https://www.accessdata.fda.gov/scripts/cder/omuf/>. Comments must be submitted electronically.

FOR FURTHER INFORMATION CONTACT:

Shannon Liu, Center for Drug Evaluation and Research (HFD–600), Food and Drug Administration, 10903 New Hampshire Ave., Silver Spring, MD 20993–0002, 240–402–2484.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is issuing proposed order OTC000039 to amend OTC Monograph M020 to add bemotrizinol for use as a sunscreen active ingredient at concentrations up to 6 percent. FDA is issuing the proposed order pursuant to section 505G(b)(1) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 355h(b)(1)).

OTC Monograph M020 describes the conditions under which OTC sunscreen drug products are GRASE under section 201(p)(1) of the FD&C Act (21 U.S.C. 321(p)(1)). OTC Monograph M020 is currently set forth in Final Administrative Order OTC000006, as deemed by sections 505G(b)(8) and 505G(k)(2)(B) of the FD&C Act, and was effective upon enactment of the Coronavirus Aid, Relief, and Economic Security Act (Pub. L. 116–136) on March 27, 2020. The conditions described in OTC Monograph M020 may be amended, revoked, or otherwise modified in accordance with the procedures of section 505G(b) of the FD&C Act.

On September 23, 2024, DSM Nutritional Products LLC submitted a Tier 1 OMOR requesting FDA issue an administrative order finding that a sunscreen drug product containing bemotrizinol as an active ingredient is GRASE under the conditions described in OTC Monograph M020. The proposed order, if finalized, will amend the conditions described in OTC Monograph M020, currently set forth in the Final Administrative Order OTC000006, to add bemotrizinol at concentrations up to 6 percent as a sunscreen active ingredient. FDA proposes to determine that a sunscreen drug product containing bemotrizinol as an active ingredient is GRASE if it meets the conditions described in OTC Monograph M020 as amended by this proposed order. Among the conditions for drug products containing bemotrizinol as a sunscreen active ingredient specified by this proposed order, if finalized, are conditions that address the concentration of bemotrizinol in the sunscreen drug product, permitted combinations of bemotrizinol with other sunscreen active ingredients and with skin protectant active ingredients, and permitted dosage forms. Specific to dosage forms, the proposed order, if finalized, would permit the following dosage forms: oil, lotion, cream, gel, butter, paste, ointment, stick, and spray, provided that the product in spray dosage form is manufactured and packaged with no propellant or is manufactured and packaged in a spray delivery system where all propellant is isolated from the drug product formulation within the container closure system, and there is no contact between the propellant and the drug product formulation.

The proposed order can be viewed in the OTC Monographs@FDA portal at <https://www.accessdata.fda.gov/scripts/cder/omuf/>. The proposed order contains instructions for commenting on the proposed order. Comments to the proposed order must be submitted electronically to the Federal eRulemaking Portal at <https://www.regulations.gov>.

OTC Monographs@FDA provides a resource for the public to view administrative orders (proposed, final, and interim final orders) for OTC Monograph Drugs and view OTC

Monographs. In the future, OTC *Monographs@FDA* will facilitate the public's ability to submit, search, and view comments and data for proposed and interim final orders.

II. Paperwork Reduction Act of 1995

The proposed order OTC000039 is issued under section 505G(b)(1) of the FD&C Act. Under section 505G(o) of the FD&C Act, the Paperwork Reduction Act of 1995 (Chapter 35 of title 44, United States Code) does not apply to collections of information made under section 505G of the FD&C Act. Therefore, clearance by the Office of Management and Budget under the Paperwork Reduction Act of 1995 is not required for collections of information, if any, in a final order issued under section 505G that results from this proposed order.

Lowell M. Zeta,

Acting Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025-22649 Filed 12-11-25; 8:45 am]

BILLING CODE 4164-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA-2025-N-4732]

Determination That ZANTAC (Ranitidine Hydrochloride) Injection, Equivalent to 25 Milligrams Base/Milliliter, Has Not Been Withdrawn From Sale for Reasons of Safety or Effectiveness

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) has determined that ZANTAC (ranitidine hydrochloride (HCl)) injection, equivalent to (EQ) 25 milligram (mg) base/milliliter (mL), has not been withdrawn from sale for reasons of safety or effectiveness to the extent that the drug can be manufactured or formulated in a manner that satisfies any applicable acceptable intake limit for nitrosamine impurities. This determination means that FDA will not begin procedures to withdraw approval of abbreviated new drug applications (ANDAs) that refer to this drug product, and it will allow FDA to continue to approve ANDAs that refer to the product as long as they meet relevant legal and regulatory requirements, including satisfying any applicable acceptable intake limit for nitrosamine impurities.

FOR FURTHER INFORMATION CONTACT:

Robin Fastenau, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6236, Silver Spring, MD 20993-0002, 240-893-4962, robin.fastenau@fda.hhs.gov.

SUPPLEMENTARY INFORMATION: Section 505(j) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 355(j)) allows the submission of an ANDA to market a generic version of a previously approved drug product. To obtain approval, the ANDA applicant must show, among other things, that the generic drug product: (1) has the same active ingredient(s), dosage form, route of administration, strength, conditions of use, and (with certain exceptions) labeling as the listed drug, which is a version of the drug that was previously approved, and (2) is bioequivalent to the listed drug. ANDA applicants do not have to repeat the extensive clinical testing otherwise necessary to gain approval of a new drug application (NDA).

Section 505(j)(7) of the FD&C Act requires FDA to publish a list of all approved drugs. FDA publishes this list as part of the "Approved Drug Products With Therapeutic Equivalence Evaluations," which is known generally as the "Orange Book." Under FDA regulations, drugs are removed from the list if the Agency withdraws or suspends approval of the drug's NDA or ANDA for reasons of safety or effectiveness or if FDA determines that the listed drug was withdrawn from sale for reasons of safety or effectiveness (21 CFR 314.162).

A person may petition the Agency to determine, or the Agency may determine on its own initiative, whether a listed drug was withdrawn from sale for reasons of safety or effectiveness. This determination may be made at any time after the drug has been withdrawn from sale, but must be made prior to approving an ANDA that refers to the listed drug (§ 314.161 (21 CFR 314.161)). FDA may not approve an ANDA that does not refer to a listed drug.

ZANTAC (ranitidine HCl) injection, EQ 25 mg base/mL, is the subject of NDA 019090, held by Pharmaceutical Associates, Inc. (PAI) Pharma, and initially approved on October 19, 1984. ZANTAC (ranitidine HCl) injection, EQ 25 mg base/mL is indicated in some hospitalized patients with pathological hypersecretory conditions or intractable duodenal ulcers, or as an alternative to the oral dosage form for short-term use in patients who are unable to take oral medication.

On March 31, 2020, FDA requested that all manufacturers voluntarily

withdraw their ranitidine products from the market because accumulated data showed levels of N-Nitrosodimethylamine (NDMA) above the acceptable daily intake limit in many ranitidine-containing products.¹ This request applied to all ranitidine applicants, including the applicant for ZANTAC (ranitidine HCl) injection, EQ 25 mg base/mL, NDA 019090. ZANTAC (ranitidine HCl) injection, EQ 25 mg base/mL, NDA 019090, was withdrawn from sale prior to March 31, 2020. ZANTAC (ranitidine HCl) injection, EQ 25 mg base/mL, is currently listed in the "Discontinued Drug Product List" section of the Orange Book.

After reviewing Agency records and based on the information we have at this time, FDA has determined under § 314.161 that ZANTAC (ranitidine HCl) injection, EQ 25 mg base/mL, has not been withdrawn for reasons of safety or effectiveness to the extent that the drug can be manufactured or formulated in a manner that satisfies any applicable acceptable intake limit for nitrosamine impurities.

Accordingly, the Agency will continue to list ZANTAC (ranitidine HCl) injection, EQ 25 mg base/mL, in the "Discontinued Drug Product List" section of the Orange Book. The "Discontinued Drug Product List" delineates, among other items, drug products that have been discontinued from marketing for reasons other than safety or effectiveness. FDA will not begin procedures to withdraw approval of approved ANDAs that refer to this drug product. Additional ANDAs for this drug product may be approved by the Agency as long as they meet all other legal and regulatory requirements for the approval of ANDAs, including satisfying any applicable acceptable intake limit for nitrosamine impurities.

¹ Nitrosamine impurities in the drug supply are an important public health concern. As explained in the guidance for industry entitled "Control of Nitrosamine Impurities in Human Drugs" published September 2024 (available at <https://www.fda.gov/media/141720/download>) (at 4-5), "Nitrosamine compounds are potent genotoxic agents in several animal species and some are classified as probable or possible human carcinogens by the International Agency for Research on Cancer. They are referred to as *cohort of concern* compounds in the International Council for Harmonisation of Technical Requirements for . . . Human Use (ICH) guidance for industry M7(R2) *Assessment and Control of DNA Reactive (Mutagenic) Impurities in Pharmaceuticals to Limit Potential Carcinogenic Risk* (July 2023)." Many drug products have been found to contain levels of nitrosamines that are unacceptable or require further evaluation. FDA's current understanding is that nitrosamine levels in affected drug products have different causes and may be controlled using different strategies, including formulation design (*i.e.*, adding antioxidants or adding pH adjusters that modify the microenvironment to base or neutral pH) and supplier qualification programs.

If FDA determines that labeling for this drug product should be revised to meet current standards, the Agency will advise ANDA applicants to submit such labeling.

Lowell M. Zeta,

Acting Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–22676 Filed 12–11–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2020–P–1617]

Determination That BACTROBAN (Mupirocin) Nasal Ointment, 2%, Was Not Withdrawn From Sale for Reasons of Safety or Effectiveness

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) has determined that BACTROBAN (mupirocin) nasal ointment, 2%, was not withdrawn from sale for reasons of safety or effectiveness. This determination will allow FDA to approve abbreviated new drug applications (ANDAs) for mupirocin nasal ointment, 2%, if all other legal and regulatory requirements are met.

FOR FURTHER INFORMATION CONTACT: Iris Masucci, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Silver Spring, MD 20993–0002, 301–796–3600, iris.masucci@fda.hhs.gov.

SUPPLEMENTARY INFORMATION: Section 505(j) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 355(j)) allows the submission of an ANDA to market a generic version of a previously approved drug product. To obtain approval, the ANDA applicant must show, among other things, that the generic drug product: (1) has the same active ingredient(s), dosage form, route of administration, strength, conditions of use, and (with certain exceptions) labeling as the listed drug, which is a version of the drug that was previously approved, and (2) is bioequivalent to the listed drug. ANDA applicants do not have to repeat the extensive clinical testing otherwise necessary to gain approval of a new drug application (NDA).

Section 505(j)(7) of the FD&C Act requires FDA to publish a list of all approved drugs. FDA publishes this list

as part of the “Approved Drug Products With Therapeutic Equivalence Evaluations,” which is known generally as the “Orange Book.” Under FDA regulations, a drug is removed from the list if the Agency withdraws or suspends approval of the drug’s NDA or ANDA for reasons of safety or effectiveness or if FDA determines that the listed drug was withdrawn from sale for reasons of safety or effectiveness (21 CFR 314.162).

A person may petition the Agency to determine, or the Agency may determine on its own initiative, whether a listed drug was withdrawn from sale for reasons of safety or effectiveness. This determination may be made at any time after the drug has been withdrawn from sale, but must be made prior to approving an ANDA that refers to the listed drug (§ 314.161 (21 CFR 314.161)). FDA may not approve an ANDA that does not refer to a listed drug.

BACTROBAN (mupirocin) nasal ointment, 2%, is the subject of NDA 050703, held by SmithKline Beecham (Cork) Ltd., Ireland/GlaxoSmithKline (GSK), and was initially approved on September 18, 1995. BACTROBAN nasal ointment, 2%, is indicated for the eradication of nasal colonization with methicillin-resistant *Staphylococcus aureus* (MRSA) in adult and pediatric patients (aged 12 years and older) and healthcare workers as part of a comprehensive infection control program to reduce the risk of infection among patients at high risk of MRSA infection during institutional outbreaks of infections with this microorganism.

In a correspondence dated February 9, 2018, GSK notified FDA that BACTROBAN (mupirocin) nasal ointment, 2%, was being discontinued, and FDA moved the drug product to the “Discontinued Drug Product List” section of the Orange Book. In a letter dated January 5, 2022, GSK requested withdrawal of NDA 050703 for BACTROBAN (mupirocin) nasal ointment, 2%, under § 314.150(c) (21 CFR 314.150(c)). In the **Federal Register** of August 4, 2025, FDA announced that it was withdrawing approval of NDA 050703 upon request of GSK under § 314.150(c), effective September 3, 2025.

E4 Consulting submitted a citizen petition dated June 24, 2020 (Docket No. FDA–2020–P–1617), under 21 CFR 10.30, requesting that the Agency determine whether BACTROBAN (mupirocin) nasal ointment, 2%, was withdrawn from sale for reasons of safety or effectiveness.

After considering the citizen petition and reviewing Agency records and based on the information we have at this

time, FDA has determined under § 314.161 that BACTROBAN (mupirocin) nasal ointment, 2%, was not withdrawn for reasons of safety or effectiveness. The petitioner has identified no data or other information suggesting that BACTROBAN (mupirocin) nasal ointment, 2%, was withdrawn for reasons of safety or effectiveness. We have carefully reviewed our files for records concerning the withdrawal of BACTROBAN (mupirocin) nasal ointment, 2%, from sale. We have also independently evaluated relevant literature and data for possible postmarketing adverse events. We have found no information that would indicate that this drug product was withdrawn from sale for reasons of safety or effectiveness.

Accordingly, the Agency will continue to list BACTROBAN (mupirocin) nasal ointment, 2%, in the “Discontinued Drug Product List” section of the Orange Book. The “Discontinued Drug Product List” delineates, among other items, drug products that have been discontinued from marketing for reasons other than safety or effectiveness. ANDAs that refer to BACTROBAN (mupirocin) nasal ointment, 2%, may be approved by the Agency as long as they meet all other legal and regulatory requirements for the approval of ANDAs. If FDA determines that labeling for this drug product should be revised to meet current standards, the Agency will advise ANDA applicants to submit such labeling.

Lowell M. Zeta,

Acting Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–22682 Filed 12–11–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2024–P–2952]

Determination That LUNELLE (Estradiol Cypionate and Medroxyprogesterone Acetate) Injectable, 5 Milligrams/0.5 Milliliter and 25 Milligrams/0.5 Milliliter, Was Not Withdrawn From Sale for Reasons of Safety or Effectiveness

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) has

determined that LUNELLE (estradiol cypionate and medroxyprogesterone acetate) injectable, 5 milligrams (mg)/0.5 milliliter (mL) estradiol cypionate and 25 mg/0.5 mL medroxyprogesterone acetate, was not withdrawn from sale for reasons of safety or effectiveness. This determination will allow FDA to approve abbreviated new drug applications (ANDAs) for estradiol cypionate and medroxyprogesterone acetate injectable, 5 mg/0.5 mL estradiol cypionate and 25 mg/0.5 mL medroxyprogesterone acetate, if all other legal and regulatory requirements are met.

FOR FURTHER INFORMATION CONTACT:

Grace St. Vincent, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6215, Silver Spring, MD 20993-0002, 240-402-9201, Grace.StVincent@fda.hhs.gov.

SUPPLEMENTARY INFORMATION: Section 505(j) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 355(j)) allows the submission of an ANDA to market a generic version of a previously approved drug product. To obtain approval, the ANDA applicant must show, among other things, that the generic drug product: (1) has the same active ingredient(s), dosage form, route of administration, strength, conditions of use, and (with certain exceptions) labeling as the listed drug, which is a version of the drug that was previously approved, and (2) is bioequivalent to the listed drug. ANDA applicants do not have to repeat the extensive clinical testing otherwise necessary to gain approval of a new drug application (NDA).

Section 505(j)(7) of the FD&C Act requires FDA to publish a list of all approved drugs. FDA publishes this list as part of the "Approved Drug Products With Therapeutic Equivalence Evaluations," which is known generally as the "Orange Book." Under FDA regulations, drugs are removed from the list if the Agency withdraws or suspends approval of the drug's NDA or ANDA for reasons of safety or effectiveness or if FDA determines that the listed drug was withdrawn from sale for reasons of safety or effectiveness (21 CFR 314.162).

A person may petition the Agency to determine, or the Agency may determine on its own initiative, whether a listed drug was withdrawn from sale for reasons of safety or effectiveness. This determination may be made at any time after the drug has been withdrawn from sale, but must be made prior to approving an ANDA that refers to the

listed drug (§ 314.161 (21 CFR 314.161)). FDA may not approve an ANDA that does not refer to a listed drug.

LUNELLE (estradiol cypionate and medroxyprogesterone acetate) injectable, 5 mg/0.5 mL estradiol cypionate and 25 mg/0.5 mL medroxyprogesterone acetate, is the subject of NDA 020874, held by Pharmacia and Upjohn Co., and initially approved on October 5, 2000. LUNELLE is indicated for the prevention of pregnancy.

In a letter dated June 24, 2003, Pharmacia and Upjohn Co. requested withdrawal of NDA 020874 for LUNELLE (estradiol cypionate and medroxyprogesterone acetate) injectable, 5 mg/0.5 mL estradiol cypionate and 25 mg/0.5 mL medroxyprogesterone acetate. In the **Federal Register** of May 5, 2004 (69 FR 25124), FDA announced that it was withdrawing approval of NDA 020874, effective June 4, 2004.

Sarah A. Norring, Ph.D. submitted a citizen petition dated June 20, 2024 (Docket No. FDA-2024-P-2952), under 21 CFR 10.30, requesting that the Agency determine whether LUNELLE (estradiol cypionate and medroxyprogesterone acetate) injectable, 5 mg/0.5 mL estradiol cypionate and 25 mg/0.5 mL medroxyprogesterone acetate, was withdrawn from sale for reasons of safety or effectiveness.

After considering the citizen petition and reviewing Agency records and based on the information we have at this time, FDA has determined under § 314.161 that LUNELLE (estradiol cypionate and medroxyprogesterone acetate) injectable, 5 mg/0.5 mL estradiol cypionate and 25 mg/0.5 mL medroxyprogesterone acetate, was not withdrawn from sale for reasons of safety or effectiveness. The petitioner provided information about a voluntary recall of prefilled syringes of LUNELLE in October 2002 due to potential manufacturing issues at a particular facility. We have carefully reviewed our files for records concerning the withdrawal of LUNELLE (estradiol cypionate and medroxyprogesterone acetate) injectable, 5 mg/0.5 mL estradiol cypionate and 25 mg/0.5 mL medroxyprogesterone acetate, from sale. We have also independently evaluated relevant literature and data for possible postmarketing adverse events. We have reviewed the available evidence and determined that this drug product was not withdrawn from sale for reasons of safety or effectiveness.

Accordingly, the Agency will continue to list LUNELLE (estradiol cypionate and medroxyprogesterone

acetate) injectable, 5 mg/0.5 mL estradiol cypionate and 25 mg/0.5 mL medroxyprogesterone acetate, in the "Discontinued Drug Product List" section of the Orange Book. The "Discontinued Drug Product List" delineates, among other items, drug products that have been discontinued from marketing for reasons other than safety or effectiveness. ANDAs that refer to LUNELLE (estradiol cypionate and medroxyprogesterone acetate) injectable, 5 mg/0.5 mL estradiol cypionate and 25 mg/0.5 mL medroxyprogesterone acetate, may be approved by the Agency as long as they meet all other legal and regulatory requirements for the approval of ANDAs. If FDA determines that labeling for this drug product should be revised to meet current standards, the Agency will advise ANDA applicants to submit such labeling.

Lowell M. Zeta,

Acting Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025-22680 Filed 12-11-25; 8:45 am]

BILLING CODE 4164-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA-2025-N-4734]

Determination That DEMEROL (Meperidine Hydrochloride) Tablet, 100 Milligrams, and Other Drug Products Were Not Withdrawn From Sale for Reasons of Safety or Effectiveness

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) has determined that the drug products listed in this document were not withdrawn from sale for reasons of safety or effectiveness. This determination means that FDA will not begin procedures to withdraw approval of abbreviated new drug applications (ANDAs) that refer to these drug products, and it will allow FDA to continue to approve ANDAs that refer to the products as long as they meet relevant legal and regulatory requirements.

FOR FURTHER INFORMATION CONTACT:

Stacy Kane, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6236, Silver Spring, MD 20993-0002, 301-796-8363, Stacy.Kane@fda.hhs.gov.

SUPPLEMENTARY INFORMATION: Section 505(j) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 355(j)) allows the submission of an ANDA to market a generic version of a previously approved drug product. To obtain approval, the ANDA applicant must show, among other things, that the generic drug product: (1) has the same active ingredient(s), dosage form, route of administration, strength, conditions of use, and (with certain exceptions) labeling as the listed drug, which is a version of the drug that was previously approved, and (2) is bioequivalent to the listed drug. ANDA applicants do not have to repeat the extensive clinical testing otherwise necessary to gain

approval of a new drug application (NDA).

Section 505(j)(7) of the FD&C Act requires FDA to publish a list of all approved drugs. FDA publishes this list as part of the “Approved Drug Products With Therapeutic Equivalence Evaluations,” which is generally known as the “Orange Book.” Under FDA regulations, a drug is removed from the list if the Agency withdraws or suspends approval of the drug’s NDA or ANDA for reasons of safety or effectiveness, or if FDA determines that the listed drug was withdrawn from sale for reasons of safety or effectiveness (21 CFR 314.162).

Under § 314.161(a) (21 CFR 314.161(a)), the Agency must determine whether a listed drug was withdrawn

from sale for reasons of safety or effectiveness: (1) before an ANDA that refers to that listed drug may be approved, (2) whenever a listed drug is voluntarily withdrawn from sale and ANDAs that refer to the listed drug have been approved, and (3) when a person petitions for such a determination under 21 CFR 10.25(a) and 10.30. Section 314.161(d) provides that if FDA determines that a listed drug was withdrawn from sale for safety or effectiveness reasons, the Agency will initiate proceedings that could result in the withdrawal of approval of the ANDAs that refer to the listed drug.

FDA has become aware that the drug products listed in table 1 are no longer being marketed.

TABLE 1—DRUG PRODUCTS NOT WITHDRAWN FROM SALE FOR REASONS OF SAFETY OR EFFECTIVENESS

Application No.	Drug name	Active ingredient(s)	Strength(s)	Dosage form/route	Applicant
NDA 005010	DEMEROL	Meperidine Hydrochloride	100 Milligrams (mg)	Tablet; Oral	Quagen Pharmaceuticals LLC.
NDA 009402	DELESTROGEN	Estradiol Valerate	40 mg/Milliliter (mL)	Injectable; Injection	Endo Operations Ltd.
NDA 011338	FLUOTHANE	Halothane	99.99%	Liquid; Inhalation	Wyeth-Ayerst Laboratories.
NDA 017354	LOESTRIN FE 1/20	Ethinyl Estradiol, Norethindrone Acetate.	0.02 mg, 1 mg	Tablet; Oral	Teva Branded Pharmaceutical Products R&D Inc.
NDA 018063	CORGARD	Nadolol	20 mg; 40 mg; 80 mg	Tablet; Oral	US WorldMeds, LLC.
NDA 019429	FIORINAL W/CODEINE ..	Aspirin, Butalbital, Caffeine, Codeine Phosphate.	325 mg, 50mg, 40 mg, 30mg	Capsule; Oral	Allergan.
NDA 019758	CLOZARIL	Clozapine	50 mg; 200 mg	Tablet; Oral	Heritage Life Sciences Barbados Inc.
NDA 020496	AMARYL	Glimepiride	1 mg; 2 mg; 4 mg	Tablet; Oral	Sanofi-Aventis U.S. LLC.
NDA 020768	ZOMIG	Zolmitriptan	2.5 mg; 5 mg	Tablet; Oral	IPR Pharmaceuticals, Inc.
NDA 020933	VIRAMUNE	Nevirapine	50 mg/5 mL	Suspension; Oral	Boehringer Ingelheim Pharmaceuticals Inc.
NDA 021123	ULTRACET	Acetaminophen, Tramadol Hydrochloride.	325 mg, 37.5 mg	Tablet; Oral	Janssen Pharmaceuticals Inc.
NDA 021142	OLUX	Clobetasol Propionate	0.05%	Aerosol, Foam; Topical	Norvium Bioscience, LLC.
NDA 021231	ZOMIG-ZMT	Zolmitriptan	2.5 mg; 5 mg	Orally Disintegrating Tablet; Oral.	AstraZeneca Pharmaceuticals LP.
NDA 021368	CIALIS	Tadalafil	2.5 mg	Tablet; Oral	Eli Lilly and Co.
NDA 021497	ALINIA	Nitazoxanide	500 mg	Tablet; Oral	Romark Laboratories.
NDA 021636	ZEGERID	Omeprazole, Sodium Bicarbonate.	20 mg/Package, 1.68 grams (g)/Package; 40 mg/Package, 1.68 g/Package.	For Suspension; Oral	Salix Pharmaceuticals Inc.
NDA 021689	NEXIUM IV	Esomeprazole Sodium	EQ 40 mg Base/Vial	Injectable; Intravenous	AstraZeneca Pharmaceuticals LP.
NDA 021799	QUALAQUIN	Quinine Sulfate	324 mg	Capsule; Oral	Sun Pharmaceutical Industries, Inc.
NDA 021937	ATRIPLA	Efavirenz, Emtricitabine, Tenofovir Disoproxil Fumarate.	600 mg, 200 mg, 300 mg	Tablet; Oral	Gilead Sciences, Inc.
NDA 021963	ALLEGRA	Fexofenadine Hydrochloride.	30 mg/5 mL	Suspension; Oral	Chatterm Inc., DBA Sanofi Consumer Healthcare.
NDA 022331	KAPVAY	Clonidine Hydrochloride ..	0.1 mg	Extended-Release Tablet; Oral.	Concordia Pharmaceuticals, Inc.
NDA 022352	COLCRYS	Colchicine	0.6 mg	Tablet; Oral	Takeda Pharmaceuticals USA, Inc.
NDA 050682	COSMEGEN	Dactinomycin	0.5 mg/Vial	Injectable; Injection	Recordati Rare Diseases Inc.
NDA 050717	MONUROL	Fosfomycin Tromethamine.	EQ 3 g Base/Package	For Solution; Oral	Zambon Company S.p.A.
ANDA 086162	BUTALBITAL, ASPIRIN AND CAFFEINE.	Aspirin, Butalbital, Caffeine.	325 mg, 50 mg, 40 mg	Tablet; Oral	Hikma International Pharmaceuticals LLC.
ANDA 087056	CYPROHEPTADINE HYDROCHLORIDE.	Cyproheptadine Hydrochloride.	4 mg	Tablet; Oral	Avet Pharmaceuticals.
ANDA 088763	PROMETHAZINE HYDROCHLORIDE AND CODEINE PHOSPHATE.	Codeine Phosphate, Promethazine Hydrochloride.	10mg/5mL, 6.25mg/5mL	Syrup; Oral	Actavis Mid-Atlantic, LLC.

FDA has reviewed its records and, under § 314.161, has determined that the drug products listed were not withdrawn from sale for reasons of safety or effectiveness. Accordingly, the Agency will continue to list the drug products in the “Discontinued Drug Product List” section of the Orange Book. The “Discontinued Drug Product List” identifies, among other items, drug products that have been discontinued from marketing for reasons other than safety or effectiveness.

Approved ANDAs that refer to the drug products listed are unaffected by the discontinued marketing of the products subject to these applications. Additional ANDAs that refer to these products may also be approved by the Agency if they comply with relevant legal and regulatory requirements. If FDA determines that labeling for these drug products should be revised to meet current standards, the Agency will advise ANDA applicants to submit such labeling.

Lowell M. Zeta,

Acting Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–22681 Filed 12–11–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Submission to OMB for Review and Approval; Public Comment Request; Maternal, Infant, and Early Childhood Home Visiting Program Model Eligibility Review Survey, OMB No. 0906–XXXX—New

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, HRSA submitted an Information Collection Request (ICR) to the Office of Management and Budget (OMB) for review and approval. Comments submitted during the first public review of this ICR will be provided to OMB. OMB will accept further comments from the public during the review and approval period. OMB may act on HRSA’s ICR only after the 30-day comment period for this notice has closed.

DATES: Comments on this ICR should be received no later than January 12, 2026.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting “Currently under Review—Open for Public Comments” or by using the search function.

FOR FURTHER INFORMATION CONTACT: To request a copy of the clearance requests submitted to OMB for review, email Samantha Miller, the HRSA Information Collection Clearance Officer, at paperwork@hrsa.gov or call (301) 443–3983.

SUPPLEMENTARY INFORMATION:

Information Collection Request Title: Maternal, Infant, and Early Childhood Home Visiting (MIECHV) Program Model Eligibility Review Survey, OMB No. 0915–XXXX—New.

Abstract: HRSA’s MIECHV Program supports voluntary, evidence-based home visiting services for expectant and new parents with young children up to kindergarten entry living in at-risk communities. The MIECHV Program was last reauthorized in December 2022.¹ One key program requirement is that programs deliver services using models that meet HHS criteria for evidence of effectiveness, referred to as evidence-based models.² The Administration for Children and Families administers the Home Visiting Evidence of Effectiveness (HomVEE) review process to identify early childhood home visiting models that demonstrate evidence of effectiveness.³ However, not all evidence-based service delivery models approved through the HomVEE process meet MIECHV statutory requirements as enacted in the last reauthorization of the program in 2022 such that they may be used to carry out the MIECHV Program in fidelity to applicable program requirements.

In 2021, HRSA issued a Request for Information notice and request for comment regarding its proposal to standardize criteria for assessing model eligibility to be implemented using MIECHV Program funds.⁴ This 2025 ICR

reflects new MIECHV statutory provisions that were added in December 2022 and thus replaces that 2021 notice. HRSA is issuing this ICR to propose a survey to identify service delivery models that meet both HHS criteria for evidence of effectiveness, as determined by HomVEE review, and applicable MIECHV statutory requirements, and therefore may be used by funding recipients to provide home visiting services through the MIECHV Program. This will be accomplished by validating whether evidence-based models, as determined by HomVEE, align with the MIECHV Program’s statutory requirements, as further discussed in this notice. This process will ensure that models used by funding recipients (and their local implementing agencies) to deliver MIECHV Program services effectively meet core components of the MIECHV Program, including those added during the program’s 2022 reauthorization.

Following approval of this ICR request, HRSA will begin the process of assessing all models that meet HHS criteria for evidence of effectiveness, as determined by the HomVEE review, to determine their MIECHV eligibility. It will initiate this process by requesting information from home visiting model developers through a standardized survey. As of November 2025, HomVEE lists 24 models that meet HHS criteria for evidence of effectiveness.⁵ Upon receiving the survey from HRSA, model developers will have 30 days to provide requested information on model characteristics, resources, and processes. A panel of HRSA reviewers will assess the survey responses against the MIECHV statutory requirements. Any of the 24 evidence-based models that also meet these statutory criteria will be considered eligible for MIECHV Program implementation and remain eligible for implementation after the end of the current performance period. Models that do not meet these criteria will be deemed ineligible for use by funding recipients (and their local implementing agencies) to carry out the MIECHV Program and may continue to be used only through the currently applicable period of performance. HRSA will work with funding recipients regarding any changes in model approval that may affect their program implementation; however, funding

Childhood Home Visiting (MIECHV) Program Model Eligibility Review.” *Federal Register* 86, no. 184 (September 27, 2021): 53329. <https://www.federalregister.gov/d/2021-20853>.

⁵ HomVEE lists home visiting models that meet HHS criteria for evidence of effectiveness at: <https://homvee.acf.hhs.gov/HRSA-Models-Eligible-MIECHV-Grantees>.

¹ Section 6101 of the Consolidated Appropriations Act, 2023, Public Law 117–328, recently amended Section 511 of the Social Security Act, as added by the Patient Protection and Affordable Care Act, Public Law 111–148, Section 2951, and extended appropriated funding through fiscal year 2027.

² 42 U.S.C. 711(d)(3)(C)(i).

³ The current HHS criteria for evidence-based models can be found at: <https://homvee.acf.hhs.gov/about-us/hhs-criteria>.

⁴ HRSA, HHS. “Statutory Requirements and Process Standardization: Maternal, Infant, and Early

recipients will be expected to propose projects using models approved for MIECHV Program implementation under future funding awards. Model developers may submit a written request for reconsideration of HRSA's decision within 15 days of receiving a negative determination and should provide any available supporting information for their request. HRSA will have 45 days after the receipt of the request to reassess the model.

After HRSA's initial review, all eligible models may be reassessed against the MIECHV statutory requirements through the routine, periodic HomVEE review process for models that have already met HHS criteria for evidence of effectiveness. HRSA and the Administration for Children and Families will continue to collaborate in future years to assess home visiting models against MIECHV statutory requirements.

HRSA seeks public comment on the proposed methodology to identify service delivery models that meet MIECHV statutory requirements, including how the proposed changes will affect interested parties such as funding recipients, model developers, and eligible families receiving MIECHV services.

MIECHV Program Statutory Requirements for Home Visiting Models: The MIECHV Program's authorizing statute mandates that funding recipients implementing the program use a service delivery model that meets specific statutory requirements. Models must "conform to a clear consistent home [visiting] model that has been in existence for at least 3 years and is research-based, grounded in relevant empirically-based knowledge, linked to program determined outcomes, [and is] associated with a national organization

or institution of higher education that has comprehensive home visitation program standards that ensure high-quality service delivery and continuous program quality improvement."⁶ Under the statute, the model must also have demonstrated significant sustained positive outcomes in statutory benchmark areas and participant outcomes when evaluated using well-designed and rigorous randomized controlled research designs, and the evaluation results have been published in a peer-reviewed journal; or quasi-experimental research designs.⁷ The 2022 reauthorization also added a new requirement that the "standards for training requirements applicable to virtual service delivery under a home visiting model shall be equivalent to those that apply to in-person service delivery under the model."⁸

To ensure programs comply with MIECHV statutory requirements,⁹ service delivery models also must support the delivery of home visiting services through the employment of well-trained and competent staff¹⁰ that receive ongoing high-quality supervision,¹¹ support programs' strong organizational capacity to implement home visiting activities¹² and ability to establish appropriate linkages and referral networks to other community resources and supports for participating families,¹³ monitor the fidelity of program implementation to ensure services are delivered in fidelity to the specified model,¹⁴ and ensure voluntary participation in the program.¹⁵ The 2022 reauthorization also requires MIECHV programs¹⁶ to implement service delivery home visiting models that provide or support targeted, intensive home visiting services for high-risk populations¹⁷ and support the delivery of home visiting services

through at least one in-person home visit for each participating family during each 12-month period of enrollment.¹⁸

A 60-day notice was published in the **Federal Register** on January 8, 2025, Vol. 90, No. 5; pp. 1508–1510. There were no public comments.

Need and Proposed Use of the Information: Section 711 establishes statutory requirements for the MIECHV Program. Information gained from this information collection will inform determinations of which service delivery models are eligible to be implemented in the MIECHV Program.

Likely Respondents: Organizations that develop, support implementation of, and implement early childhood home visiting models that meet HHS criteria for evidence of effectiveness, as determined by HomVEE review, and that are interested in having their models assessed against other MIECHV statutory requirements to establish eligibility for use by MIECHV funding recipients.

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
MIECHV Program Model Eligibility Review Survey	24	1	24	3	72
Total	24		24		72

⁶ 42 U.S.C. 711(d)(3)(A)(i)(I).

⁷ 42 U.S.C. 711(d)(3)(A)(i)(I).

⁸ 42 U.S.C. 711(d)(4)(B).

⁹ HRSA proposes to identify service delivery models that may be used by MIECHV funding recipients because they comply with statutory requirements applicable to service delivery models and support MIECHV statutory program requirements. Such models, in addition to meeting

the service delivery model requirements in subsections 711(d)(3)(A)(i) and 711(d)(4)(B), must also support program requirements, including those in subsections 711(d)(3)(C) and 711(e).

¹⁰ 42 U.S.C. 711(d)(3)(C)(ii).

¹¹ 42 U.S.C. 711(d)(3)(C)(iii).

¹² 42 U.S.C. 711(d)(3)(C)(iv).

¹³ 42 U.S.C. 711(d)(3)(C)(v).

¹⁴ 42 U.S.C. 711(d)(3)(C)(vi).

¹⁵ 42 U.S.C. 711(e)(7)(A).

¹⁶ HRSA proposes to identify service delivery models that may be used by MIECHV funding recipients because they comply with statutory requirements applicable to service delivery models that also support other MIECHV statutory program requirements.

¹⁷ 42 U.S.C. 711(d)(3)(B).

¹⁸ 42 U.S.C. 711(d)(3)(C)(vii), 711(e)(10)(C).

Maria G. Button,

Director, Executive Secretariat.

[FR Doc. 2025–22609 Filed 12–11–25; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

NIH Policy on Enhancing Security Measures for Human Biospecimens

AGENCY: National Institutes of Health, HHS.

ACTION: Notice of policy.

SUMMARY: This Policy establishes expectations for ensuring the security of human biospecimens whose collection, obtainment, storage, use, or distribution are supported by NIH funds. The policy ensures protections for human participants and vital national security interests, consistent with Executive Order 14117 (see: <https://www.govinfo.gov/content/pkg/FR-2024-03-01/pdf/2024-04573.pdf>) and 28 CFR 202 “Preventing Access to U.S. Sensitive Personal Data and Government-Related Data by Countries of Concern or Covered Persons” (see: <https://www.federalregister.gov/documents/2025/01/08/2024-31486/preventing-access-to-us-sensitive-personal-data-and-government-related-data-by-countries-of-concern>).

DATES: This policy became effective as of October 24, 2025.

FOR FURTHER INFORMATION CONTACT: Further information about this policy notice may be directed to Dr. Adam Berger at 301–496–9838 or SCIENCEPOLICY@OD.NIH.GOV.

SUPPLEMENTARY INFORMATION: On April 8, 2025, the Department of Justice (DoJ) implemented a final rule (28 CFR 202) to “address a national emergency declared by the President in Executive Order 13873 (see: <https://www.federalregister.gov/documents/2019/05/17/2019-10538/securing-the-information-and-communications-technology-and-services-supply-chain>) of May 15, 2019, to deal with the ‘unusual and extraordinary threat . . . to the national security and foreign policy of the United States’ posed by foreign adversaries’ access to Americans’ “vast amounts of sensitive information.” 28 CFR 202 specifically exempts transactions that are for the conduct of the official business of the United States Government by its employees, grantees, or contractors, any authorized activity of any United States Government department or agency, or transactions conducted pursuant to a

grant, contract, or other agreement entered into with the United States Government. Recognizing the need for Departments and Agencies to implement appropriate security policies tailored to the risks posed by their supported or conducted activities, E.O. 14117 (see: <https://www.govinfo.gov/content/pkg/FR-2024-03-01/pdf/2024-04573.pdf>) directs the Secretary of Health and Human Services to “consider taking steps . . . to prohibit the provision of assistance that enables access by countries of concern or covered persons to United States [U.S.] persons’ bulk sensitive personal data, including personal health data and human genomic data, . . . on the recipients of Federal assistance to address this threat.”

NIH Policy on Enhancing Security Measures for Human Biospecimens

Purpose

NIH is implementing additional policies and standard practices to protect Americans’ sensitive and personal health-related data from foreign adversary misuse. This NIH Policy on Enhancing Security Measures for Human Biospecimens (herein referred to as NIH Biospecimens Security Policy) establishes expectations for ensuring the security of human biospecimens whose collection, obtainment, storage, use, or distribution are supported by NIH funds. The policy ensures protections for human participants and vital national security interests, consistent with E.O. 14117 (see: <https://www.govinfo.gov/content/pkg/FR-2024-03-01/pdf/2024-04573.pdf>) and 28 CFR 202 “Preventing Access to U.S. Sensitive Personal Data and Government-Related Data by Countries of Concern or Covered Persons” (see: <https://www.federalregister.gov/documents/2025/01/08/2024-31486/preventing-access-to-us-sensitive-personal-data-and-government-related-data-by-countries-of-concern>).

NIH funds and supports the collection, obtainment, storage, use, or distribution of a wide variety of human biospecimens of U.S. persons and is therefore accountable to those individuals from whom the biospecimens were obtained. NIH takes seriously the privacy and security of these individuals and recognizes that human biospecimens may be used to derive sensitive information, such as an individuals’ genome sequence.

On April 8, 2025, the Department of Justice (DoJ) implemented a final rule (28 CFR 202) to address a national emergency declared by the President in Executive Order 13873 (see: <https://www.federalregister.gov/documents/2019/05/17/2019-10538/securing-the-information-and-communications-technology-and-services-supply-chain>)

www.federalregister.gov/documents/2019/05/17/2019-10538/securing-the-information-and-communications-technology-and-services-supply-chain) of May 15, 2019 to deal with the ‘unusual and extraordinary threat . . . to the national security and foreign policy of the United States’ posed by foreign adversaries’ access to Americans’ “vast amounts of sensitive information.” The final rule exempts specific types of transactions conducted and authorized by United States Government employees, grantees, or contractors, acknowledging the need for Departments and Agencies to implement appropriate security policies tailored to the risks posed by their supported or conducted activities. Additionally, E.O. 14117 (see: <https://www.govinfo.gov/content/pkg/FR-2024-03-01/pdf/2024-04573.pdf>) directs the Secretary of Health and Human Services to “consider taking steps . . . to prohibit the provision of assistance that enables access by countries of concern or covered persons to United States [U.S.] persons’ bulk sensitive personal data, including personal health data and human genomic data, . . . on the recipients of Federal assistance to address this threat.”

Recent security directives, including E.O. 14117 (<https://www.govinfo.gov/content/pkg/FR-2024-03-01/pdf/2024-04573.pdf>) and 28 CFR 202 “Preventing Access to U.S. Sensitive Personal Data and Government-Related Data by Countries of Concern or Covered Persons” (see: <https://www.federalregister.gov/documents/2025/01/08/2024-31486/preventing-access-to-us-sensitive-personal-data-and-government-related-data-by-countries-of-concern>), have increased the need to set expectations for securing human biospecimens to address national security and related concerns. NIH is enacting the NIH Biospecimens Security Policy in support of these directives to secure Americans’ sensitive personal health-related data from exploitation, ensure America’s leadership in scientific research and technology development, and protect the privacy and rights of Americans.

Effective Date

This policy became effective as of October 24, 2025.

Definitions

The following definitions are used for the purpose of the NIH Biospecimens Security Policy:

Countries of concern—Those countries as determined under 28 CFR 202.601 (Subpart F: Determination of Countries of Concern)(see: <https://www.federalregister.gov/documents/2025/01/08/2024-31486/preventing-access-to-us-sensitive-personal-data-and-government-related-data-by-countries-of-concern>)

www.federalregister.gov/documents/2025/01/08/2024-31486/preventing-access-to-us-sensitive-personal-data-and-government-related-data-by-countries-of-concern#sectno-reference-202.601).

Human biospecimens—A quantity of tissue, blood, urine, or other human-derived material. A single biopsy may generate several human biospecimens, including multiple paraffin blocks or frozen sample. A human biospecimen can comprise subcellular structures, cells, tissue (e.g., bone, muscle, connective tissue, and skin), organs (e.g., liver, bladder, heart, and kidney), blood, gametes (sperm and ova), embryos, fetal tissue, and waste (urine, feces, sweat, hair and nail clippings, shed epithelial cells, and placenta). Human biospecimens include those that are isolated and propagated into new cell lines. The term also includes cell lines for which an agreement is in place to commercially or publicly make them available, but for which the cell lines have not yet been made commercially or publicly available on or after the effective date of this policy.

U.S. person—As defined under 28 CFR 202.256 (see: <https://www.ecfr.gov/current/title-28/section-202.256>) any United States citizen, national, or lawful permanent resident; any individual admitted to the United States as a refugee under 8 U.S.C. 1157 (see: <https://www.govinfo.gov/link/uscode/8/1157>) or granted asylum under 8 U.S.C. 1158; (see: <https://www.govinfo.gov/link/uscode/8/1158>) any entity organized solely under the laws of the United States or any jurisdiction within the United States (including foreign branches); or any person in the United States.

Scope and Applicability

The NIH Biospecimens Security Policy applies to all human clinical and research biospecimens obtained from U.S. persons (regardless of identifiability) that are collected, obtained, stored, used, or distributed and that are supported or funded by any on-going or new NIH funding mechanisms (grants, cooperative agreements, contracts, Other Transactions, and intramural support) regardless of NIH funding level.

This Policy does not apply to cell derivative products or cell lines derived from human biospecimens of U.S. persons collected, obtained, stored, used, or distributed using on-going or new NIH funds that are commercially or publicly available prior to the effective date of this policy.

Requirements

NIH expects the research community to recognize the risks posed by the sharing or distribution of U.S. persons biospecimens that were collected, obtained, stored, used, or distributed with previous NIH funds or support with countries of concern.

The entity (e.g., biorepository, institution, investigator) that holds human biospecimens of U.S. persons collected, obtained, stored, used, or distributed using on-going or new NIH funds are prohibited from directly or indirectly distributing the human biospecimens to institutions or parties located in countries of concern (see: <https://www.federalregister.gov/documents/2025/01/08/2024-31486/preventing-access-to-us-sensitive-personal-data-and-government-related-data-by-countries-of-concern#sectno-reference-202.601>).

In limited circumstances, the human biospecimens may be shared or distributed to countries of concern only if use of the human biospecimens is:

1. to meet transactions required or authorized by Federal law or international agreements, (see: <https://www.federalregister.gov/documents/2025/01/08/2024-31486/preventing-access-to-us-sensitive-personal-data-and-government-related-data-by-countries-of-concern#sectno-reference-202.507>) including Global health, or necessary for compliance with Federal law; or
2. needed in rare and compelling circumstances where the facility and personnel in the country of concern possess needed capabilities and/or expertise not available elsewhere, the use of the biospecimen cannot be delayed to a time when capability and/or expertise is available elsewhere, and done with the consent of the individual from whom the biospecimen was collected; or
3. at the request of the individual whose biospecimen was collected, obtained, or stored using NIH-funds; for purposes of diagnosis, prevention or treatment of that individual; and in compliance with applicable Federal laws, regulations, and policies.

As a reminder, the export of human biospecimens must follow all applicable export administration regulations (see: <https://www.ecfr.gov/current/title-15/subtitle-B/chapter-VII/subchapter-C>).

NIH requires all entities retain documentation related to sharing or distributing biospecimens to countries of concern under one of the allowable limited circumstances and further document the quantity and content of the biospecimen material that was

shared or distributed. Documentation must be retained and provided to NIH upon request.

Matthew J. Memoli,

Principal Deputy Director, National Institutes of Health.

[FR Doc. 2025–22618 Filed 12–11–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Integrative, Functional and Cognitive Neuroscience Integrated Review Group; Neurotoxicology and Alcohol Study Section.

Date: January 20–21, 2026.

Time: 9:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Eileen Marie Moore, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 594–8928, eileen.moore@nih.gov.

Name of Committee: Integrative, Functional and Cognitive Neuroscience Integrated Review Group; Neurobiology of Pain and Itch Study Section.

Date: January 28–29, 2026.

Time: 11:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Natalia Strunnikova, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 402–0288, natalia.strunnikova@nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333,

93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: December 9, 2025.

Rosalind M. Niamke,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–22622 Filed 12–11–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Arthritis and Musculoskeletal and Skin Diseases; 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 Arthritis and Musculoskeletal and Skin Diseases Advisory Council.

The meeting will be partially 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 open session will be videocast and can be accessed from the NIH Videocasting and Podcasting website (<https://videocast.nih.gov/watch=57112>).

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 Arthritis and Musculoskeletal and Skin Diseases Advisory Council.

Date: January 27, 2026.

Open: 9:30 a.m. to 2:45 p.m.

Agenda: Call to Order, Introductions; Consideration of Minutes and Overview of Council Operating Procedures; NIAMS

Director's Report; Open Discussion and other business of Council.

Address: National Institute of Health, Building 31, 6C Rooms A, B, and C, 31 Center Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Closed: 2:45 p.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications and/or proposals.

Address: National Institutes of Health, 31 Center Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Timothy Erik Edgerton, MBA, Acting Deputy Director, Division of Extramural Activities, Grants Management Branch, Division of Extramural Activities, 6701 Democracy Blvd., Suite 838, Bethesda, MD 20892, (301) 594–7760, edgertont@mail.nih.gov.

Registration is not required to attend the open portion of this meeting.

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

Information is also available on the Institute's/Center's home page: <https://www.niams.nih.gov/about/working-groups/advisory-council>, where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.846, Arthritis, Musculoskeletal and Skin Diseases Research, National Institutes of Health, HHS)

Dated: December 10, 2025.

Denise M. Santeufemio,

Supervisory Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–22675 Filed 12–11–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation and Approval of USA, Inc. (Corpus Christi, TX), as a Commercial Gauger and Laboratory

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of Intertek USA, Inc. (Corpus Christi, TX), as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Intertek USA, Inc. (Corpus Christi, TX), has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum products for customs purposes for the next three years as of September 5, 2024.

DATES: Intertek USA, Inc. (Corpus Christi, TX), was approved and accredited as a commercial gauger and laboratory as of September 5, 2024. The next triennial inspection date will be scheduled for September 2027.

FOR FURTHER INFORMATION CONTACT: Dr. Laura Granell-Ortiz, Laboratories and Scientific Services, U.S. Customs and Border Protection, 1331 Pennsylvania Avenue NW, Suite 1501A North, Washington, DC 20004, tel. 202–344–1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that Intertek USA, Inc., 4702 Westway Drive, Corpus Christi, TX 78408, has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13.

Intertek USA, Inc. (Corpus Christi, TX) is approved for the following gauging procedures for petroleum and certain petroleum products from the American Petroleum Institute (API):

API Chapters	Title
3	Tank Gauging.
7	Temperature Determination.
8	Sampling.
12	Calculations.
17	Maritime Measurement.

Intertek USA, Inc. (Corpus Christi, TX), is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27–03	D 4006	Standard Test Method for Water in Crude Oil by Distillation.
27–04	D 95	Standard Test Method for Water in Petroleum Products and Bituminous Materials by Distillation.
27–05	D 4928	Standard Test Method for Water in Crude Oils by Coulometric Karl Fischer Titration.
27–06	D 473	Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method.

CBPL No.	ASTM	Title
27-13	D 4294	Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy Dispersive X-ray Fluorescence Spectrometry.
27-46	D 5002	Standard Test Method for Density and Relative Density of Crude Oils by Digital Density Analyzer.
27-48	D 4052	Standard Test Method for Density and Relative Density of Liquids by Digital Density Meter.
N/A	D 4807	Standard Test Method for Sediment in Crude Oil by Membrane Filtration.

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344-1060. The inquiry may also be sent to CBPGaugersLabs@cbp.dhs.gov. Please reference the website listed below for a complete listing of CBP approved gaugers and accredited laboratories. <http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories>.

Patricia A. Coleman,
Deputy Assistant Commissioner, Laboratories
and Scientific Services.

[FR Doc. 2025-22625 Filed 12-11-25; 8:45 am]

BILLING CODE 9111-14-P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation and Approval of Intertek USA, Inc. (Benicia, CA), as a Commercial Gauger and Laboratory

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of Intertek USA, Inc. (Benicia, CA), as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Intertek USA, Inc., (Benicia, CA), has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of March 14, 2025.

DATES: Intertek USA, Inc. (Benicia, CA), was approved and accredited as a commercial gauger and laboratory as of March 14, 2025. The next triennial inspection date will be scheduled for March 2028.

FOR FURTHER INFORMATION CONTACT: Dr. Laura Granell-Ortiz, Laboratories and Scientific Services, U.S. Customs and Border Protection, 1331 Pennsylvania

Avenue NW, Suite 1501A North, Washington, DC 20004, tel. 202-344-1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that Intertek USA, Inc., 6050 Egret Ct., Benicia, CA 94510 has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13.

Intertek USA, Inc. (Benicia, CA), is approved for the following gauging procedures for petroleum and certain petroleum products from the American Petroleum Institute (API):

API chapters	Title
3	Tank Gauging.
7	Temperature Determination.
8	Sampling.
12	Calculations.
17	Marine Measurement.

Intertek USA, Inc. (Benicia, CA), is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27-03	D4006	Standard Test Method for Water in Crude Oil by Distillation.
27-04	D95	Standard Test Method for Water in Petroleum Products and Bituminous Materials by Distillation.
27-05	D4928	Standard Test Method for Water in Crude Oils by Coulometric Karl Fischer Titration.
27-06	D473	Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method.
27-07	D4807	Standard Test Method for Sediment in Crude Oil by Membrane Filtration.
27-13	D4294	Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-ray Fluorescence Spectrometry.
27-46	D5002	Standard Test Method for Density, Relative Density, and API Gravity of Crude Oils by Digital Density Analyzer.
27-48	D4052	Standard Test Method for Density, Relative Density, and API Gravity of Liquids by Digital Density Meter.
27-54	D1796	Standard Test Method for Water and Sediment in Fuel Oils by the Centrifuge Method (Laboratory Procedure).
N/A	D4007	Standard Test Method for Water and Sediment in Crude Oil by the Centrifuge Method (Laboratory Procedure).

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or

gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344-1060. The inquiry may also be sent to

CBPGaugersLabs@cbp.dhs.gov. Please reference the website listed below for a complete listing of CBP approved gaugers and accredited laboratories. <http://www.cbp.gov/about/labs->

scientific/commercial-gaugers-and-laboratories.

Patricia A. Coleman,
Deputy Assistant Commissioner, Laboratories and Scientific Services.
[FR Doc. 2025–22626 Filed 12–11–25; 8:45 am]
BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation and Approval of USA, Inc. (Savannah, GA), as a Commercial Gauger and Laboratory

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of Intertek USA, Inc. (Savannah, GA), as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that

Intertek USA, Inc. (Savannah, GA), has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of October 7, 2024.

DATES: Intertek USA, Inc. (Savannah, GA), was approved and accredited as a commercial gauger and laboratory as of October 7, 2024. The next triennial inspection date will be scheduled for October 2027.

FOR FURTHER INFORMATION CONTACT: Dr. Laura Granell-Ortiz, Laboratories and Scientific Services, U.S. Customs and Border Protection, 1331 Pennsylvania Avenue NW, Suite 1501A North, Washington, DC 20004, tel. 202–344–1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that Intertek USA, Inc., 202 West Chatham Blvd., Savannah, GA 31408, has been approved to gauge petroleum and certain petroleum products and

accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13.

Intertek USA, Inc. (Savannah, GA), is approved for the following gauging procedures for petroleum and certain petroleum products from the American Petroleum Institute (API):

API chapters	Title
3	Tank Gauging.
7	Temperature Determination.
8	Sampling.
12	Calculations.
17	Maritime Measurement.

Intertek USA, Inc. (Savannah, GA) is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27–08	D86	Standard Test Method for Distillation of Petroleum Products at Atmospheric Pressure.
27–11	D445	Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids (and Calculation of Dynamic Viscosity).
27–48	D4052	Standard Test Method for Density, Relative Density and API Gravity of Liquids by Digital Density Meter.
27–57	D7039	Standard Test Method for Sulfur in Gasoline and Diesel Fuel by Monochromatic Wavelength Dispersive X-Ray Fluorescence Spectrometry.
27–58	D5191	Standard Test Method For Vapor Pressure of Petroleum Products (Mini Method).

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to CBPGaugersLabs@cbp.dhs.gov. Please reference the website listed below for a complete listing of CBP approved gaugers and accredited laboratories. <http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories>.

Patricia A. Coleman,
Deputy Assistant Commissioner, Laboratories and Scientific Services.
[FR Doc. 2025–22624 Filed 12–11–25; 8:45 am]
BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation and Approval of Intertek USA, Inc. (New Haven, CT), as a Commercial Gauger and Laboratory

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of Intertek USA, Inc. (New Haven, CT), as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Intertek USA, Inc. (New Haven, CT), has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of September 4, 2024.

DATES: Intertek USA, Inc., (New Haven, CT) was approved and accredited as a commercial gauger and laboratory as of September 4, 2024. The next triennial

inspection date will be scheduled for September 2027.

FOR FURTHER INFORMATION CONTACT: Dr. Laura Granell-Ortiz, Laboratories and Scientific Services, U.S. Customs and Border Protection, 1331 Pennsylvania Avenue NW, Suite 1501A North, Washington, DC 20004, tel. 202–344–1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that Intertek USA, Inc., 481–A East Shore Parkway, New Haven, CT 06512, has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13.

Intertek USA, Inc. (New Haven, CT), is approved for the following gauging procedures for petroleum and certain petroleum products from the American Petroleum Institute (API):

API chapters	Title
3	Tank Gauging.

API chapters	Title	Intertek USA, Inc. (New Haven, CT), is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection	Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):
7	Temperature Determination.		
8	Sampling.		
12	Calculations.		
17	Maritime Measurement.		
CBPL No.	ASTM	Title	
27-01	D287	Standard Test Method for API Gravity of Crude Petroleum and Petroleum Products (Hydrometer Method).	
27-06	D473	Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method.	
27-08	D86	Standard Test Method for Distillation of Petroleum Products at Atmospheric Pressure.	
27-11	D445	Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids (and Calculation of Dynamic Viscosity).	
27-13	D4294	Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-ray Fluorescence Spectrometry.	
27-14	D2622	Standard Test Method for Sulfur in Petroleum Products by Wavelength Dispersive X-Ray Fluorescence.	
27-48	D4052	Standard Test Method for Density, Relative Density and API Gravity of Liquids by Digital Density Meter.	
27-50	D93	Standard Test Methods for Flash-Point by Pensky-Martens Closed Cup Tester.	
27-53	D2709	Standard Test Method for Water and Sediment in Middle Distillate Fuels by Centrifuge.	
27-54	D1796	Standard Test Method for Water and Sediment in Fuel Oils by the Centrifuge Method.	
27-57	D7039	Standard Test Method for Sulfur in Gasoline and Diesel Fuel by Monochromatic Wavelength Dispersive X-Ray Fluorescence Spectrometry.	
27-58	D5191	Standard Test Method For Vapor Pressure of Petroleum Products (Mini Method).	

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344-1060. The inquiry may also be sent to CBPGaugersLabs@cbp.dhs.gov. Please reference the website listed below for a complete listing of CBP approved gaugers and accredited laboratories. <http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories>.

Patricia A. Coleman,
Deputy Assistant Commissioner, Laboratories and Scientific Services.

[FR Doc. 2025-22627 Filed 12-11-25; 8:45 am]

BILLING CODE 9111-14-P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[OMB Control Number 1615-0013]

Agency Information Collection Activities; Revision of a Currently Approved Collection: Application for Travel Document

AGENCY: U.S. Citizenship and Immigration Services, Department of Homeland Security.

ACTION: 30-Day notice.

SUMMARY: The Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. The purpose of this notice is to allow an additional 30 days for public comments.

DATES: Comments are encouraged and will be accepted until January 12, 2026.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, must be submitted via the Federal eRulemaking Portal website at <http://www.regulations.gov> under e-Docket ID number USCIS-2007-0045. All submissions received must include the OMB Control Number 1615-0013 in the body of the letter, the agency name and Docket ID USCIS-2007-0045.

FOR FURTHER INFORMATION CONTACT: USCIS, Office of Policy and Strategy, Regulatory Coordination Division, John R Pfirrmann-Powell, Acting Deputy Chief, telephone number (240) 721-3000. (This is not a toll-free number; comments are not accepted via telephone message.) Please note contact information provided here is solely for questions regarding this notice. It is not for individual case status inquiries. Applicants seeking information about the status of their individual cases can check Case Status Online, available at the USCIS website at <http://www.uscis.gov>.

www.uscis.gov, or call the USCIS Contact Center at 800-375-5283 (TTY 800-767-1833).

SUPPLEMENTARY INFORMATION:

Comments

The information collection notice was previously published in the **Federal Register** on July 23, 2025, at 90 FR 34668, allowing for a 60-day public comment period. USCIS did receive 3 comments in connection with the 60-day notice.

You may access the information collection instrument with instructions, or additional information by visiting the Federal eRulemaking Portal site at: <http://www.regulations.gov> and enter USCIS-2007-0045 in the search box. Comments must be submitted in English, or an English translation must be provided. The comments submitted to USCIS via this method are visible to the Office of Management and Budget and comply with the requirements of 5 CFR 1320.12(c). All submissions will be posted, without change, to the Federal eRulemaking Portal at <http://www.regulations.gov>, and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to consider limiting the amount of personal information that you provide in any voluntary submission you make to DHS. DHS may withhold information provided in comments from public viewing that it determines may impact the privacy of an individual or is offensive. For additional information, please read the Privacy Act notice that is available via the link in the footer of <http://www.regulations.gov>.

Written comments and suggestions from the public and affected agencies 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) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Revision of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Application for Travel Document.

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* Form I-131; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* **Primary:** Individuals or households. Certain individuals, principally lawful permanent residents, conditional permanent residents, refugees, asylees, applicants for adjustment of status, noncitizens with pending Temporary Protected Status (TPS) applications and granted TPS, eligible recipients of Deferred Action for Childhood Arrivals (DACA), noncitizens inside the United States seeking an Advance Parole Document, noncitizens outside the United States seeking a Parole Document, previously paroled noncitizens inside the United States who are seeking a new period of parole, and CNMI long-term residents seeking Advance Permission to Travel to allow them to travel to the United States and lawfully enter or reenter the United States. U.S. citizens and lawful permanent residents will no longer utilize Form I-131 to request an initial grant of parole for their eligible family members under the Cuban Family Reunification Parole (CFRP) or Haitian Family Reunification Parole (HFRP) processes.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated total number of respondents for the information collection Form I-131 (paper) is 976,639 and the estimated hour burden per response is 3.1 hours; the estimated total number of respondents for the information collection Form I-131 (online) is 30,205 and the estimated hour burden per response is 2 hours; the estimated total number of respondents for biometrics processing is 49,615 and the estimated hour burden per response is 1.17 hours; the estimated total number of respondents for passport-style photos is 16,600 and the estimated hour burden per response is 0.5 hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total estimated annual hour burden associated with this collection is 3,154,341 hours.

(7) *An estimate of the total public burden (in cost) associated with the collection:* The estimated total annual cost burden associated with this collection of information is \$296,028,540.

Dated: December 9, 2025.

John R. Pfirrmann-Powell,

Acting Deputy Chief, Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security.

[FR Doc. 2025-22613 Filed 12-11-25; 8:45 am]

BILLING CODE 9111-97-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1398 (Modification and Rescission)]

Certain Smart Wearable Devices, Systems, and Components Thereof; Notice of Commission Determination To Institute Modification and Rescission Proceedings and To Grant a Joint Petition for Limited Service of Confidential Exhibit; Modification of Limited Exclusion Order and Rescission of Cease and Desist Orders; Termination of Modification and Rescission Proceedings

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to (i) institute modification and rescission proceedings based on a joint petition to rescind the limited exclusion order ("LEO") as to respondents RingConn

LLC and Shenzhen Ninenovo Technology Limited (collectively, "RingConn") and rescind in full cease and desist orders ("CDOs") as to RingConn, and (ii) grant the joint petition for limited service of the confidential exhibit. The LEO is modified to remove reference to RingConn and the CDOs as to RingConn are rescinded. The modification and rescission proceedings are terminated.

FOR FURTHER INFORMATION CONTACT:

Joelle P. Justus, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-2593. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on April 17, 2024, based on a complaint filed by Ouraring, Inc. of San Francisco, California, and Oura Health Oy of Oulu, Finland (collectively, "Oura"). 89 FR 27452-53 (Apr. 17, 2024). The complaint, as amended, alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain smart wearable devices, systems, and components thereof by reason of the infringement of certain claims of U.S. Patent Nos. 11,868,178 ("the '178 patent"); 10,842,429 ("the '429 patent"); and 11,868,179 ("the '179 patent"). The Commission's notice of investigation named as respondents: (1) Ultrahuman Healthcare Pvt. Ltd. of Bengaluru, India; Ultrahuman Healthcare SP LLC of Abu Dhabi, UAE; and Ultrahuman Healthcare Ltd. of London, United Kingdom (collectively, "Ultrahuman"); (2) Guangdong Jiu Zhi Technology Co. Ltd. of Guangdong, China; and RingConn LLC of Wilmington, Delaware (collectively, "RingConn"); and (3) Circular SAS of Paris, France. The Office of Unfair Import Investigations ("OUII") was also a party to this investigation.

The complaint and notice of investigation were later amended to

change the name of Respondent Guangdong Jiu Zhi Technology Co. Ltd. to Shenzhen Ninenovo Technology Limited because of a corporate name change, and to amend the address for RingConn LLC. Order No. 8 (May 3, 2024), *unreviewed by* Comm'n Notice, 89 FR 48686–87 (June 7, 2024).

The Commission terminated the investigation as to respondent Circular SAS based on settlement. Order No. 12 (July 9, 2024), *unreviewed by* Comm'n Notice (Aug. 6, 2024).

The Commission further terminated the investigation as to all claims of the '429 and '179 patents, and all but claims 1, 2, and 12–14 of the '178 patent. Order No. 13 (July 30, 2024), *unreviewed by* Comm'n Notice (Aug. 22, 2024); Order No. 15 (Sept. 16, 2024), *unreviewed by* Comm'n Notice (Oct. 7, 2024); Order No. 21 (Dec. 9, 2024), *unreviewed by* Comm'n Notice (Dec. 23, 2024).

On August 21, 2025, the Commission issued a final determination finding a violation of section 337 by RingConn and Ultrahuman as to the remaining asserted claims of the '178 patent. 90 FR 41594–95 (Aug. 26, 2025). The Commission determined that the appropriate remedy is: (i) an LEO against Ultrahuman's and RingConn's infringing products; and (ii) CDOs against Ultrahuman and RingConn. *Id.* at 41595. The Commission set the bond during the period of Presidential review at zero (0) percent of the entered value of the infringing articles. *Id.*

On September 5, 2025, the Commission granted a Joint Motion for Correction and/or Clarification Regarding the Temporal Scope of the Warranty Exemption in the Commission's Remedial Orders. *See* Comm'n Notice (Sept. 5, 2025). The Commission issued corrected CDOs reflecting that the conduct permitted by the CDOs includes the importation and provision of covered products necessary to replace covered products purchased by consumers prior to the expiration of the period of Presidential review, provided that replacement is pursuant to a warranty for the replaced article.

On November 17, 2025, Oura and RingConn ("Petitioners") jointly petitioned under 19 U.S.C. 1337(k) and 19 CFR 210.76(a)(1) to rescind the LEO as to RingConn's infringing products and rescind the CDOs as to RingConn. The joint petition further requests that service of the unredacted version of the Patent License & Settlement Agreement ("Settlement Agreement") between Oura and RingConn be limited to Oura, RingConn, and OUII. The joint petition ("Jt. Pet.") states that the requested rescission of the orders is warranted because, based on the Settlement

Agreement, "RingConn licensed a group of patents including the '178 Patent, the sole basis for the remedial orders issued against RingConn in this Investigation," and thus the Settlement Agreement "resolves all past and current issues as to RingConn in this Investigation." Jt. Pet. at 1, 3. The joint petition argues that the Settlement Agreement constitutes a changed condition of fact justifying rescission of the orders as to RingConn. *Id.* at 3. In accordance with Commission Rule 210.76(a)(3), the joint petition includes confidential and public versions of the Settlement Agreement and states that "[t]here are no other agreements, written or oral, express or implied between Oura and RingConn concerning the subject matter of this Investigation." *Id.*; 19 CFR 210.76(a)(3). The joint petition states that Ultrahuman does not oppose the petition. J. Pet. at 1. On November 28, 2025, OUII filed a response in support of the joint petition.

The Commission has determined that the joint petition satisfies the requirements of Commission Rule 210.76(a)(3), 19 CFR 210.76(a)(3). The Commission has further determined that the conditions justifying the remedial orders against RingConn no longer exist, and, therefore, granting the joint petition is warranted under section 337(k) (19 U.S.C. 1337(k)), and Commission Rule 210.76(a)(3). The Commission has thus determined to institute modification and rescission proceedings and to modify the LEO to remove RingConn and rescind in full the CDOs against RingConn based on the Settlement Agreement. The Commission also finds that Petitioners have shown the requisite good cause under Commission Rule 210.76(a)(3) to grant their motion for limited service of confidential Exhibit 1. The Commission issues a modified LEO and an order herewith setting forth its determinations.

The modification and rescission proceedings are terminated.

The Commission vote for this determination took place on December 8, 2025.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: December 9, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025–22586 Filed 12–11–25; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–754 and 731–TA–1732 (Final)]

Temporary Steel Fencing From China; Revised Schedule for the Subject Proceeding

AGENCY: United States International Trade Commission

ACTION: Notice.

DATES: December 8, 2025.

FOR FURTHER INFORMATION CONTACT: Kristina Lara (202–205–3386), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its internet server (<https://www.usitc.gov>). The public record for this proceeding may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION: Effective August 19, 2025, the Commission established a schedule for the conduct of the subject proceeding (90 FR 44103, September 11, 2025). Due to the lapse in appropriations and ensuing cessation of Commission operations, the Commission issued a revised schedule (90 FR 54368, November 26, 2025). Due to the Department of Commerce's tolling of case deadlines by an additional 21 calendar days, the Commission is revising its schedule as follows: the prehearing staff report will be placed in the nonpublic record on February 25, 2026; the deadline for filing prehearing briefs is March 5, 2026; requests to appear at the hearing must be filed with the Secretary to the Commission on March 6, 2026; a prehearing conference will be held on March 10, 2026, if deemed necessary; parties shall file and serve written testimony and presentation slides in connection with their presentation at the hearing by no later than noon on March 11, 2026; the hearing will be held at the U.S. International Trade Commission Building at 9:30 a.m. on March 12, 2026; the deadline for filing posthearing briefs and for written statements from any person who has not entered an appearance as a party is March 19, 2026; the Commission will make its final

release of information on April 2, 2026; and final party comments are due on April 6, 2026.

For further information concerning this proceeding, see the Commission's notice cited above and the Commission's Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A and C (19 CFR part 207).

Authority: This proceeding is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.21 of the Commission's rules.

By order of the Commission.

Issued: December 9, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025-22621 Filed 12-11-25; 8:45 am]

BILLING CODE 7020-02-P

DEPARTMENT OF JUSTICE

[OMB Number 1110-0058]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension of a Previously Approved Collection; Title—National Incident-Based Reporting System (NIBRS)

AGENCY: Criminal Justice Information Services Division, Federal Bureau of Investigation, DOJ.

ACTION: 60-Day notice.

SUMMARY: The Criminal Justice Information Services (CJIS) Division, FBI, DOJ, will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until February 10, 2026.

FOR FURTHER INFORMATION CONTACT: If you have additional comments, especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Chad M. Garman, Acting Unit Chief, Crime and Law Enforcement Statistics Unit, FBI, CJIS Division, Module D-2, 1000 Custer Hollow Road, Clarksburg, West Virginia 26306, 771-230-3959, or at ucr@fbi.gov.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the FBI, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology (e.g., permitting electronic submission of responses).

Abstract: Under the Uniform Federal Crime Reporting Act of 1988, 34 U.S.C. 41303; the DOJ's authority regarding the acquisition, preservation, and exchange of identification records and information, 28 U.S.C. 534; the USA Patriot Improvement and Reauthorization Act of 2005, Public Law 109-177, 120 Stat. 193; the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, 34 U.S.C. 41309; and the Hate Crimes Statistics Act, 34 U.S.C. 41305, this collection requests incident data from federal, state, local, tribal, and territorial law enforcement agencies (LEAs) in order for the FBI's Uniform Crime Reporting (UCR) Program to serve as the national clearinghouse for the collection and dissemination of incident data. The traditional Summary Reporting System (SRS), managed by the FBI's UCR Program since the 1930s, includes 10 crimes and employs the Hierarchy Rule (i.e., in a multiple-offense incident, only the most serious crime is reported). In contrast, NIBRS includes 28 offense categories made up of 71 specific crimes (i.e., Group A offenses) and allows LEAs to report up to 10 of those offenses associated with an incident. For each of these offenses, LEAs collect administrative, offense, property,

victim, offender, and arrestee information. Arrest data only are reported for an additional 10 Group B offenses. The level of detail is the most significant difference between NIBRS and SRS and the NIBRS data submitted to the FBI's UCR Program are generated as a byproduct of a LEA's records management system.

Overview of This Information Collection

1. *Type of Information Collection:* Extension of a previously approved collection.

2. *The Title of the Form/Collection:* National Incident-Based Reporting System (NIBRS).

3. *The agency form number, if any, and the applicable component of the department sponsoring the collection:* The form number is 1110-0058. The applicable component within DOJ is the CJIS Division, FBI.

4. *Affected public who will be asked or required to respond, as well as the obligation to respond:* Primary: Federal, state, local, tribal, and territorial LEAs. The obligation to respond is mandatory for federal agencies and voluntary for non-federal agencies.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* At the end of 2024, the estimated number of LEAs certified to submit crime data to the FBI's UCR Program via NIBRS totaled 16,788. Each month, it takes approximately two hours for an average respondent to respond, which is an annual burden of 24 hours. The two hours is the time required for a LEA's records management system to download the NIBRS data and send the information to the FBI.

6. *An estimate of the total public burden (in hours) associated with the collection:* The estimated annual public burden associated with the NIBRS data collection for LEAs is 402,912 hours (201,456 responses × 2 hours per response = 402,912 total annual hours). An additional 300 burden hours for state UCR program and local LEA outreach is requested by the FBI's UCR Program, leading to an estimated total of 403,212 burden hours for the collection.

7. *An estimate of the total annual cost burden associated with the collection, if applicable.* The estimated monetary cost burden for supplies, storage, or the like for this information collection is \$0. Incident reports are submitted through an online system maintained by the FBI.

TOTAL BURDEN HOURS FOR LEAS

Activity	Number of potential respondents	Frequency	Total annual responses	Time per response (hours)	Total annual burden (hours)
NIBRS Data Collection	16,788	Variable	201,456	2	402,912
Unduplicated Totals	16,788		201,456		402,912

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-218.405A, Washington, DC.

Dated: November 10, 2025.

Darwin Arceo,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2025-22648 Filed 12-11-25; 8:45 am]

BILLING CODE 4410-02-P

NATIONAL CREDIT UNION ADMINISTRATION

Renewal of Agency Information Collections for Comments Request: Proposed Collections

AGENCY: National Credit Union Administration (NCUA).

ACTION: Notice and request for comments.

SUMMARY: The National Credit Union Administration (NCUA) will submit the following information collection requests to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice.

DATES: Written comments should be received on or before February 10, 2026 to be assured consideration.

ADDRESSES: Interested persons are invited to submit written comments on the information collection to Dacia Rogers, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314, Suite 6070; Fax No. (703) 519-8161; or email at PRAComments@NCUA.gov.

FOR FURTHER INFORMATION CONTACT: Copies of the submission may be obtained by contacting Dacia Rogers at (703) 518-6547.

SUPPLEMENTARY INFORMATION:

OMB Number: 3133-0032.

Title: Records Preservation, 12 CFR part 749.

Type of Review: Extension of a previously approved collection.

Abstract: Part 749 of the NCUA Regulations directs each credit union to have a vital records preservation program that includes procedures for maintaining duplicate vital records at a location far enough from the credit union's offices to avoid the simultaneous loss of both sets of records in the event of disaster. Part 749 also requires the program be in writing and include emergency contact information for employees, officials, regulatory offices, and vendors used to support vital records.

Affected Public: Private Sector: Not-for-profit institutions.

Estimated Total Annual Burden Hours: 8,866.

OMB Number: 3133-0052.

Title: Federal Credit Union Bylaws, Appendix A to Part 701.

Type of Review: Extension of a previously approved collection.

Abstract: The FCU Act and Bylaws require new and current FCU to prepare and maintain documents, such as organization certificate, charter, notices, meeting minutes, and election results, and notify the NCUA Board of certain changes. FCU's use the information they collect and maintain pursuant to their bylaws in their operations and to provide services to members. NCUA uses the information both to regulate the safety and soundness of FCU and protect the National Credit Union Share Insurance Fund.

Affected Public: Private Sector: Not-for-profit institutions.

Estimated Total Annual Burden Hours: 346,894.

OMB Number: 3133-0059.

Title: Supervisory Committee Audits and Verifications, 12 CFR 715.

Type of Review: Extension of a previously approved collection.

Abstract: The rule specifies the minimum annual audit a credit union is required to obtain according to its charter type and asset size, the licensing authority required of persons performing certain audits, the auditing principles that apply to certain audits, and the accounting principles that must be followed in reports filed with the NCUA Board.

Affected Public: Private Sector: Not-for-profit institutions.

Estimated Total Annual Burden Hours: 11,029.

OMB Number: 3133-0114.

Title: Payments on Shares by Public Units and Nonmembers, 12 CFR 701.32.

Type of Review: Extension of a previously approved collection.

Abstract: Section 107(6) of the Federal Credit Union Act (Act) and § 701.32 of the NCUA Rules and Regulations (12 CFR part 701) may receive from public units and political subdivisions and non-member credit unions, payments on shares. Limitations on non-member and public unit deposits in federal credit unions (FCUs) is 50 percent of the difference of paid-in and unimpaired capital and surplus and any public unit and non-member shares, as measured at the time of acceptance of each public unit or non-member share. This collection of information is necessary to protect the National Credit Union Share Insurance Fund (NCUSIF).

Affected Public: Private Sector: Not-for-profit institutions.

Estimated Total Annual Burden Hours: 20.

OMB Number: 3133-0146.

Title: Production of Nonpublic Records and Testimony of Employees in Legal Proceedings.

Type of Review: Extension of a previously approved collection.

Abstract: The NCUA requires this information collection to handle requests and subpoenas from a party or parties seeking non-public records or the testimony of NCUA employees. The NCUA will use the information to decide how and whether it will disclose non-public records and/or permit employees to testify in legal proceedings.

Affected Public: Individuals; Private Sector; Not-for-profit institutions.

Estimated Total Annual Burden Hours: 100.

OMB Number: 3133-0182.

Title: Bank Conversions and Mergers, 12 CFR part 708a.

Type of Review: Extension of a previously approved collection.

Abstract: Part 708a of NCUA's Rules and Regulations covers the conversion of federally insured credit unions (credit unions) to mutual savings banks (MSBs) and mergers of credit unions into both

mutual and stock banks (banks). Part 708a requires credit unions that intend to convert to MSBs or merge into banks to provide notice and disclosure of their intent to convert or merge to their members and NCUA, and to conduct a membership vote. In addition, Subpart C requires credit unions that intend to merge into banks to determine the merger value of the credit union. The information collection allows NCUA to ensure compliance with statutory and regulatory requirements for conversions and mergers and ensures that members of credit unions have sufficient and accurate information to exercise an informed vote concerning a proposed conversion or merger.

Affected Public: Private Sector: Not-for-profit institutions.

Estimated Total Annual Burden Hours: 217.

Request for Comments: Comments submitted in response to this notice will be summarized and included in the request for Office of Management and Budget approval. All comments will become a matter of public record. The public is invited to submit comments concerning: (a) whether the collection of information is necessary for the proper performance of the function of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the 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 the information on the respondents, including the use of automated collection techniques or other forms of information technology.

By the National Credit Union Administration Board.

Melane Conyers-Ausbrooks,
Secretary of the Board.

[FR Doc. 2025-22654 Filed 12-11-25; 8:45 am]

BILLING CODE 7535-01-P

NATIONAL SCIENCE FOUNDATION

Agency Information Collection Activities: Comment Request; National Science Foundation (NSF) Innovation Corps (I-Corps™) Program Pre- submission Executive Summary Form

AGENCY: National Science Foundation.

ACTION: Submission for OMB review; comment request.

SUMMARY: The National Science Foundation (NSF) has submitted the following information collection

requirement to OMB for review and clearance under the Paperwork Reduction Act of 1995. This is the second notice for public comment; the first was published in the **Federal Register**, and no comments were received. NSF is forwarding the proposed submission to the Office of Management and Budget (OMB) for clearance simultaneously with the publication of this second notice.

DATES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function.

FOR FURTHER INFORMATION CONTACT:

Suzanne H. Plimpton, Reports Clearance Officer, National Science Foundation, 2415 Eisenhower Avenue, Alexandria, Virginia 22314; telephone (703) 292-7556; or send email to splimpto@nsf.gov. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339, which is accessible 24 hours a day, 7 days a week, 365 days a year (including Federal holidays).

Comments: Comments regarding (a) whether the proposed collection of information is necessary for the proper performance of the functions of the NSF, including whether the information shall have practical utility; (b) the accuracy of the NSF's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, use, and clarity of the information on respondents; and (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology should be addressed to the points of contact in the **FOR FURTHER INFORMATION CONTACT** section.

Copies of the submission may be obtained by calling 703-292-7556. NSF may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number, and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

SUPPLEMENTARY INFORMATION:

Title of Collection: National Science Foundation (NSF) Innovation Corps (I-Corps™) Program Pre-submission Executive Summary Form.

OMB Control No.: 3145-0283.

Abstract: The NSF Innovation Corps (I-Corps) Teams Program Pre-Submission Executive Summary is an important component of the NSF I-Corps Teams pre-submission process and conveys information needed to direct the proposed team project to the appropriate NSF Program Director (PD) for review and possible proposal submission invitation. This Executive Summary (ES) is to be submitted by the applying team to the cognizant I-Corps Team's PD outlining solicitation-specific aspects of the project (such as proposed team members, technology, commercial application and NSF lineage). In the past, this ES was submitted via email as an attached two-page (maximum) document and was often in varying formats or missing some parts of the required ES elements. The NSF I-Corps Teams Executive Summary Form captures the same requested information, as outlined in NSF I-Corps Teams Program solicitation, but all within one secure, web-based form. In specific, the form collects submitting team member information (composition, roles and a brief description of each member's qualifications), Principal Investigator (PI) information (and a brief description of their connection to the team), NSF lineage (relevant current or previous NSF awards), brief descriptions of the core technology, the potential commercial application, and the current commercialization plan for the proposed technology. If the proposed I-Corps Team is applying based on participation in a local or regional NSF I-Corps Hub, Node or Site training session, the form will provide fields for the applying team to complete regarding the associated I-Corps Hub, Node or Site senior member's contact information (as a reference), the date of participation, and location of the associated Hub, Node or Site program.

Respondents: Investigators who submit proposals to NSF's I-Corps Teams Program.

Estimated Number of Annual Respondents: 1,500.

Burden on the Public: 1 hour (per response) for an annual total of 1,500 hours.

Dated: December 10, 2025.

Suzanne H. Plimpton,
Reports Clearance Officer, National Science Foundation.

[FR Doc. 2025-22673 Filed 12-11-25; 8:45 am]

BILLING CODE 7555-01-P

NATIONAL SCIENCE FOUNDATION**Membership of National Science Foundation's Senior Executive Service Performance Review Board****AGENCY:** National Science Foundation.**ACTION:** Notice.

SUMMARY: The National Science Foundation is announcing the members of the Senior Executive Service Performance Review Board.

ADDRESSES: Comments should be addressed to Section Chief, Executive Resources, Division of Human Resource Management, National Science Foundation, Room W15219, 2415 Eisenhower Avenue, Alexandria, VA 22314.

FOR FURTHER INFORMATION CONTACT: Ms. Jennifer Munz at the above address or (703) 292-2478.

SUPPLEMENTARY INFORMATION: The membership of the National Science Foundation's Senior Executive Service Performance Review Board is as follows:

Micah Cheatham, Chief Management Officer, Chairperson
 Irina Dolinskaya, Directorate Head, Directorate for Computer and Information Science and Engineering
 Saul Gonzalez, Deputy Directorate Head, Directorate for Mathematical & Physical Sciences
 Theresa Good, Directorate Head, Directorate for Biological Sciences
 Simon Malcomber, Chief Science Officer
 Clyde Richards, Office Head and Chief Information Officer, Office of the Chief Information Officer
 Monya Ruffin, Deputy Directorate Head, Directorate for STEM Education
 Angel Williams, General Counsel, Office of General Counsel

This announcement of the membership of the National Science Foundation's Senior Executive Service Performance Review Board is made in compliance with 5 U.S.C. 4314(c)(4).

Dated: December 10, 2025.

Suzanne H. Plimpton,

Reports Clearance Officer, National Science Foundation.

[FR Doc. 2025-22671 Filed 12-11-25; 8:45 am]

BILLING CODE 7555-01-P

NEIGHBORHOOD REINVESTMENT CORPORATION**Sunshine Act Meetings**

TIME AND DATE: 2:00 p.m., Thursday, December 18, 2025.

PLACE: via ZOOM.

STATUS: Parts of this meeting will be open to the public. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Regular Board of Directors meeting.

The General Counsel of the Corporation has certified that in her opinion, one or more of the exemptions set forth in the Government in the Sunshine Act, 5 U.S.C. 552b(c)(2) permit closure of the following portion(s) of this meeting:

- Executive (Closed) Session

Agenda

- I. Call to Order
- II. Discussion Item: FY25 External Audit with CliftonLarsonAllen
- III. Sunshine Act Approval of Executive (Closed) Session
- IV. Executive Session: FY25 External Audit with CliftonLarsonAllen
- V. Executive Session: CEO Report
- VI. Executive Session: CFO Report
- VII. Executive Session: General Counsel Report
- VIII. Executive Session: CIO Report
- IX. Executive Session: Chief Audit Executive Report
- X. Action Item: Approval of Meeting Minutes for June 26 Annual Board Meeting and September 11 Regular Board Meeting
- XI. Action Item: Board of Directors Elections
- XII. Action Item: Audit Committee Appointments
- XIII. Action Item: Capital Corporations—Master Investment Agreement
- XIV. Action Item: Internal Audit Report Acceptance
 - a. Active Directory Management
 - b. Cyber Attack Incident Response II
 - c. Network Affiliations
- XV. Discussion Item: Change to FY25/26 Internal Audit Plan
- XVI. Discussion Item: Lapse in Funding Policy—OMB Requested Edit
- XVII. Discussion Item: Management Program Background and Updates
 - a. 2026 Board Calendar
 - b. 2026 Board Agenda Planner
 - c. CFO Report
 - i. Financials (through 9/30/25)
 - ii. Single Invoice Approvals \$100K and over
 - iii. Vendor Payments \$350K and over
 - iv. Exceptions
 - d. FY25-FY27 SP Scorecard—Q4
 - e. Network Watchlist Report

PORTIONS OPEN TO THE PUBLIC: Everything except the Executive (Closed) Session.

PORTIONS CLOSED TO THE PUBLIC: Executive (Closed) Session.

CONTACT PERSON FOR MORE INFORMATION: Jenna Sylvester, Paralegal, (202) 568-2560; jsylvester@nw.org.

Jenna Sylvester,
Paralegal.

[FR Doc. 2025-22702 Filed 12-10-25; 4:15 pm]

BILLING CODE 7570-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 40-8903; NRC-2025-1435]

Homestake Mining Company of California; Grants Reclamation Project; Environmental Assessment and Finding of No Significant Impact

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing an environmental assessment (EA) and a finding of no significant impact (FONSI) regarding a request from Homestake Mining Company (HMC) of California for approval of an amendment to NRC Materials License No. SUA-1471 to amend the cover design of the large tailings piles (LTP) to an evapotranspiration (ET) cover design at the Grants Reclamation Project (GRP) in Cibola County, New Mexico. If approved, HMC would use soil and rock material located on HMC-owned property to modify the final cover design for the LTP needed for decommissioning and reclamation of the site.

DATES: The EA and FONSI referenced in this document are available on December 12, 2025.

ADDRESSES: Please refer to Docket ID NRC-2025-1435 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2025-1435. Address questions about Docket IDs in *Regulations.gov* to Bridget Curran; telephone: 301-415-1003; email: Bridget.Curran@nrc.gov. For technical questions, contact the individual(s) listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/>

adams.html. To begin the search, select “Begin ADAMS Public Search.” For problems with ADAMS, please contact the NRC’s Public Document Room (PDR) reference staff at 1–800–397–4209, at 301–415–4737, or by email to *PDR.Resource@nrc.gov*. For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the “Availability of Documents” section.

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

FOR FURTHER INFORMATION CONTACT: Amy Minor, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 816–200–1454; email: *Amy.Hestermminor@nrc.gov*.

SUPPLEMENTARY INFORMATION:

I. Introduction

HMC is the holder of NRC Materials License No. SUA–1471 for the GRP, a former conventional uranium mill near Grants, New Mexico. On July 28, 2023, HMC submitted a request to the NRC for a license amendment that would approve the modification of the approved cover design for the LTP to an ET cover design and change to dates in three license conditions to reflect the revised decommissioning schedule. As required by part 51 of title 10 of the *Code of Federal Regulations* (10 CFR), “Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions,” the NRC performed an environmental assessment. Based on the results of the EA that follows, the NRC has determined not to prepare an environmental impact statement for the amendment and is issuing a FONSI.

II. Environmental Assessment

Description of the Proposed Action

The proposed Federal action is amending the license to approve a revised ET cover design for the LTP and change three license conditions to reflect the revised decommissioning schedule. HMC would obtain soil and rock from the west and north borrow areas and from rock stockpiles located west of the LTP to implement the ET cover design. HMC estimates that 1,090,331.7 cubic meters (m^3) (1,426,100 cubic yards [yd^3]) of soil and rock are needed for the proposed ET

cover design, and that approximately 2,953,643.7 m^3 (3,230,144 yd^3) of soil and rock are available in the north and west borrow areas. An additional 344,101 m^3 (450,067 yd^3) of 3 centimeters (cm) (1.2 inches [in]) and 12 cm (4.7 in) of rock is available in one rock stockpile. The second rock stockpile would serve as a temporary laydown area for rocks being replaced on the LTP. Excavation of the west borrow area would not exceed a depth of 2.7 meters (m) (9 feet [ft]) below ground surface and excavation of the north borrow area would not exceed a depth of 1.5 m (5 ft) below ground surface. HMC would sort excavated soil and rock and stockpile sorted material adjacent to each borrow area. HMC would temporarily use unpaved haul roads between the north and west borrow areas and the rock stockpiles. HMC estimates that the proposed action would take less than six months to complete.

The proposed action is in accordance with the licensee’s application dated July 28, 2024, as supplemented by additional information dated July 12, 2024, October 4, 2024, and June 3, 2025.

Need for the Proposed Action

The purpose of and need for the agency action is to facilitate an LTP ET cover design that protects human health and the environment from actual or potential releases of LTP material. The proposed action, as described in the revised license amendment request (LAR) and in responses to the NRC staff’s requests for additional information, is HMC’s preferred ET cover design to complete decommissioning and reclamation of the GRP site.

Environmental Impacts of the Proposed Action

The NRC staff assessed the impacts of the proposed action and concluded that, as detailed in the revised design, installing the proposed LTP ET cover would limit surface water infiltration to the LTP and radon emission from the LTP, as well as provide long-term erosional stability to the LTP’s cover. The NRC staff also concluded that the proposed action would not have significant impacts on land use, visual and scenic resources, the geologic environment, surface water resources, air quality, noise, socioeconomic conditions, public and occupational health, transportation, and waste generation and management.

The NRC staff concluded, after consultation with the New Mexico State Historic Preservation Office and Native American Tribes, that the proposed

action would not cause effects on resources that are eligible for listing on the National Register of Historic Places and that no Tribal cultural resources have been identified or are known to exist on the site. HMC will plan land disturbance activities so that appropriate fences and boundaries are maintained around eligible or undetermined sites, and if cultural resources are uncovered during excavation activities, an archaeologist will be contacted to conduct a survey of the site to ensure features of significance are protected.

In consultation with the New Mexico Ecological Services Field Office of the U.S. Fish and Wildlife Service and the New Mexico Department of Game and Fish, the NRC staff concluded that the proposed action may affect but is not likely to adversely affect six threatened, endangered, or proposed terrestrial animal species, and would not affect two threatened terrestrial plant species or critical habitats. Aquatic or diverse riparian habitat and aquatic species are not present in the proposed project area, and aquatic resources would not be affected. Finally, the NRC staff found that the LTP cover modification would not result in an increased radiological risk to public health or the environment.

Environmental Impacts of the Alternatives to the Proposed Action

As an alternative to the proposed action, the staff considered denial of the proposed action (*i.e.*, the “no-action” alternative). Under the no-action alternative, the NRC would not approve the modification of the LTP cover design or the license amendment request because regulatory requirements have not been met. If the LAR were not approved, the licensee would likely construct the approved cover design under the current license conditions. The impacts from the no-action alternative ultimately would be similar to the impacts of the proposed action described in the EA. The NRC staff also considered offsite relocation of the LTP as an alternative to the proposed action, concluding the costs of relocating the pile would greatly outweigh benefits.

State Consultation

In accordance with its stated policy, the staff consulted with the New Mexico Environment Department (NMED), regarding the environmental impact of the proposed action. On August 7, 2025, the state official replied that NMED previously provided the NRC staff with comments regarding the effective depth of the evaporative cover system, compaction of near surface layers, erosion resistance over time and the

thickness of the top layer as a growth media. NMED had no additional comments on the EA.

III. Finding of No Significant Impact

The NRC staff has prepared this EA as part of its review of the proposed action. On the basis of this EA, the NRC finds

that there are no significant environmental impacts from the proposed action, and that preparation of an environmental impact statement is not warranted. Accordingly, the NRC has determined that a FONSI is appropriate. In accordance with 10 CFR

51.32(a)(4), this FONSI incorporates the EA set forth in this notice by reference.

IV. Availability of Documents

The documents identified in the following table are available to interested persons through one or more of the following methods, as indicated.

Document description	ADAMS accession No.
Environmental Assessment for the Homestake Mining Company of California Large Tailings Pile Evapotranspiration Cover Design License Amendment Request, dated December 1, 2025.	ML25225A218.
Homestake Mining Co.—Grants Reclamation Project—Request for Amendment to SUA–1471 for the Large Tailings Pile Evapotranspiration Cover Design, Request for License Amendment, dated July 28, 2023.	ML23222A171 (package).
Homestake Mining Co.—Response to NRC Request for Additional Information Regarding the Environmental Report in support of the Proposed Evapotranspiration Cover Design License Amendment Request NRC Docket No. 40–8903, License No. SUA 1471, dated July 12, 2024.	ML24197A248.
Homestake Mining Co.—Response to NRC Request for Additional Information Regarding the Proposed Evapotranspiration Cover Design License Amendment, dated October 7, 2024.	ML24283A192.
Homestake Mining Co.—Response to NRC Request for Additional Information and Revised Design Report, dated June 3, 2025.	ML25163A318 (package).
Comments from Joseph Fox, NMED—Draft Environmental Assessment: Homestake Mining Company of California Large Tailings Pile Evapotranspiration Cover Design License Amendment Request, dated August 7, 2025.	ML25223A125.

Dated: December 10, 2025.

For the Nuclear Regulatory Commission.

Robert Sun,

Chief, Environmental Project Management Branch 2, Division of Rulemaking, Environmental, and Financial Support, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2025–22692 Filed 12–11–25; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2025–0034]

Information Collection: Packaging and Transportation of Radioactive Material

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, “Packaging and Transportation of Radioactive Material.”

DATES: Submit comments by February 10, 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–2025–0034. Address questions about Docket IDs in *Regulations.gov* to Bridget Curran; telephone: 301–415–1003; email: Bridget.Curran@nrc.gov. For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *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, Acting NRC Clearance Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–6355; email: Infocollects.Resource@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2025–0034 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–2025–0034.
- *NRC’s Agencywide Documents Access and Management System*

(ADAMS): You may obtain publicly available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select “Begin ADAMS Public Search.” For problems with ADAMS, please contact the NRC’s Public Document Room (PDR) reference staff at 1–800–397–4209, at 301–415–4737, or by email to PDR.Resource@nrc.gov. The supporting statement and part 71 of title 10 of the *Code of Federal Regulations* (10 CFR) burden spreadsheet are available in ADAMS under Accession Nos. ML25142A090 and ML25142A094.

- *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 301–4154737, 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–2025–0034, 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:* Packaging and Transportation of Radioactive Material.
2. *OMB approval number:* 3150-0008.
3. *Type of submission:* Extension.
4. *The form number, if applicable:* Not applicable.
5. *How often the collection is required or requested:* On occasion. Application for package certification may be made at any time. Required reports are collected and evaluated on a continuous basis as events occur.

6. *Who will be required or asked to respond:* All NRC specific licensees who place byproduct, source, or special nuclear material into transportation, and all persons who wish to apply for NRC approval of package designs for use in such transportation.

7. *The estimated number of annual responses:* 612.

8. *The estimated number of annual respondents:* 225.

9. *The estimated number of hours needed annually to comply with the information collection requirement or request:* 30,739 hours (26,033 hours reporting + 4,575 recordkeeping + 131 hours third-party disclosure).

10. *Abstract:* The NRC regulations in 10 CFR part 71 establish requirements for packaging, preparation for shipment, and transportation of licensed material, and prescribe procedures, standards, and requirements for approval by NRC of packaging and shipping procedures

for fissile material and for quantities of licensed material in excess of Type A quantities. The NRC collects information pertinent to 10 CFR part 71 for three reasons: to issue a package approval; to ensure that any incidents or package degradation or defects are appropriately captured, evaluated and if necessary, corrected to minimize future potential occurrences; and to ensure that all activities are completed using an NRC-approved quality assurance program.

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 9, 2025.

For the Nuclear Regulatory Commission.

Heather Dempsey,

Acting NRC Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 2025-22640 Filed 12-11-25; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[NRC-2025-0001]

Sunshine Act Meetings

TIME AND DATE: Weeks of December 15, 22 and 29, 2025 and January 5, 12, and 19, 2026. The schedule for Commission meetings is subject to change on short notice. The NRC Commission Meeting Schedule can be found on the internet at: <https://www.nrc.gov/public-involve/public-meetings/schedule.html>.

PLACE: The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings or need this meeting notice or the transcript or other information from the public meetings in another format (e.g., braille, large print), please contact the Reasonable Accommodations Resource by email at Reasonable_Accommodations.Resource@nrc.gov.

Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

STATUS: Public.

Members of the public may request to receive the information in these notices electronically. If you would like to be added to the distribution, please contact the Nuclear Regulatory Commission, Office of the Secretary, Washington, DC 20555, at 301-415-1969, or by email at Betty.Thweatt@nrc.gov or Samantha.Miklaszewski@nrc.gov.

MATTERS TO BE CONSIDERED:

Week of December 15, 2025

There are no meetings scheduled for the week of December 15, 2025.

Week of December 22, 2025—Tentative

There are no meetings scheduled for the week of December 22, 2025.

Week of December 29, 2025—Tentative

There are no meetings scheduled for the week of December 29, 2025.

Week of January 5, 2026—Tentative

There are no meetings scheduled for the week of January 5, 2026.

Week of January 12, 2026—Tentative

There are no meetings scheduled for the week of January 12, 2026.

Week of January 19, 2026—Tentative

There are no meetings scheduled for the week of January 19, 2026.

CONTACT PERSON FOR MORE INFORMATION:

For more information or to verify the status of meetings, contact Wesley Held at 301-287-3591 or via email at Wesley.Held@nrc.gov.

The NRC is holding the meetings under the authority of the Government in the Sunshine Act, 5 U.S.C. 552b.

Dated: December 10, 2025.

For the Nuclear Regulatory Commission.

Wesley W. Held,

Policy Coordinator, Office of the Secretary.

[FR Doc. 2025-22662 Filed 12-10-25; 11:15 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-608; NRC-2022-0180]

In the Matter of SHINE Technologies, LLC; SHINE Medical Isotope Production Facility; Extension of Latest Date for Completion of Construction

AGENCY: Nuclear Regulatory Commission.

ACTION: Order; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has approved the SHINE Technologies, LLC (SHINE) request to amend Construction Permit No. CPMIF-001 for the SHINE Medical Isotope Production Facility (SHINE facility) in Rock County, Wisconsin. The approved amendment extends the latest date for completion of the construction of the SHINE facility from December 31, 2025, to December 31, 2029.

DATES: The Order was issued on December 4, 2025.

ADDRESSES: Please refer to Docket ID NRC-2022-0180 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- **Federal Rulemaking Website:** Go to <https://www.regulations.gov> and search for Docket ID NRC-2022-0180. Address questions about Docket IDs in [Regulations.gov](https://www.regulations.gov) to Bridget Curran; telephone: 301-415-1003; email: Bridget.Curran@nrc.gov. For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- **NRC's Agencywide Documents Access and Management System (ADAMS):** You may obtain publicly available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "Begin ADAMS Public Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to PDR.Resource@nrc.gov. The SHINE request to amend Construction Permit No. CPMIF-001 is available in ADAMS under Accession No. ML25226A150.

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

FOR FURTHER INFORMATION CONTACT: Michael Balazik, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-2856; email: Michael.Balazik@nrc.gov.

SUPPLEMENTARY INFORMATION: The text of the Order is attached.

Dated: December 10, 2025.

For the Nuclear Regulatory Commission.
Jeffrey Rady,
Chief, Non-Power Production and Utilization Facilities Licensing Branch, Division of Advanced Reactors and Non-Power Production and Utilization Facilities, Office of Nuclear Reactor Regulation.

United States of America Nuclear Regulatory Commission

In the Matter of SHINE Technologies, LLC (SHINE Medical Isotope Production Facility)

Docket No. 50-608

Construction Permit No. CPMIF-001

Order

I.

SHINE Technologies, LLC (SHINE, licensee, permit holder) is the holder of Construction Permit (CP) No. CPMIF-001, which the U.S. Nuclear Regulatory Commission (NRC, the Commission) issued on February 29, 2016 (Agencywide Documents Access and Management System (ADAMS) Package Accession No. ML16041A473), as amended on November 30, 2022 (ML22292A319), for the construction of the SHINE Medical Isotope Production Facility (SHINE facility) in Rock County, Wisconsin. CP No. CPMIF-001 includes December 31, 2025, as the latest date for completion of the construction of the SHINE facility and expires on the latest date of completion. The SHINE facility is currently under construction.

By letter dated August 14, 2025 (M25226A150), SHINE submitted to the NRC a license amendment request in accordance with section 50.90, "Application for amendment of license, construction permit, or early site permit," of title 10 of the *Code of Federal Regulations* (10 CFR) and 10 CFR 50.55(b). The license amendment request seeks to extend the latest date for completion of the construction of the SHINE facility from December 31, 2025, to December 31, 2029.

II.

Upon review of the license amendment request, the NRC staff determined that SHINE had shown good cause for extending the latest date for completion of the construction of the SHINE facility from December 31, 2025, to December 31, 2029. The staff also determined that the license amendment request involves no significant hazards consideration. The staff prepared an environmental assessment and finding of no significant impact for the requested extension of the latest date for completion of construction and published it in the **Federal Register** on

November 28, 2025 (90 FR 54766). On the basis of the environmental assessment, the staff concluded that the requested extension will not have a significant effect on the quality of the human environment. The findings set forth above are supported by an NRC staff safety evaluation dated December 4, 2025, which is available at ML25318A056.

III.

Within 60 days after the date of publication of this notice, any persons (petitioner) whose interest may be affected by this action may file a request for a hearing and petition for leave to intervene (petition) with respect to the action. The scope of this order extending the latest date for completion of construction and any proceeding hereunder is limited to direct challenges to the CP holder's asserted reasons that show good cause for the extension. Petitions shall be filed in accordance with the Commission's "Agency Rules of Practice and Procedure" in 10 CFR part 2. Interested persons should consult a current copy of 10 CFR 2.309. If a petition is filed, the Commission or a presiding officer will rule on the petition and, if appropriate, a notice of a hearing will be issued.

Petitions must be filed no later than 60 days from the date of publication of this notice in accordance with the filing instructions in section IV of this document. Petitions and motions for leave to file new or amended contentions that are filed after the deadline will not be entertained absent a determination by the presiding officer that the filing demonstrates good cause by satisfying the three factors in 10 CFR 2.309(c)(1)(i) through (iii).

A State, local governmental body, Federally recognized Indian Tribe, or designated agency thereof, may submit a petition to the Commission to participate as a party under 10 CFR 2.309(h) no later than 60 days from the date of publication of this notice. Alternatively, a State, local governmental body, Federally recognized Indian Tribe, or agency thereof may participate as a non-party under 10 CFR 2.315(c).

For information about filing a petition and about participation by a person not a party under 10 CFR 2.315, see ADAMS Accession No. ML20340A053 (<https://adamswebsearch2.nrc.gov/webSearch2/main.jsp?AccessionNumber=ML20340A053>) and on the NRC's public website at <https://www.nrc.gov/about-nrc/regulatory/adjudicatory/hearing.html#participate>.

IV.

All documents filed in NRC adjudicatory proceedings, including documents filed by an interested State, local governmental body, Federally recognized Indian Tribe, or designated agency thereof that requests to participate under 10 CFR 2.315(c), must be filed in accordance with 10 CFR 2.302. The E-Filing process requires participants to submit and serve all adjudicatory documents over the internet, or in some cases, to mail copies on electronic storage media, unless an exemption permitting an alternative filing method, as further discussed, is granted. Detailed guidance on electronic submissions is located in the "Guidance for Electronic Submissions to the NRC" (ADAMS Accession No. ML13031A056), and on the NRC's public website (<https://www.nrc.gov/site-help/e-submittals.html>).

To comply with the procedural requirements of E-Filing, at least 10 days prior to the filing deadline, the participant should contact the Office of the Secretary by email at Hearing.Docket@nrc.gov, or by telephone at 301-415-1677, to: (1) request a digital identification (ID) certificate which allows the participant (or its counsel or representative) to digitally sign submissions and access the E-Filing system for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a petition or other adjudicatory document (even in instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on the NRC's public website at <https://www.nrc.gov/site-help/e-submittals/getting-started.html>. After a digital ID certificate is obtained and a docket is created, the participant must submit adjudicatory documents in the Portable Document Format. Guidance on submissions is available on the NRC's public website at <https://www.nrc.gov/site-help/electronic-sub-ref-mat.html>. A filing is considered complete at the time the document is submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. eastern time (ET) on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an email

confirming receipt of the document. The E-Filing system also distributes an email that provides access to the document to the NRC's Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the document on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before adjudicatory documents are filed in order to obtain access to the documents via the E-Filing system.

A person filing electronically using the NRC's adjudicatory E-Filing system may seek assistance by contacting the NRC's Electronic Filing Help Desk through the "Contact Us" link located on the NRC's public website at <https://www.nrc.gov/site-help/e-submittals.html>, by email to MSHD.Resource@nrc.gov, or by a toll-free call at 1-866-672-7640. The NRC Electronic Filing Help Desk is available between 9 a.m. and 6 p.m., ET, Monday through Friday, except Federal holidays.

Participants who believe that they have good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing stating why there is good cause for not filing electronically and requesting authorization to continue to submit documents in paper format. Such filings must be submitted in accordance with 10 CFR 2.302(b)-(d). Participants filing adjudicatory documents in this manner are responsible for serving their documents on all other participants. Participants granted an exemption under 10 CFR 2.302(g)(2) must still meet the electronic formatting requirement in 10 CFR 2.302(g)(1), unless the participant also seeks and is granted an exemption from 10 CFR 2.302(g)(1).

Documents submitted in adjudicatory proceedings will appear in the NRC's electronic hearing docket, which is publicly available at <https://adams.nrc.gov/ehd>, unless otherwise excluded pursuant to an order of the presiding officer. If you do not have an NRC-issued digital ID certificate as previously described, click "cancel" when the link requests certificates and you will be automatically directed to the NRC's electronic hearing docket where you will be able to access any publicly available documents in a particular hearing docket. Participants are requested not to include personal privacy information such as social security numbers, home addresses, or personal phone numbers in their filings unless an NRC regulation or other law

requires submission of such information. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants should not include copyrighted materials in their submission.

The attorney for the permit holder is Christine Wu, Senior Counsel and Corporate Secretary, SHINE Technologies, LLC, 3400 Innovation Court, Janesville, WI 53546.

V.

Accordingly, pursuant to Section 161 of the Atomic Energy Act of 1954, as amended; 42 U.S.C. 2201; and 10 CFR 50.90 and 10 CFR 50.55(b), *it is hereby ordered* that CP No. CPMIF-001 is amended to extend the latest date for completion of the construction of the SHINE facility from December 31, 2025, to December 31, 2029.

This order is effective upon issuance.

Dated: December 4, 2025.

For the Nuclear Regulatory Commission.

/RA/

Jonathan Greives,
Director (Acting), Division of Advanced Reactors and Non-Power Production and Utilization Facilities, Office of Nuclear Reactor Regulation.

[FR Doc. 2025-22651 Filed 12-11-25; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-285; NRC-2025-1831]

Omaha Public Power District; Fort Calhoun Station, Unit 1; Environmental Assessment and Finding of No Significant Impact

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing a finding of no significant impact (FONSI) and accompanying environmental assessment (EA) regarding the NRC's consideration of a license amendment request by Omaha Public Power District (OPPD) to approve the License Termination Plan (LTP), Revision 2 for the Fort Calhoun Station, Unit 1 (FCS), located in Washington County, Nebraska. If approved, the amendment would edit the dose calculations and final site survey (FSS) requirements for the Auxiliary Building basement and Containment Building for concrete structures deeper than 3 meters (m) (9.8

feet [ft]). OPPD would use the LTP to meet the requirements for terminating the license and releasing the site for unrestricted use. Based on the EA, the NRC staff has concluded that there will be no significant impacts to environmental resources from the requested license amendment, and therefore, a FONSI is appropriate.

DATES: The EA and FONSI referenced in this document is available on December 12, 2025.

ADDRESSES: Please refer to Docket ID NRC–2025–1831 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods.

- **Federal Rulemaking website:** Go to <https://www.regulations.gov> and search for Docket ID NRC–2025–1831. Address questions about Docket IDs in *Regulations.gov* to Bridget Curran; telephone: 301–415–1003; email: Bridget.Curran@nrc.gov. For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- **NRC's Agencywide Documents Access and Management System (ADAMS):** You may obtain publicly available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "Begin ADAMS Public Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, at 301–415–4737, or by email to PDR.Resource@nrc.gov. For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the "Availability of Documents" section of this document.

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

FOR FURTHER INFORMATION CONTACT: Isaac Johnston, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–5649; email: Isaac.Johnston@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Introduction

The NRC is considering issuance of a license amendment request to approve the LTP, Revision 2 for the FCS, located in Washington County, Nebraska, as part of OPPD's part 50 of title 10 of the *Code of Federal Regulations* (10 CFR), "Domestic Licensing of Production and Utilization Facilities," Facility Operating License No. DPR–40. If granted, the license amendment would update the dose calculations and FSS requirements for the Auxiliary Building basement and adjacent Containment Building for concrete structures deeper than 3 m (9.8 ft). As required by 10 CFR part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions," the NRC prepared an EA. Based on the results of the EA, the NRC has determined not to prepare an environmental impact statement (EIS) for the license amendment request and is issuing a FONSI.

The construction permit for FCS was issued by the NRC in 1968, with the operating license issued by the NRC to OPPD in 1973. The FCS began commercial operation in September 1973. OPPD submitted the Certification of Permanent Cessation of Power Operations in August 2016 in accordance with 10 CFR 50.82 (a)(1)(i) and shutdown FCS on October 24, 2016. Pursuant to 10 CFR 50.82(a)(1)(ii), on November 13, 2016, the OPPD certified to the NRC that as of November 2016, all fuel had been removed from the FCS reactor vessel and placed into the FCS spent fuel pool.

Pursuant to 10 CFR 50.82(a)(4)(i), the OPPD submitted its initial Post-Shutdown Decommissioning Activities Report (PSDAR) on March 30, 2017, and supplemented it by letter dated December 14, 2017. The PSDAR described OPPD's selection of the SAFSTOR method for decommissioning the FCS. The FCS reactor remained in SAFSTOR until December 16, 2019.

On December 16, 2019, as supplemented by letter dated July 16, 2020, the OPPD submitted a revised PSDAR to the NRC to reflect schedule changes and select a new method for decommissioning the FCS pursuant to 10 CFR 50.82(a)(7). The revised PSDAR described OPPD's selection of the DECON method for decommissioning the FCS.

By letter dated May 18, 2020, the OPPD certified to the NRC as of May 13, 2020, all spent fuel assemblies had been permanently transferred out of the FCS spent fuel pool and placed in storage within the independent spent fuel storage installation. The OPPD

submitted the LTP on August 3, 2021, in accordance with 10 CFR 50.82(a)(9). The LTP was approved by the NRC on January 31, 2024.

On June 18, 2024, as supplemented by letters dated January 16, 2025, March 24, 2025, July 28, 2025, and July 31, 2025, the OPPD submitted an LTP license amendment for the FCS requesting a license amendment to edit dose modeling and final site survey methodologies for the Auxiliary Building basement and Containment Building.

II. Environmental Assessment

Description of the Proposed Action

The proposed action is the review and subsequent approval, if appropriate, of a license amendment to OPPD to approve the LTP, Revision 2 for the FCS. If approved, the amendment would update the dose calculations and FSS requirements for the Auxiliary Building for concrete structures deeper than 3 m (9.8 ft).

The proposed action is described in the OPPD's 2024 LTP application and responses to requests for additional information dated January 16, 2025, and July 28, 2025. On July 31, 2025, OPPD requested a revised scope of the review to include two areas of the Containment Building along with the initial request for the Auxiliary Building basement.

Purpose and Need for the Proposed Action

The purpose of and need for the proposed action is to allow for completion of decommissioning of the FCS site by the OPPD, termination of the FCS operating license by the NRC, and subsequent release of the FCS site for unrestricted use. The NRC regulation at 10 CFR 50.82 sets forth the process for the licensee to decommission its nuclear power plant, including submission of the LTP. The NRC will approve the LTP, provided that the LTP meets the criteria in 10 CFR 50.82(a)(10).

Environmental Impacts of the Proposed Action

The NRC staff considered the potential impacts of the proposed action on land use, historical and cultural resources; visual and scenic resources; meteorology, climatology, and air quality; noise; geology and soils; water resources; ecological resources; socioeconomics; public and occupation health; transportation and traffic; environmental justice; and waste management. The Decommissioning Generic Environmental Impact Statement (GEIS) (NUREG–0586)

generically addressed many of the potential environmental impacts of decommissioning at the FCS. During its review of the FCS LTP, the NRC concluded that the impacts for most resource areas—onsite land use; water resources; air quality; ecology, not including threatened and endangered species; socioeconomic; historic and cultural resources within the operational area; aesthetics; noise; transportation; and nonradioactive waste management—were still bounded by the Decommissioning GEIS and 2023 EA for the LTP, Revision 1. Therefore, the NRC does not expect impacts associated with these resource areas beyond those discussed in the GEIS, which concluded that the impact level for these resource areas was SMALL, or the 2023 LTP EA, which concluded that the potential impacts for these resource areas were not significant.

In the Decommissioning GEIS, the NRC staff concluded that it could not determine the environmental impacts of decommissioning generically for five environmental resource areas (offsite land use, threatened and endangered species, aquatic ecology beyond the operational area, terrestrial ecology beyond the operational area, and historic and cultural resources beyond the operational area). The Decommissioning GEIS determined that for these five resource areas a site-specific analysis would be required.

In the 2023 FCS LTP EA, the NRC staff evaluated the potential environmental impacts on five site-specific environmental resource areas not evaluated in the Decommissioning GEIS and did not identify any significant impacts. For the proposed action there are no planned activities outside of the operational area, and the OPPD commits to using best management practices and obtaining all necessary licenses from Federal or State agencies to protect the surrounding lands. The proposed action would result in no significant change to the off-site impacts and there would be no significant cumulative effects when added to the past, present, or reasonably foreseeable future actions at the FCS site.

The proposed action includes the use of grout in excavated trenches in the Auxiliary Building and several subsurface structures in the Containment Building as well as alterations to the dose calculations and final site survey methodologies for these areas. The grout would prevent groundwater in-leakage through cracks in the concrete. All grouted areas are greater than 3 m (9.8 ft) below ground surface and would be backfilled with

clean fill material following plans described in the approved LTP, Revision 1. The proposed action does not include any new ground disturbing activities, the use of any previously undisturbed land, or alterations to site surface waters or vegetated lands. The NRC staff conclude that the proposed action would not alter any potential impacts on land use or historical and cultural resources as considered in the 2023 FCS LTP EA, which concluded no significant impact for both resource areas.

The NRC staff reviewed the proposed changes to the final site survey methodologies and dose calculations and found no significant changes to the potential environmental impacts as considered in the decommissioning GEIS and 2023 FCS LTP EA. The revised dose calculations demonstrate that decommissioning and unrestricted release of the site would meet applicable NRC regulations in 10 CFR part 20. The grout in and overlapping the edges of the trenches and concrete structures deeper than 3 m (9.8 ft) below ground surface would limit radioisotope diffusional release into site groundwater. Therefore, the NRC staff conclude the proposed license amendment would result in no significant impacts to water resources or public and occupational health.

Environmental Impacts of the Alternatives to the Proposed Action

As an alternative to the proposed action, the NRC staff considered the “no-action” alternative. Under the no-action alternative, the NRC would not approve the LTP license amendment request because regulatory requirements have not been met. If the NRC was unable to approve the LTP, Revision 2 because the regulatory requirements were not met, the OPPD would need to take additional actions to prepare an LTP that meets the requirements in 10 CFR 50.82(a)(10) or continue decommissioning activities under the currently approved LTP, Revision 1. Under this scenario, until the OPPD resubmits the LTP, activities at FCS would likely continue and the environmental impacts would neither increase nor decrease as a result of the additional time required for the LTP resubmission.

Agencies and Persons Consulted

On August 15, 2025, the NRC staff provided a copy of the draft EA to the State of Nebraska Department of Health and Human Services and Nebraska Department of Water Energy, and the Environment for their review and comment. The Nebraska Department of

Water, Energy, and the Environment responded by a letter dated September 22, 2025. The Department provided a list of potential state permits and requirements for the project and requested the applicant engage the Department if any new permits or alterations to current permits are required for the proposed action. The state requested clarification on the grouting used at the site. The NRC staff provided additional information on the grout source and method of placement to the state on November 24, 2025.

By letter dated August 7, 2025, the NRC staff provided a copy of the draft EA to the Nebraska Field Office of the Fish and Wildlife Services and requested conference concurrence for the NRC’s determination of *not likely to adversely affect* for two proposed species, the monarch butterfly and Western regal fritillary. In a letter dated September 25, 2025, the U.S. Fish and Wildlife Service (FWS) concurred with the NRC’s determination that the proposed action would not adversely affect listed species or critical habitat. Therefore, the NRC staff consider consultation under Section 7 of the Endangered Species Act has been completed.

The NRC staff determined the proposed action does not have the potential to cause effects to historic properties, assuming such properties were present. Therefore, pursuant to 36 CFR 800.3(a)(1), the NRC has no further National Historic Preservation Act Section 106 obligations. On August 18, 2025, the NRC staff provided courtesy notification and a copy of the draft EA to the Nebraska State Historic Preservation Officer. In a letter dated August 25, 2025, the Nebraska State Historical Society responded that the proposed undertaking is unlikely to affect any cultural resources and confirmed the NRC staff’s no historic properties affected determination.

III. Finding of No Significant Impact

Based on its review of the license amendment request, in accordance with the requirements of 10 CFR part 51, the NRC staff has determined that issuing the requested amendment, if appropriate, of the OPPD’s Facility Operating License No. DPR-40 license would not significantly affect the quality of human environment. No significant radiological or non-radiological impacts are expected from the proposed action. Therefore, the NRC staff has determined that pursuant to 10 CFR 51.31, “Determinations based on environmental assessment,” preparation of an EIS is not required for the proposed action, and pursuant to 10

CFR 51.32, “Finding of no significant impact,” a FONSI is appropriate. In accordance with 10 CFR 51.32(a)(4), this

FONSI incorporates the EA set forth in this notice by reference.

IV. Availability of Documents

The documents identified in the following table are available to interested persons through ADAMS.

Document description	ADAMS accession No.
Omaha Public Power District Post-Shutdown Decommissioning Activities Reports and supplemental letters, dated March 30, 2017, December 14, 2017, December 16, 2019, and July 16, 2020.	ML17089A759, ML17348A623, ML19351E355, and ML20202A654.
Omaha Public Power District—Certification of Permanent Cessation of Power Operations, dated August 25, 2016.	ML16242A127.
Omaha Public Power District—Certification of Permanent Removal of Fuel from the Reactor Vessel, dated November 13, 2016.	ML16319A254.
Omaha Public Power District—Certification of Permanent Removal of all Spent Fuel Assemblies from the Spent Fuel Pool, dated May 18, 2020.	ML20139A138.
Ft. Calhoun Station Unit 1, License Amendment Request (LAR) 21–01, LIC 21–0005, dated August 3, 2021.	ML21271A178 (Package).
Omaha Public Power District—Response to Fort Calhoun Station, Unit No. 1—Requests for Additional Information dated June 15, 2022, and February 27, 2023.	ML22167A199 and ML23060A197.
Fort Calhoun Station, Unit 1—Safety Evaluation Report for approval of License Termination Plan, dated January 31, 2024.	ML24019A168.
Fort Calhoun Station, Unit 1—License Amendment Request (LAR) to Revise License Termination Plan (LTP), dated November 11, 2024.	ML24177A132.
Omaha Public Power District—Response to Fort Calhoun Station, Unit No. 1 Acceptance of Requested Licensing Action Re: License Amendment Request to Revise the License Termination Plan (L–2024–LLA–0095), dated January 16, 2025.	ML25016A212.
Omaha Public Power District—Response to Request for License Amendment to Revise License Termination Plan—Request for Additional Information, Environmental, dated March 24, 2025.	ML25083A220 (Package).
Fort Calhoun, Unit 1, Independent Spent Fuel Storage Installation—Response to Audit Report for Omaha Public Power District Request to Revise License Termination Plan Requirements and Request for Additional Information (EPID L–2024–LLA–0095), dated July 28, 2025.	ML25211A290.
Omaha Public Power District—Fort Calhoun Station, Unit 1, Supplement to the License Amendment Request (LAR) to Revise License Termination Plan (LTP), dated July 31, 2025.	ML25218A293.
Final Generic Environmental Impact Statement on Decommissioning of Nuclear Facilities (NUREG–0586, Supplement 1, Vol. 1), dated November 2002.	ML023470304.
Final Environmental Assessment for Fort Calhoun, Unit 1 License Amendment Request, dated December 8, 2025.	ML25220A249.
NRC to FWS, Request for Concurrence, dated August 7, 2025	ML25206A090.
NRC Email to Nebraska State Historic Preservation Officer—Fort Calhoun Station License Amendment Request, dated August 18, 2025.	ML25267A098.
NRC letter to Nebraska Department of Health and Human Services and Nebraska Department of Water, Energy, and the Environment—Request for State Review of Environmental Assessment for Fort Calhoun License Amendment Request, dated August 15, 2025.	ML25267A099.
FWS Signed Fort Calhoun Concurrence Request, dated September 25, 2025	ML25273A132.
Nebraska State Historic Preservation Officer—Response Letter Fort Calhoun License Termination Washington County NP, dated August 25, 2025.	ML25267A100.
Nebraska Department of Water, Energy and Environment—Comment Response on Fort Calhoun License Amendment Request Draft Environmental Assessment, dated September 22, 2025.	ML25267A097.
NRC Form 699—CONVERSATION RECORD—Email to Nebraska Department of Water, Energy, and the Environment Regarding Fort Calhoun Station, dated November 24, 2025.	ML25330A002.

Dated: December 10, 2025.

For the Nuclear Regulatory Commission.

Robert Sun,

*Chief, Environmental Project Management,
Branch 2, Division of Rulemaking,
Environmental, and Financial Support, Office
of Nuclear Material Safety, and Safeguards.*

[FR Doc. 2025–22657 Filed 12–11–25; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2025–0042]

Information Collection: Safeguards on Nuclear Material, Implementation of US/IAEA Agreement

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, “10 CFR part 75, “Safeguards on Nuclear Material, Implementation of US/IAEA Agreement”.”

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–2025–0042. 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–2025–0042 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–2025–0042.

- *NRC’s Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select “Begin Web-based ADAMS Search.” For problems with ADAMS, please contact the NRC’s Public Document Room (PDR) reference staff at 1–800–397–4209, at 301–415–4737, or by email to PDR.Resource@nrc.gov. The supporting

statement is available in ADAMS under Accession No. ML25174A375.

- *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–2025–0042, 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:* 10 CFR part 75, “Safeguards on Nuclear Material, Implementation of US/IAEA Agreement.”
2. *OMB approval number:* 3150–0055.
3. *Type of submission:* Extension.

4. *The form number, if applicable:* Not applicable.

5. *How often the collection is required or requested:* Selected licensees are required to provide reports of nuclear material inventory and flow for selected facilities under the US/IAEA Safeguards Agreement, permit inspections by International Atomic Energy Agency Agreement (IAEA) inspectors, complementary access of IAEA inspectors under the Additional Protocol, give immediate notice to the NRC in specified situations involving the possibility of loss of nuclear material, and give notice for imports and exports of specified amounts of nuclear material. Reporting is done when specified events occur. Recordkeeping for nuclear material accounting and control information is done in accordance with specific instructions.

6. *Who will be required or asked to respond:* Licensees required to report information required by the U.S. Additional Protocol. Licensed possessors of nuclear material outside facilities in the U.S. Caribbean Territories.

7. *The estimated number of annual responses:* 20 (10 reporting responses plus 10 recordkeepers).

8. *The estimated number of annual respondents:* 10.

9. *The estimated number of hours needed annually to comply with the information collection requirement or request:* 3,234.

10. *Abstract:* Part 75 of title 10 of the *Code of Federal Regulations*, “Safeguards on Nuclear Material—Implementation of Safeguards Agreements Between the United States and the International Atomic Energy Agency,” requires selected licensees to provide reports of nuclear material inventory and flow for selected facilities under the US/IAEA Safeguards Agreement, permit inspections by IAEA inspectors, complementary access of IAEA inspectors under the Additional Protocol, give immediate notice to the NRC in specified situations involving the possibility of loss of nuclear material, and give notice for imports and exports of specified amounts of nuclear material. In addition, this collection is being renewed to include approximately 6 entities subject to the U.S.-IAEA Caribbean Territories Safeguards Agreement (INFCIRC/366). These licensees will provide reports of nuclear material inventory and flow for entities under the U.S.-IAEA Caribbean Territories Safeguards Agreement (INFCIRC/366), permit inspections by IAEA inspectors, give immediate notice to the NRC in specified situations

involving the possibility of loss of nuclear material, and give notice for imports and exports of specified amounts of nuclear material. These licensees will also follow written material accounting and control procedures, although actual reporting of transfer and material balance records to the IAEA will be done through the U.S. State system (Nuclear Materials Management and Safeguards System, collected under OMB clearance numbers 3150–0003, 3150–0004, 3150–0057, and 3150–0058). The NRC needs this information to implement its responsibilities under the US/IAEA agreement.

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 9, 2025.

For the Nuclear Regulatory Commission.

Heather Dempsey,

Acting NRC Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 2025–22641 Filed 12–11–25; 8:45 am]

BILLING CODE 7590–01–P

OFFICE OF PERSONNEL MANAGEMENT

Agency Information Collection Request: Federal Employees Health Benefits and Postal Service Health Benefits Programs Service Use and Cost Data (3206–NEW)

AGENCY: Office of Personnel Management.

ACTION: 60-Day notice and request for comments.

SUMMARY: The Office of Personnel Management (OPM) offers the general public the opportunity to comment on an information collection request (ICR): Federal Employees Health Benefits (FEHB) and Postal Service Health Benefits (PSHB) Programs Service Use and Cost Data (3206–NEW). As required by the Paperwork Reduction Act of

1995, as amended OPM is soliciting comments for this collection.

DATES: Comments are encouraged and will be accepted until February 10, 2026. This process is conducted in accordance with 5 CFR 1320.8(d)(1).

ADDRESSES: You may submit comments, identified by docket number and title, by the following method:

- *Federal Rulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

All submissions received must include the agency name and title for this document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: A copy of this ICR, with applicable supporting documentation, may be obtained by contacting the Healthcare and Insurance, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415, Attention: Jodi Schaubach, via phone at 202–936–1635 or via electronic mail to PDSpra@opm.gov.

SUPPLEMENTARY INFORMATION: As required by the Paperwork Reduction Act of 1995, 44 U.S.C. 3506(c)(2), OPM is soliciting comments for this collection. The Office of Personnel Management is particularly interested in comments that:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of functions of the agency, including whether the information will have practical utility;
2. Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
3. Enhance the quality, utility, and clarity of the information to be collected; and
4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

Background

OPM is collecting service use and cost data from FEHB and PSHB Carriers, including medical claims, pharmacy claims, encounter data, and provider data. This data will enable OPM to

oversee health benefits programs and ensure they provide competitive, quality, and affordable plans. OPM requires Carriers to report necessary information and permit audits and examinations to manage the FEHB Program effectively. The Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule permits covered entities, including carriers, to disclose protected health information (PHI), including service use and cost data, to health oversight agencies, such as OPM, for oversight activities authorized under 45 CFR 165.512(d)(1).

Analysis

Agency: Office of Personnel Management.

Title: Service Use and Cost Data.

OMB Number: 3206–NEW.

Frequency: Ongoing monthly submissions of claims-level data and quarterly manufacturer rebate data.

Affected Public: Federal Employees and Retirees (Including Postal employees and Retirees).

Number of Respondents: 65 carriers.

Estimated Time per Respondent: First year: 225 hours/carrier; subsequent years: 12 hours/submission, monthly or quarterly depending on attributed file type.

Total Burden Hours: First year: 14,625 hours; subsequent years: 9,360 hours.

Alexys Stanley,

Federal Register Liaison.

[FR Doc. 2025–22695 Filed 12–11–25; 8:45 am]

BILLING CODE 6325–64–P

POSTAL REGULATORY COMMISSION

[Docket No. K2025–447]

New Postal Products

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning a negotiated service agreement. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* December 16, 2025.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at <https://www.prc.gov>. Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT:

David A. Trissell, General Counsel, at 202-789-6820.

SUPPLEMENTARY INFORMATION:**Table of Contents**

- I. Introduction
- II. Public Proceeding(s)
- III. Summary Proceeding(s)

I. Introduction

Pursuant to 39 CFR 3041.405, the Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to Competitive negotiated service agreement(s). The request(s) may propose the addition of a negotiated service agreement from the Competitive product list or the modification of an existing product currently appearing on the Competitive product list.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (<http://www.prc.gov>). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.¹

Section II identifies the docket number(s) associated with each Postal Service request, if any, that will be reviewed in a public proceeding as defined by 39 CFR 3010.101(p), the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each such request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 and 39 CFR 3000.114 (Public Representative). The Public Representative does not represent any individual person, entity or particular point of view, and, when Commission attorneys are appointed, no attorney-client relationship is established. Section II also establishes comment deadline(s) pertaining to each such request.

The Commission invites comments on whether the Postal Service's request(s) identified in Section II, if any, are consistent with the policies of title 39. Applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3035, and 39 CFR part 3041. Comment deadline(s) for each such request, if any, appear in Section II.

Section III identifies the docket number(s) associated with each Postal Service request, if any, to add a

standardized distinct product to the Competitive product list or to amend a standardized distinct product, the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. Standardized distinct products are negotiated service agreements that are variations of one or more Competitive products, and for which financial models, minimum rates, and classification criteria have undergone advance Commission review. *See* 39 CFR 3041.110(n); 39 CFR 3041.205(a). Such requests are reviewed in summary proceedings pursuant to 39 CFR 3041.325(c)(2) and 39 CFR 3041.505(f)(1). Pursuant to 39 CFR 3041.405(c)-(d), the Commission does not appoint a Public Representative or request public comment in proceedings to review such requests.

II. Public Proceeding(s)

1. *Docket No(s):* K2025-447; *Filing Title:* USPS Request Concerning Amendment One to Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 759, with Materials Filed Under Seal; *Filing Acceptance Date:* December 8, 2025; *Filing Authority:* 39 CFR 3035.105 and 39 CFR 3041.505; *Public Representative:* Kenneth Moeller; *Comments Due:* December 16, 2025.

III. Summary Proceeding(s)

None. See Section II for public proceedings.

This Notice will be published in the **Federal Register**.

Erica A. Barker,

Secretary.

[FR Doc. 2025-22593 Filed 12-11-25; 8:45 am]

BILLING CODE 7710-FW-P

OFFICE OF SCIENCE AND TECHNOLOGY POLICY**Performance Review Board Membership**

AGENCY: Office of Science and Technology Policy.

ACTION: Notice of Senior Executive Service Performance Review Board Membership.

SUMMARY: The Office of Science and Technology Policy publishes the names of the members selected to serve on its SES Performance Review Board (PRB). **DATES:** Membership is effective on the date of this notice to January 2027.

FOR FURTHER INFORMATION CONTACT: Ms. Caitlin Pepicelli, Human Capital Specialist or Ms. Stacy Murphy, Deputy

Chief Operations Officer/Security Officer, Office of Science and Technology Policy, 1650 Pennsylvania Ave. NW, Washington, DC 20504, 202-456-4444.

SUPPLEMENTARY INFORMATION: Section 4314(c) 4 of Title 5, U.S.C. requires each agency to establish, in accordance with regulations prescribed by the Office of Personnel Management, one or more PRBs. The purpose of this PRB is to review and make recommendations concerning proposed performance appraisals, ratings, bonuses, pay adjustments, and other appropriate personnel actions for incumbents of the SES positions. The Board shall consist of at least three members and more than half of the members shall consist of career appointees. The names and titles of the PRB members are as follows:

Marie Scott, Associate General Counsel, Children, Families and Aging Division, Department of Health and Human Services;

Scott Driggs, Chief Counsel, Office of the Chief Counsel, Denver, Department of Health and Human Services;

Peter Bergstrom, Administrator, Treasury Common Services Center, U.S. Department of the Treasury;

Stephen Klejst, Executive Director-Investigations and Recommendations, U.S. Chemical Safety and Hazard Investigation Board;

Brendan Lynch, Assistant U.S. Trade Representative for South and Central Asian Affairs, Office of the United States Trade Representative.

Effective Date: Membership is effective on the date this notice is published in the **Federal Register**.

(Authority: 5 U.S.C. 4314(c)4.)

Dated: December 9, 2025.

Stacy Murphy,

Deputy Chief Operations Officer/Security Officer.

[FR Doc. 2025-22588 Filed 12-11-25; 8:45 am]

BILLING CODE 3270-F1-P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235-0529]

Agency Information Collection Activities; Proposed Collection; Comment Request; Extension: Rule 17f-7

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

¹ See Docket No. RM2018-3, Order Adopting Final Rules Relating to Non-Public Information, June 27, 2018, Attachment A at 19-22 (Order No. 4679).

(44 U.S.C. 3501–3521) (“Paperwork Reduction Act”), the Securities and Exchange Commission (the “Commission”) is soliciting comments on the collections of information summarized below. The Commission plans to submit these existing collections of information to the Office of Management and Budget (“OMB”) for extension and approval.

Rule 17f–7 (17 CFR 270.17f–7) permits a fund under certain conditions to maintain its foreign assets with an eligible securities depository, which has to meet minimum standards for a depository. The fund or its investment adviser generally determines whether the depository complies with those requirements based on information provided by the fund’s primary custodian (a bank that acts as global custodian). The depository custody arrangement also must meet certain conditions. The fund or its adviser must receive from the primary custodian (or its agent) an initial risk analysis of the depository arrangements, and the fund’s contract with its primary custodian must state that the custodian will monitor risks and promptly notify the fund or its adviser of material changes in risks. The primary custodian and other custodians also are required to agree to exercise at least reasonable care, prudence, and diligence.

The collection of information requirements in rule 17f–7 are intended to provide workable standards that protect funds from the risks of using foreign securities depositories while assigning appropriate responsibilities to the fund’s primary custodian and investment adviser based on their capabilities. The requirement that the foreign securities depository meet specified minimum standards is intended to ensure that the depository is subject to basic safeguards deemed appropriate for all depositories. The requirement that the fund or its adviser must receive from the primary custodian (or its agent) an initial risk analysis of the depository arrangements, and that the fund’s contract with its primary custodian must state that the custodian will monitor risks and promptly notify the fund or its adviser of material changes in risks, is intended to provide essential information about custody risks to the fund’s investment adviser as necessary for it to approve the continued use of the depository. The requirement that the primary custodian agree to exercise reasonable care is intended to provide assurances that its services and the information it provides will meet an appropriate standard of care.

In addition, based on public filings made with the Commission, we calculate that there are approximately 87 global custodians that are engaged to perform global custodial services to funds and thus subject to the provisions of rule 17f–7.¹ This estimate is based on information that is publicly available on Form N–CEN filings.² The staff further estimates that during each year, each of the approximately 87 global custodians will make an average of 4 responses to analyze custody risks and provide notice of any materials changes to custody risks under the rule.³ The staff estimates that each response will take 260 hours, requiring approximately 1,040 hours annually per global custodian.⁴ Thus the total annual burden associated with this aspect of the rule is approximately 90,480 hours.⁵ Assuming an estimated wage rate of approximately \$287 per hour, the total internal cost to the industry is approximately \$25,967,760 to comply with this aspect of the rule.⁶

The total annual hour burden associated with all collection of information requirements of the rule is therefore 151,152 hours,⁷ and the total internal cost to the industry of the hour burden is approximately \$49,083,792.⁸

The estimate of average burden hours is made solely for the purposes of the Paperwork Reduction Act and is not derived from a comprehensive or even a representative survey or study of the costs of Commission rules and forms. Compliance with the collection of information requirements of the rule is necessary to obtain the benefit of relying on the rule’s permission for funds to maintain their assets in foreign custodians. The information provided under rule 17f–7 will not be kept confidential.

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,

¹ We analyzed Form N–CEN filings for registrants as of September 15, 2025 and based on these filings, we calculated the number of global custodians that have been retained by funds and are subject to the provisions of rule 17f–7 to be 87.

² See Item C.12.a.vii.7 of Form N–CEN.

³ 87 custodians × 4 responses = 348 responses.

⁴ 260 hours per response × 4 responses per global custodian = 1,040 hours per global custodian.

⁵ 87 global custodians × 1,040 hours per global custodian = 90,480 hours.

⁶ 90,480 hours × \$287 per hour (wage rate for trust administrators) = \$25,967,760.

⁷ 60,672 hours + 90,480 hours = 151,152 hours.

⁸ \$23,116,032 + \$25,967,760 = \$49,083,792.

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 10, 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 10, 2025.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–22650 Filed 12–11–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–104351; File No. SR–NYSEARCA–2025–24]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Designation of a Longer Period for Commission Action on Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change To List and Trade Units of the Sprott Physical Copper Trust

December 9, 2025.

On June 10, 2025, NYSE Arca, Inc. (“NYSE Arca”) filed with the Securities and Exchange Commission (“Commission”), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”) ¹ and Rule 19b–4 thereunder,² a proposed rule change to list and trade units of the Sprott Physical Copper Trust under NYSE Arca Rule 8.201–E (Commodity-Based Trust Shares). The proposed rule change was published for comment in the **Federal Register** on June 26, 2025.³

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b–4.

³ See Securities Exchange Act Release No. 103296 (June 23, 2025), 90 FR 27362. Comments on the proposed rule change are available at: <https://www.sec.gov/comments/sr-nysearca-2025-24/srnysearca202524.htm>.

On August 5, 2025, pursuant to Section 19(b)(2) of the Act,⁴ the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change.⁵ On September 8, 2025, the Commission instituted proceedings pursuant to Section 19(b)(2)(B) of the Act⁶ to determine whether to approve or disapprove the proposed rule change.⁷

Section 19(b)(2) of the Act⁸ provides that, after initiating proceedings, the Commission shall issue an order approving or disapproving the proposed rule change not later than 180 days after the date of publication of notice of filing of the proposed rule change. The Commission may extend the period for issuing an order approving or disapproving the proposed rule change, however, by not more than 60 days if the Commission determines that a longer period is appropriate and publishes the reasons for such determination. The proposed rule change was published for comment in the **Federal Register** on June 26, 2025.⁹ The 180th day after publication of the Notice is December 23, 2025. The Commission is extending the time period for approving or disapproving the proposed rule change for an additional 60 days.

The Commission finds it appropriate to designate a longer period within which to issue an order approving or disapproving the proposed rule change so that it has sufficient time to consider the proposed rule change. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,¹⁰ designates February 21, 2026, as the date by which the Commission shall either approve or disapprove the proposed rule change (File No. SR-NYSEARCA-2025-24).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹¹

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025-22615 Filed 12-11-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 35819; File No. 812-15849]

Prospect Capital Corporation, et al.

December 9, 2025.

AGENCY: Securities and Exchange Commission ("Commission" or "SEC").

ACTION: Notice.

Notice of application for an order under sections 17(d) and 57(i) of the Investment Company Act of 1940 (the "Act") and rule 17d-1 under the Act to permit certain joint transactions otherwise prohibited by sections 17(d) and 57(a)(4) of the Act and rule 17d-1 under the Act.

SUMMARY OF APPLICATION: Applicants request an order to permit certain business development companies ("BDCs") and closed-end management investment companies to co-invest in portfolio companies with each other and with certain affiliated investment entities.

APPLICANTS: Prospect Capital Corporation, Priority Income Fund, Inc., Prospect Floating Rate and Alternative Income Fund, Inc., Prospect Capital Funding LLC, National Property REIT Corp., Prospect Capital Management L.P., Priority Senior Secured Income Management, LLC, Prospect Enhanced Yield Fund, and Prospect Enhanced Yield Management, LLC.

FILING DATES: The application was filed on July 10, 2025, and amended on November 26, 2025.

HEARING OR NOTIFICATION OF HEARING: An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing on any application by emailing the SEC's Secretary at Secretarys-Office@sec.gov and serving the Applicants with a copy of the request by email, if an email address is listed for the relevant Applicant below, or personally or by mail, if a physical address is listed for the relevant Applicant below. Hearing requests should be received by the Commission by 5:30 p.m. on January 5, 2026, and should be accompanied by proof of service on the Applicants, in the form of an affidavit or, for lawyers, a certificate of service. Pursuant to rule 0-5 under the Act, hearing requests should state the nature of the writer's interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by

emailing the Commission's Secretary at Secretarys-Office@sec.gov.

ADDRESSES: The Commission:

Secretarys-Office@sec.gov. Applicants: Russell Winger rwinger@prospectcap.com, Prospect Capital Corporation, 10 East 40th Street, 42nd Floor, New York, NY 10016; Kenneth E. Burdon, kenneth.burdon@stblaw.com, Simpson Thacher & Bartlett LLP, 855 Boylston Street, 9th Floor, Boston, MA 02116.

FOR FURTHER INFORMATION CONTACT:

Adam Large, Senior Special Counsel, Toyin Momoh, Senior Counsel, or Daniele Marchesani, Assistant Chief Counsel, at (202) 551-6825 (Division of Investment Management, Chief Counsel's Office).

SUPPLEMENTARY INFORMATION: For Applicants' representations, legal analysis, and conditions, please refer to Applicants' first amended application, filed July 10, 2025, which may be obtained via the Commission's website by searching for the file number at the top of this document, or for an Applicant using the Company name search field, on the SEC's EDGAR system. The SEC's EDGAR system may be searched at <https://www.sec.gov/edgar/searchedgar/companysearch.html>. You may also call the SEC's Office of Investor Education and Advocacy at (202) 551-8090.

For the Commission, by the Division of Investment Management, under delegated authority.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025-22612 Filed 12-11-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-104350; File No. SR-OCC-2025-013]

Self-Regulatory Organizations; The Options Clearing Corporation; Order Granting Approval of Proposed Rule Change by The Options Clearing Corporation Concerning Certain Revisions in Connection With Proposed Modifications to the Manner in Which OCC Accounts for the Guaranty Substitution Payment in OCC's Liquidity Risk Management Processes

December 9, 2025.

I. Introduction

On August 29, 2025, the Options Clearing Corporation ("OCC") filed with the Securities and Exchange

⁴ 15 U.S.C. 78s(b)(2).

⁵ See Securities Exchange Act Release No. 103634, 90 FR 38528 (Aug. 8, 2025).

⁶ 15 U.S.C. 78s(b)(2)(B).

⁷ See Securities Exchange Act Release No. 103904, 90 FR 44117 (Sept. 11, 2025).

⁸ 15 U.S.C. 78s(b)(2).

⁹ See *supra* note 3.

¹⁰ 15 U.S.C. 78s(b)(2).

¹¹ 17 CFR 200.30-3(a)(57).

Commission (“Commission”) the proposed rule change SR–OCC–2025–013, pursuant to Section 19(b) of the Securities Exchange Act of 1934 (“Exchange Act”) ¹ and Rule 19b–4 ² thereunder, to permit OCC to account for the cash payment OCC could make to the National Securities Clearing Corporation following the default of a common clearing participant that is attributable only to OCC-related activity in OCC’s liquidity stress testing (hereinafter defined as “Proposed Rule Change”). ³ The Proposed Rule Change was published for public comment in the **Federal Register** on September 15, 2025. ⁴ On September 25, 2025, pursuant to Section 19(b)(2) of the Exchange Act, ⁵ the Commission designated a longer period within which to approve, disapprove, or institute proceedings to determine whether to approve or disapprove the Proposed Rule Change, until December 14, 2025. ⁶ The Commission has received no comments regarding the Proposed Rule Change. For the reasons discussed below, the Commission is approving the Proposed Rule Change.

II. Background

OCC is a central counterparty, which means that, as part of its function as a clearing agency, it interposes itself as the buyer to every seller and the seller to every buyer for certain financial transactions. OCC is the sole clearing agency for standardized equity options listed on national securities exchanges registered with the Commission, including options that contemplate the physical delivery of equities cleared by the National Securities Clearing Corporation (“NSCC”) in exchange for cash (“physically-settled” options). ⁷ OCC also clears certain futures contracts that, at maturity, require the delivery of equity securities cleared by NSCC in

exchange for cash. As a result, the exercise and assignment of certain options or maturation of certain futures cleared by OCC effectively results in stock settlement obligations to be cleared by NSCC (“E&A Activity”). Because OCC is obligated to perform on the contracts it clears, even where one of its Clearing Members defaults, OCC is exposed to liquidity risk ⁸ in the form of exposure to a Clearing Member’s trading activities. OCC manages such risk, in part, by performing daily stress testing ⁹ that covers a wide range of scenarios. ¹⁰

NSCC and OCC maintain a legal agreement, generally referred to by the parties as the “Accord,” that governs the processing of such E&A Activity for firms that are members of both OCC and NSCC (“Common Members”). ¹¹ Under the terms of the Accord, NSCC is required to accept E&A Activity from OCC (*i.e.*, guaranty the positions of a defaulting Common Member), provided that OCC makes a payment to NSCC called the “Guaranty Substitution Payment,” or “GSP.” The GSP was incorporated into the Accord to address liquidity and operational issues that could arise at OCC in the event of a Common Member default. ¹² The incorporation of the GSP is designed to reduce OCC’s potential liquidity exposure to an amount that is within the scope of its resources. ¹³ To take advantage of this change, however, OCC must be prepared to make a cash payment to NSCC. ¹⁴ As a result, OCC accounts for the potential need to make a Guaranty Substitution Payment to NSCC in its liquidity risk management planning based on information provided by NSCC.

NSCC calculates the amounts of the components used to determine the GSP and other financial information each trading day (“T”) for each Common Member. The components used to

determine the GSP are a Common Member’s unpaid Required Fund Deposit (“RFD”) and unpaid Supplemental Liquidity Deposit (“SLD”) obligation as defined by NSCC’s rules, some amount of which may be attributable to E&A Activity. NSCC calculates the GSP by determining that are attributable to E&A Activity. NSCC then sends the results to OCC at the NSCC Family level on T+1 each day prior to morning settlement.

As a conservative approach to liquidity risk management, OCC chose to incorporate a Common Member’s total RFD and SLD obligations to NSCC (not just the portion represented in the GSP) into OCC’s liquidity risk management. ¹⁵ As a result, OCC currently collects resources to account for activity that is not related to the settlement of the underlying equity securities related to E&A Activity. OCC made this design choice prior to implementation of the GSP to increase the likelihood that OCC would be in a position to make a future Guaranty Substitution Payment that exceeds historical GSP requirements. ¹⁶

Based on observations from the 13 months following implementation of the GSP, OCC identified unexpected amounts in the data from NSCC that could cause OCC to over collect resources. ¹⁷ OCC believes that NSCC’s calculation methodology for SLD obligations may include activity by affiliates of a Common Member that are not OCC Clearing Members. ¹⁸ Further, the data NSCC sends to OCC sometimes includes deficits related to non-E&A Activity (*e.g.*, exchange traded fund creation and redemption activity). ¹⁹

OCC proposes to change its Comprehensive Stress Testing & Clearing Fund Methodology, and Liquidity Risk Management Description (the “Methodology Description”) and OCC’s Liquidity Risk Management Framework (“LRMF”) so that OCC will account for only the portion of a Clearing Member’s unpaid RFD and SLD obligations related to E&A Activity in OCC’s liquidity risk management processes.

The Methodology Description enables OCC to review the sufficiency of its financial resources and includes stress

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b–4.

³ See Notice of Filing *infra* note 4, at 90 FR 44430.

⁴ See Exchange Act Release No. 103937 (Sep. 10, 2025), 90 FR 44430 (Sep. 15, 2025) (File No. SR–OCC–2025–013) (“Notice of Filing”).

⁵ 15 U.S.C. 78s(b)(2).

⁶ Exchange Act Release No. 104078 (Sep. 25, 2025), 90 FR 47012 (Sep. 30, 2025) (File No. SR–OCC–2025–013).

⁷ The term “physically-settled” as used throughout the OCC Rulebook refers to cleared contracts that settle into their underlying interest (*i.e.*, options or futures contracts that are not cash-settled). When a contract settles into its underlying interest, shares of stock are sent (*i.e.*, delivered) to contract holders who have the right to receive the shares from contract holders who are obligated to deliver the shares at the time of exercise/assignment in the case of an option and at the time of maturity in the case of a future. Capitalized terms used but not defined herein have the meanings specified in OCC’s Rules and By-Laws, available at <https://www.theocc.com/about/publications/bylaws.jsp>.

⁸ Liquidity risk is the risk that a counterparty will have insufficient funds to meet its financial obligations as and when expected, although it may be able to do so in the future. Bank for International Settlements & International Organization of Securities Commissions, Principles for Financial Market Infrastructures, <https://www.bis.org/cpmi/publ/d101a.pdf>.

⁹ Stress testing is the estimation of credit or liquidity exposures that would result from the realization of potential stress scenarios, such as extreme price changes, multiple defaults, or changes in other valuation inputs and assumptions. 17 CFR 240.17ad–22(a).

¹⁰ See OCC Rule 1001.

¹¹ Pursuant to OCC Rule 302, outside of certain limited exceptions, every Clearing Member that effects transactions in physically-settled options or futures must also be a participant in NSCC.

¹² See Exchange Act Release No. 99735 (Mar. 14, 2024), 89 FR 19907, 19908 (Mar. 20, 2024) (File No. SR–OCC–2023–007) (“Accord Approval”).

¹³ See *id.* at 19912.

¹⁴ See *id.*

¹⁵ See *id.* at 19910.

¹⁶ See *id.* at 19912.

¹⁷ See Notice of Filing, 90 FR at 44431.

¹⁸ See *id.*

¹⁹ See *id.* OCC received data from NSCC suggesting a potential need to hold \$7 billion driven by certain SLD obligations where E&A Activity from OCC was related to only \$60 million of exposure. The addition exposures arose from affiliates of the Common Member, but not the Common Member itself. See *id.*

tests designed to size and monitor the sufficiency of prefunded credit and liquidity resources. The Methodology Description currently requires that OCC will include the peak amount of historical actual RFD and SLD obligations specific to each CMO Group for the relevant expiration on a twelve-month period at a CMO Group level. It requires that OCC account for its potential liabilities using the total amount of deficits at NSCC in its calculation while acknowledging that, in the event of a default, OCC will be responsible only for a proportionate share of both the RFD and SLD obligations that are attributable to E&A Activity.

OCC proposes to amend the Methodology Description to require OCC to account for only the amount of unpaid RFD and SLD obligations attributable to E&A Activity, which OCC would define as the Final GSP going forward.²⁰ Because OCC intends to include only the Final GSP in its liquidity stress testing, OCC also proposes to remove references to the inclusion of the peak historical actual unpaid RFDs and SLDs specific to each CMO Group.

The LRMF is designed to ensure OCC holds sufficient funds to meet its intraday, same-day, and multiday settlement obligations. OCC proposes to amend the LRMF to clarify its ability to elect to pay NSCC the Final GSP as opposed to a Common Member's total unpaid RFD and SLD obligations. OCC also proposes to amend sections of the LRMF relating to governance and reporting. OCC proposes to add language to the LRMF to reflect OCC's existing authority to call for financial resources from its Clearing Members as a Required Cash Deposit or additional Clearing Member's margin if the potential settlement obligations approach or exceed OCC liquidity resources available to fulfill OCC's settlement obligations if a Clearing Member defaults. Similarly, OCC proposes to amend the LRMF to reflect OCC's current authority to place a Clearing Member on Watch Level if there is increased liquidity risk from stressed liquidity demands and to collect margin to collateralize a Clearing Member's elevated liquidity exposures once on Watch Level.

OCC also proposes to amend the LRMF's requirements for monthly

review activities. Specifically, OCC proposes to add language that would require monthly review by the Stress Testing Working Group ("STWG") of reporting on stress testing adequacy and provide for escalation to the Management Committee intra-month if any problems are found. The LRMF would require that such review include an analysis of the Final GSP received after the calculation of stressed liquidity demands. Such analysis shows the overall impact to prior stressed liquidity demand calculations when new historical peaks are subsequently observed.

To ensure that it maintains sufficient liquid resources, OCC would continue its risk management practices related to the incorporation of GSP into its liquidity risk management. For example, OCC would continue to include the potential obligation to pay GSP on two consecutive days in its liquidity risk management processes. Specifically, OCC would incorporate the peak Final GSP (observed over the preceding 12 months) into a member's forecasted liquidity demands to be covered over a potential two-day default management process. OCC believes that likelihood of observing two consecutive peak Final GSP amounts is low due to the cyclical nature of OCC E&A Activity whose largest notional exposures tend to be separated across tenors further than one day apart, and most highly concentrated during standard monthly expirations.²¹ Further, OCC believes provisioning for payment of two peak Final GSPs is conservative because the default of a member, by definition, would stop further trading by the suspended member and result in OCC taking only risk reducing actions with regard to the defaulter's portfolio.²²

Similarly, OCC would continue its processes for monitoring liquidity exposures and calling for additional resources ahead of potential exceedances. Such processes include monitoring anticipated cash settlements each business day during the week leading up to standard monthly expiration as well as evaluating margin forecasts and intraday trading activity. As noted above, if a Clearing Member's activity exceeds position risk thresholds, OCC has the ability to place a Clearing Member on watch and recommend appropriate preventative measures. Additionally, OCC may call for additional cash from its Clearing Members based on the liquidity demands, including potential GSP

payments generated by OCC's Sufficiency Scenarios.

III. Discussion and Commission Findings

Section 19(b)(2)(C) of the Exchange Act directs the Commission to approve a proposed rule change of a self-regulatory organization if it finds that such proposed rule change is consistent with the requirements of the Exchange Act and the rules and regulations thereunder applicable to such organization.²³ Under the Commission's Rules of Practice, the "burden to demonstrate that a proposed rule change is consistent with the Exchange Act and the rules and regulations issued thereunder . . . is on the self-regulatory organization ['SRO'] that proposed the rule change."²⁴

The description of a proposed rule change, its purpose and operation, its effect, and a legal analysis of its consistency with applicable requirements must all be sufficiently detailed and specific to support an affirmative Commission finding,²⁵ and any failure of an SRO to provide this information may result in the Commission not having a sufficient basis to make an affirmative finding that a proposed rule change is consistent with the Exchange Act and the applicable rules and regulations.²⁶ Moreover, "unquestioning reliance" on an SRO's representations in a proposed rule change is not sufficient to justify Commission approval of a proposed rule change.²⁷

After carefully considering the Proposed Rule Change, the Commission finds that the Proposed Rule Change is consistent with the requirements of the Exchange Act and the rules and regulations thereunder applicable to OCC. More specifically, the Commission finds that the Proposed Rule Change is consistent with and with Section 17A(b)(3)(F) of the Exchange Act,²⁸ Exchange Act Rule 17ad-22(e)(7)²⁹ as described in detail below.

A. Consistency With Section 17A(b)(3)(F) of the Exchange Act

Section 17A(b)(3)(F) of the Exchange Act requires, among other things, that a clearing agency's rules be designed to foster cooperation and coordination

²³ 15 U.S.C. 78s(b)(2)(C).

²⁴ Rule 700(b)(3), Commission Rules of Practice, 17 CFR 201.700(b)(3).

²⁵ *Id.*

²⁶ *Id.*

²⁷ *Susquehanna Int'l Group, LLP v. Securities and Exchange Commission*, 866 F.3d 442, 447 (D.C. Cir. 2017).

²⁸ 15 U.S.C. 78q-1(b)(3)(F).

²⁹ 17 CFR 240.17ad-22(e)(7).

²⁰ The textual changes to the Methodology include replacement of "GSP" with "Final GSP" and the addition of descriptions consistent with OCC's current practice and understanding (e.g., NSCC calculates SLDs at the Family level, OCC is responsible for Final GSP in the event of a Common Member default).

²¹ See Notice of Filing, 90 FR at 44432.

²² See *id.*

with persons engaged in the clearance and settlement of securities transactions and, in general, to protect investors and the public interest.³⁰ Based on the Commission's review of the record, and for the reasons described below, the changes described above are consistent Section 17A(b)(3)(F) of the Exchange Act³¹ because it is designed to avoid collecting liquidity resources to cover exposures unrelated to the activity OCC clears while continuing to hold resources to manage OCC's peak historical exposures and maintaining tools to monitor and address risks beyond those exposures as they arise.

As discussed above, OCC currently incorporates a Common Member's total RFD and SLD obligations to NSCC into OCC's liquidity risk management. This design choice was made prior to implementation of the GSP to increase the likelihood that OCC would be in a position to make a future Guaranty Substitution Payment that exceeds historical GSP requirements. Based on 13 months of data post implementation, this choice could require OCC to collect billions of dollars in collateral to cover exposure arising not at a member, but at such member's affiliate for activity cleared and risk managed by NSCC. The Proposed Rule Change would allow OCC to collect collateral based on exposures presented by activity it clears for its members rather than for unrelated activity processed by another clearing agency. Focusing OCC's collateral and risk management on its exposures will support the ability of Common Members to operate across multiple clearing agencies with a reduced cost.

The Proposed Rule Change will, however, reduce the collateral OCC has available to manage a default, which raises the question of how OCC will manage liquidity demands in excess of historical peaks. As described above, OCC proposes to rely on both the conservative collection collateral to cover peak Final GSP requirements over two consecutive days as well as OCC's suite of monitoring and collateral collection tools designed to forecast and manage exposures. The likelihood that OCC would be required to pay peak Final GSP amounts for two consecutive days is low given the default management processes described above. As also described above, OCC's monitoring processes allow it to impose protective measures and collect additional resources well in advance of potentially large options expirations.

OCC may collect amounts of resources from Clearing Members not related to

transactions OCC clears. The Proposed Rule Change would better align liquidity needs with the risk of clearing those transactions OCC clears. This alignment could reduce collateral requirements for Clearing Members. By reducing the amount of funds collected from Clearing Members, OCC would decrease the costs associated with securities transactions. By reducing costs associated with clearing securities transactions, OCC would potentially allow the public to trade at lower costs which will serve the public interest.

Accordingly, the Proposed Rule Change is consistent with the requirements of Section 17A(b)(3)(F) of the Exchange Act.³²

B. Consistency With Rule 17ad-22(e)(7) Under the Exchange Act

Rule 17ad-22(e)(7)(i) under the Exchange Act requires that a covered clearing agency establish, implement, maintain, and enforce written policies and procedures reasonably designed to effectively measure, monitor, and manage the liquidity risk that arises in or is borne by the covered clearing agency, including measuring, monitoring, and managing its settlement and funding flows on an ongoing and timely basis, and its use of intraday liquidity by maintaining sufficient liquid resources at the minimum in all relevant currencies to effect same-day settlement and, where appropriate, intraday and multiday settlement of payment obligations with a high degree of confidence under a wide range of foreseeable stress scenarios that includes, but is not limited to, the default of the participant family that would generate the largest aggregate payment obligation for the covered clearing agency in extreme but plausible market conditions.³³

As described above, OCC proposes to reduce the output of its liquidity stress testing by incorporating Final GSP requirements rather than a Common Member's total RFD and SLD obligations. Although this change would reduce the calculation of OCC's total liquidity need, it would do so by excluding exposures not reasonably attributable to activity cleared by OCC while continuing to incorporate exposures arising out of the activity that is cleared by OCC. OCC would continue to include conservative assumptions in its liquidity risk management to increase the likelihood that it collects sufficient liquid resources to cover future scenarios, such as maintaining sufficient resources to cover the peak

Final GSP on two consecutive days using a 12-month lookback period. OCC would also continue to monitor Clearing Members for signs of increased risk and to call for financial resources from Clearing Members based on risk increases and forecasts. Additionally, OCC proposes requiring monthly review by the STWG of a report on stress test adequacy, including an analysis³⁴ of the Final GSP received after the calculation of stressed liquidity demands, and providing for escalation to the Management Committee as appropriate. On balance, the focus on activity cleared by OCC, conservative assumptions, monitoring, and resource collection tools provide a reasonable framework for OCC manage to its settlement and funding flows related to E&A Activity.

Accordingly, the Proposed Rule Change is consistent with Rule 17ad-22(e)(7) under the Exchange Act.³⁵

IV. Conclusion

On the basis of the foregoing, the Commission finds that the Proposed Rule Change is consistent with the requirements of the Exchange Act, and in particular, the requirements of Section 17A of the Exchange Act³⁶ and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Exchange Act,³⁷ that the Proposed Rule Change (SR-OCC-2025-013) be, and hereby is, approved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.³⁸

Sherry R. Haywood,

Assistant Secretary.

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³⁰ 15 U.S.C. 78q-1(b)(3)(F).

³¹ 15 U.S.C. 78q-1(b)(3)(F).

³² 15 U.S.C. 78q-1(b)(3)(F).

³³ 17 CFR 240.17ad-22(e)(7)(i).

³⁴ This analysis shows the overall impact to prior stressed liquidity demand calculations when new historical peaks are subsequently observed.

³⁵ 17 CFR 240.17ad-22(e)(7).

³⁶ In approving the Proposed Rule Change, the Commission has considered the proposed rules' impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

³⁷ 15 U.S.C. 78s(b)(2).

³⁸ 17 CFR 200.30-3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-104353; File No. SR-LTSE-2025-24]

Self-Regulatory Organizations: Long-Term Stock Exchange, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Fee Schedule To Modify the Liquidity Incentive Program

DECEMBER 9, 2025. Pursuant to the provisions of Section 19(b)(1) under the Securities Exchange Act of 1934 (“Act”),¹ and Rule 19b-4 thereunder,² notice is hereby given that on November 26, 2025, Long-Term Stock Exchange, Inc. (“LTSE” 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 is filing with the Securities and Exchange Commission (“Commission”) a proposed rule change to amend its Fee Schedule to modify the Liquidity Incentive Program (“LTSE LIP” or “Program”). The Exchange proposes to implement the changes to the fee schedule pursuant to this proposal on December 1, 2026.

The text of the proposed rule change is available at the Exchange’s website at <https://longtermstockexchange.com/>, at the principal office of the Exchange, and at the Commission’s Public Reference Room.

II. Self-Regulatory Organization’s Statement on 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 self-regulatory organization has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

On July 1, 2025, the Exchange implemented the LTSE LIP to enhance liquidity and improve market quality in LIP Enhanced Securities³ traded on the Exchange by incentivizing Members to quote at or better than the National Best Bid and Offer (“NBBO”) and provide liquidity in both select securities, the LIP Enhanced Securities and more generally in all other securities traded on LTSE, the LIP Standard Securities.⁴ On August 11, 2025, the LIP was subsequently amended to reduce the quoting threshold in a LIP Enhanced Security from 60% to 30% of the time at the NBBO of the Regular Market Session,⁵ in order to share in SIP Quote Revenue,⁷ which is distributed proportionally among eligible Members based on quoting activity.⁸

³ LIP Enhanced Securities means a list of securities designated as such, that are used for the purposes of qualifying for the incentives within the LIP. The universe of these securities will be determined by the Exchange and published on the Exchange’s website. See Definitions Section of the Fee Schedule.

⁴ LIP Standard Securities means a security not defined as a “LIP Enhanced Security” and traded on LTSE. See Definitions Section of the Fee Schedule.

⁵ See Securities Exchange Release No. 34-103517 (July 22, 2025), 90 FR 35325 (July 25, 2025) (SR-LTSE-2025-16). The program includes three key incentives: (1) a proportional share of 80% of LTSE’s SIP Quote Revenue for LIP Enhanced Securities, distributed among qualifying Members based on Quoting activity; (2) reduced taker fees for LIP Enhanced Securities, available to all Members without quoting obligations; and (3) for LIP Standard Securities, a choice between a proportional share of 20% of LTSE’s SIP Quote Revenue or a quarterly credit, contingent on meeting specific quoting thresholds.

⁶ Regular Market Session or Regular Market Hours means the time between 9:30 a.m. and 4:00 p.m. Eastern Time. See Exchange Rule 1.160(kk).

⁷ The Securities Information Processors (“SIPs”), which include the Unlisted Trading Privileges and Consolidated Tape Association, collect fees from subscribers for trade and quote tape data received from trading centers and reporting facilities, such as the Exchange (collectively, “SIP Participants”). After deducting the cost of operating each tape, the profits are allocated among the SIP Participants on a quarterly basis, according to a complex set of calculations that consider estimates of anticipated Market Data Revenue (“MDR”), adjustments to comport to actual MDR from previous quarters and a non-linear aggregation of total trading and quoting activity in Tape A, B and C securities in attributing MDR to each SIP Participant. Based on these calculations, the SIPs provide MDR payments to each SIP Participant during the second month of each quarter for trade and quote data from the previous calendar quarter, which are subject to adjustment through subsequent quarterly payments. These payments can be divided into six pools (*i.e.*, trade and quote activity in Tape A, B, and C securities).

⁸ See Securities Exchange Release No. 34-103700 (August 13, 2025), 90 FR 40090 (August 18, 2025)

The Exchange now proposes several additional changes to the Fee Schedule to modify the LTSE LIP. The proposed amendments would (i) increase the revenue-sharing percentage for LIP Standard Securities under Incentive 3 from 20% to 50%; (ii) authorize the Exchange to change the MQS mid-quarter, with notice to Members; (iii) remove transitional language that applied to the initial roll-out of the Program and the third quarter of 2025; and (iv) make other clarifying edits to the language within LIP section of the Fee Schedule.

Under the current Program, Incentive 3 provides Members quoting in LIP Standard Securities a proportional share of 20% of LTSE SIP Quote Revenue. The Exchange is now proposing a midquarter increase of that allocation to 50%, an increase designed to improve the competitiveness of the Program and further reward firms that maintain displayed quotes at the NBBO on LTSE, thereby improving consolidated market quality. The proposed increase more closely aligns the economic rewards distributed under the LTSE LIP with the value of displayed liquidity that Members contribute to the Exchange’s market data revenue, fostering a fairer and more transparent incentive structure. The Exchange expects that increasing the revenue-sharing percentage will encourage Members to maintain high-quality, stable quotes throughout the trading day, improving displayed liquidity and contributing to the overall integrity of the market. This adjustment is the result of the Exchange’s ongoing evaluation of the Program’s effectiveness of increasing participation and quote quality.

With this midquarter adjustment the Exchange is proposing to add a description to the LIP Notes section of the Fee Schedule to detail how the SIP Quote Revenue for Incentive 3 will be calculated for the fourth quarter of 2025 to account for the fact that the proportional share of the SIP Quote Revenue will not apply uniformly across the quarter. A Member that has qualified for Incentive #3 will share in 20% of the LTSE SIP Quote Revenue for that LIP Standard Security, distributed proportionally across all qualifying member firms within the calendar months of October and November. A Member that has qualified for Incentive #3 will share in 50% of the LTSE SIP Quote Revenue for that LIP Standard Security, distributed proportionally

(SR-LTSE-2025-18) (Notice of Filing and Immediate Effectiveness of Proposed Rule Change to Amend the Liquidity Incentive Program).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

across all qualifying member firms within the calendar month of December.

By allowing Members to receive increased revenue the Exchange seeks to encourage greater participation in LIP Standard Securities as soon as possible and provide the opportunity to share in SIP Quote Revenue, which is distributed proportionally among eligible Members based on quoting activity. The Exchange notes that it is not proposing any changes to the SIP Quote Revenue distribution, which will continue to occur at the end of each calendar quarter.

The Exchange also proposes to reduce the MQS applicable to LIP Enhanced Securities to one round lot effective December 1, 2026. The Exchange established higher MQS levels, after the initial rollout of the Program, ranging from 200 to 700 shares, in an effort to encourage participants to display meaningful size at the NBBO. However, experience during the most recent quarters has shown such thresholds have created participation barriers for many potential quoting Members and limited the overall volume of quoting activity on the Exchange.

By returning to one round lot MQS, the same level used at the Program's initial launch, the Exchange seeks to lower barriers to entry, attract additional quoting volume, and make LTSE LIP more accessible and practical for Members to implement within their existing market-making and risk systems. The Exchange believes that a lower MQS will promote broader participation, enhance competition among liquidity providers and contribute to tighter spreads and improved market quality.

The Exchange is also seeking flexibility to modify MQS in the future without having to submit a separate rule filing each time an adjustment is warranted. Specifically, the Exchange is seeking authority to revise MQS mid-quarter by publishing the updated levels on its website and providing at least one business day's notice to Members prior to implementation. This mechanism will allow the Exchange to respond more nimbly to changes in market conditions, participation trends and liquidity characteristics, while maintaining transparency and predictability for Members.

The Exchange believes that this measured approach, lowering MQS now to foster engagement while establishing the ability to recalibrate in future quarters, strikes the appropriate balance between accessibility and market impact. It supports the Exchange's broader objectives of increasing on-Exchange activity, providing fair and

non-discriminatory access to participation in the Program, and maintaining a transparent, competitive, and data-driven incentive framework.

The Exchange also proposes to delete language from the Fee Schedule that is no longer operative. First, the Exchange is deleting language that addressed the MQS at the initial launch of the Program and no longer is applicable. Next, the Exchange is proposing to delete text that applied only to the third quarter of 2025 and has since expired. Those provisions, adopted in SR-LTSE-2025-18,⁹ temporarily adjusted quoting thresholds and revenue-sharing parameters that are no longer operative. These changes are administrative in nature and are intended to maintain a clear and accurate Fee Schedule by removing obsolete text. The deletion does not alter any current incentives or modify the operation of the LTSE LIP.

The Exchange is proposing to add clarifying language to the Percent Time at NBBO definition within Section B.2 (Liquidity Incentive Program) of the Fee Schedule. Specifically, the Exchange proposes to add the word "displayed" before quote so the sentence now reads: For the avoidance of doubt, only displayed quotes that are at the NBB or NBO during the Regular Market Session count towards the Percent Time at NBBO calculation.¹⁰

Finally, while not included in the Fee Schedule, in the initial LIP filing the Exchange detailed that Incentive #3 Members who choose the quarterly credit can apply that credit in the calendar quarter in which they earned it, or the subsequent calendar quarter.¹¹ The Exchange is proposing to amend this statement to state that the quarterly credit expires at the end of the calendar quarter a year after it is earned, on a rolling basis. For example, a Member who earns an Incentive #3 credit in Q1 2026 would have until the end of Q1 2027 to apply the credit to any monthly invoice. In turn, a Member who earns an Incentive #3 credit in Q4 2025 would have until the end of Q4 2026 to apply the credit. The Exchange believes this will allow Members to have more flexibility when choosing to apply their Incentive #3 credit which may in turn increase Member participation in the program, benefiting other investors by

providing improved trading conditions for all market participants.

(b) Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,¹² in general, and furthers the objectives of Section 6(b)(4) of the Act,¹³ in particular, in that it provides for the equitable allocation of reasonable dues, fees and other charges among all of its Members and issuers and other persons using its facilities; Section 6(b)(5) of the Act,¹⁴ which requires, among other things, that the rules of the Exchange be designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and to protect investors and the public interest. The Exchange also believes that the proposed rule change is reasonable, fair and equitable, and non-discriminatory.

The Exchange believes that the ever-shifting market share among the exchanges from month to month demonstrates that market participants can shift order flow or discontinue or reduce use of certain categories of products, in response to new or different pricing structures being introduced into the market. Accordingly, competitive forces constrain the Exchange's transaction fees and rebates, and market participants can readily trade on competing venues if they deem pricing levels at those other venues to be more favorable.

The Exchange believes that increasing the revenue-sharing percentage under Incentive 3 from 20% to 50% is reasonable and equitable because it better reflects the value that displayed quotes contribute to the national market system and provides a stronger economic incentive for Members to supply liquidity on the Exchange.

The change is not unfairly discriminatory, as all Members that meet the same quoting criteria are eligible to receive the increased revenue share on identical terms and it will enhance, rather than burden, intermarket competition by encouraging additional displayed liquidity on LTSE.

The Exchange believes that reducing the MQS to one round lot and permitting future adjustments without separate rule filings is reasonable, equitable and not unfairly discriminatory. The change lowers the barriers to entry, aligns quoting requirements with Members'

⁹ See note 8.

¹⁰ The Exchange believes adding the word "displayed" ensures the term is consistent throughout the LTSE Fee Schedule. Further, the Exchange notes that displayed quotes can include orders that rest on the LTSE Order Book and are therefore treated as displayed quotes within the System.

¹¹ See note 5.

¹² 15 U.S.C. 78f(b).

¹³ 15 U.S.C. 78f(b)(4).

¹⁴ 15 U.S.C. 78f(b)(5).

operational capabilities, and makes participation in the Program more accessible to a wider range of Members, including smaller liquidity providers that may not maintain large inventory positions in each security.

Providing the Exchange with flexibility to adjust MQS mid-quarter, with advance public notice, allows it to respond promptly to evolving market conditions, participation trends, and liquidity characteristics while maintaining transparency. This adaptive approach supports the maintenance of fair and orderly markets consistent with Section 6(b)(5) of the Act and fosters competition among liquidity providers by ensuring the quoting requirements remain balanced and attainable.

The Exchange believes that deleting text that is no longer applicable and adding clarifying text is consistent with Section 6(b)(5) and 6(b)(1) of the Act because it enhances transparency and clarity in the Fee Schedule. The removal is administrative, eliminates obsolete provisions and ensures that the rule text accurately reflects the Program currently in effect. It does not modify and incentives or alter Member obligations and therefore imposes no burden on competition.

Taken together, these amendments are designed to strengthen the LTSE LIP by improving participation incentives, aligning Program parameters with market realities, and maintaining clear and transparent rule text. The Exchange believes the proposal supports the objectives of Section 6(b)(5) of the Act by fostering fair competition, encouraging displayed liquidity, and promoting a more efficient and transparent market environment for investors.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. Instead, as discussed above, the proposal is intended to enhance market quality on the Exchange by encouraging additional quoting activity on LTSE and promoting more competitive displayed markets. The proposed amendments are designed to make the LTSE LIP more accessible and attractive to a broader range of Members. Lowering the MQS to one round lot reduces barriers to participation and enables more Members, particularly smaller or mid-sized liquidity providers, to qualify for LTSE LIP incentives. Increasing the revenue-sharing percentage for LIP Standard Securities further strengthens

the economic incentives to post displayed liquidity, while the flexibility to modify MQS with notice allows the Exchange to maintain requirements that are appropriately scaled to prevailing market conditions. As a result, the Exchange believes the proposal would enhance its competitiveness as a market that attracts actionable orders, thereby making it a more desirable destination venue for its customers. For these reasons, the Exchange believes that the proposal furthers the Commission's goal in efficient pricing of individual stocks for all types of orders, large and small."¹⁵

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act¹⁶ and paragraph (f)(2) of Rule 19b-4 thereunder.¹⁷

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend the rule change if it appears to the Commission that the action is necessary or appropriate in the public interest, for the protection of investors, or would otherwise further the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include File Number SR-LTSE-2025-24 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.

¹⁵ See Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 47396 (June 29, 2005).

¹⁶ 15 U.S.C. 78s(b)(3)(A)(ii).

¹⁷ 17 CFR 240.19b-4(f)(2).

All submissions should refer to File Number SR-LTSE-2025-24. 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 LTSE and on its internet website at <https://longtermstockexchange.com/>. 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-LTSE-2025-24 and should be submitted on or before January 2, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁸

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025-22611 Filed 12-11-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meeting

TIME AND DATE: Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94-409, that the Securities and Exchange Commission (SEC or Commission) will host a public roundtable on Tuesday, December 16, 2025. The meeting will begin at 9 a.m. (CST) and will be open to the public. Members of the public must register by December 15, 2025. Doors will open at 8 a.m. (CST). Visitors will be subject to security checks.

PLACE: The roundtable will be held at the University of Austin's campus at the Scarbrough Building located at 522 Congress Avenue, Austin, Texas. The meeting will be webcast on the Commission's website at www.sec.gov, and a recording will be posted at a later date.

STATUS: This Sunshine Act notice is being issued because a majority of the Commission may attend the meeting.

MATTERS TO BE CONSIDERED: The SEC will host a public roundtable on Rule 611 of Regulation NMS, and other,

¹⁸ 17 CFR 200.30-3(a)(12).

associated rules and regulatory requirements. The roundtable is open to the public, who must *register* by December 15, 2025.

CONTACT PERSON FOR MORE INFORMATION: For further information, please contact Vanessa A. Countryman from the Office of the Secretary at (202) 551–5400.

Authority: 5 U.S.C. 552b.

Dated: December 9, 2025.

Stephanie J. Fouse,

Assistant Secretary.

[FR Doc. 2025–22620 Filed 12–10–25; 11:15 am]

BILLING CODE 8011–01–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21381 and #21382; California Disaster Number CA–20037]

Administrative Declaration of a Disaster for the State of California

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Administrative declaration of a disaster for the State of California dated December 9, 2025.

Incident: Pack Fire.

Incident Period: November 13, 2025 through December 4, 2025.

DATES: Issued on December 9, 2025.

Physical Loan Application Deadline Date: February 9, 2026.

Economic Injury (EIDL) Loan Application Deadline Date: September 9, 2026.

ADDRESSES: Visit the MySBA Loan Portal at <https://lending.sba.gov> to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Sharon Henderson, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be submitted online using the MySBA Loan Portal <https://lending.sba.gov> or other locally announced locations. Please contact the SBA disaster assistance customer service center by email at disastercustomerservice@sba.gov or by phone at 1–800–659–2955 for further assistance.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Mono.

Contiguous Counties:

California: Alpine, Fresno, Inyo,

Madera, Tuolumne.
Nevada: Douglas, Esmeralda, Lyon,
Mineral.

The Interest Rates are:

	Percent
<i>For Physical Damage:</i>	
Homeowners with Credit Available Elsewhere	5.750
Homeowners without Credit Available Elsewhere	2.875
Businesses with Credit Available Elsewhere	8.000
Businesses without Credit Available Elsewhere	4.000
Non-Profit Organizations with Credit Available Elsewhere ...	3.625
Non-Profit Organizations without Credit Available Elsewhere	3.625
<i>For Economic Injury:</i>	
Business and Small Agricultural Cooperatives without Credit Available Elsewhere	4.000
Non-Profit Organizations without Credit Available Elsewhere	3.625

The number assigned to this disaster for physical damage is 213815 and for economic injury is 213820.

The States which received an EIDL Declaration are California and Nevada.

(Catalog of Federal Domestic Assistance Number 59008)

(Authority: 13 CFR 1234.3(b).)

James Stallings,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2025–22647 Filed 12–11–25; 8:45 am]

BILLING CODE 8026–09–P

SURFACE TRANSPORTATION BOARD

[Docket No. MCF 21140]

Van Pool Transportation LLC and AG Van Pool Holdings, LP—Acquisition of Control—Lavdas Enterprises, Inc.

AGENCY: Surface Transportation Board.

ACTION: Notice tentatively approving and authorizing finance transaction.

SUMMARY: Van Pool Transportation LLC (Van Pool) and AG Van Pool Holdings, LP (AG Holdings) (collectively, Applicants), both noncarriers, have filed an application to acquire control of an interstate passenger motor carrier, Lavdas Enterprises, Inc. dba Lavdas Limousines, Inc. (Lavdas). The Board is tentatively approving and authorizing the transaction. If no opposing comments are timely filed, this notice will be the final Board action.

DATES: Comments must be filed by January 26, 2026. If any comments are

filed, Applicants may file a reply by February 10, 2026. If no opposing comments are filed by January 26, 2026, this notice shall be effective on January 27, 2026.

ADDRESSES: Comments, referring to Docket No. MCF 21140, may be filed with the Board either via e-filing on the Board's website or in writing addressed to: Surface Transportation Board, 395 E Street SW, Washington, DC 20423–0001. In addition, send one copy of comments to Applicants' representative: Kiefer A. Light, Beacon Mobility Corp., 3700 Embassy Parkway, Suite 500, Akron, OH 44333.

FOR FURTHER INFORMATION CONTACT: Amanda Gorski at (202) 748–3874. If you require an accommodation under the Americans with Disabilities Act, please call (202) 245–0245.

SUPPLEMENTARY INFORMATION: On November 14, 2025, Van Pool and AG Holdings, both noncarriers, filed an application to acquire control of an interstate passenger motor carrier, Lavdas. According to the Applicants, Van Pool is a Delaware limited liability company indirectly controlled by AG Holdings through intermediary holding companies.¹ (Appl. 2–3.) Neither Van Pool nor AG Holdings is a federally regulated carrier. (*Id.* at 2–3.) However, Van Pool directly owns and controls all equity and voting interests in the following 22 interstate passenger motor carriers (the Affiliated Carriers):²

¹ Specifically, Applicants state that Van Pool is wholly owned by VP Intermediate Company (VP Intermediate), a Delaware corporation and noncarrier holding company, and that VP Intermediate is wholly owned by Beacon Mobility Corp. (Beacon Mobility), a Delaware corporation and noncarrier holding company. (Appl. 13.) Beacon Mobility is wholly owned by Beacon Mobility Intermediate Corp. (Beacon Intermediate), a Delaware corporation and noncarrier holding company. (*Id.*) Beacon Intermediate is wholly owned by Beacon Mobility Preferred Issuer, LLC (Beacon Preferred), a Delaware limited liability company and noncarrier holding company, and Beacon Preferred is wholly owned by Van Pool Group Holdings, L.P. (Group Holdings), a Delaware limited partnership and noncarrier holding company. (*Id.*) Group Holdings is majority-owned and controlled by AG Holdings, a Delaware limited partnership and noncarrier holding company. (*Id.*) AG Holdings is owned by investment funds affiliated with Audax Management Company, LLC (the Audax Funds), a Delaware limited liability company. (*Id.* at 13–14.) According to Applicants, none of these entities has interstate passenger motor carrier authority, a U.S. Department of Transportation (USDOT) Number, or a USDOT Safety Rating, and none of the entities control any regulated interstate passenger carriers other than as set forth in the application. (*Id.* at 14.)

² Applicants state that Van Pool directly owns or controls all equity and voting interests in 21 interstate passenger motor carriers. (*Id.* at 2.) However, in the application, Applicants identify 22 such carriers. (*Id.* at 2–3, 4–11.) Additionally, in a separate application filed with the Board on

Continued

- NRT Bus, Inc., which primarily provides non-regulated student transportation services for schools in Massachusetts (Essex, Middlesex, Norfolk, Suffolk, and Worcester Counties), and occasional charter services, (*Appl. at 2, 4*);
- Trombly Motor Coach Service, Inc., which primarily provides non-regulated student transportation services for schools in Massachusetts (Essex and Middlesex Counties), and occasional charter services, (*id.*);
- Salter Transportation, Inc., which primarily provides non-regulated student transportation services for schools in Massachusetts (Essex County) and New Hampshire, and occasional charter services, (*id. at 2, 4–5*);
- Easton Coach Company, LLC, which provides (i) intrastate paratransit, shuttle, and line-run services under contracts with regional transportation authorities and other organizations, primarily in New Jersey and eastern Pennsylvania, and (ii) private intrastate and interstate charter motor coach and shuttle services, primarily in eastern Pennsylvania, (*id. at 2–3, 5*);
- F. M. Kuzmeskus, Inc., dba Travel Kuz, which provides (i) non-regulated school bus transportation services, (ii) intrastate and interstate motor coach and limousine charter services, and (iii) limited intrastate and interstate charter services using school buses, all in western Massachusetts and southern Vermont, (*id. at 3, 5–6*);
- Alltown Bus Service Inc. (Alltown), which primarily provides non-regulated student transportation services for schools in the metropolitan area of Chicago, Ill. and its northern suburbs. Alltown also provides occasional charter services, (*id. at 3, 6*);
- DS Bus Lines, Inc., which primarily provides (i) non-regulated student transportation services for schools in Kansas (Beloit, Kansas City, Lincoln, Olathe, and Shawnee), Missouri (Belton and Smithville), Colorado (the metropolitan area of Denver), and Oklahoma (the metropolitan area of Tulsa), (ii) intrastate employee shuttle services in Colorado and Texas, and (iii) occasional charter services, (*id.*);
- Royal Coach Lines, Inc., which primarily provides (i) non-regulated student transportation services for schools in the metropolitan area of Westchester County, N.Y. and southern Connecticut and (ii) contract and charter

transportation services in the same areas for activities such as summer camps, events, and group trips, (*id. at 3, 6–7*);

- Local Motion, LLC, which provides non-regulated school bus, charter, and shuttle services in the metropolitan area of Boston, Mass., (*id. at 3, 7*);
- Butler's Bus Service, Inc. (BBS), which primarily provides non-regulated student transportation services for schools in the New Hampshire cities of Manchester, North Haverhill, Milford, and Center Barnstead, and the Vermont cities of Orleans, Lyndonville, and White River Junction. BBS also provides occasional charter services, (*id.*);
- TransAction Corporate Shuttles, Inc., which provides shuttle, on-demand transportation, and charter services in Massachusetts, (*id. at 3, 7–8*);
- Dell Transportation Corp. (Dell), which primarily provides non-regulated student transportation for schools, and occasional charter services. The geographic service area of Dell is primarily the towns of Hempstead, N.Y., Port Washington, N.Y., and Great Neck, N.Y., (*id. at 3, 8*);
- Hendrickson Bus Corporation (Hendrickson), which primarily provides non-regulated student transportation for schools, and charter transportation for school-related extracurricular activities such as athletic events, field trips, and other school-sponsored functions. The geographic service area of Hendrickson is primarily Bayville, N.Y. and Port Washington, N.Y., (*id. at 3, 8*);
- Huntington Coach Corporation (Huntington Corp.), which provides primarily non-regulated student transportation for schools, and charter transportation for school-related extracurricular activities such as athletic events, field trips, and other school-sponsored functions. The geographic service area that Huntington Corp. serves is primarily Northport, N.Y. and Huntington Station, N.Y.; (*id. at 3, 8–9*);
- Huntington Coach, L.L.C. (Huntington LLC), which primarily provides non-regulated student transportation for schools, and charter transportation for school-related extracurricular activities such as athletic events, field trips, and other school-sponsored functions. The geographic service area of Huntington LLC is primarily Huntington Station, N.Y., (*id. at 3, 9*);
- Towne Bus Corp. (Towne Corp.), which primarily provides non-regulated student transportation for schools, and charter transportation for school-related extracurricular activities such as athletic events, field trips, and other school-sponsored functions. The geographic

service area of Towne Corp. is primarily Long Island, N.Y., (*id. at 3, 9*);

- Towne Bus LLC (Towne LLC), which primarily provides non-regulated student transportation for schools, and transportation for school-related extracurricular activities such as athletic events, field trips, and other school-sponsored functions. The geographic service area of Towne LLC is primarily Long Island, N.Y., (*id. at 3, 9–10*);
 - Van Trans LLC (Van Trans), which primarily provides non-regulated student transportation for schools, and transportation for school-related extracurricular activities such as athletic events, field trips, and other school-sponsored functions. The geographic service area of Van Trans is primarily Bronx, N.Y., (*id. at 3, 10*);
 - WE Transport (NY) LLC (WE NY), which primarily provides non-regulated student transportation for schools, and transportation for school-related extracurricular activities such as athletic events, field trips, and other school-sponsored functions. The geographic service area of WE NY is primarily Long Island, N.Y., (*id. at 3, 10*);
 - WE Transport LLC (Connecticut) (WE CT), which primarily provides non-regulated student transportation for schools, and transportation for school-related extracurricular activities such as athletic events, field trips, and other school-sponsored functions. The geographic service area of WE CT is primarily Bridgeport, Conn., (*id. at 3, 10–11*);
 - WE Transport, Inc. (WE Transport), which primarily provides non-regulated student transportation for schools, and transportation for school-related extracurricular activities such as athletic events, field trips, and other school-sponsored functions. The geographic service area of WE Transport is primarily Long Island, N.Y., (*id. at 3, 11*);
 - George M. Carroll Transportation, Inc. dba George M. Carroll Inc. (GMCT), which primarily provides (i) regular home-to-school transportation services, with a focus on special needs students and (ii) charter services that primarily involve transportation to and from school-related extracurricular activities such as athletic events, field trips, and other school-sponsored functions, with a focus on special needs students. GMCT also provides occasional non-school-related charter services for special occasions such as weddings, wine tours, proms, sporting events, and airport trips. The geographic service area of GMCT is primarily within Orange County, N.Y., (*id. at 3, 11*).
- Additional information about these motor carriers, including USDOT

November 26, 2025, Applicants seek Board authority to acquire control over Rolling V Bus Corp. and STS of New Mexico, LLC, upon becoming regulated passenger carriers. *Van Pool Transp. LLC—Acquis. of Control—Rolling V Bus Corp.*, Docket No. MCF 21141. The Board will address that application in a separate decision.

numbers, motor carrier numbers, and USDOT safety fitness ratings, can be found in the application. (*See id.* at 4–11; *id.*, Ex. A.)

According to Applicants, if the transaction is approved, Van Pool will acquire all of the issued and outstanding equity stock of Lavdas, the effect of which will be to place Lavdas under control of Applicants. (*Id.* at 12–13.) The application describes Lavdas as a Michigan corporation with its principal place of business located in Warren, Mich., and with a core service area of the southeast region of Michigan, particularly the Metro Detroit region and Wayne, Oakland, and Macomb Counties (the Service Area). (*Id.* at 12.) Lavdas operates as a motor carrier primarily providing premiere luxury charter transportation service within the Service Area. (*Id.*) However, based on customer needs, on rare occasions Lavdas's charter operations extend beyond the Service Area to include interstate service into surrounding states, including Illinois. (*Id.*) Lavdas's fleet consists of approximately 63 minibuses, 10 vans (1 to 8 passengers), 4 vans (9 to 15 passengers), 2 limousines (1 to 8 passengers), 4 limousines (9 to 15 passengers), and 14 limousines (16+ passengers). (*Id.*) Applicants also provide details about Lavdas's USDOT number, Federal Motor Carrier Safety Administration docket number, and safety rating in the Summary Table submitted as part of its application. (*Id.*, Ex. A.)

Under 49 U.S.C. 14303(b), the Board must approve and authorize a transaction that it finds consistent with the public interest, taking into consideration at least (1) the effect of the proposed transaction on the adequacy of transportation to the public, (2) the total fixed charges resulting from the proposed transaction, and (3) the interest of affected carrier employees. Applicants have submitted the information required by 49 CFR 1182.2, including information demonstrating that the proposed transaction is consistent with the public interest under 49 U.S.C. 14303(b), *see* 49 CFR 1182.2(a)(7), and a jurisdictional statement under 49 U.S.C. 14303(g) that the aggregate gross operating revenues of the involved carriers exceeded \$2 million during a consecutive 12-month period ending not more than six months before the date of the agreement of the parties, *see* 49 CFR 1182.2(a)(5). (Appl. 14–15.)

Applicants do not expect the transaction to have any detrimental impact on the adequacy of transportation services available for the public in Lavdas's service area. (*Id.* at

15.) According to Applicants, the transaction, combined with Applicants' passenger carrier management capacity, is expected to result in improved operating efficiencies, increased equipment utilization rates, and cost savings derived from economies of scale within Applicants' subsidiaries. (*Id.*) Applicants anticipate that the services available to the public will improve as operating efficiencies are realized and additional services and capacity are made available. (*Id.*) Applicants state that for at least the foreseeable future, the services currently provided by Lavdas will continue to be provided by Lavdas under the same name used to provide such services prior to the transaction. (*Id.*) The addition of Lavdas to Applicants' holdings will serve to enhance the viability of the Applicants' organization. (*Id.*) The Applicants assert that these enhancements will help ensure the provision of adequate service to the public. (*Id.*)

Applicants state that there is strong demand for passenger surface transportation in Lavdas's service area, which is projected to grow in the foreseeable future. (*Id.* at 17.) They state that Lavdas competes directly with other passenger service providers in the Service Area, which is a very competitive market due to the significant number of national, regional, and local providers operating there, including Dream Limousines, Inc., Metro Cars, Allstar Chauffeured Services, and Golden Limousine International. (*Id.* at 17–18.) The Service Area is geographically dispersed from the areas in which Applicants' Affiliated Carriers offer service. (*Id.* at 18.) While Applicants acknowledge an overlap in customer bases and service offerings between Lavdas and the Affiliated Carriers, they state that this overlap is minimal, thereby reducing any potential competitive concerns. (*Id.*) In light of the highly competitive nature of Lavdas's operating environment and the limited intersection between its operations and those of the Affiliated Carriers, Applicants argue that the impact of the transaction on the regulated motor carrier industry will be minimal at most, and neither competition nor the public interest will be adversely affected. (*Id.*)

Applicants concede that the transaction will increase fixed charges in the form of interest expense, explaining that funds will be borrowed to finance the transaction. (*Id.* at 16.) However, Applicants state that the increase in fixed charges will not affect the provision of transportation to the public. (*Id.*)

Applicants do not expect that the transaction will have substantial impacts on employees or labor conditions because Applicants intend to provide the interstate service using Lavdas's employee drivers that are already qualified to provide interstate service. (*Id.*) Applicants do not anticipate a measurable increase or reduction in force or changes in compensation levels or benefits, as Applicants plan to continue the existing operations of Lavdas. (*Id.*) However, they note that staffing redundancies could result in limited downsizing of back-office and/or managerial level personnel. (*Id.*)

Based on Applicants' representations, the Board finds that the transaction proposed in the application is consistent with the public interest. The application will be tentatively approved and authorized. If any opposing comments are timely filed, these findings will be deemed vacated, and, unless a final decision can be made on the record as developed, a procedural schedule will be adopted to reconsider the application. *See* 49 CFR 1182.6. If no opposing comments are filed by the expiration of the comment period, this notice will take effect automatically and will be the final Board action in this proceeding.

This action is categorically excluded from environmental review under 49 CFR 1105.6(c).

Board decisions and notices are available at www.stb.gov.

It is ordered:

1. The transaction is approved and authorized, subject to the filing of opposing comments.
2. If opposing comments are timely filed, the findings made in this notice will be deemed vacated.
3. This notice will be effective on January 27, 2026, unless opposing comments are filed by January 26, 2026. If any comments are filed, Applicants may file a reply by February 10, 2026.
4. A copy of this notice will be served on: (1) the U.S. Department of Transportation, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE, Washington, DC 20590; (2) the U.S. Department of Justice, Antitrust Division, 10th Street & Pennsylvania Avenue NW, Washington, DC 20530; and (3) the U.S. Department of Transportation, Office of the General Counsel, 1200 New Jersey Avenue SE, Washington, DC 20590.

Decided: December 8, 2025.

By the Board, Board Members Fuchs, Hedlund, and Schultz.

Zantori Dickerson,
Clearance Clerk.

[FR Doc. 2025–22592 Filed 12–11–25; 8:45 am]

BILLING CODE 4915–01–P

SURFACE TRANSPORTATION BOARD

[Docket No. EP 526 (Sub-No. 24)]

Notice of Railroad-Shipper Transportation Advisory Council Vacancies

AGENCY: Surface Transportation Board (Board).

ACTION: Notice of vacancies on the Railroad-Shipper Transportation Advisory Council (RSTAC) and solicitation of nominations.

SUMMARY: The Board hereby gives notice of vacancies on RSTAC for two large shipper representatives and one small shipper representative. The Board seeks nominations for candidates to fill these vacancies.

DATES: Nominations are due on January 12, 2026.

ADDRESSES: Nominations should be submitted via e-filing on the Board's website at www.stb.gov or in writing addressed to: Surface Transportation Board, 395 E Street SW, Washington, DC 20423–0001. Submissions will be posted to the Board's website under Docket No. EP 526 (Sub-No. 24).

FOR FURTHER INFORMATION CONTACT: Stephanie Lyons at (202) 997–7813. If you require an accommodation under the Americans with Disabilities Act, please call (202) 245–0245.

SUPPLEMENTARY INFORMATION: The Board exercises broad authority over transportation by rail carriers, including regulation of railroad rates, practices, and service issues, (49 U.S.C. 10701–47, 11101–24), the construction, acquisition, operation, and abandonment of rail lines (49 U.S.C. 10901–07), as well as railroad line sales, consolidations, mergers, and common control arrangements, (49 U.S.C. 10902, 11323–27).

Pursuant to 49 U.S.C. 1325, RSTAC was established to advise the Board's Chairman; the Secretary of Transportation; the Committee on Commerce, Science, and Transportation of the Senate; and the Committee on Transportation and Infrastructure of the House of Representatives with respect to rail transportation policy issues RSTAC considers significant. RSTAC focuses on issues of importance to shippers and railroads. The ICC Termination Act of 1995 instructs RSTAC to endeavor to

develop private sector mechanisms to prevent, or identify and address, obstacles to the most effective and efficient transportation system practicable. The members of RSTAC also prepare an annual report concerning RSTAC's activities. RSTAC is not subject to the Federal Advisory Committee Act.

RSTAC's 15 appointed members include representatives of small and large shippers, and small and large railroads. These members are appointed by the Chairman of the Board. In addition, members of the Board and the Secretary of Transportation serve as ex officio members. Of the 15 appointed members, nine are voting members and are appointed from senior executive officers of organizations engaged in the railroad and rail shipping industries. At least four of the voting members must be representatives of small shippers as determined by the Chairman of the Board, and at least four of the voting members must be representatives of Class II or III railroads. The remaining voting member has traditionally been an at-large representative. The other six members—three representing Class I railroads and three representing large shipper organizations—serve in a nonvoting, advisory capacity, but may participate in RSTAC deliberations.

Meetings of RSTAC are required by statute to be held at least semi-annually. RSTAC typically holds meetings quarterly at the Board's headquarters in Washington, DC, although some meetings are held virtually or in other locations.

The members of RSTAC receive no compensation for their services and are required to provide for the expenses incidental to their service, including travel expenses. Currently, RSTAC members have elected to submit annual dues to pay for certain RSTAC expenses.

RSTAC members must be citizens of the United States and represent as broadly as practicable the various segments of the railroad and rail shipper industries. They may not be full-time employees of the United States Government. According to revised guidance issued by the Office of Management and Budget, it is permissible for federally registered lobbyists to serve on advisory committees, such as RSTAC, as long as they do so in a representative capacity, rather than an individual capacity. *See Revised Guidance on Appointment of Lobbyists to Fed. Advisory Comms., Bds., & Comm'ns*, 79 FR 47,482 (Aug. 13, 2014). Members of RSTAC are appointed to serve in a representative capacity.

Each RSTAC member is appointed for a term of three years. No member will be eligible to serve in excess of two consecutive terms. However, a member may serve after the expiration of his or her term until a successor has taken office.

Due to the expiration of the terms of two large shipper representatives and one small shipper representative, the Board is seeking to fill three RSTAC positions. Nominations for candidates to fill a vacancy should be submitted in letter form, identifying the name of the candidate and the vacancy for which the candidate is being nominated, providing a summary of why the candidate is qualified to serve on RSTAC, and containing representations that the candidate is willing to serve as an RSTAC member effective immediately upon appointment. Candidates may nominate themselves. RSTAC candidate nominations should be filed with the Board by January 12, 2026. Members selected to serve on RSTAC are chosen at the discretion of the Board's Chairman.

Please note that submissions will be posted on the Board's website under Docket No. EP 526 (Sub-No. 24) and can also be obtained by contacting the Office of Public Assistance, Governmental Affairs, and Compliance at RCPA@stb.gov or (202) 245–0238.

(Authority: 49 U.S.C. 1325.)

Decided: December 10, 2025.

By the Board, Anika S. Cooper, Chief Counsel, Office of Chief Counsel.

Jeffrey Herzig,
Clearance Clerk.

[FR Doc. 2025–22689 Filed 12–11–25; 8:45 am]

BILLING CODE 4915–01–P

SURFACE TRANSPORTATION BOARD

[Docket No. AB 55 (Sub-No. 822X)]

CSX Transportation, Inc.—Discontinuance of Service Exemption—in Robeson and Bladen Counties, N.C.

CSX Transportation, Inc. (CSXT), has filed a verified notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments and Discontinuances of Service* to discontinue service over an approximately 21.72-mile rail line on its Southeast Division, Wilmington Subdivision from milepost SEA 297.61 to milepost SEA 311.19 and milepost SEB 311.19 to milepost SEB 319.33 in Robeson and Bladen Counties, N.C. (the

Line).¹ The Line traverses U.S. Postal Service Zip Codes 28384, 28306, and 28358.

CSXT has certified that: (1) no local traffic has moved over the Line for at least two years; (2) any overhead traffic can be and has been rerouted over other lines; (3) no formal complaint filed by a user of rail service on the Line (or a state or local government entity acting on behalf of such user) regarding cessation of service over the Line either is pending with the Surface Transportation Board or any U.S. District Court or has been decided in favor of a complainant within the two-year period; and (4) the requirements at 49 CFR 1105.12 (newspaper publication) and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the discontinuance of service shall be protected under *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA)² to subsidize continued rail service has been received, this exemption will be effective on January 12, 2026, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues and formal expressions of intent to file an OFA to subsidize continued rail service under 49 CFR 1152.27(c)(2)³ must be filed by December 22, 2025.⁴ Petitions for reconsideration must be filed by January 2, 2026.

All pleadings, referring to Docket No. AB 55 (Sub-No. 822X), must be filed with the Surface Transportation Board either via e-filing on the Board's website or in writing addressed to 395 E Street SW, Washington, DC 20423-0001. A

copy of each pleading filed with the Board must be sent to CSXT's representative, Louis E. Gitomer, Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Avenue, Suite 301, Towson, MD 21204.

If the verified notice contains false or misleading information, the exemption is void ab initio.

Board decisions and notices are available at www.stb.gov.

Decided: December 9, 2025.

By the Board, Anika S. Cooper, Chief Counsel, Office of Chief Counsel.

Regena Smith-Bernard,
Clearance Clerk.

[FR Doc. 2025-22590 Filed 12-11-25; 8:45 am]

BILLING CODE 4915-01-P

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Notice of Action: Nicaragua's Acts, Policies, and Practices Related to Labor Rights, Human Rights and Fundamental Freedoms, and the Rule of Law

AGENCY: Office of the United States Trade Representative.

ACTION: Notice of action.

SUMMARY: The United States Trade Representative (U.S. Trade Representative) has determined that appropriate action in this investigation includes the imposition of a tariff that is phased-in over two years on all imported Nicaraguan goods not originating under the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR).

DATES: Tariff increases in 2026, 2027, and 2028 are applicable with respect to products that are entered for consumption, or withdrawn from warehouse for consumption, on or after January 1 of the corresponding year.

FOR FURTHER INFORMATION CONTACT: Philip Butler, Chair of the Section 301 Committee, Leigh Bacon, Chief Counsel for Negotiations, Legislation, and Administrative Law, or Nathaniel Halvorson, Deputy Assistant U.S. Trade Representative for Monitoring & Enforcement, at (202) 395-5725.

SUPPLEMENTARY INFORMATION:

I. Proceedings in the Investigation

On December 10, 2024, the U.S. Trade Representative initiated an investigation regarding Nicaragua's acts, policies, and practices related to labor rights, human rights, and the rule of law pursuant to 302(b)(1) of the Trade Act of 1974, as amended (Trade Act) (19 U.S.C. 2412(b)(1)). See 89 FR 101088

(December 13, 2024). The notice of initiation solicited written comments on, *inter alia*: Nicaragua's acts, policies, and practices related to labor rights, human rights, and the rule of law; whether Nicaragua's acts, policies, and practices related to labor rights, human rights, and the rule of law are unreasonable or discriminatory; whether Nicaragua's acts, policies, and practices burden or restrict U.S. commerce, and if so, the nature and level of the burden or restriction; and what action, if any, should be taken.

Interested persons filed over 160 written comments. In addition, USTR and the Section 301 Committee convened a public hearing on January 16, 2025, during which witnesses provided testimony and responded to questions. The public submissions are available at: <https://comments.ustr.gov/s/> in docket number USTR-2024-0021, and a transcript of the hearing is available on USTR's website.

On December 10, 2024, the U.S. Trade Representative requested consultations with the Government of Nicaragua pursuant to Section 303(a) of the Trade Act (19 U.S.C. 2413(a)). The Government of Nicaragua declined to hold consultations regarding the investigation under the statutory framework.

Based on information obtained during the investigation, and in consultation with the Section 301 Committee, USTR prepared a public Report on the investigation. Published on October 20, 2025, the "Report on Nicaragua's Acts, Policies, and Practices Related to Labor Rights, Human Rights and Fundamental Freedoms, and the Rule of Law" is available on USTR's website.

As detailed in the Report, Nicaragua has engaged in increasingly pervasive abuses of labor rights, as well as human rights and fundamental freedoms, and has systematically dismantled rule of law protections against arbitrary government action. First, the Ortega-Murillo regime has committed or allowed a number of *abuses of internationally recognized labor rights*. These include repression of freedom of association and collective bargaining; interference in worker and employer organizations; seizure of assets and removal of citizenship of members of worker and employer organizations; arbitrary dismissals and arrests; child and forced labor; human trafficking; and workplace abuses. Second, the Ortega-Murillo regime engages in *abuses of human rights and fundamental freedoms*, including against U.S. persons and property, such as the repression of religious organizations through the forced closure and seizures

¹ On December 5, 2025, CSXT filed errata to its verified notice of exemption.

² Persons interested in submitting an OFA to subsidize continued rail service must first file a formal expression of intent to file an offer, indicating the intent to file an OFA for subsidy and demonstrating that they are preliminarily financially responsible. See 49 CFR 1152.27(c)(2)(i).

³ The filing fee for OFAs can be found at 49 CFR 1002.2(f)(25).

⁴ Because this is a discontinuance proceeding and not an abandonment, interim trail use/railbanking and public use conditions are not appropriate. Because there will be an environmental review during abandonment, this discontinuance does not require environmental review.

of institutions and properties. Third, the Ortega-Murillo regime has engaged in the *dismantling of the rule of law* in Nicaragua. This includes imposing arbitrary or incorrect fines, taxes, customs inspections, and rulings; revoking the legal status of prominent business organizations; and seizing property interests without legal recourse.

Considering information obtained during the investigation, as reflected in the Report, and taking account of public comments and the advice of the Section 301 Committee and advisory committees, the U.S. Trade Representative determined that the acts, policies, and practices covered in the investigation are unreasonable and burden or restrict U.S. commerce, and are thus actionable under sections 301(b) and 304(a) of the Trade Act (19 U.S.C. 2411(b) and 2414(a)). See 90 FR 48511 (October 23, 2025) (October 23 notice).

In particular, the U.S. Trade Representative determined that the acts, policies, and practices of Nicaragua related to abuses of labor rights, human rights and fundamental freedoms, and dismantling the rule of law are unreasonable within the meaning of the Section 301 statute for several reasons.

First, Nicaragua's acts, policies, and practices are fundamentally unfair, incompatible with, and run counter to norms against abuses of labor rights, human rights and fundamental freedoms, and the rule of law. Second, these acts, policies, and practices are also contrary to the norms, rules, and rights reflected in Nicaragua's own laws and constitution. Third, they are unreasonable in light of regional and international labor and human rights conventions, instruments, agreements, or treaties to which Nicaragua itself is party and that establish norms against the kind of acts, policies, and practices undertaken by Nicaragua's government.

The U.S. Trade Representative determined that Nicaragua's acts, policies, and practices related to labor rights, human rights and fundamental freedoms, and the rule of law burden or restrict U.S. commerce by creating unfair competition against U.S. workers and businesses through denial of basic labor rights resulting in artificially low-cost Nicaraguan products; creating disincentives or lost sales and exports for U.S. enterprises seeking to access or operate in Nicaragua by weakening its economy through diminishing worker participation and productivity; and causing lost investment and commercial opportunities for U.S. workers and companies through the creation of a

high-risk environment in which to invest or conduct business.

In the October 23 notice, the U.S. Trade Representative proposed a range of actions including the suspension, withdrawal, or prevention of application of benefits of the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR) benefits to Nicaragua, and additional duties of up to 100 percent on some or all products of Nicaragua. See 90 FR 48511.

USTR requested public comments regarding the proposed actions, including tariff concessions and cumulation of Nicaraguan content for other CAFTA-DR partners, and the effective date of such suspension; and the level of increase and the effective date of any increase for specific sectors with respect to application of increased tariffs on Nicaraguan imports. In commenting on the timing of increased duties for specific sectors, USTR requested that the commenters specifically address whether imposing increased duties on particular sectors or suspending or withdrawing concessions on a particular sector, would be practicable or effective to obtain the elimination of Nicaragua's acts, policies, and practices or would cause disproportionate economic harm to U.S. interests, including small- or medium-size businesses and consumers.

In response to the October 23 notice, USTR received 2,006 written comments. Commenters included representatives from numerous manufacturing and agricultural sectors as well as a submission from the Nicaraguan government.

II. Determination of Action

On October 20, 2025, USTR announced the U.S. Trade Representative's determination that Nicaragua's acts, policies, and practices under investigation are unreasonable and burden or restrict U.S. commerce, and are thus actionable under section 301(b) of the Trade Act. Section 301(b) provides that upon determining that the acts, policies, and practices under investigation are actionable and that action is appropriate, the U.S. Trade Representative shall take all appropriate and feasible action authorized under section 301(c), subject to the specific direction, if any, of the President regarding such action, and all other appropriate and feasible action within the power of the President that the President may direct the U.S. Trade Representative to take under section 301(b), to obtain the elimination of that act, policy, or practice. Section 301(c) of the Trade Act authorizes the U.S. Trade

Representative to take certain actions for purposes of carrying out the provisions of Section 301(b). For example, Section 301(c)(1)(A) authorizes the U.S. Trade Representative to "suspend, withdraw, or prevent the application of, benefits of trade agreement concessions to carry out a trade agreement with the foreign country referred to in such subsection." Section 301(c)(1)(B) also authorizes the U.S. Trade Representative to "impose duties or other import restrictions" on the goods of the foreign country subject to the investigation.

USTR and the Section 301 Committee have carefully reviewed the public comments regarding the proposed actions. USTR also has considered the advice of advisory committees and consulted with the relevant agencies. Considering the comments and advice, and pursuant to sections 301(b), 301(c), and 304(a) of the Trade Act (19 U.S.C. 2411(b), 2411(c), and 2414(a)), the U.S. Trade Representative has determined that action is appropriate, and that appropriate and feasible action in this investigation includes the imposition of a tariff that is phased-in over two years on all imported Nicaraguan goods that are not originating under CAFTA-DR. The tariff will be set at zero percent on January 1, 2026 and will increase to 10 percent on January 1, 2027, and to 15 percent on January 1, 2028. Pursuant to Section 305(a) of the Trade Act (19 U.S.C. 2415(a)(1)), USTR will issue a subsequent notice to implement this action.

III. Responses to Significant Comments Regarding the Proposed Actions

As noted, in response to the October 23 notice, USTR received 2,006 written comments. Roughly half of the comments provided support for one or more of the proposed actions and roughly half provide some form of opposition to the actions. Of the comments that opposed the proposed actions, most argued that the actions should be tailored to be phased-in or exclude certain industries. Industries requested for exclusion include: textiles and apparel; cigars; coffee; furniture and housing; medical devices; beef and meat products; cacao; cassava flour, horticulture (unrooted cuttings); rice; and seafood. Few commenters express general opposition to the proposed actions. Those who expressed such opposition generally oppose the broad application of the proposed actions. They assert, *inter alia*, that the actions would have a negative impact on the United States by harming U.S. consumers and workers, cause disruptions in supply chains, harm Nicaraguan businesses, including those

that export to the United States, and result in increased unemployment in Nicaragua.

Comments generally supporting the proposed actions urge USTR to do what is necessary to eliminate the acts, policies, and practices. However, like many of the comments opposing the proposed actions, they also suggested a calibrated approach. While acknowledging the need to address the Ortega-Murillo regime's actions, these comments requested that the action be tailored to maximize leverage, while avoiding damage to their specific interests (producing in, importing from, or exporting to Nicaragua) or the livelihoods of Nicaragua's workers.

Considering the public comments and the advice of the Section 301 Committee, the U.S. Trade Representative has determined that appropriate action in this investigation is the imposition of a 15 percent tariff on all imported Nicaraguan goods that are not originating under CAFTA–DR that is phased-in over two years. Accordingly, the tariff will be set at zero percent on January 1, 2026, increase to 10 percent on January 1, 2027, and 15 percent on January 1, 2028.

The U.S. Trade Representative's determination takes into account the many comments that expressed concern regarding the possible impact and disruption to U.S. interests of taking broad action, including the suspension, withdrawal, or prevention of application of benefits of the CAFTA–DR and broad-based tariffs. Specifically, limiting the tariffs to goods that are not originating under CAFTA–DR should limit the impact on U.S. exports to Nicaragua and U.S. companies producing in Nicaragua, while providing increasing pressure on Nicaragua to eliminate its acts, policies, and practices, the two-year phase-in should provide companies with the time to shift operations to other CAFTA–DR countries.

The U.S. Trade Representative will continue to monitor the effects of the trade action and the progress made toward resolution of this matter. Additionally, the U.S. Trade Representative will continue to examine the efficacy of these actions. If it is determined that additional leverage is needed to encourage Nicaragua to eliminate the investigated acts, policies, and practices, the U.S. Trade

Representative will consider taking additional action.

Jennifer Thornton,

General Counsel, Office of the United States Trade Representative.

[FR Doc. 2025–22690 Filed 12–11–25; 8:45 am]

BILLING CODE 3390–F4–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

[Docket No. FHWA–2025–0466]

Application From the State of Nebraska to the Surface Transportation Project Delivery Program and Proposed Memorandum of Understanding (MOU) Assigning Environmental Responsibilities to the State

AGENCY: Federal Highway Administration (FHWA), U.S. Department of Transportation (DOT).

ACTION: Notice of proposed MOU and request for comments.

SUMMARY: This notice announces that FHWA received and reviewed an application from the Nebraska Department of Transportation (NDOT) requesting participation in the Surface Transportation Project Delivery Program (Program). This Program allows for FHWA to assign, and States to assume, responsibilities under the National Environmental Policy Act of 1969 (NEPA), and all or part of FHWA's responsibilities for environmental review, consultation, or other actions required under any Federal environmental law with respect to one or more Federal highway projects within the State. The FHWA has determined the application to be complete and developed a draft MOU with NDOT outlining how the State would implement the program with FHWA oversight. FHWA invites the public to comment on NDOT's request, including its application and the proposed MOU, which includes the proposed assignments and assumptions of environmental review, consultation, and other activities.

DATES: Please submit comments by January 12, 2026.

ADDRESSES: To ensure that you do not duplicate your docket submissions, please submit them by only one of the following means:

Federal eRulemaking Portal: Go to www.regulations.gov and follow the online instructions for submitting comments.

Mail: Docket Management Facility; U.S. Department of Transportation, 1200

New Jersey Ave. SE, West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.

Hand Delivery: West Building Ground Floor, Room W12–140, 1200 New Jersey Ave. SE, Washington, DC 20590 between 9:00 a.m. and 5:00 p.m. e.t., Monday through Friday, except Federal holidays.

Instructions: You must include the agency name and docket number at the beginning of your comments. All comments received will be posted without change to www.regulations.gov, including any personal information provided.

FOR FURTHER INFORMATION CONTACT:

For FHWA: James Simerl by email at James.Simerl@dot.gov, by telephone at 402–742–8462. The FHWA Nebraska Division Office's normal business hours are 8:00 a.m. to 5:00 p.m. (Central Time), Monday–Friday, except for Federal holidays.

For NDOT: Jason Jurgens by email at Jason.Jurgens@nebraska.gov or by telephone at 402–479–4418. State business hours are 8:00 a.m. to 5:00 p.m. (Central Time), Monday–Friday, except Federal and State holidays.

SUPPLEMENTARY INFORMATION:

Electronic Access

You may submit or retrieve comments online through the Federal eRulemaking portal at: www.regulations.gov. The website is available 24 hours each day, 365 days each year. Please follow the instructions. Electronic submission and retrieval help and guidelines are available under the help section of the website.

An electronic copy of this document may also be downloaded from the Office of the Federal Register's home page at: www.federalregister.gov and the U.S. Government Publishing Office's web page at: www.govinfo.gov.

Background

Section 327 of title 23, United States Code (U.S.C.), allows the Secretary of the DOT to assign, and a State to assume, the responsibilities under the NEPA (42 U.S.C. 4321 *et seq.*) and all or part of the responsibilities for environmental review, consultation, or other actions required under certain Federal environmental laws with respect to one or more Federal-aid highway projects within the State. FHWA is authorized to act on behalf of the Secretary with respect to these matters.

Under the proposed initial MOU, FHWA would assign to the State, through NDOT, its responsibility of making project-level decisions in

relation to NEPA on highway projects within the State of Nebraska that are proposed to be funded with Title 23 funds or otherwise require FHWA approval, and that require preparation of a categorical exclusion determination, environmental assessment, or environmental impact statement with the exception of the following: (1) highway projects authorized under 23 U.S.C. 202 and 203, highway projects under 23 U.S.C. 204 unless the project will be designed and constructed by NDOT; (2) projects that cross State boundaries; (3) projects that cross or are adjacent to international boundaries; (4) recreational trails projects under 23 U.S.C. 206; and (5) projects advanced by direct recipients of Federal-aid Highway funds other than NDOT, including but not limited to: 1. Competitive grant programs; 2. Direct recipient Tribal project; and 3. Transportation Infrastructure Finance and Innovation Act (TIFIA) Credit Program.

The assignment would give the State the responsibility to conduct environmental review, consultation, and other related activities for project delivery under the following laws and requirements:

Air Quality

- Clean Air Act (CAA), 42 U.S.C. 7401–7671q, with the exception of project level conformity determinations (42 U.S.C. 7506)

FHWA-Specific

- Planning and Environmental Linkages, 23 U.S.C. 168, with the exception of those FHWA responsibilities associated with 23 U.S.C. 134 and 135
- Programmatic Mitigation Plans, 23 U.S.C. 169 with the exception of those FHWA responsibilities associated with 23 U.S.C. 134 and 135

Fisheries and Wildlife

- Bald and Golden Eagle Protection Act, 16 U.S.C. 668–668d
- Fish and Wildlife Coordination Act, 16 U.S.C. 661–667d
- Migratory Bird Treaty Act, 16 U.S.C. 703–712
- Endangered Species Act of 1973, 16 U.S.C. 1531–1544

Hazardous Materials Management

- Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9601–9675
- Superfund Amendments and Reauthorization Act (SARA), 42 U.S.C. 9671–9675
- Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6901–6992k

Historic and Cultural Resources

- Archeological Resources Protection Act of 1979, 16 U.S.C. 470(aa)–470(mm)
- Native American Grave Protection and Repatriation Act, 25 U.S.C. 3001–3013; 18 U.S.C. 1170
- Archeological and Historic Preservation Act, 54 U.S.C. 312501–312508
- National Historic Preservation Act of 1966, as amended, 54 U.S.C. 300101, *et seq.*
- Section 4(f) of the Department of Transportation Act of 1966 [Section 4(f)], 23 U.S.C. 138, 49 U.S.C. 303 and implementing regulations at 23 CFR part 774

Noise

- FHWA noise regulations in 23 CFR part 772
- Noise Control Act of 1972, 42 U.S.C. 4901–4918

Parklands and Other Special Land Uses

- Land and Water Conservation Fund Act, 54 U.S.C. 200302–200310
- Section 4(f) of the Department of Transportation Act of 1966, 23 U.S.C. 138, 49 U.S.C. 303 and implementing regulations at 23 CFR part 774

Social and Economic Impacts

- American Indian Religious Freedom Act, 42 U.S.C. 1996
- Farmland Protection Policy Act, 7 U.S.C. 4201–4209

Water Resources and Wetlands

- Clean Water Act, 33 U.S.C. 1251–1387 (sections 319, 401, 402, 404 and 408)
- Emergency Wetlands Resources Act, 16 U.S.C. 3901 and 3921
- FHWA wetland and natural habitat mitigation regulations, 23 CFR part 777
- Flood Disaster Protection Act, 42 U.S.C. 4001–4130
- General Bridge Act of 1946, 33 U.S.C. 525–533
- Rivers and Harbors Act of 1899, 33 U.S.C. 401–406
- Safe Drinking Water Act, 42 U.S.C. 300f–300j–26
- Wetland Mitigation, 23 U.S.C. 119(g) and 133(b)(14)
- Wild and Scenic Rivers Act, 16 U.S.C. 1271–1287

The Secretary's responsibilities for government-to-government consultation with Indian Tribes, as defined in 36 CFR 800.16(m), are not assigned to or assumed by NDOT under the proposed MOU. FHWA will retain responsibility for conducting formal government-to-government consultation with federally recognized Indian Tribes. The NDOT

will conduct routine consultation with Indian Tribes and understands that an Indian Tribe has the right for government-to-government consultation with FHWA upon request.

Nothing in the proposed MOU shall be construed to permit NDOT's assumption of the Secretary's responsibilities for conformity determinations required by Section 176 of the CAA (42 U.S.C. 7506) or any responsibility under 23 U.S.C. 134 or 135, or under 49 U.S.C. 5303 or 5304.

The assignment under this part does not alter the scope and terms of the Section 326 MOU signed on September 12, 2024, between NDOT and FHWA. As applicable, NDOT will conduct all environmental reviews authorized under the terms of that MOU.

On the cover page of all environmental analyses prepared under the authority granted by this MOU, NDOT shall insert the following language in a way that is conspicuous to the reader, or include it in a CE project record: The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by NDOT pursuant to 23 U.S.C. 327 and a MOU dated [MMDDYYYY] and executed by FHWA and NDOT.

The NDOT will also disclose to the public, agencies and Tribes as part of agency outreach and public involvement procedures, the above disclosure.

The NDOT will not make any determination that an action constitutes a constructive use of a Section 4(f) property under 49 U.S.C. 303 and 23 U.S.C. 138 without first consulting with FHWA and obtaining approval of such determination.

A copy of the proposed MOU may be viewed on the docket at www.regulations.gov, as described above, or may be obtained by contacting FHWA or the State at the addresses provided above. A copy also may be viewed on NDOT's website at <https://dot.nebraska.gov/business-center/environment/nepa-assignment/>.

The FHWA Nebraska Division, in consultation with FHWA Headquarters, will consider the comments submitted when making its decision on the proposed MOU. FHWA and NDOT may revise the MOU based on substantive comments and will make the final MOU available to the public.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on

Federal programs and activities apply to this program.)

Authority: 23 U.S.C. 327; 42 U.S.C. 4331, 4332; 23 CFR 771.117.

Sean McMaster,

Administrator, Federal Highway Administration.

[FR Doc. 2025–22639 Filed 12–11–25; 8:45 am]

BILLING CODE 4910–22–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Safety Advisory 2025–02; Track Is Clear Determination During Shoving or Pushing Movements Across Highway-Rail Grade Crossings Equipped Only With Flashing Lights or Passive Warning Devices

AGENCY: Federal Railroad Administration (FRA), U.S. Department of Transportation (DOT).

ACTION: Notice of Safety Advisory.

SUMMARY: FRA is issuing Safety Advisory 2025–02 to emphasize the importance of determining that the “track is clear” prior to shoving or pushing movements across highway-rail grade crossings (crossings) equipped only with flashing lights or passive warning devices. This advisory focuses specifically on the need for adequate job briefings and visual assessments before railroad equipment traverses a crossing, the action required if a “track is clear” determination cannot be made, and the need for railroads to evaluate certain crossings to determine if it is feasible for an employee riding a shove move to make the track is clear determination. Recent accidents demonstrate that railroads and their employees may require additional training and operational testing to ensure sufficient understanding and compliance with “track is clear” procedures, and in some cases operating rules and/or bulletins need to be updated to require stop and flag at certain crossings. To address these concerns, FRA is recommending that railroads and railroad employees take certain actions to improve the safety of shoving or pushing movements over crossings equipped only with flashing lights or passive warning devices.

FOR FURTHER INFORMATION CONTACT:

Christian Holt, Staff Director, Operating Practices Division, Office of Railroad Safety, FRA, 1200 New Jersey Avenue SE, Washington, DC 20590, telephone (202) 366–0978.

Disclaimer: This Safety Advisory is considered guidance pursuant to DOT Order 2100.6A (June 7, 2021). Except

when referencing laws, regulations, policies, or orders, the information in this Safety Advisory does not have the force and effect of law and is not binding in any way. This document does not revise or replace any previously issued guidance.

SUPPLEMENTARY INFORMATION:

Significant Incidents

On April 23, 2020, in Northlake, Illinois, a Union Pacific Railroad Company remote control operator (RCO) with 21 years of service was fatally injured while controlling and protecting the point of a remote control shove movement during daylight hours. Video footage of the accident indicated the fatally injured employee was riding on the equipment being shoved. The rolling equipment was moving towards a passively protected industry crossing equipped only with crossbuck signs. When the equipment was approximately one-and-a-half railcar lengths from the crossing, the RCO waved his arm at a semi-truck approaching the crossing and initiated an emergency brake application. The equipment the RCO was riding did not stop before entering the crossing and collided with the semi-truck.

On October 29, 2021, in Houston, Texas, a Watco Rail Services brakeman with less than one year of service was fatally injured while protecting the point of a shove movement during nighttime hours. The brakeman was riding the point of the shove movement as the train was approaching a private grade crossing and acknowledged via radio that the engineer was clear to continue shoving. A few seconds later, a semi-tanker truck turned onto the passively protected crossing without yielding, colliding with the lead railcar on which the brakeman was riding.

On March 7, 2023, in Cleveland, Ohio, a Norfolk Southern Railway Company conductor with 18 years of service was fatally injured when the black tank car he was riding was struck by a dump truck at a passively protected private crossing in a steel plant. The incident occurred at night; however, the yard was lighted, and the conductor had his lantern on. Prior to the incident, the conductor was in communication with the engineer via radio.

On December 4, 2025, in Ontario, California, a Union Pacific Railroad brakeman riding the leading end of a shove movement on an industrial lead was fatally injured when the train collided with a semi-truck at a grade crossing equipped only with flashing lights. Although the accident is still under investigation, preliminary information indicates that the brakeman

was positioned opposite the RCO who was controlling the movement. Initial findings suggest the train entered the crossing without confirming the track was clear.

These accidents each involved operations which required compliance with 49 CFR 218.99(b)(3). Section 218.99(b)(3) requires a crewmember or other qualified employee to provide “point protection” when rolling equipment is being shoved or pushed. In providing point protection, the crewmember or other qualified employee must make a visual determination that the “track is clear” before conducting the shoving or pushing movement. Determining that a “track is clear” requires ensuring that all intervening public and private highway-rail grade crossings, pedestrian crossings, and yard access crossings are protected. *See* 49 CFR 218.93 (defining “track is clear”). Another element of the “track is clear” requirement is the visual assessment to determine the absence of vehicular traffic approaching or stopped at these crossings. Such assessments must consider any visual impediments that would prevent the complete assessment of the crossing and the roadway access to the crossing. If, for any reason, a complete visual assessment of the crossing cannot be performed, the shoving or pushing movement must not proceed over the crossing. This includes situations where weather conditions (*e.g.*, fog, heavy rain), or obstructions like vegetation, buildings, or vehicles that might make turns off parallel roads, limit the ability to perform a visual assessment of the crossing. In such cases, protection must be provided by a designated and qualified employee who is stationed at the crossing and can communicate with any train traversing the crossing. Similarly, if point protection is provided with the aid of technology, “the technology must work as intended and most malfunctions of the technology should be detectable, and result in abandoning the use of the technology for determining point protection until the malfunction can be corrected.” *See* 49 CFR part 218, app. D. The regulation puts the burden on the railroad to protect crossings during shoving or pushing movements and thus prevent foreseeable accidents that can occur when point protection is inadequate.

Unlike trains with locomotives in the lead position, which are highly conspicuous with headlights, ditch lights, bells, and horns, rolling equipment being shoved or pushed is typically much less conspicuous. Motorists stopped at or approaching

grade crossings equipped only with flashing lights or passive warning devices may not see or hear approaching movements that are shoved or pushed. A shoving or pushing movement should proceed only upon satisfactory visual confirmation by a crewmember or other qualified employee providing point protection that a grade crossing is devoid of any stopped or approaching motor vehicles, unless alternative protection is provided (such as a designated and qualified employee who is properly stationed at the crossing and can communicate with train crews).

Recommended Actions

1. Railroads should review their rules related to 49 CFR 218.99, *Shoving or pushing movements*, to ensure compliance with the comprehensive job safety briefing requirement of paragraph (b). This briefing must delineate the methods of communication to be employed between the locomotive engineer and the employee directing the movement, as well as the protocols for ensuring point protection—especially when a crossing must be protected. Additionally, the briefing must cover procedures for establishing and verifying that the track meets the “*track is clear*” criteria in 49 CFR 218.93. Each job briefing should include the identification and acknowledgment of passively protected grade crossings that will be encountered during the shove movement, any unique layout, weather or other environmental challenges to performing a visual assessment of approaching vehicular traffic, and the requirement not to enter those crossings until a complete visual assessment of each crossing is performed and it is determined that the “*track is clear*.”

2. Railroads should review (and update if necessary) all applicable operating rules to ensure they account for all necessary factors to be considered in determining whether the “*track is clear*” under 49 CFR 218.99. Recurrent training programs should encompass clear definitions and identification of grade crossings equipped with only flashing lights or passive warning devices, emphasize the necessity of a complete visual assessment (including the specific elements and procedures it entails), as well as provide examples of unique grade crossing configurations, weather or other environmental challenges that may impede a visual assessment of approaching vehicular traffic, and outline the correct process for determining that the “*track is clear*.”

3. Railroads should review and evaluate existing operational testing data as required by 49 CFR 217.9(e) relevant to the operation of shoving or

pushing movements over grade crossings. Railroads should identify crossings equipped with only flashing lights or passive warning devices in their territory, prioritize those crossings with unique crossing configurations or subject to weather or other environmental challenges that may impede a visual assessment of approaching vehicular traffic, and perform operational testing at selected locations. Railroads should consider varying crossing locations and operational testing times to help determine the actual level of proper point protection and “*track is clear*” rule compliance.

4. Railroads should implement a program to evaluate all crossings equipped only with flashing lights or passive warning devices to determine if it is feasible within the operating environment for an employee responsible for the safety of operations across the crossing to determine if the track is clear, taking account of obstructions, weather conditions and the ability of the employee to clearly see and timely communicate unsafe conditions, such as approaching traffic. Based on this evaluation, railroads should update operating rules and/or bulletins to require employees to be stationed at the grade crossing to provide protection (*i.e.* stop and flag) where the evaluation determines it is not feasible for a riding employee to safely ascertain if the track is clear.

FRA encourages railroads to take actions consistent with the preceding recommendations. FRA may modify this Safety Advisory 2025–02, issue additional safety advisories, or take other appropriate action necessary to ensure the highest level of safety on the Nation’s railroads, including pursuing other corrective measures under its rail safety authority.

Issued in Washington, DC.

John Karl Alexy,
Associate Administrator for Railroad Safety,
Chief Safety Officer.

[FR Doc. 2025–22693 Filed 12–11–25; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2025–0927]

Request Notice: Use of Foreign-Built Small Passenger Vessel in United States Coastwise Trade, S/V PUREScape

AGENCY: Maritime Administration (MARAD), U.S. Department of Transportation (DOT).

ACTION: Notice and request for comments.

SUMMARY: The Secretary of Transportation, as represented by MARAD, is authorized to make determinations regarding the coastwise use of foreign built; certain U.S. built; and U.S. and foreign rebuilt vessels that solely carry no more than twelve passengers for hire. MARAD has received such a determination request and is publishing this notice to solicit comments to assist with determining whether the proposed use of the vessel set forth in the request would have an adverse effect on U.S. vessel builders or U.S. coastwise trade businesses that use U.S.-built vessels in those businesses. Information about the requestor’s vessel, including a description of the proposed service, is in the **SUPPLEMENTARY INFORMATION** section below.

DATES: Submit comments on or before January 12, 2026.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD–2025–0927 by any one of the following methods:

- **Federal eRulemaking Portal:** Go to <https://www.regulations.gov>. Search the above DOT Docket Number and follow the instructions for submitting comments.

- **Mail or Hand Delivery:** Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include the DOT Docket Number, your name and a mailing address, an email address or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific DOT Docket Number. All comments received will be posted without change to the docket at www.regulations.gov, including any personal information provided. For detailed instructions on submitting comments, or to submit comments that are confidential in nature, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT: Patricia Hagerty, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Mail Stop 2, MAR–620,

Washington, DC 20590. Telephone: (202) 366-5400. Email: smallvessels@dot.gov.

SUPPLEMENTARY INFORMATION: Pursuant to 46 U.S.C. 12121(b), the U.S. Coast Guard may issue a certificate of documentation with a coastwise trade endorsement for eligible, small passenger vessels authorized to carry no more than 12 passengers for hire if MARAD, after notice and an opportunity for public comment, determines the use of the small passenger vessel in the coastwise trade will not adversely affect United States vessel builders or the coastwise trade business of any person that employs vessels built in the United States in that business.¹

MARAD has received an eligibility determination request. Further details about the requester's vessel and its proposed operations may be found in the determination request posted in the DOT Docket Number listed in the **ADDRESSES** section above at <https://www.regulations.gov>. Interested parties may comment on the undue adverse effect this action may have on U.S. vessel builders or coastwise trade businesses in the U.S. that employ U.S.-built vessels in those businesses. Comments should refer to the vessel name, state the commenter's interest in the request, and demonstrate, with supporting documentation, the undue adverse effect on U.S. vessel builders and coastwise trade businesses.

Public Participation

How do I submit comments?

Please submit comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. It may take a few hours or even days for comments to be reflected on the docket. Comments must be written in English. Provide concise comments and attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

The docket online is located at <https://www.regulations.gov>, keyword search the DOT Docket Number list in the **ADDRESSES** section above or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). Please periodically check the Docket for new submissions and supporting material.

¹ The U.S. Coast Guard and MARAD have authority under 46 U.S.C. 12121(b) through the Secretary of the Department of Homeland Security and the Secretary of the Department of Transportation, respectively.

Will my comments be made available to the public?

Yes. Your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

You may request that MARAD treat your comments as commercially confidential by submitting them to SmallVessels@dot.gov. Include in the email subject heading "Contains Confidential Commercial Information" or "Contains CCI" and state in your submission, with specificity, the basis for any such confidential treatment highlighting the CCI portions. If possible, please provide a summary of your submission that can be made available to the public.

If MARAD receives a Freedom of Information Act (FOIA) request for the information, procedures described in the Department's FOIA regulation at 49 CFR 7.29 will be followed. Only information that is ultimately determined to be confidential under those procedures will be exempt from disclosure under FOIA.

Privacy Act

Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). For information on DOT's compliance with the Privacy Act, please visit <https://www.transportation.gov/privacy>.

(Authority: 46 U.S.C. 12121, 49 CFR 1.93(a))

By Order of the Maritime Administration.

Gabriel Chavez,

Secretary, Maritime Administration.

[FR Doc. 2025-22679 Filed 12-11-25; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD-2025-0928]

Request Notice: Use of Foreign-Built Small Passenger Vessel in United States Coastwise Trade, M/V COCONUT MONKEY

AGENCY: Maritime Administration (MARAD), U.S. Department of Transportation (DOT).

ACTION: Notice and request for comments.

SUMMARY: The Secretary of Transportation, as represented by MARAD, is authorized to make

determinations regarding the coastwise use of foreign built; certain U.S. built; and U.S. and foreign rebuilt vessels that solely carry no more than twelve passengers for hire. MARAD has received such a determination request and is publishing this notice to solicit comments to assist with determining whether the proposed use of the vessel set forth in the request would have an adverse effect on U.S. vessel builders or U.S. coastwise trade businesses that use U.S.-built vessels in those businesses. Information about the requestor's vessel, including a description of the proposed service, is in the **SUPPLEMENTARY INFORMATION** section below.

DATES: Submit comments on or before January 12, 2026.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD-2025-0928 by any one of the following methods:

- **Federal eRulemaking Portal:** Go to <https://www.regulations.gov>. Search the above DOT Docket Number and follow the instructions for submitting comments.

- **Mail or Hand Delivery:** Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include the DOT Docket Number, your name and a mailing address, an email address or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific DOT Docket Number. All comments received will be posted without change to the docket at www.regulations.gov, including any personal information provided. For detailed instructions on submitting comments, or to submit comments that are confidential in nature, see the section entitled Public Participation. **FOR FURTHER INFORMATION CONTACT:** Patricia Hagerty, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Mail Stop 2, MAR-620, Washington, DC 20590. Telephone: (202) 366-5400. Email: smallvessels@dot.gov.

SUPPLEMENTARY INFORMATION: Pursuant to 46 U.S.C. 12121(b), the U.S. Coast Guard may issue a certificate of

documentation with a coastwise trade endorsement for eligible, small passenger vessels authorized to carry no more than 12 passengers for hire if MARAD, after notice and an opportunity for public comment, determines the use of the small passenger vessel in the coastwise trade will not adversely affect United States vessel builders or the coastwise trade business of any person that employs vessels built in the United States in that business.¹

MARAD has received an eligibility determination request. Further details about the requester's vessel and its proposed operations may be found in the determination request posted in the DOT Docket Number listed in the **ADDRESSES** section above at <https://www.regulations.gov>. Interested parties may comment on the undue adverse effect this action may have on U.S. vessel builders or coastwise trade businesses in the U.S. that employ U.S.-built vessels in those businesses. Comments should refer to the vessel name, state the commenter's interest in the request, and demonstrate, with supporting documentation, the undue adverse effect on U.S. vessel builders and coastwise trade businesses.

Public Participation

How do I submit comments?

Please submit comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. It may take a few hours or even days for comments to be reflected on the docket. Comments must be written in English. Provide concise comments and attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

The docket online is located at <https://www.regulations.gov>, keyword search the DOT Docket Number list in the **ADDRESSES** section above or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). Please periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Your entire comment, including your personal identifying information, will be made publicly available.

¹ The U.S. Coast Guard and MARAD have authority under 46 U.S.C. 12121(b) through the Secretary of the Department of Homeland Security and the Secretary of the Department of Transportation, respectively.

May I submit comments confidentially?

You may request that MARAD treat your comments as commercially confidential by submitting them to SmallVessels@dot.gov. Include in the email subject heading "Contains Confidential Commercial Information" or "Contains CCI" and state in your submission, with specificity, the basis for any such confidential treatment highlighting the CCI portions. If possible, please provide a summary of your submission that can be made available to the public.

If MARAD receives a Freedom of Information Act (FOIA) request for the information, procedures described in the Department's FOIA regulation at 49 CFR 7.29 will be followed. Only information that is ultimately determined to be confidential under those procedures will be exempt from disclosure under FOIA.

Privacy Act

Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). For information on DOT's compliance with the Privacy Act, please visit <https://www.transportation.gov/privacy>.

(Authority: 46 U.S.C. 12121, 49 CFR 1.93(a))

By Order of the Maritime Administration.

Gabriel Chavez,

Secretary, Maritime Administration.

[FR Doc. 2025-22677 Filed 12-11-25; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD-2025-0929]

Request Notice: Use of Foreign-Built Small Passenger Vessel in United States Coastwise Trade, M/V DONNA RENE

AGENCY: Maritime Administration (MARAD), U.S. Department of Transportation (DOT).

ACTION: Notice and request for comments.

SUMMARY: The Secretary of Transportation, as represented by MARAD, is authorized to make determinations regarding the coastwise use of foreign built; certain U.S. built; and U.S. and foreign rebuilt vessels that solely carry no more than twelve passengers for hire. MARAD has received such a determination request

and is publishing this notice to solicit comments to assist with determining whether the proposed use of the vessel set forth in the request would have an adverse effect on U.S. vessel builders or U.S. coastwise trade businesses that use U.S.-built vessels in those businesses. Information about the requestor's vessel, including a description of the proposed service, is in the **SUPPLEMENTARY INFORMATION** section below.

DATES: Submit comments on or before January 12, 2026.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD-2025-0929 by any one of the following methods:

- **Federal eRulemaking Portal:** Go to <https://www.regulations.gov>. Search the above DOT Docket Number and follow the instructions for submitting comments.

- **Mail or Hand Delivery:** Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include the DOT Docket Number, your name and a mailing address, an email address or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific DOT Docket Number. All comments received will be posted without change to the docket at www.regulations.gov, including any personal information provided. For detailed instructions on submitting comments, or to submit comments that are confidential in nature, see the section entitled Public Participation. **FOR FURTHER INFORMATION CONTACT:** Patricia Hagerty, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Mail Stop 2, MAR-620, Washington, DC 20590. Telephone: (202) 366-5400. Email: smallvessels@dot.gov.

SUPPLEMENTARY INFORMATION: Pursuant to 46 U.S.C. 12121(b), the U.S. Coast Guard may issue a certificate of documentation with a coastwise trade endorsement for eligible, small passenger vessels authorized to carry no more than 12 passengers for hire if MARAD, after notice and an opportunity for public comment,

determines the use of the small passenger vessel in the coastwise trade will not adversely affect United States vessel builders or the coastwise trade business of any person that employs vessels built in the United States in that business.¹

MARAD has received an eligibility determination request. Further details about the requester's vessel and its proposed operations may be found in the determination request posted in the DOT Docket Number listed in the **ADDRESSES** section above at <https://www.regulations.gov>. Interested parties may comment on the undue adverse effect this action may have on U.S. vessel builders or coastwise trade businesses in the U.S. that employ U.S.-built vessels in those businesses. Comments should refer to the vessel name, state the commenter's interest in the request, and demonstrate, with supporting documentation, the undue adverse effect on U.S. vessel builders and coastwise trade businesses.

Public Participation

How do I submit comments?

Please submit comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. It may take a few hours or even days for comments to be reflected on the docket. Comments must be written in English. Provide concise comments and attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

The docket online is located at <https://www.regulations.gov>, keyword search the DOT Docket Number list in the **ADDRESSES** section above or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). Please periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

You may request that MARAD treat your comments as commercially confidential by submitting them to SmallVessels@dot.gov. Include in the

email subject heading "Contains Confidential Commercial Information" or "Contains CCI" and state in your submission, with specificity, the basis for any such confidential treatment highlighting the CCI portions. If possible, please provide a summary of your submission that can be made available to the public.

If MARAD receives a Freedom of Information Act (FOIA) request for the information, procedures described in the Department's FOIA regulation at 49 CFR 7.29 will be followed. Only information that is ultimately determined to be confidential under those procedures will be exempt from disclosure under FOIA.

Privacy Act

Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). For information on DOT's compliance with the Privacy Act, please visit <https://www.transportation.gov/privacy>.

(Authority: 46 U.S.C. 12121, 49 CFR 1.93(a))

By Order of the Maritime Administration.

Gabriel Chavez,

Secretary, Maritime Administration.

[FR Doc. 2025-22678 Filed 12-11-25; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF THE TREASURY

Community Development Financial Institutions Fund Open Meeting: Community Development Advisory Board

ACTION: Notice of open meeting.

SUMMARY: This notice announces an open meeting of the Community Development Advisory Board (the Advisory Board), which provides advice to the Director of the Community Development Financial Institutions Fund (CDFI Fund). This meeting will be conducted virtually. A link to view the meeting will be posted under the date of the meeting at www.cdfifund.gov/cdab.

DATES: The meeting will be held from 11:00 to 11:30 a.m. Eastern Time on Monday, December 29, 2025.

ADDRESSES: *Submission of Written Statements:* Participation in the discussions at the meeting will be limited to Advisory Board members, Department of the Treasury staff, and certain invited guests. Anyone who would like to have the Advisory Board

consider a written statement must submit it by 5:00 p.m. Eastern Time on Friday, December 19, 2025. Send electronic statements to AdvisoryBoard@cdfi.treas.gov. All written statements submitted by the deadline will be responded to with a simple acknowledgement of receipt.

In general, the CDFI Fund will make all statements available in their original format, including any business or personal information provided such as names, addresses, email addresses, or telephone numbers, for virtual public inspection and copying. The CDFI Fund is open on official business days between the hours of 9:00 a.m. and 5:00 p.m. Eastern Time. You can make arrangements to virtually inspect statements by emailing AdvisoryBoard@cdfi.treas.gov. All statements received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. You should only submit information that you wish to make publicly available.

FOR FURTHER INFORMATION CONTACT: Beverly Bobb, Senior Advisor, CDFI Fund; AdvisoryBoard@cdfi.treas.gov. Other information regarding the CDFI Fund and its programs may be obtained through the CDFI Fund's website at <http://www.cdfifund.gov>.

SUPPLEMENTARY INFORMATION: Section 104(d) of the Riegle Community Development and Regulatory Improvement Act of 1994 (Pub. L. 103-325), which created the CDFI Fund, established the Advisory Board. The charter for the Advisory Board has been filed in accordance with the Federal Advisory Committee Act, as amended (5 U.S.C. App.), and with the approval of the Secretary of the Treasury.

The function of the Advisory Board is to advise the Director of the CDFI Fund (who has been delegated the authority to administer the CDFI Fund) on the policies regarding the activities of the CDFI Fund. The Advisory Board is not a governing board, and it does not advise the CDFI Fund on approving or declining any particular application for monetary or non-monetary awards or any particular application for Certification.

In accordance with section 10(a) of the Federal Advisory Committee Act, 5 U.S.C. 1009 and the regulations thereunder, Beverly Bobb, Designated Federal Officer of the Advisory Board, has ordered publication of this notice that the Advisory Board will convene an open meeting, which will be conducted virtually, 11:00 to 11:30 a.m. Eastern Time on Monday, December 29, 2025. Members of the public who wish to

¹ The U.S. Coast Guard and MARAD have authority under 46 U.S.C. 12121(b) through the Secretary of the Department of Homeland Security and the Secretary of the Department of Transportation, respectively.

view the virtual meeting will be required to register upon entering the virtual meeting, which can be accessed 30 minutes prior to its scheduled start time. The link to view the meeting will be posted under the date of the meeting at <https://www.cdfifund.gov/cdab>.

The Advisory Board meeting will include a report from Acting Director Smith.

(Authority: 12 U.S.C. 4703)

Beverly Bobb,

Designated Federal Officer of the Advisory Board, Community Development Financial Institutions Fund.

[FR Doc. 2025-22587 Filed 12-11-25; 8:45 am]

BILLING CODE 4810-70-P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Agency Information Collection Activities; Comment Request on Excise Taxes on Excess Inclusions of REMIC Residual Interests

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of information collection; request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the IRS is inviting comments on the information collection request outlined in this notice.

DATES: Written comments should be received on or before February 10, 2026 to be assured of consideration.

ADDRESSES: Direct all written comments to Andres Garcia, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or by email to pra.comments@irs.gov. Include "OMB Control No. 1545-1379" in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of this collection should be directed to Marcus McCrary, (470) 769-2001.

SUPPLEMENTARY INFORMATION: The IRS, in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the IRS assess the impact and minimize the burden of its information collection requirements. Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record, and viewable on

relevant websites. For this reason, please do not include in your comments information of a confidential nature, such as sensitive personal information. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Title: Excise Taxes on Excess Inclusions of REMIC Residual Interests.
OMB Control Number: 1545-1379.
Form Number: 8831.

Abstract: Form 8831 is used by a real estate mortgage investment conduit (REMIC) to figure its excise tax liability under Code sections 860E(e)(1), 860E(e)(6), and 860E-2(a)(7)(ii). IRS uses the information to determine the correct tax liability of the REMIC.

Current Actions: There is no change to the previously approved information collection.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit organizations.

Estimated Number of Responses: 31.

Estimated Time per Response: 7 hours, 39 minutes.

Estimated Total Annual Burden Hours: 237.

Dated: December 10, 2025.

Marcus W. McCrary,
Tax Analyst.

[FR Doc. 2025-22694 Filed 12-11-25; 8:45 am]

BILLING CODE 4830-01-P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Agency Information Collection Activities; Comment Request on Provisional Foreign Tax Credit Agreement

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of information collection; request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the

IRS is inviting comments on the information collection request outlined in this notice.

DATES: Written comments should be received on or before February 10, 2026 to be assured of consideration.

ADDRESSES: Direct all written comments to Andres Garcia, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or by email to pra.comments@irs.gov. Include "OMB Control No. 1545-2296" in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of this collection should be directed to Kerry Dennis, (202) 317-5751.

SUPPLEMENTARY INFORMATION: The IRS, in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the IRS assess the impact and minimize the burden of its information collection requirements. Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record, and viewable on relevant websites. For this reason, please do not include in your comments information of a confidential nature, such as sensitive personal information. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Title: Provisional Foreign Tax Credit Agreement.

OMB Control Number: 1545-2296.
Form Number: 7204.

Abstract: Internal Revenue Code (IRC) sections 901 and 905 allow a taxpayer to claim a foreign tax credit for foreign income taxes paid or accrued in a taxable year, depending on taxpayer's method of accounting for such taxes. However, regardless of the year in which the credit is allowed based on

taxpayer's method of accounting, the foreign tax credit is allowed only to the extent the foreign income taxes are ultimately both owed and actually remitted to the foreign country. For accrual method taxpayers, IRC section 461(f) (flush language), section 1.461-2(a)(2)(i), and section 1.905-1(d)(3) provide that a foreign income tax liability that is contested does not accrue and is not creditable until the contest is resolved. For cash method taxpayers, a foreign income tax liability that is contested is not a reasonable approximation of the taxpayer's final foreign income tax liability and, thus, under section 1.901-2(e)(2)(i), is not considered an amount of tax paid for purposes of section 901 until the contest is resolved. However, sections 1.905-1(c)(3) and 1.905-1(d)(4) allow taxpayers to make an election to claim a provisional foreign tax credit for a contested foreign income tax liability to the extent that the taxpayer has remitted the contested tax to the foreign country. As a condition for making this election, the taxpayer must enter into a provisional foreign tax credit agreement, in which the taxpayer gives the IRS information regarding the contested foreign income tax liability and agrees to comply with the conditions of the election, including agreeing to not to assert the statute of limitations on assessment as a defense to assessment of taxes and interest by the IRS with respect to the contested tax for a period of three years from the year in which taxpayer notifies the IRS of the resolution of the contest. See section 1.905-1(d)(4)(ii). Form 7204 must be used for elections to claim a provisional credit for contested foreign income taxes as provided in Regulations sections 1.905-1(c)(3) and 1.905-1(d)(4).

Current Actions: There is no change to the paperwork burden previously approved by OMB.

Type of Review: Extension of a currently approved collection.

Affected Public: Individuals or households, business or other for-profit organizations.

Estimated Number of Responses: 11,400.

Estimated Time per Response: 2 hours.

Estimated Total Annual Burden Hours: 22,800 hours.

Dated: December 8, 2025.

Kerry Dennis,

Tax Analyst.

[FR Doc. 2025-22608 Filed 12-11-25; 8:45 am]

BILLING CODE 4830-01-P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900-NEW]

Agency Information Collection Activity Under OMB Review: Document Evidence Submission

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995, this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden, and it includes the actual data collection instrument.

DATES: Comments and recommendations for the proposed information collection should be sent by January 12, 2026.

ADDRESSES: To submit comments and recommendations for the proposed information collection, please type the following link into your browser: www.reginfo.gov/public/do/PRAMain, select "Currently under Review—Open for Public Comments", then search the list for the information collection by Title or "OMB Control No. 2900-NEW."

FOR FURTHER INFORMATION CONTACT: VA PRA information: Dorothy Glasgow, 202-461-1084, VAPRA@va.gov.

SUPPLEMENTARY INFORMATION:

Title: Document Evidence Submission (VA Form 20-10208).

OMB Control Number: 2900-NEW.

<https://www.reginfo.gov/public/do/PRASearch>.

Type of Review: New collection.

Abstract: VA Form 20-10208 (previously under OMB control number 2900-0877) is used by claimants submitting additional evidence or information in support of a claim or used to update information on a claimant's VA account. This proposal requests to assign a new control number and an additional use by a claimant when submitting evidence as part of a pre-discharge claim. Without this information, VA would not be able to efficiently and successfully process and associate evidence or information of record to a claimant's file which could negatively affect adjudication and decisions made by VA.

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 **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published at insert citation date: 90 FR 43511, September 9, 2025.

Affected Public: Individuals or Households.

Estimated Annual Burden: 6,832 hours.

Estimated Average Burden per Respondent: 5 minutes.

Frequency of Response: One time.

Estimated Number of Respondents: 81,981 per year.

Authority: 44 U.S.C. 3501 *et seq.*

Lanea Haynes,

Acting, VA PRA Clearance Officer, Alt Office of Information Technology, Data Governance Analytics, Department of Veterans Affairs.

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Part II

Consumer Product Safety Commission

16 CFR Parts 1112 and 1250

Safety Standard for Toys: Requirements for Water Beads; Final Rule

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Parts 1112 and 1250

[CPSC Docket No. CPSC–2024–0027]

Safety Standard for Toys: Requirements for Water Beads

AGENCY: Consumer Product Safety Commission.

ACTION: Final rule.

SUMMARY: Section 106(a) of the Consumer Product Safety Improvement Act of 2008 (CPSIA) mandates that ASTM F963 shall be a mandatory toy safety standard. This safety standard sets forth requirements for water bead toys and toys that contain water beads. Under this statutory authority, the U.S. Consumer Product Safety Commission (CPSC or Commission) is issuing a safety standard for water bead toys and toys that contain water beads.

DATES: The rule is effective on March 12, 2026. The incorporation by reference of the publication listed in this rule is approved by the Director of the Federal Register as of March 12, 2026. The incorporation by reference of certain other material listed in this rule was approved for use by the Director of the Federal Register as of April 20, 2024.

FOR FURTHER INFORMATION CONTACT: Sara E. Brown, Compliance Officer, Office of Compliance, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814–4408; telephone: 240–749–0572; email: sebrown@cpsc.gov or Matthew Kresse, Project Manager, Division of Mechanical Engineering, Directorate for Laboratory Sciences, Consumer Product Safety Commission, 5 Research Place, Rockville, MD 20850; Telephone 301–987–2222; email: mkresse@cpsc.gov.

SUPPLEMENTARY INFORMATION:

I. Background and Statutory Authority

A. Background

Section 106(a) of the CPSIA made ASTM International's (ASTM) voluntary standard for toys, ASTM F963–07, *Standard Consumer Safety Specification for Toy Safety* (except section 4.2 and Annex 4), a mandatory safety standard for toys beginning 180 days after the enactment date of the CPSIA. 15 U.S.C. 2056b(a). The CPSIA states that ASTM F963 shall be considered a consumer product safety standard issued by the Commission under section 9 of the Consumer Product Safety Act (15 U.S.C. 2058). Since 2009, CPSC has enforced ASTM F963 as a mandatory standard for

toys.^{1 2} In 2017, the Commission established 16 CFR part 1250, Safety Standard Mandating ASTM F963 for Toys, and incorporated by reference the newly revised ASTM standard at that time, ASTM F963–16. 82 FR 8989 (Feb. 2, 2017). Most recently, on January 18, 2024, the Commission updated part 1250 to incorporate by reference the 2023 revision, ASTM F963–23. 89 FR 3344.

Section 4.40 of ASTM F963–23 includes requirements for toys, including but not limited to, water beads, that are made of expanding materials.³ However, the requirements currently in ASTM F963–23 for this category of toys are insufficient to address all known water bead toy hazards. Potential hazards for expanding materials in general include gastrointestinal tract blockage if a child ingests a product comprised of expanding materials. The hazard mitigation provisions in ASTM F963–23 include performance requirements but do not include warnings or instructional literature specifically tailored to the expanding materials requirements. While sections 5, 6, and 7 of ASTM F963–23 provide “Labeling Requirements,” “Instructional Literature” requirements, and “Producer’s Markings” requirements generally for toys under the standard, none of these requirements is directed to water bead toys specifically. Thus, the generalized warnings and instructional literature requirements do not address all known hazards.

Incident data, described in the preamble of the NPR and section III of this preamble, demonstrate that children ingest water beads, aspirate and choke on them, or insert them into the nose or ear, and subsequently suffer injury or death. Staff’s testing of water bead toys, described in the preamble of the NPR, further demonstrates that tested water beads that pass the performance requirements in ASTM F963–23 can still pose safety hazards. Accordingly, this rule under section 106 of the CPSIA creates additional requirements in part 1250 to establish mandatory requirements specifically for water bead toys. Further, this rule revises the title of part 1250 from “Safety Standard Mandating ASTM

F963 for Toys” to “Safety Standard for Toys,” to reflect the inclusion of requirements that do not incorporate by reference existing requirements in ASTM F963.

B. Statutory Authority

The Commission is authorized to issue this final rule pursuant to both section 106(c) and (d) of the CPSIA. 15 U.S.C. 2056b(c) and (d). Section 106(c) requires the Commission to periodically review and revise its mandatory toy safety standards to ensure that such standards provide the highest level of safety for toys that is feasible. Section 106(d) further requires the Commission to examine and assess the effectiveness of its mandatory toy safety standards in protecting children from safety hazards, and to promulgate consumer product safety rules that are more stringent than the existing standards if the Commission determines that more stringent standards would further reduce the risk of injury associated with such toys. Consistent with the consultation requirement in section 106(d)(1) of the CPSIA, staff has worked with the ASTM F15.22 Subcommittee Task Group since 2009 to update the toy standard and discuss hazards associated with water bead toys. This consultation, including the sharing of staff’s assessment of hazards and staff’s suggested additional performance and labeling requirements, continued through the revision and publication of ASTM F963–23.

C. Notice of Proposed Rulemaking (NPR)

On September 9, 2024, the Commission published an NPR to address four identified hazard patterns associated with water bead toys that are not adequately addressed by the current mandatory standard provisions addressing expanding materials: (1) ingestion of water bead toys, (2) insertion of water bead toys into the nose or ear, (3) aspiration due to water bead toys, and (4) choking due to water bead toys. 89 FR 73024. The Commission proposed adding additional performance requirements to part 1250 to better address these risks. The NPR also proposed establishing acrylamide level limits for water bead toys in response to toxicity hazards when water bead toys containing acrylamide enter the body, and implementing new testing requirements for acrylamide in water bead toys under part 1250. Finally, the Commission proposed labeling requirements for water bead toys under part 1250, including mandating warnings and

¹ Since 2009, ASTM has revised F963 five times: ASTM F963–08, ASTM F963–11, ASTM F963–16, ASTM F963–17, and ASTM F963–23 (approved August 1, 2023).

² Section 3.1.91 of ASTM F963–23 (Toy): “Any object designed, manufactured, or marketed as a plaything for children under 14 years of age.”

³ Under ASTM F963, “expanding materials” are defined as “any material used in a toy which expands greater than 50% in any dimension from its as-received state.”

instructional literature on products within scope of the proposed rule.

D. Final Rule Overview

Pursuant to section 106 of the CPSIA, 15 U.S.C. 2056b, the Commission is issuing a mandatory standard for water bead toys based on the proposed requirements in the NPR, with certain modifications in response to public comments and other clarifications, which are discussed in detail in sections V and VI of the preamble.⁴ The final rule defines a “water bead” as “a various shaped liquid absorbent polymer, composed of materials such as, but not limited to, polyacrylamide and polyacrylate, which expands when soaked in liquid.” This rule is intended to reduce the risk of injury or death associated with children ingesting, inserting into their ear or nose, aspirating, or choking on water bead toys by setting a maximum expansion size limit for water bead toys. The rule also is intended to reduce the risks of acrylamide exposure from water bead toys, by setting limits on the amount of allowable acrylamide in water bead toys. Finally, the rule requires strongly worded, conspicuous warnings.

Based on comments received on the NPR and clarifications found to be necessary to the rule, the following changes have been made in the final rule:

- The references to “water” in the definition of water bead in proposed section 1250.4(b) has been revised to the broader term “liquid” in the final rule.

- In section 1250.4(c)(1) of the final rule, the proposed funnel test gauge diameter has been reduced from 9.0 mm to 5.0 mm; the 50 percent expansion limit has been removed; and an additional test option allowing for the use of a sieve test gauge for testing multiple water beads has been added. Corresponding changes have been made to the test method to reflect these changes.

- In section 1250.4(c)(2), the extractable acrylamide limit has been changed from 65 µg to 325 µg per 100 small water beads or per 1 large water bead.

- In section 1250.4(c)(2), the proposed definitions for small and large water beads describing acrylamide testing, have been changed from “across the smallest diameter” to “in all dimensions” for small water beads, and

from “across the smallest diameter” to “in any dimension” for large water beads in the final rule.

- In section 1250.4(d), Figures 3 (“Warning for Water Bead Toys and Packaging”) and 4 (“Toys That Contain Water Beads”) of the proposed rule have been renumbered in the final rule as Figures 4 and 5, respectively, and the figure captions have been revised for clarity. The Figure 4 caption now reads, “Warning for Water Bead Toys and their Packaging,” and the Figure 5 caption now reads, “Warning for Toys with Contained Water Beads and their Packaging.” In addition, both figures have been revised to reflect changes in warning content made in response to public comments and other clarifications. All changes described below apply to both figures unless otherwise specified.

- The first sentence of each warning has been changed from “This product contains water beads that grow larger,” to “Contains water beads that can grow larger when swallowed or inserted in the ear or nose.”

- The sentence, “Discard if beads are coming out,” in Figure 4 of the proposed rule, has been changed to, “Discard product if beads start to come out,” and this revised sentence has been moved into the bullet list of precautionary statements in Figure 5 (renumbered from Figure 4) of the final rule.

- The sentence, “Children have DIED after swallowing water beads because the beads blocked their intestines,” has been changed to “Children have DIED when the beads blocked their intestines.”

- The sentence, “Your child can die too,” has been deleted.

- The sentence, “Inserted beads have resulted in surgeries,” has been added to the warnings.

- The sentence, “Watch older children during use,” has been added to the warning after the statement about keeping water beads away from babies and toddlers.

- The sentence, “Never use as a sensory toy or bath toy,” has been deleted.

- The sentence, “Seek immediate medical attention if you think your child swallowed beads or inserted beads into their nose, ears, or other part of the body,” has been changed to, “Get medical help right away if you think your child swallowed or inserted beads.” The phrase, “Get medical help

right away,” has also been highlighted using boldface type.

- In section 1250.4(d)(1)(vi)(C), the language “section X of” has been deleted and missing quotation marks have been added at the beginning of the phrase “safety white.”

For the reasons explained in this preamble, the Commission determines that the water bead toy requirements comply with section 106 of the CPSIA because they are more stringent than the current requirements in ASTM F963–23 and would further reduce the risk of injury and death associated with products within the scope of the rule, and they would provide the highest level of safety that is feasible for such products.

II. The Product

A. Description of the Product

Water beads are various shaped, multi-colored or clear beads composed of liquid absorbing polymers, such as, but not limited to, polyacrylamides and polyacrylates, which expand when soaked in liquid such as water. When first purchased, water beads are small and dehydrated, typically no larger than 7.0 mm diameter. Water beads are often sold in large quantity packages that may contain up to thousands of beads (depending on original size) in one package. While in the dehydrated state, with all water content removed, water beads are typically either hard, solid beads, or soft-gelled beads. Water beads are designed to be soaked in liquid such as water, which allows the beads to absorb the liquid and expand. After being soaked in liquid for periods as short as a few hours for smaller water beads or two to three days for larger water beads, water beads increase in size, as demonstrated in Figure 1. Some water beads can expand, for example, from 2.0 mm diameter in their dehydrated state to 16.0 mm diameter when fully expanded (shown on the left in Figure 1), or from 7.0 mm diameter in the dehydrated state to 50.0 mm diameter when fully expanded (shown on the right in Figure 1). Thus, water beads have the potential to expand up to 800 percent of their original diameter. Once expanded, water beads remain moist even if removed from water but do not appear to have any adhesive properties that would cause them to stick together. When broken apart by hand or squeezing, expanded water beads tend to break into small, fragmented pieces (shown in Figure 2).

⁴ On August 21, 2025, the Commission voted (2–0) to publish this final rule.



Figure 1: Water Beads, Before and After Expansion.

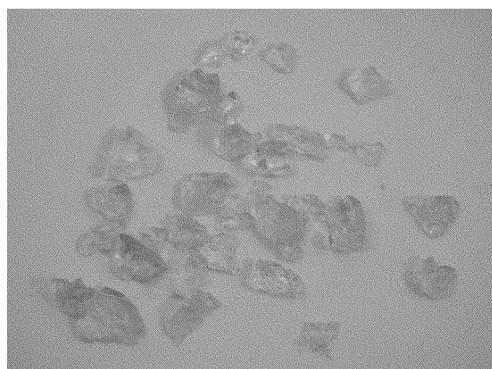


Figure 2: Water Beads, After Being Squeezed and Breaking.

Water bead toys are often sold in bulk or as part of other children's toys, such as experiment kits and sensory kits, or can be contained within toy squeeze balls or stress balls. Some water beads products are not marketed as children's toys and are outside of the scope of this rule.

As noted above, CPSC currently regulates water bead toys under section 4.40 of ASTM F963–23, *Expanding Materials*, and 16 CFR 1250.2(a). ASTM F963–23 does not define the term “water bead,” but it defines an “Expanding Material” in section 3.1.28 as “any material used in a toy which expands greater than 50 percent in any dimension from its as-received state when tested in accordance with 8.30.” Section 8.30 directs that the toy must be submerged in deionized water

maintained at 37 °C $\pm$ 2 °C for a duration of 72 hours, with the toy dimensions measured at 6-, 24-, 48-, and 72-hour intervals in order to determine if the toy is an expanding material. This final rule defines “water bead” under part 1250 as “a various shaped liquid absorbent polymer, composed of materials such as, but not limited to, polyacrylamide and polyacrylate, which expands when soaked in liquid.” The final rule's test procedures incorporate ASTM's process for conditioning water bead toys.

B. Scope of Products Subject to the Rule

This rule applies to both water bead toys and toys that contain water beads. A toy is “any object designed, manufactured, or marketed as a plaything for children under 14 years of age.” 16 CFR 1250.2(a); section 3.1.92 of

ASTM F963–23. Water bead toys, therefore, are water beads designed, manufactured, or marketed as a plaything for children under 14 years of age (consistent with the definition of “toy” in 16 CFR 1250.2(a)), while toys that contain water beads are toys that encompass water beads within the toy and the water beads are not intended to be accessed, such as a squeeze ball (Figure 5). Commonly, water beads are included in a variety of toy products, such as toy experiment kits (Figure 3), toy sensory kits (Figure 4), toy squeeze/sensory balls filled with water beads (Figure 5), and water bead toy guns designed to shoot water bead projectiles (Figure 6). Each product would be subject to the rule and would need to meet the requirements of the rule.

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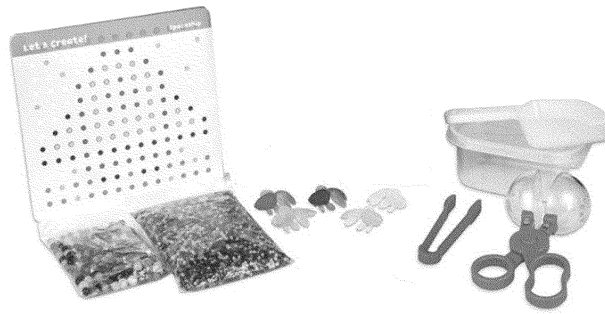


Figure 3: Toy Experiment Kit.

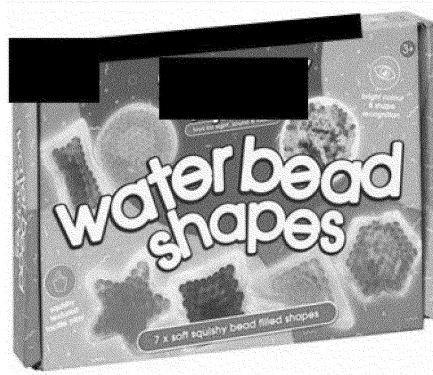


Figure 4: Toy Sensory Kit.

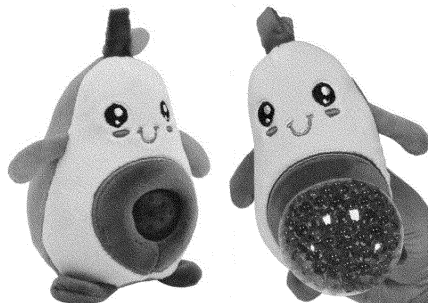


Figure 5: Toy Squeeze/Sensory Ball.



Figure 6: Water Bead Toy Gun.

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Examples of products outside of the scope of this rule are water beads that are not toys or are not contained in toys and are for various non-toy uses, such

as water beads used for decorative purposes (e.g., placement in candle holders), in vases or gardens for plant hydration, as air freshener products or

deodorizers for cat litter, and in first-aid cold packs.

III. Incident Data and Hazard Patterns

Staff searched two CPSC-maintained databases to identify incidents and hazard patterns associated with water beads: the Consumer Product Safety Risk Management System (CPSRMS)⁵ and the National Electronic Injury Surveillance System (NEISS).^{6,7} Due to data availability, the CPSRMS incidents occurred between January 1, 2017, and December 31, 2023, while the NEISS incidents occurred between January 1, 2017, and December 31, 2022. The incident data and hazard patterns cited in support of the NPR support this final rule and are unchanged from the NPR. For further discussion of the incident data and hazard patterns, see the preamble of the NPR (89 FR at 73031), which describes the incident and hazard patterns associated with water bead toys in further detail.

A. CPSRMS Data

Staff identified 64 incidents in CPSRMS from 2017 through 2023 associated with the use of water bead toys. Staff identified the following incident data hazard patterns associated with water bead toys: ingestion, ear insertion, nose insertion, aspiration, and choking. The CPSRMS incident data

⁵ CPSRMS includes data primarily from three groups of sources: incident reports, death certificates, and in-depth follow-up investigation reports. A large portion of CPSRMS consists of incident reports from consumer complaints, media reports, medical examiner or coroner reports, retailer or manufacturer reports (incident reports received from a retailer or manufacturer involving a product they sell or make), safety advocacy groups, law firms, and federal, state, or local authorities, among others. It also contains death certificates that CPSC purchases from all 50 states, based on selected external cause of death codes (ICD-10). The third major component of CPSRMS is the collection of in-depth follow-up investigation reports. Based on the incident reports, death certificates, or NEISS injury reports, CPSC field staff conduct in-depth investigations (on-site, telephone, or online) of incidents, deaths, and injuries, which are then stored in CPSRMS.

⁶ NEISS is the source of the injury estimates; it is a statistically valid injury surveillance system. NEISS injury data are gathered from emergency departments of a sample of hospitals, with 24-hour emergency departments and at least six beds, selected as a probability sample of all U.S. hospitals. The surveillance data gathered from the sample hospitals enable CPSC to make timely national estimates of the number of injuries associated with specific consumer products.

⁷ Staff performed multiple searches consisting of a combination of product codes and narrative or manufacturer/model keyword searches to find water bead incidents. Staff extracted data coded under 1381 (Toys, not elsewhere classified), 1395 (Toys, not specified), 1413 (Greenhouse supplies or gardening supplies [excluding plant stands, tools, hoses, sprayers and chemicals]), 1616 (Jewelry [excluding watches]), 1682 (Hair curlers, curling irons, clips & hairpins), 5016 (Balls, other or not specified), 5020 (Pretend electronics, tools, housewares, and appliances), 9101 (No clerical coding—retailer report), and 9102 (No clerical coding—retailer report).

relied upon for the rule is unchanged from the NPR.

B. National Injury Estimates From NEISS

Based on NEISS data, staff estimates 6,300 injuries (sample size = 250, coefficient of variation = 0.27) related to water beads were treated in U.S. hospital EDs over the six-year period from 2017 through 2022.⁸ Of the 250 sample NEISS cases, none were fatal. The NEISS incident data relied upon for the rule is unchanged from the NPR.

C. Overview of Hazards in Relation to Child Supervision and Behavior

Water bead ingestion, nasal and ear insertion, choking, and aspiration can occur in seconds. Many incidents are not witnessed because the caregiver was not directly looking at the child when the ingestion, insertion, choking, or aspiration occurred. Research indicates that toddlers and preschoolers (ages 2 years old through 5 years old) are out of view of a supervisor for about 20 percent of their awake time at home and are not within visual or hearing range for about 4 percent of awake time at home.⁹ A study of 100 parents found that the mean amount of time parents were willing to leave a child unsupervised in low-risk areas, such as a living room, was six minutes before the child was old enough to crawl and four minutes after the child was old enough to crawl but before the child was 2 years old.¹⁰ Consumers reasonably may be unaware that water bead toys are hazardous, particularly because they are marketed for children's play.

Research demonstrates that infants and toddlers are likely to mouth objects within reach. Mouthing non-food items is a normal part of children's exploratory behavior that contributes to incidents of choking and poisoning.¹¹

⁸ The estimated injuries for this final rule are less than the estimate presented in the public guidance on water beads that can be found on the Commission's website at www.cpsc.gov/Safety-Education/Safety-Education-Centers/Water-Beads-Information-Center. The difference is mainly due to excluding incidents with hazard patterns related to rashes or other allergic reactions and incidents involving water bead gel blaster projectiles, which commonly involve eye injury and some of which may not involve children's toys in the scope of this rule.

⁹ Morrongiello, B.A., Corbett, M., McCourt, M., & Johnston, N. (2006). Understanding unintentional injury-risk in young children I. The nature and scope of caregiver supervision of children at home. *Journal of Pediatric Psychology*, 31(6): 529–539.

¹⁰ Garzon, D.L., Lee, Dr. R.K., and Homan, S.M. (2007). "There's No Place Like Home: A Preliminary Study of Toddler Unintentional Injury." *Journal of Pediatric Nursing*, 22, 368–375.

¹¹ Tulve, N., Suggs, J., McCurdy, T., Cohen-Hubal, E., & Moya, J. (2002). Frequency of mouthing

This behavior is part of the reason for the ban on small parts for toys intended for children younger than 3 years of age, for example, and the mandatory small-parts warning for toys and games intended for children ages 3 years old to 6 years old. 16 CFR part 1501. Mouthing non-food items tends to decrease as a child's age increases; however, it is not uncommon for children over the age of 3 years old to experience choking or ingestion episodes with objects other than food.¹² Children are prone to ingest or insert small, smooth, colorful objects, like water beads or toy parts.¹³ Unintentional foreign body ingestion is a leading cause of nonfatal emergency department (ED) visits in children younger than 9 years old.¹⁴ Management and treatment for childhood accidental ingestion is well documented in pediatric medical literature.¹⁵

D. Recalls

From December 2012 through March 2024, the Commission's Office of Compliance and Field Operations conducted five recalls and issued two unilateral press release warnings regarding water bead toy products. The announcements involved one death and five reported injuries and affected approximately 166,000 units. There have been no additional recalls of water

behavior in young children. *Journal of Exposure Analysis and Environmental Epidemiology*, 12, 259–264.

¹² A-Kader. (2010) Foreign body ingestion: children like to put objects in their mouth. *World J Pediatrics*, Vol 6 No 4, November 15, 2010. www.wjpc.com; Orsagh-Yentis D, McAdams RJ, Roberts KJ, et al. (2019). Foreign-Body Ingestions of Young Children Treated in US Emergency Departments: 1995–2015. *Pediatrics*. 143(5):e20181988; Reilly, J. (1992, Fall). Airway Foreign Bodies: Update and Analysis. *Int Anesthesiol Clin*.30(4):49–55; Altman, A., Ozanne-Smith, J. (1997). Non-fatal asphyxiation and foreign body ingestion in children 0–14 years. *Injury Prevention*. 3:176–182.

¹³ Svider, P.F., Vong, A., Sheyn, A., Bojrab, D.I., Hong, R. S., Eloy, J.A., and Folbe, A.J. (2015). What are we putting in our ears? A consumer product analysis of aural foreign bodies. *The Laryngoscope*. 125, 709–714; Heim, SW, & Maughan, K.L. (2007). Foreign Bodies in the ear, nose, and throat. *American Academy of Family Physicians*, 76, p.1186–1189.

¹⁴ Centers for Disease Control and Prevention. Web-based Injury Statistics Query and Reporting System (WISQARS) [Online]. (2003). National Center for Injury Prevention and Control, Centers for Disease Control and Prevention. Available from: URL: www.cdc.gov/ncipc/wisqars. [10/1/2022].

¹⁵ Kay, M., & Wyllie, R. (2005). Pediatric foreign bodies and their management. 7(3):212–8; Lee, J.H., (2018) Foreign Body Ingestion in Children. *Clinical Endoscopy*, 51:129–136; Kramer et al., 2015; Connors GP, & Mohseni M. Pediatric Foreign Body Ingestion. [Updated 2021 Jul 18]. In: StatPearls [internet]. Treasure Island (FL): StatPearls Publishing; 2022 Jan-. Available from: <https://www.ncbi.nlm.nih.gov/books/NBK430915/> (accessed 4/12/22) Pediatric Foreign Body Ingestion—StatPearls—NCBI Bookshelf (nih.gov).

bead toy products since the publication of the NPR. See the preamble of the NPR for additional details about the above recalls.

IV. Review of Voluntary Standards—ASTM F963 and EN 71–1

A. Background

ASTM F963 includes performance requirements and test methods for toys, as well as requirements for warning labels and instructional literature, to reduce or prevent injury to children or death of children from mechanical, chemical, and other hazards associated with toy use. Toys must comply with this standard pursuant to 16 CFR part 1250.

ASTM F963 defines “expanding material” as “any material used in a toy which expands greater than 50% in any dimension from its as-received state.” Section 4.40 of ASTM F963–23 addresses potential hazards associated with expanding materials by requiring that toys, and removable components of toys, that are composed of expanding materials and fit entirely within the small parts cylinder (16 CFR part 1501) while in the toy’s as-received size condition, must, after expansion, completely pass through a 20.0 mm diameter gauge while a force of up to 4.5 lbf (pound-force) is applied.

Water beads that expand up to 20.0 mm diameter would meet the ASTM F963–23 expanding materials requirements because they would pass through the gauge, but water beads that expand larger than 20.0 mm diameter would likely fail the requirements because the water beads would not pass through the gauge. Incident data show that water beads that expand to a size larger than 20.0 mm diameter are hazardous, but many water beads that expand to a size smaller than 20.0 mm and would pass the ASTM F963–23 test are also hazardous, as explained in section III of this preamble.

Another voluntary standard used primarily in the European Union, EN 71–1, *Safety of Toys—Part 1:*

Mechanical and Physical Properties, also provides requirements for expanding materials. Section 3.24 of EN 71–1 defines an “expanding material” as a “material, the volume of which expands when exposed to water.” Section 4.6 of EN 71–1 establishes performance requirements for expanding materials in toys or components of toys which fit entirely in a 31.7 mm diameter small parts cylinder, the same size as the small parts cylinder from 16 CFR part 1501, and states they shall not expand more than 50 percent in any dimension when measured after being submerged in demineralized water for 24, 48, and 72 hours. If the expansion in any dimension is more than 50 percent, then the toy does not comply with the expanding material requirement. For example, water beads with an unexpanded diameter of 2.0 mm and that expand larger than 3.0 mm diameter would pass through the small parts cylinder in their dehydrated state but expand by more than 50 percent, thus failing the EN 71–1 requirements. Additionally, EN 71–9, *Safety of Toys—Part 9: Organic Chemical Compounds—Requirement*¹⁶ provides a test method and a concentration limit for acrylamide, a hazardous chemical found in toys.

Acrylamide limitations in EN 71–9 were developed to address acrylamide exposure following long-term licking, sucking, and chewing of toys that are intended to be mouthed for a significant amount of time, such as teethingers and rattles. In contrast, water bead toys addressed in this rule are not intended to be mouthed for a significant amount of time. This rule is intended to address ingestion, insertion, choking, and aspiration hazards, not mouthing. Therefore, this rule mandates a different acrylamide limit and test method,

¹⁶ EN 71–9 provides requirements and test methods for organic chemical compounds, such as acrylamide. Previously cited EN 71–1 provides requirements and test methods for mechanical and physical properties, such as expansion limits. Both are part of the standard EN 71.

intended to address the hazards discussed in section V of the NPR preamble.

B. Assessment of Current ASTM F963–23 Performance Requirements

The test method for expanding materials described in section 8.30, *Expanding Materials—Test Method* of ASTM F963–23, requires that an expanding material, such as a water bead, first be submerged in deionized water for up to 72 hours in order to reach its largest expanded size. The product is then tested to determine whether, at its largest expanded size, the water bead can pass through a gauge with a 20.0 mm (+0.0/–0.1 mm) diameter hole, when a force of 4.5 lbf (pound-force) is applied to the water bead in the direction of the hole via a rod having a hemispherical end diameter of 10.0 mm.

Staff assessed the current ASTM test method in section 8.30 of ASTM F963–23 and found that using a rod to apply force to an expanded water bead to determine whether the water bead can fit through a test gauge does not realistically represent the compression forces exerted by the body on a water bead when it is swallowed. The use of a 10.0 mm diameter rod to apply a force when conducting the test generally causes fragmentation of the water bead (Figure 7), which would be considered a “pass” pursuant to the ASTM test standard. However, incident data shows water beads remain whole after being swallowed, thus creating a gastrointestinal tract blockage.¹⁷ Because the force that the rod exerts can damage the expanded water bead and cause fragmentation, staff have assessed that the current ASTM test method is inadequate to effectively test water beads for an ingestion and blockage hazard.

¹⁷ Examples include the following IDIs: 230727CBB1846, 230707CBB1698, 230613CBB1591, 170802CCC3140 and 221107CFE0002.



Figure 7: Expanded Water Bead After Being Fragmented by 10.0 mm Diameter Rod End.

Staff also analyzed the 20.0 mm (+0.0/–0.1 mm) diameter gauge specified in section 4.40 of ASTM F963–23 and determined that, in light of incident data demonstrating how ingestion hazards occur, the gauge diameter size should be reduced. The 20.0 mm diameter gauge used in ASTM F963 was selected based on the dimension of the pyloric sphincter¹⁸ within the gastrointestinal tract of an 18-month-old child, because at the time the ASTM F963 expanding materials requirements were created, the pyloric sphincter was thought by the drafters to be the most likely site where a gastrointestinal blockage would occur. As explained below, objects that can cause a gastrointestinal blockage are more likely to cause a blockage at either the gastric outlet part of the stomach or the ileocecal valve at the end of the small intestine.¹⁹

Water beads, like other foreign bodies and food, do not remain in the stomach for long. Therefore, water beads generally do not expand fully in the stomach but pass through the pyloric sphincter and into the small intestine. Water beads continue to expand in the small intestine, where they spend more time and are exposed to liquid that facilitates expansion. After the water beads expand fully in the small intestine, they are unable to pass through the ileocecal valve and into the large intestine, therefore causing a gastrointestinal blockage. Staff evaluated the relevant recent incident data and concluded that because the ileocecal valve is often the site of a gastrointestinal blockage when a child ingests a water bead, the ileocecal valve is a more appropriate anatomical

structure on which to base the diameter of the test gauge than the pyloric sphincter. Literature on ileocecal valve size indicates valve size will vary based on age and natural variation within the population,^{20 21} but the Commission has not identified reliable authorities providing ileocecal valve sizes for children between the ages of 9 months old and 3 years old. Accordingly, as explained in section V of the preamble of the NPR (89 FR 73035), the Commission has based the diameter size of the test gauge through which water bead toys must pass on incident data.

Section 4.40 of ASTM F963–23 also requires that “[t]oys, and removable components of toys, which fit entirely inside the small parts cylinder in their as-received condition, and which are composed of an expanding material, shall completely pass through the gauge when tested.” The referenced small parts cylinder is from 16 CFR 1501.4, referenced section 4.6, *Small Objects*, of ASTM F963–23, which provides general safety requirements. Under section 4.6.1, toys intended for children under 36 months of age, “including removable [components], liberated components, or fragments of toys[,] shall [not] be small enough without being compressed to fit entirely within [the small parts cylinder].” This requirement is intended to minimize choking, ingestion, or inhalation hazards. Most water bead toy products are intended for children older than 36 months of age and therefore are not required to comply with the small objects requirements in section 4.6 of ASTM F963–23.

²⁰ Tang SJ, Wu R. Ileocecum: A Comprehensive Review. *Can J Gastroenterol Hepatol*. 2019 Feb 3;2019:1451835. doi: 10.1155/2019/1451835. PMID: 30854348; PMCID: PMC6378086.

²¹ Silva AC, Beaty SD, Hara AK, Fletcher JG, Fidler JL, Menias CO, Johnson CD. Spectrum of normal and abnormal CT appearances of the ileocecal valve and cecum with endoscopic and surgical correlation. *Radiographics*. 2007 Jul-Aug;27(4):1039–54. doi: 10.1148/rg.274065164. PMID: 17620466.

Finally, to address the potential presence of toxic chemicals in toys, section 4.3, *Toxicology* of ASTM F963–23 requires that all toys must comply with the Federal Hazardous Substances Act (FHSA) toxicity and hazardous substances standards. Although there is a generalized FHSA compliance requirement for all of ASTM F963–23, section 4.40, *Expanding Materials* of ASTM F963–23 does not specifically mandate testing for hazardous chemicals in expanding materials. Water beads are composed of absorbent polymers, which can contain acrylamide monomer—a chemical that can be hazardous when ingested.²² ASTM F963–23 does not have a limit or a test method for acrylamide monomer in water bead toys. Therefore, the current ASTM standard is inadequate to provide the highest level of safety feasible to ensure that the chemicals in water bead toys are non-toxic. Because water bead toys containing high levels of acrylamide monomer are toxic, the rule establishes content limits and test methods to address the toxicity hazard presented by acrylamide.

C. Assessment of Current ASTM F963–23 Labeling Requirements

Section 5.0 of ASTM F963–23, *Labeling Requirements* contains general labeling requirements that apply to toys, including water bead toys or toys containing water beads. However, the requirements in section 5.0 are not specifically referenced in section 4.40, *Expanding Materials*. Only broad warning statements for small part choking hazards and small ball hazards are required for expanding materials. While the warning statements address

²² Per the Federal Hazardous Substances Act (FHSA) (16 CFR 1500.3(c)(2)(i)(A)), a substance with a median lethal dose (LD₅₀) between 50 and 5000 mg/kg in rats is “toxic” for acute toxicity. The reported oral LD₅₀ values for undiluted acrylamide in rats range from 150 to 413 mg/kg. See ATSDR *Toxicological Profile for Acrylamide*, available at <https://www.atsdr.cdc.gov/ToxProfiles/tp203.pdf>.

¹⁸ The pyloric sphincter is the valve located at the bottom of the stomach which opens to allow food to pass from stomach to the small intestine.

¹⁹ The ileocecal valve is a sphincter muscle situated at the junction of the ileum (last portion of the small intestine) and the colon (first portion of the large intestine).

general choking hazards, they do not address or inform about injuries (*e.g.*, gastrointestinal blockage) or deaths that have occurred when water bead toys expand after being swallowed or inserted. The primary U.S. voluntary consensus standard for product safety signs and labels, ANSI Z535.4, *Product Safety Signs and Labels*, and other literature and guidelines on warnings, consistently recommend that warnings include information about the consequences of exposure to the hazard. Warnings research has shown that providing explicit information about the consequences of a hazard can increase perceived hazardousness, which has been shown to increase warning effectiveness.²³

D. 2024 Proposed Draft Revisions to ASTM F963

On January 22, 2024, and March 25, 2024, staff met with the ASTM F15.22 Emerging Hazards Task Group to discuss a possible revision of ASTM F963 to include specific requirements for water bead toys. As explained in the preamble of the NPR (89 FR 73037), staff and ASTM discussed incident information and the ASTM 20.0 mm diameter test gauge compared to CPSC's proposed funnel test gauge. On July 9, 2024, ASTM shared a draft proposal to revise section 4.40 of ASTM F963–23 to include water bead toy-specific requirements. On July 18, 2024, ASTM submitted a ballot for a vote on the proposal, which was available until August 19, 2024.

Staff reviewed the 2024 draft proposal, finding it inadequate to address all known water bead toy hazards. In the draft proposal, water bead would be defined as a “spherical or spheroid water-absorbent object, intended to expand in size when immersed in a liquid.” This draft revision would apply to water bead toys intended to be accessible in dehydrated state and water bead toys in the expanded state. If the water bead toy is already expanded, the water bead toy would be given time to dehydrate before testing. These draft requirements would not apply to water bead toys that are not intended to be accessible, such as water beads within a squeeze ball.

ASTM's draft performance test proposal would require first measuring the diameter of a dehydrated water bead toy and then measuring the maximum amount of expansion after soaking the water bead in deionized water at 37 °C.

If the maximum expansion is greater than 50 percent in diameter, then the water bead toy will be placed in the funnel test gauge to determine whether it can pass through the gauge under a certain external pressure. If the maximum expansion of the water bead toy is less than or equal to 50 percent in diameter, no further testing is required. Based on incident data, the ASTM draft proposed use of a funnel test gauge with a 12.0 mm diameter (+0.0/–0.1 mm) as a performance requirement. When attempting to pass an expanded water bead toy, the proposed test includes applying a force of 0.1 lbf to the water bead toy in the direction of the 12.0 mm diameter hole using a 10.0 mm diameter rod having a flat end. The ASTM draft stated that “a water bead material which breaks or loses integrity during this test is considered to be acceptable,” and therefore if the fragmented pieces pass through the funnel test gauge, the product would still meet the draft requirement even if the unbroken water bead toy was larger than 12.0 mm. The draft did not include acrylamide limits or revised labeling requirements.

Staff reviewed the draft ASTM proposal and found that a gauge size diameter of 12.0 mm is inadequate to address known hazards from water bead toys. The draft proposed 12.0 mm diameter is based on one incident,²⁴ which describes a 13-month-old female who was unable to pass through her body a water bead toy presumed to be as small as 13.0 mm diameter. However, while staff knows based on the incident a 13.0 mm diameter water bead toy can cause a blockage in a child, this incident by itself does not establish the size of the largest water bead toy that can safely pass. Further, the draft ASTM requirements would not require testing for a dehydrated water bead toy of 13.0 mm diameter, which is capable of expanding to 19.5 mm diameter, because the water bead toy would not have expanded to more than 50 percent of its original size. As explained in section IV.B of this preamble, fragmentation of the water bead toy during testing is not representative of incident data, and as explained in section V.C.1 of the NPR preamble, testing of water beads contained within toys, such as squeeze balls, is necessary to address incidents of children biting into a squeeze ball and swallowing the water beads within.²⁵ Therefore, while

the draft ASTM proposal may be an improvement on the current ASTM F963 expanding materials requirements, it would not adequately address known water bead hazards, even if adopted.

Since publication of the NPR on September 9, 2024, the subcommittee held meetings on January 15, 2025, and February 10, 2025, to discuss the negative votes on the proposed ballot and what modifications should be made. Two additional task groups have been formed: one task group for discussing potential sampling sizes for water bead toy testing and the other task group for discussing potential warning label requirements. The task group discussing sampling size met on March 13, 2025, May 28, 2025, and August 5, 2025. The task group discussing warning label requirements met on April 2, 2025.

E. Assessment of Current EN 71–1 Expanding Materials Requirements

The test method for expanding materials described in section 8.14 of EN 71–1 requires that an expanding material, such as a water bead toy, that fits entirely in a small parts cylinder first be measured, using calipers,²⁶ to determine its original size in each dimension. Next, the expanding material must be submerged in demineralized water for up to 72 hours to reach its largest expansion size. After expansion, the water bead toy must be measured again to determine if it has expanded more than 50 percent of its original size in any dimension. If the water bead toy has expanded more than 50 percent, then it fails the expanding material requirements.

The Commission determines that the current EN 71–1 expanding material requirement is inadequate as a stand-alone requirement. For example, staff assessed that a maximum size requirement is necessary because the EN 71–1 standard would permit a water bead toy having a dehydrated diameter of 9.0 mm to expand to 13.5 mm diameter. While this expansion would not be more than 50 percent of the water bead's original size and compliant with the EN 71–1 expanding material requirements, the expanded water bead would likely cause a gastrointestinal blockage if a child ingested it. Indeed, as described in section III of the preamble of the NPR (89 FR 73028), a water bead with 13.0 mm diameter is known to have caused a gastrointestinal block in a 13-month-old female. If the

to have been unaware that there were water beads inside.

²⁶ An instrument used to measure certain dimensions of an object.

²³ Laughery, Sr., K.R., & Smith, D.P. (2006). Explicit Information in Warnings. In M.S. Wogalter (Ed.), *Handbook of Warnings* (pp. 419–428). Mahwah, NJ: Lawrence Erlbaum Associates.

²⁴ IDI 170802CCCC3140.

²⁵ Such as incident 20230601–3657B–2147347238 found on [saferproducts.gov](https://www.saferproducts.gov). A 2-year-old child bit into a stress ball and swallowed the contents requiring medical treatment. The consumer claims

only requirement on water beads is that they do not expand to more than 50 percent of the original size, the ingestion hazard would still be present.

V. Response to Public Comments

CPSC received 135 public comments during the NPR comment period. The comments are available on www.regulations.gov, by searching under docket number CPSC–2024–0027. This section describes the significant issues raised in the comments and CPSC’s responses to them. Commenters include two gel blaster manufacturers, That Water Bead Lady, the Toy Association, Alan Kaufman, China World Trade Organization/Trade Barriers to Trade, two third party laboratories, consumer advocacy groups, pediatric gastroenterologists and surgeons, daycare workers, parents, and a class of law students.

A. General

1. Scope

Comment: Gel Blaster Inc., SplatRball, and Michael Ravnitzky suggest water bead guns marketed towards adults and used in activities like paintball or airsoft should not be considered children’s toys. Instead, they belong in the sporting goods and recreational equipment category. Two of these commenters, Gel Blaster Inc. and SplatRball, argue that water bead guns are not consistent with the types of projectile toys identified in CPSC’s 2020 Age Determination Guidelines as being intended for children 9 through 12 years old. Connor Mitchell expressed concern about limiting the rule to toys, because he believes water bead guns are intended for ages 14 and older, and therefore would fall outside the scope of the rule. Albert Tacornal states that more advanced water bead guns should not be subject to the rule and asserts that most water bead guns are marketed to children under age 14 based on their quirky designs and colorful patterns. American Academy of Pediatrics (AAP) suggest all water bead guns marketed to children should be in scope of the rule.

Response: Water bead guns that are designed, manufactured, and marketed to adults (*i.e.*, marketed for ages 14+ years old) for use in activities similar to paintball or air soft are outside the scope of this rule because they are not toys as defined by ASTM F963. However, some water bead guns are designed, manufactured, or marketed for children younger than age 14, as indicated by commenters, and these products are within the scope of the rule and subject to its requirements. Although some commenters note that

water beads differ from other types of air-propelled projectiles intended for children 9 through 12 years old, they also acknowledge that water beads are not “penetrating” projectiles of the type identified by the CPSC 2020 Age Determination Guidelines as being inappropriate for this age group. As noted earlier, some water bead guns are designed, manufactured, or marketed for children who are young enough for these products to be within the scope of the rule. In addition, if water beads used as projectiles were not appropriate for children up to age 12, there could still be some water bead guns (*e.g.*, those designed, manufactured, or marketed for children as young as age 13) that fall within the scope of the rule.

Comment: Consumer Reports asserts that manufacturers and retailers of water beads that were previously marketed as toys or for use by children may attempt to evade the proposed rule by re-marketing their products for other uses such as decorative or agricultural purposes. If these repurposed and remarketed water bead products continue to include images of children and other fun descriptive language, it could be mistaken by a caregiver as a product suitable for use by children.

Response: CPSC assesses product packaging and marketing materials to determine whether certain water bead products are marketed for ages 14+ years old, and therefore, would not be within the scope of this rule. If CPSC finds water bead products that include images of children and other fun descriptive language, CPSC may determine those water bead products are toys within scope of the rule.

Comment: Jacob Lowe states that a ban on all toys that use acrylamide and are likely to be orally inserted would be reasonable.

Response: This comment is outside of the scope of the rulemaking. However, if the Commission finds evidence of hazards presented by acrylamide in toys other than water bead toys in the future, then regulatory activity may be considered.

2. Definitions

Comment: Brianna Zimmerman, Jared Shelton, and Christian Beasley suggest modifications to the definition of water bead, such as replacing the term “water” within the definition, with the term “liquid” or “water-based liquid” because while water is an appropriate term, it may be too narrow. Similarly, AAP and Consumer Federation of America (CFA) suggest modifications to the definition of water bead, such as not limiting the definition to only “water”

but instead including “water and other fluids” that can be absorbed.

Response: Based on these comments, the language in the definition of water bead in section 1250.4(b) in the final rule has been amended from “water absorbent polymer” to “liquid absorbent polymer.” This change to the broader term “liquid” is intended to include within the definition water bead, water beads that can potentially absorb liquids other than water that could potentially present the same risk of injury. Thus, the amended definition of water bead in section 1250.4(b) of the final rule reads “a various shaped liquid absorbent polymer, composed of materials such as, but not limited to, polyacrylamide and polyacrylate, which expands when soaked in liquid.”

Comment: Emily Threatt contends the scope of the regulation should explicitly cover toys that are not commonly called “water beads,” because water beads are not the only water absorbent polymer toys that are hazardous. Other water absorbent polymer toys pose a hazard as well, specifically, those in a non-uniform shape.

Response: The commenter’s assertion that the definition of “water bead” in the rule does not cover other products that are not commonly called water beads and other water absorbent polymer toys, such as those in non-uniform shape, is incorrect. As defined in the rule, a water bead is a “various shaped liquid absorbent polymer.” Therefore, the definition does include the examples noted by the commenter, including those with a non-uniform shape.

Comment: Michael Ravnitzky states the definition of water beads could be expanded to include specific examples of polymers and their chemical compositions. This would help in clearly identifying what constitutes a water bead and avoid ambiguity.

Response: The definition of water bead in the rule states that they are an “absorbent polymer, such as, but not limited to, polyacrylamide and polyacrylate. . . .” Therefore, it is unnecessary to include specific examples of other polymers or their chemical compositions because the phrases “such as” and “not limited to” in the definition indicate that various types of polymers and their chemical compositions fall within the definition of water bead and thus are not limited to just polyacrylamide and polyacrylate. Additionally, any such list of specific examples of polymers and their chemical compositions would necessarily be incomplete and only cover certain examples.

Comment: Gel Blaster Inc. suggests the water bead definition should specify polymers to only include polyacrylamides or polyacrylates and to avoid bundling in natural polymers like starch and cellulose. The commenter asserts that there is no evidence that there are currently water beads on the market that are not polyacrylamides or polyacrylates that have been involved in ingestion issues.

Response: While there is currently no incident data involving water beads that are not made of polyacrylamides or polyacrylates, natural polymers such as starch and cellulose expand just like polyacrylamides and polyacrylates, thus presenting the same hazards from expansion as other types of polymers. The use of the term “polymer” in the definition of water bead is inclusive of natural polymers such as starch and cellulose and the language is clear, as it is not intended to include only polyacrylamides or polyacrylates, as noted by the use of “such as” after “polymer.” Therefore, the Commission declines to explicitly exclude natural polymers such as starch and cellulose from the definition of water bead in the rule.

Comment: Christian Beasley asserts that the term “soaked” is too constrictive for the proposed definition and the amount of fluid necessary for a water bead to expand. Even though “soaked” accurately represents that the water bead expands if it is immersed in water or other water-based fluid, it is too narrow as it implies that the water bead must be immersed in something to expand. The commenter states that the more appropriate term would be “exposed” because, by definition, “exposed” means “open to view, not shielded or protected.” Therefore, the proposed definition should be altered to define a water bead as “various shaped water absorbent polymers, composed of materials such as, but not limited to, polyacrylamides and polyacrylates, which expand when exposed to water or water-based fluid.”

Response: The term “exposed” is an inaccurate word because a water bead will not noticeably expand if only a drop of water is placed on the water bead (e.g., the water bead is exposed to a drop of water). The water bead must be soaked in water for a lengthy period to expand, and thus potentially present a hazard. Therefore, the Commission declines to make the commenters recommended change to replace “soaked in water” with “exposed to water” in the definition of water bead.

Comment: The Toy Association contends the proposed definition of water bead is missing the parameter for

expansion that is used for the defined term ‘expanding materials’ in ASTM F963.²⁷ Without reference to the term ‘expanding materials,’ the commenter asserts that the proposed definition conflicts with established and commonly applied definitions for all expanding materials (in addition to the NPR proposal requiring that the water bead does not expand in a manner consistent with expanding materials, which is more than 50 percent its original size).

Response: It is unnecessary for the definition of water bead in the rule to reference the definition of “expanding materials” from ASTM F963–23. By removing the 50 percent expansion limit from the final rule, for the reasons described below in the mechanical requirements section, water beads can still be classified as an expanding material because they will grow more than 50 percent of their original size. Finally, the definition and requirements for water beads in this rule will be a subsection to the currently existing general “expanding materials” requirements in section 4.40 of ASTM F963–23.

3. Color of Water Beads

Comment: Elenor Grundberg, Brianna Zimmerman, AAP, Mollie Price, CFA, and the Toy Association do not believe the color of water beads should factor into whether water beads are toys. By contrast, Bindi Naik-Mathuria, Christian Beasley, U.S. Public Interest Research Group (PIRG), and That Water Bead Lady contend the color of water beads should be restricted to neutral or clear colors, so they don’t look like candy or other edible items.

Response: This rule does not regulate the color of water beads. Colorful water beads and non-colorful (i.e., clear) water beads both present the same hazard and thus both are within the scope of the rule. While colorful water beads may be more appealing to children, as noted by commenters, non-colorful water beads may be harder to locate if lost or dropped and later found by a young child and ingested. Non-colorful water beads are also just as likely as colorful water beads to pose a hazard. Therefore, both colorful and non-colorful water beads are subject to the rule.

4. Adhesion

Comment: North American Society for Pediatric Gastroenterology, Hepatology and Nutrition (NASPGHAN) states they are not familiar with water bead

products sticking together. However, they suggest there is a likelihood that water beads could aggregate with each other or with other substances and cause an obstruction. The commenter cited a study by Pasman et al.²⁸ that found 12 cases of care escalation reported when multiple water beads were ingested. That Water Bead Lady indicates that in a case in Pakistan, a child died after ingesting water beads, which upon examination, had turned into a mushy, fragmented mass inside the gastrointestinal tract. That Water Bead Lady also provides a case study by Kim et al., 2020,²⁹ which described water beads that became impacted with food in the small bowel. Brad Bergeron, Sarah Desousa, Anonymous, Marianne L’Abbate, Jane Miller, CFA, and American Academy of Pediatric Surgeons (AAPS) assert that water beads can stick together and that multiple medical professionals have shared anecdotal evidence indicating that is the case.

Response: None of the commenters provide convincing evidence that water beads stick together within the human digestive tract. Staff agrees that, as indicated in the study by Pasman et al. and the case from Pakistan, provided by the commenters, that water beads can be found aggregated together with food and other substances in any area of the intestine where an expanded water bead cannot pass naturally, causing an obstruction. However, CPSC is unaware of any incidents of water beads sticking to each other or clumping together to cause an intestinal obstruction.

Based on further CPSC testing, CPSC has found that water beads can clump together when soaked in whole milk or baby formula, depending on the mixture type. Water beads will partially grow by absorbing the water available within the milk or baby formula, leaving a sticky milky substance consisting of the leftover fats and proteins, which cause instances of clumping. However, once the clumps are immersed in water, the water beads will fully expand and separate. Any clumped mass of milk and water beads ingested or that may form in the stomach will separate in the aqueous environment of the small intestine. Therefore, water beads clumping together in milk or baby formula that have been ingested should

²⁷ ASTM F963 section 3.1.28: expanded material means “any material used in a toy which expands greater than 50% in any dimension from its as-received state.”

²⁸ Pasman EA, Khan MA, Kolasinski NT, Reeves PT. Water bead injuries by children presenting to emergency departments 2013–2023: An expanding issue. *J Pediatr Gastroenterol Nutr*. 2024 Sep;79(3):752–757. doi: 10.1002/jpn3.12333. Epub 2024 Jul 24. PMID: 39045753.

²⁹ <https://pmc.ncbi.nlm.nih.gov/articles/PMC7808832>.

not present an obstruction hazard due to clumping or sticking together.

Comment: Brianna Zimmerman, AAPs, and AAP note that while it appears that traditional expanding water beads do not have a strong tendency to stick together, there are similar products that are designed to stick together such as Aquabeads. The product Aquabeads “is a bead toy that magically sticks together with water” according to their website.

Response: Aquabeads are not within scope of this rule because they are not a liquid absorbent polymer and do not expand when soaked in liquid, but rather they are composed of a rigid material that allows them to stick together when exposed to water. In fact, they dissolve when soaked in water for several hours. Thus, Aquabeads do not present the expanding material hazard that water beads do.

5. IDI Issues

Comment: The Toy Association asserts the example presented for water bead aspiration incidents does not support the position taken in the NPR. For the IDI 201130CCC3196, the aspiration occurred after the child vomited water beads that were in the stomach. This hazard potential is not specific to water beads, and relates to any object, including food and other matter, since aspiration from vomiting is a known hazard in any situation.

Response: Staff disagrees with the commenter’s assertion that the aspiration incident does not support the position taken in the NPR. In the IDI referenced by the commenter, there is no evidence that supports the assertion that the child aspirated ingested water beads only after vomiting. Instead, according to the IDI, the victim aspirated water beads in addition to ingesting water beads. In any case, vomiting is a common symptom after water bead ingestion and aspiration of water beads into the airways by any means will result in a water bead in a victim’s airway that may continue to expand. This expansion can lead to injury or death.

Comment: The Toy Association asserts that the IDI 180104CBB1236 listed in the NPR as an example for the hazard pattern for choking relates to a nasal obstruction instead of a choking hazard. Additionally, the commenter asserts that the NPR outlines the hazard associated with large, expanded water beads without addressing whether these water beads would conform to the existing ASTM F963 requirement.

Response: As stated in the preamble of the NPR (89 FR 73031), staff are aware of one choking incident. In that

incident, the size of the water bead is not known. However, a 20.0 mm diameter expanded water bead that meets the current ASTM F963 expanding material requirement, which allows for passage through a 20.0 mm diameter gauge, is still large enough to pose a choking hazard. The 5.0 mm gauge size diameter and expansion limits in the rule address a potential choking hazard. IDI 180104CBB1236 does not describe a choking incident, but it was provided as an example to demonstrate how caregivers commonly place water beads in water within reach of children for prolonged periods of time so the water beads can fully expand in advance of a child’s playtime. The expanded water beads may then pose a choking hazard because they are accessible to children.

Comment: The Toy Association states IDI 230613CBB1591 presents a circumstance relating to an intestinal obstruction resulting after water beads were released from a ball, like a stress ball received from a party goodie bag, and which was described by CPSC as being expected to be used as a toy. Without information to confirm whether the product was designed, intended, marketed, and sold as a toy, the commenter asserts that it is not reliable to assume that the product was actually a toy.

Response: The commenter suggests that the product involved in IDI 230613CBB1591 may not have been a toy. While the evidence included in the IDI does not provide information to allow definitive identification regarding whether the product is a toy, it does describe the product as a clear ball containing water beads and pink and blue glitter that was provided in a goodie bag from a birthday party, and therefore, likely a toy. Based on the description of the product in the incident, the description indicates that it was likely a toy stress ball containing water beads that released water beads presenting an ingestion and insertion hazards to children. CPSC is aware of at least six other incidents involving toy squeeze balls releasing water beads. However, if CPSC determines that a product is properly designed, manufactured or marketed for ages 14+ years old, then the product is outside the scope of this rule.

Comment: The Toy Association notes the basis for the proposed maximum water bead size requirement in the NPR is based on IDI 230707CBB1698. Firstly, the commenter notes this incident did not result in an intestinal obstruction; although an enema was prophylactically applied since the child intentionally ingested a large number of water beads,

it is not clear whether the enema was required to pass the water beads. Secondly, the commenter states that in the absence of any scientific basis for determination, staff are applying the smallest recorded size of water bead in a set where all water beads, up to 15 mm diameter, passed through the child’s intestinal tract without obstruction. Thirdly, the commenter asserts that since the 9.0 mm diameter is based on the smallest water bead in this set, the value observed could have been any value which can and will depend on the variation in the product assessed versus any other set obtained (i.e., the set could have had water beads down to 10 mm or 11 mm diameter).

Response: The incident referred to by the commenter is IDI 230707CBB1698, which describes a 3-year-old female who ingested approximately 1,200 small water beads (approximately 1 tablespoon before expansion). The child successfully passed all the water beads through her digestive system with the aid of a mineral oil enema. The sizes of those specific expanded water beads were not provided in the IDI. However, samples of the same product purchased and collected by CPSC showed full expansion of water beads after being soaked in deionized water, with expansion ranging between 9.32 mm and 15.20 mm in diameter.

To achieve the highest level of safety feasible, the NPR originally proposed requiring the use of a 9.0 mm diameter test gauge based on the size of the smallest water bead that was known to pass through the body without causing an intestinal obstruction. However, based on further information provided by commenters, as explained below in section B, Mechanical Requirements, the final rule uses a 5.0 mm diameter test gauge.

B. Mechanical Requirements

1. Size Requirement for Water Beads Should be Smaller

Comment: That Water Bead Lady asserts that a 9.0 mm diameter size limit for water beads is too large to ensure safety. Due to the swelling properties of water beads, the risk of impingement within the nasal cavity or ear canal will not be mitigated at this size. Reviewing Sterling et al.’s paper, “Destructive Otologic Foreign Body: Dangers of the Expanding Bead,”³⁰ the commenter indicated that the external auditory canal (EAC) of their patient measured only 5.9 mm in diameter. A water bead as small as 4.5 mm diameter could still enter this space and expand.

³⁰ <https://jamanetwork.com/journals/jamaotolaryngology/fullarticle/2541395>.

Additionally, CFA provided a study which included data showing the average diameter of a child's airway varies but it is smaller than the airway of an adult.³¹ This study shows the average diameter of the cricoid cartilage of a 0–1 year old is 6 mm, a 1–2 year old is 7.5 mm, a 2–4 year old is 8.0 mm, and a 4–5 year old is 9.0 mm.

AAPS states the 9.0 mm diameter limit is too big to prevent hazards regarding aspiration. Jared Shelton, Petia Paneff, and Elizabeth Berdan suggest that since the rule is based on limited data, the 9.0 mm diameter performance requirement may not be adequate, and further investigation would be beneficial.

Marianne L'Abbate, Brad Bergeron, Sarah Desousa, Anonymous, Connor Mitchell, AAPS, AAP, and Jame Miller contend that even at 9.0 mm diameter, water beads could obstruct the intestines of small children, especially if they have had previous intestinal surgery and have narrow intestines (stricture) or a medical condition that causes thickened intestines.

Christopher Cochran suggests a size limit of 7.0 mm, instead of 9.0 mm diameter, may better protect safety hazards for infants. AAPS and AAP recommend limiting the size to 2.0 mm or 3.0 mm diameter.

Response: That Water Bead Lady provides incident information involving a young girl having a water bead inserted past her EAC, which measured 5.9 mm in diameter. After the water bead expanded to 9.8 mm diameter, profound sensorineural hearing loss was present on audiogram, and labyrinthitis ossificans of the cochlea and semicircular canals were observed on imaging after surgery. CFA provided an additional study from the Iowa Carver College of Medicine regarding pediatric airways that indicated the average diameter of the cricoid cartilage of a 0–1 year old is 6.0 mm.

While the Sterling et al. paper indicates a young girl having an EAC measuring 5.9 mm diameter, the age of the girl is unclear. Additionally, when revising the gauge size diameter, a safety factor should be included as a buffer to account for additional uncertainties. Based on this information, the gauge size diameter in the final rule is being reduced from 9.0 mm to 5.0 mm diameter to account for the possible variation in EAC sizes due to age and to include a safety factor. Therefore, as a

result of the smaller final expansion size limit, the 50 percent expansion limit is no longer necessary and is being removed from the final rule, as explained below in section 2, 50 Percent Expansion Limit.

Regarding potential children having narrow intestines and a higher risk of blockage, the revised gauge size of 5.0 mm diameter should account for more narrow intestines.

While other commenters also provide suggestions on what the gauge size should be, such as 7.0 mm, 3.0 mm or 2.0 mm diameter, those commenters do not provide relevant data or information to support using those specific gauge size diameters to revise the limit in the final rule.

2. 50 Percent Expansion Limit

Comment: Erin Brennan, the Toy Association, and Gel Blaster Inc. assert the new performance requirements for these products essentially regulate water beads out of existence. A 50 percent expansion limit corresponds to an absorption rate of about 3x, while sodium polyacrylate, the super absorbent polymer used in hydrogel projectiles, has a minimum absorption rate of 10x. Thus, they argue that a 50 percent growth limit would essentially be a ban on water beads as toys. The commenters suggest, based on the proposed 50 percent expansion limit, that a water bead with a 1.0 mm diameter that expands to more than 1.5 mm diameter would fail the proposed rule, but doesn't appear to be a hazardous size. Additionally, Alan Kaufman states the independent 50 percent expansion limit proposed by the agency has no valid supporting rationale. Also, he expressed concern CPSC may have inadvertently increased the likelihood of choking and ear and nose insertions and increased the likelihood of these water beads being lost and later ingested.

Response: Based on comments, as described above, the Commission is removing the 50 percent expansion limit from the final rule and reducing the gauge size to 5.0 mm diameter to reduce the severity of injuries resulting from ear and nose insertions. The Commission agrees with the Toy Association's assertion that a 1.0 mm diameter water bead that can expand to 1.5 mm diameter is unlikely to be hazardous but would still fail to comply with the proposed 50 percent expansion limit. Staff concludes reducing the gauge size diameter from 9.0 mm to 5.0 mm in the final rule will improve the safety of water beads and improve medical and health outcomes verses combining the proposed 50 percent

expansion limit with a larger size limit of 9.0 mm diameter. Staff notes removing the 50 percent expansion limit means that super absorbent polymers such as sodium polyacrylate could still be used in water bead toys, as long as the other requirements of this rule are met.

Comment: The Toy Association states the NPR has made a preliminary determination that the current 50 percent expansion limit in EN71–1 (European Toy Safety Standard) is inadequate as a stand-alone requirement for expanding water beads, apparently on the basis that a theoretical water bead that expands less than 50 percent would present an obstruction hazard since it could expand from 9.0 mm to 13.5 mm diameter, and then likely cause a gastrointestinal blockage if a child ingested it, while apparently not considering that the same would be true of any other non-expanding material that has a diameter of 13 mm or greater.

Response: Staff consider the current 50 percent expansion limit in EN71–1 to be inadequate as a stand-alone requirement because a dehydrated water bead of 9.0 mm diameter could expand to 13.5 mm diameter and still comply with the 50 percent expansion limit despite potentially causing an intestinal blockage.

The commenter suggests that non-expanding material with a diameter of 13.0 mm could cause an intestinal blockage. As stated in the preamble of the NPR (89 FR 73028), objects of this size, such as marbles, do not grow after being swallowed. Unlike water beads, marbles and other smooth, solid objects can frequently be located and identified by x-ray due to their density. Once located, marbles can be removed endoscopically if detected early enough, especially if they appear to be too large to pass through the stomach or the remainder of the digestive tract. By contrast, water beads can remain small within the stomach and proximal small intestine, eventually growing larger as they move into the distal small intestine and causing a small bowel obstruction that frequently requires surgery to resolve.

3. Consequence of Reducing Allowable Expanded Size for Water Beads

Comment: Patricia Rowell and Craig Farrow contend that downsizing the size of water beads only makes them more dangerous to children and thus easier to choke on.

Response: The commenters do not provide evidence to support their claim that reducing the expansion size of water beads makes them more dangerous and easier to choke on.

³¹ Iowa Head and Neck Protocols "Pediatric Airway—Cross sectional area." <https://medicine.uiowa.edu/iowaprotocols/pediatric-airway-cross-sectional-area#:~:text=The%20average%20diameter%20of%20the,3%20mm%20to%202%20mm.>

However, the physical characteristics of objects that pose a choking hazard include large size, round shape, and smooth texture. For example, an expanded water bead with a diameter of 5.0 mm or less is less likely to present a choking risk to children than a bead with a larger diameter, solely due to the smaller diameter of the water bead.

Comment: Jake Peterson states that reducing the allowable expansion size creates a situation where the lack of enlargement might prevent any detection. So, if a child were to place a water bead in their ear/nose, and it does not enlarge, then it is possible for the water bead to go fully undetected for a long time. The commenter asks: how long could a water bead stay in an ear canal or nasal cavity without enlarging; if the water bead never enlarges, how long would it stay there before other symptoms develop; and are those symptoms potentially worse than if the water bead did enlarge and was detected relatively quicker.

Response: If a water bead doesn't expand after being inserted into the ear or nose, it could stay undetected for an undetermined amount of time (hours, days, weeks, months). However, if a water bead does not expand within the ear or nose, the physical injuries or health outcomes from an unexpanded water bead would be more like the injuries and health outcomes from insertion of a standard bean, or round toy part, or other bead-like object that a child might insert into their ear or nose. No expansion, or limited expansion, reduces the injury to the ear or nose that CPSC has seen from water beads in incident data where the expanded water bead leads to a more severe injury due to the expansion damaging the tissues of the nose and ears. Larger expanded beads lead to increased nasal and ear injury.

4. Size Requirement for Water Beads Should be Larger

Comment: The Toy Association asserts the NPR misrepresents the basis for the ASTM proposed 12.0 mm diameter gauge by stating the 12.0 mm proposed diameter was based on consideration of one incident. They note that this value is 1.0 mm smaller than the smallest confirmed size (13.0 mm diameter) of a water bead that resulted in an intestinal obstruction based on the incident data provided by CPSC. The basis for the proposed size was also extensively discussed in the ASTM F963 water bead work group meetings. Gel Blaster Inc. and SplatRball support the ASTM F963 water bead work group's proposal of a 12.0 mm diameter restriction for water beads. They

support CPSC postponing the development of this final rule to allow the ASTM group to continue refining revisions that can enhance water bead safety.

Response: Regarding the ASTM proposed 12.0 mm diameter threshold, as stated in the preamble of the NPR (89 FR 73038), staff are aware of an incident in which a 13.0 mm diameter expanded water bead caused an intestinal obstruction in a 13-month-old female. However, this incident only confirms that a 13.0 mm diameter water bead can cause an intestinal obstruction. This incident did not involve slightly smaller water beads, so it does not demonstrate that a slightly smaller water bead, such as 12.0 mm diameter, could safely pass through the intestinal tract of the 13-month-old female. Additionally, neither the incident information nor ASTM's proposed 12.0 mm diameter threshold account for children younger than 13-months-old, who may have smaller intestines than older children.

Instead, the NPR cited IDI 230707CBB1698 to establish an appropriate size to mitigate the hazards associated with water beads. This incident describes a 3-year-old female who successfully passed approximately 1,200 water beads. After purchasing and testing a sample of these water beads, CPSC noted the expanded size ranged from 9.32 mm and 15.20 mm diameter. Therefore, to ensure the highest level of safety feasible, the proposed rule limited the gauge size diameter to 9.0 mm, which was based on the size of the smallest water bead that was known to pass without causing an intestinal obstruction. However, as discussed above, based on the response to comments, the gauge size diameter has been reduced from 9.0 mm to 5.0 mm in the final rule.

Gel Blaster Inc. and SplatRball also request that CPSC postpone the development of this final rule to allow the ASTM group to continue refining revisions that can enhance water bead safety. However, to date, no voluntary standard has been published by ASTM that addresses the hazards presented by water bead toys. Therefore, the Commission is issuing this final rule to address the hazards presented by water bead toys.

5. Further Research Needed on Size Requirement

Comment: Kirksey Croft notes it is crucial to recognize that the 9.0 mm gauge diameter differs significantly from established diameters for testing choking hazards in other children's products. For example, the ASTM F963 Toy Safety Standard uses a small parts

cylinder with a 31.7 mm diameter opening. Internationally, the European Toy Safety Standard EN 71-1 covers expanding materials like water beads and specifies a testing diameter of 31.7 mm. Even the current standard for expanding materials such as water beads, section 4.40 *Expanding Materials* of ASTM F963-23, prescribes a larger 20.0 mm diameter gauge with applied force, which is already significantly smaller than the referenced 31.7 mm diameter.

Response: The commenter correctly cites the ASTM F963 Toy Safety Standard, which uses a small parts cylinder with a 31.7 mm diameter opening. However, this small parts cylinder is used as a gauge to simulate the throat size of a child under 3-years-old and determine what objects or pieces they can potentially choke on. Whereas the 9.0 mm gauge diameter, proposed in the NPR, is based on incident data showing gastrointestinal blockages caused by water bead toys.

The commenter correctly cites the European Toy Safety Standard EN 71-1 as regulating expanding materials such as water beads, but incorrectly claims the standard specifies a testing diameter of 31.7 mm. Instead, EN 71-1 specifies that expanding materials, such as water beads, that when dehydrated fit in the small part cylinder, shall not expand more than 50 percent of its original size, in any dimension.

The commenter also points out "even the current standard for expanding materials such as water beads, section 4.40 *Expanding Materials* of ASTM F963-23, prescribes a larger 20.0 mm diameter gauge with applied force, which is already significantly smaller than the referenced 31.7 mm diameter." However, this 20.0 mm diameter gauge was developed based on the size of the pyloric sphincter, which leads from the stomach to the small intestine, within the gastrointestinal tract of an 18-month-old child. At the time the expanding materials requirement was created, the pyloric sphincter was thought by the drafters to be the most likely site where gastrointestinal blockages would occur. However, as explained in the preamble of the NPR (89 FR 73034), incident data show water beads successfully passing through the pyloric sphincter before expanding and creating blockages at the ileocecal valve, which leads from the small intestine to the large intestine. Therefore, the 9.0 mm diameter gauge proposed in the NPR was justified based on this incident data, to prevent blockages at the ileocecal valve, which is a more appropriate anatomical structure on

which to base the diameter of the test gauge than the pyloric sphincter.

Lastly, as explained above, additional incident information and studies from commenters have convinced CPSC to modify the gauge size diameter from 9.0 mm to 5.0 mm for the final rule.

6. Mechanical Test Should Mirror Intestines

Comment: Brianna Zimmerman is doubtful that only exposing water beads to gravitational force during the gauge test is replicative of the forces of a child's digestive tract. Typical esophageal peristalsis pressure is variable and dependent on multiple factors. To truly be representative of an ingestion scenario, the gauge test should account for the wide range of pressures that water beads will experience in the gastrointestinal tract.

Response: Although placing the expanded water bead in a gauge and only relying upon the force of gravity to verify if the water bead passes through is not representative of what happens to water beads within the digestive tract, it is the most stringent test and therefore achieves the highest level of safety feasible. Applying other forces to the water bead as described in the comment could assist a water bead in passing through the gauge or by breaking the bead into smaller fragments that pass through the gauge, and if such forces were included in the test, it would not achieve the highest level of safety feasible.

Comment: Savannah Mesel notes the proposed gauge test for water beads to be expanded in deionized water prior to the water beads being tested, but the commenter contends deionized water is vastly different from the harsh environment of the stomach and intestines. Additionally, Brianna Zimmerman states that distilled water is used for testing, which is vastly different from the harsh environment of the stomach and intestines.

Response: Deionized water is being used for the gauge test to be consistent with the test methods specified in section 4.40 *Expanding Materials* of ASTM F963–23. As noted in the preamble of the NPR (89 FR 73037), the largest expansion occurs in deionized water. Distilled water is not used in testing. Additionally, the stomach is a more acidic environment, in which water beads will not expand to their full potential. In contrast, the small intestine is a more neutral environment (similar to water) in which water beads will expand to their full potential. Water beads spend more time in the small intestine than in the stomach, and so

grow in a more neutral environment, compared to the stomach.

7. Caliper Measurements

Comment: Brianna Zimmerman asserts the proposed rule does not state with specificity how the standardized caliper measurements are to be taken to determine the size increase between the dehydrated and hydrated form. The commenter asserts that instructions in the proposed rule are not sufficiently specific to ensure all operators are measuring water beads using the same method.

Response: The issue raised by the commenter concerning caliper measurements in the proposed rule is now moot because of the removal of the 50 percent expansion limit from the final rule and the test method will no longer include a step requiring the use of calipers to measure and calculate expansion amount. Instead, the expanded water bead will be tested using the 5.0 mm diameter gauge after full expansion has been achieved.

8. Accessibility Test Questions

Comment: Intertek Shenzhen asks what the rule means by “water beads removed from a toy.” Does it mean to apply the 16 CFR 1500.50–53 use and abuse tests of toys which tests for accessibility.

Response: Use and abuse testing under 16 CFR 1500.50–53, which is used to determine accessibility, is also required by ASTM F963–23, and includes various impact, tension and torque tests to determine accessibility of toy components. However, this use and abuse testing does not apply to this rule. This rule applies to all water bead toys and other toys that contain water beads, regardless of accessibility of the water beads. The rule is more stringent than mandating use and abuse testing for accessibility because the rule requires any water beads contained within a toy to be removed from the toy to test and measure expansion per the requirements in the rule.

Comment: The Toy Association asserts the NPR would require that all water beads, even those contained within a toy, to meet the performance requirements, but existing CPSC standards for products that pose similar hazards rely on ensuring inaccessibility as a primary safeguard. The commenter asserts that CPSC has not provided any reason why maintaining inaccessibility cannot be an effective requirement here. Similar to water beads, high-powered magnets and button cell batteries pose specific hazards if ingested. In both of those cases, if they are contained within a toy, standards apply to test for

accessibility. The NPR contends that water beads contained within toys may become accessible by a child biting into the product and liberating the water beads. The commenter states that there is no explanation as to why this risk is any different from that posed by a high-powered magnet or a button cell battery.

Response: The commenter suggests that there should be an accessibility test performed before subjecting water beads contained within a toy to the proposed requirements. However, CPSC is aware of multiple incident reports stating that toy squeeze and stress balls have had their internal water beads pop out over time and other incident reports of children biting into the toy ball and ingesting water beads. These incidents could potentially be addressed through test procedures to represent long-term cyclic squeezing and tests to represent biting of these toy squeeze and stress balls. However, ASTM F963–23 currently has only impact, tension and torque test procedures for toys to determine accessibility, but it does not currently have test procedures to adequately address the long-term cyclic squeezing and occasional biting of toy squeeze and stress balls. Rather than creating additional use and abuse testing requirements, the rule applies a uniform test for water beads that ensures that water beads in a toy are not hazardous. Therefore, the rule requires that water beads contained within a toy, such as a squeeze or stress ball, be subject to the rule to achieve the highest level of safety feasible.

C. Acrylamide Requirements

1. Acrylamide Limit Should be Higher or Removed

Comment: Alan Kaufman and the Toy Association assert that CPSC has mistakenly adopted the Agency for Toxic Substances and Disease Registry's (ATSDR) acute-duration exposure limit of 0.01 mg/kg-day, which calculates to 65 µg based on the body weight of a small 6-to 8-month-old female. Alan Kaufman and the Toy Association state there are numerous issues with the ATSDR exposure limit, as noted below:

1. The commenters both state that it appears that ATSDR relied almost entirely on data from one study to derive the minimal risk level (MRL), Sublet, et al. (1989). These data were derived from feeding male rats acrylamide in distilled water for five days at varying doses in two separate experimental runs. These males were then allowed to mate with untreated females, which were sacrificed at 15 days post-mating and the fetuses examined for developmental and implantation anomalies, a toxic endpoint that has limited applicability to children. These raw data were fed into a Physiologically

Based Pharmacokinetic (PBPK) model developed by Sweeney, et al. (2010) to estimate blood levels. This derivation utilized uncertainty factors of three for extrapolation from animals to humans with dosimetric adjustment and 10 for human variability, which collectively have the effect of arbitrarily reducing the MRL by a factor of 30.

2. The commenters both state CPSC is mistakenly using ATSDR's derived acute-duration exposure limit of 0.01 mg/kg-day; ATSDR defines acute-duration oral exposure as daily or continuous dosing for up to 14 days. However, several studies have dosed humans at up to 3 mg/kg as a single oral dose with no ill effects. The commenters state that one single oral exposure is what needs to be addressed for risk of ingestion by a child. A level approximating 3 mg/day, or more, is a more appropriate limit (reference: Fennell and Friedman, 2005).

3. The commenters both state that ATSDR's exposure limit is based on rodent studies, and that acrylamide metabolism differs significantly between rodents and humans. Rodents metabolize acrylamide largely via the CYP 2E1 oxidation pathway to glycidamide, and humans metabolize acrylamide via conjugation with glutathione to a much greater extent.

4. The commenters both explain that acrylamide is also known to occur in many foods at levels that can create higher exposures than the proposed acrylamide limit in water beads. Both commenters provided several examples of acrylamide in food, with potato chips having up to 8440 ppb acrylamide per U.S. FDA or up to 9670 ppm per ATSDR. Alan Kaufman also noted that vegetarians and vegans have much higher blood levels of metabolites due to their plant-based diets.

5. In addition, both commenters assert that there is evidence that a significant amount of acrylamide is produced by the body itself. The German Federal Institute for Risk Assessment (BfR) has studied this issue and found that up to 48 percent (blood) and 25 percent (urine) of C13-labeled acrylamide metabolites are generated by the body itself (reference: Monien, et al., 2024).

The commenters contend that the above points indicate that CPSC's proposed acrylamide limit is several orders of magnitude too low. The commenters also assert it is clear that ingestion and endogenous production of significant amounts acrylamide is a daily event for most humans, and the human body has evolved mechanisms to rapidly metabolize and excrete acrylamide without apparent adverse health effects.

Response: The responses below are presented in the same order as the issues raised in the comment above.

1. The commenters' description of the derivation of the ATSDR acute exposure MRL of acrylamide appears to be accurate. Their concern about the reproductive toxicity endpoint not being relevant to children is noted. However,

the "no observed adverse effect level" (NOAEL) in the Sublet et al. (1989) study was 5 mg/kg-day. Other acute or short-term studies described in the ATSDR Toxicological Profile of Acrylamide included Burek et al. (1980) and Tyl et al. (2000b), and both of these studies reported dose-dependent health effects in acrylamide-treated animals as low as the 15 to 20 mg/kg-day range with NOAELs of 5 mg/kg-day, the same as NOAEL in the Sublet study. The Burek et al. (1980) study reported behavioral and histological signs of neurotoxicity in dose groups above 5 mg/kg-day. The Tyl et al. (2002b) study reported reduced body weight in animals given 15 mg/kg/day acrylamide for 5 consecutive days, which could be related to neurological effects. Staff notes that these studies with neurological effects have the same NOAEL value as the critical Sublet et al. (1989) study. ATSDR applied PBPK and benchmark dose modeling to data from the Sublet et al. (1989) study to derive the acute-duration oral exposure MRL, using more advance techniques than a traditional point of departure and uncertainty factors approach. Staff do not currently have the resources to perform PBPK modeling, and the Burek et al. (1980) and Tyl et al. (2000b) study reports did not provide enough quantitative data for staff to apply benchmark dose methods. Therefore, applying a traditional approach, staff derived an acute oral acceptable daily intake (ADI) for acrylamide by using the 5 mg/kg-day NOAEL from Burek et al. (1980) and Tyl et al. (2000b) and an uncertainty factor of 10x for interspecies variability and 10x for within species variability. The resulting acute oral ADI is 0.050 mg/kg-day or 50 µg/kg-day. This value is five times the MRL used in the originally proposed acrylamide extraction limit, which was 0.01 mg/kg-day. Adjusting for the chosen body weight of 6.5 kg, the revised acrylamide extraction limit for the final rule is 325 µg (50 µg/kg-day × 6.5 kg = 325 µg/day). Staff understand the commenters' concerns that reproductive toxicity as the critical effect in the Sublet et al. (1989) study may be of limited relevance to young children ingesting water beads. The acrylamide limit for the final rule is based on neurotoxicity endpoints for which relevance to children is more apparent.

2. While the commenters suggest that there are several human studies of acute high-dose exposure to acrylamide, they only cited one study. The Fennell and Friedman (2005) paper cited was a toxicokinetics study conducted in adult male subjects and did not measure the

sensitive health effects that could affect children. Although it is CPSC's policy to favor quality human data over animal studies in evaluating dose-response and risk, the available human data for acute acrylamide exposure does not address the exposure and hazard scenario for acrylamide in water beads.

3. The commenters are correct that there are differences in the dominant pathways by which humans and rats metabolize acrylamide. The CYP2E1 pathway converts acrylamide into the active metabolite glycidamide, which is the active component in many of the toxic effects of acrylamide. The enzyme glutathione S-transferase (GST) conjugates acrylamide to detoxify and promote urinary excretion. Rats and humans have both pathways, and GST is the primary pathway in adult humans. However, young children have lower GST activity than adults, and staff do not have enough data to compare the relative GST and CYP2E1 activity levels between toddler-age human children versus adult rats. ATSDR stated, "It is not known whether children are more susceptible than adults to the effects of acrylamide." Given the uncertainty in the limited available data, staff errs on the side of caution and consider the rat studies appropriate for assessing the risk of acute acrylamide exposure to children.

4. Staff are aware of food as a chronic exposure source for acrylamide. CPSC's objective in the rule is to limit the additional acute exposure to acrylamide (above baseline daily exposures from other sources) to children who ingest water beads. The animals used in the toxicity studies were likely exposed to dietary acrylamide in their commercially produced rodent feed, which is typically made of grains that are dehydrated by exposure to heat (conditions that produce acrylamide). Because of this, the animal study already accounts for dietary acrylamide exposure, although staff concedes that the amount of daily dietary acrylamide exposure may be variable in both humans and lab animals. Staff have taken note of Alan Kaufman's statement about plant-based diets leading to greater acrylamide exposure than mixed (omnivorous) diets in one study, but this information of different diet types is not relevant to setting the limit for acrylamide in water beads for this rule.

5. After staff's review of recent literature on endogenous acrylamide (e.g., Goempel, et al., 2017), including the Monien et al. (2024) and BfR (2024) reports cited by the commenter, it appears that the endogenous production of acrylamide metabolites is a proposed hypothesis with no known or confirmed

biochemical process or pathway. The Monien et al. (2024) and BfR (2024) reports described potential confounding exogenous sources of acrylamide in the “raw food” subject meant to represent an acrylamide-free diet. Monien et al. (2024) reported that the estimated amounts of endogenously produced acrylamide corresponded to dietary acrylamide doses of 0.2 to 0.4 µg/kg-day, which is less than 1 percent of the 50 µg/kg-day acute oral ADI used to derive the acrylamide limit in the final rule.

Comment: The Toy Association contends that the NPR is misleading in stating that “ASTM F963 does not specifically mandate testing for hazardous chemicals,” and then stating an acrylamide testing mandate is required. While the Federal Hazardous Substances Act (FHSA) does not mandate acrylamide testing specifically, FHSA does mandate that materials must comply with the requirements of FHSA, as is required in section 4.3.1

Hazardous Substances of ASTM F963–23. As such, the commenter asserts that the statement that an acrylamide test mandate is missing is not a basis for arguing a need for the proposed acrylamide test.

Response: As noted in the preamble of the NPR (89 FR 73034), under section 4.3 of ASTM F963–23, there is a general FHSA toxicity and hazardous substances compliance requirement for all toys. However, specific levels of compliance are not identified in section 4.3. Also, as noted in the preamble of the NPR (89 FR 73034), ASTM F963–23 does not have any test methods or limits for acrylamide monomer in water beads. Therefore, the current ASTM standard is inadequate to provide the highest level of safety feasible to ensure that the chemicals in water beads are non-toxic. While CPSC does not have incident data reflecting acute acrylamide poisoning from water beads, the presence of acrylamide in several water bead products that CPSC tested demonstrates a potential chemical hazard. For example, in March 2024 CPSC announced unilateral warnings^{32 33} for two water bead toy products that contained levels of acrylamide in violation of the FHSA. If those water beads were ingested, it does pose a risk

of acute toxicity to children from acrylamide exposure.

Comment: The Toy Association and China World Trade Organization (WTO)/Technical Barriers to Trade (TBT) National Notification & Enquiry Center notes that the only water beads that were deemed as having dangerous levels of acrylamide by CPSC are those sizes that would not comply with the proposed rule’s size limits. This is the case using either the 9.0 mm diameter limit proposed in the NPR or the 12.0 mm diameter limit proposed in the ballot by the ASTM F963 water beads working group. The commenters state that these large water beads, having high levels of acrylamide, would be removed from consideration because they would not meet either of the proposed size requirements. Therefore, they assert that the test data does not support the assertion that an acrylamide test for all water beads is necessary.

Response: CPSC is not aware of any data that supports the commenters’ assertion that all water beads in compliance with the size requirement would also necessarily comply with the acrylamide limit, making the acrylamide test unnecessary. While CPSC found hazardous levels of acrylamide in two water bead toy products that would not meet the proposed size limits, there is no evidence to suggest that smaller water beads could not possess toxic levels of acrylamide. Therefore, because CPSC is aware of hazardous levels of acrylamide in water bead toys, the acrylamide requirement in the rule is necessary to address the hazard and achieve the highest level of safety feasible.

2. Acrylamide Limit Should Be Lower

Comment: That Water Bead Lady, Petia Paneff, Sara Desousa, and Jane Miller state the minimal risk level (MRL), cited in the rule for the acrylamide limit, is based on fertility testing conducted on male Long Evans hooded rats in a 1989 study. The commenters note, use of that study is highly questionable when applied to the exposure levels expected in infants and toddlers. Additionally, CFA notes that the ATSDR describes in its toxicological profile of acrylamide: “children are not small adults. They differ from adults in their exposures and may differ in their susceptibility to hazardous chemicals.” The commenters recommend that CPSC consider adopting the more stringent intermediate/chronic oral MRL of 0.001 mg/kg-day instead of the acute oral MRL of 0.01 mg/kg-day. The commenters assert that the intermediate/chronic exposure model will better account for the fact that many cases of consumption

of water beads remain unnoticed and may continue beyond acute exposure.

Response: As noted in the preamble of the NPR (89 FR 73038), “children’s possible exposure to acrylamide after ingesting water beads would likely be a single, infrequent event (possibly including multiple water beads in a single event). Therefore, the appropriate exposure scenario would be acute rather than intermediate/chronic.” Additionally, the original proposed acrylamide limit of 65 µg was based on an acute-duration MRL of 0.01 mg/kg-day. However, due to information provided by other commenters and as explained above, the updated acrylamide limit in the final rule is set at 325 µg which is based on an acute oral acceptable daily intake (ADI) of 0.05 mg/kg-day.

3. Justification for Acrylamide Requirements

Comment: The Toy Association notes superabsorbent polymers are usually made of either polyacrylate, polyacrylamide, or a combination of the two. The Toy Association states that there is no mention in the NPR that unreacted monomers present a small percentage of the resulting polymer, which is bound within the polymer matrix. Furthermore, they state that while polyacrylate is a common material for water beads, its polymerization process does not utilize acrylamide monomer. The Toy Association asserts that a significant proportion of water beads either do not have acrylamide monomer present as a contaminant at all, or have it present in very low amounts. Gel Blaster Inc. also asserts that acrylamide, if present at all, would be present well below the proposed acrylamide limit.

Response: CPSC recognizes that not all water bead products are manufactured using acrylamide. However, CPSC has found extractable acrylamide at hazardous levels in two water bead samples, necessitating acrylamide testing for all water bead products, regardless of manufacturing, in order to ensure product compliance with the guidelines described in this final rule. Any water bead toys that do not contain acrylamide or that contain extractable acrylamide less than 325 µg per one large water bead or per 100 small water beads, meet the acrylamide limit requirement in the rule.

Comment: China WTO/TBT National Notification & Enquiry Center notes that separating water beads into small and large sizes and testing 100 small water beads or one large water bead, and the general test method, are different than the European Toy Safety Standard EN

³² <https://www.cpsc.gov/Newsroom/News-Releases/2024/CPSC-Warns-Consumers-to-Immediately-Stop-Using-Jangositor-Water-Beads-Due-to-Chemical-Toxicity-Hazard-Violation-of-Federal-Ban-of-Hazardous-Substances-Sold-on-Amazon-com>.

³³ <https://www.cpsc.gov/Newsroom/News-Releases/2024/CPSC-Warns-Consumers-to-Immediately-Stop-Using-Tuladuo-Water-Bead-Sets-Due-to-Chemical-Toxicity-Hazard-Violation-of-Federal-Ban-of-Hazardous-Substances-Sold-on-Amazon-com>.

71–9. The commenter states, the U.S. is required, by the principle of transparency, to provide scientific evidence of the sampling method and experimental approach.

Response: The NPR was transparent and provided incident information and support for the separation of small and large water beads in the test method. As noted in the preamble of the NPR (89 FR 73038), the quantities of small and large water bead toys assumed to be ingested are based on water bead toy ingestion incidents and published case reports. Incident data indicate that children tend to ingest only one or two large water beads, while there is evidence of children ingesting hundreds of small water beads.³⁴

Regarding the 4.0 mm dimension cut-off between “small” and “large” water beads, CPSC found that water beads tested by staff, and water beads noted in incident data, tend to fall into two size ranges: either from 1.5 mm to 3.0 mm diameter, or from 5.0 mm to 8.0 mm diameter. This was the basis for staff defining any water bead less than 4 mm in all dimensions as a “small water bead” and any water bead having any dimension of 4 mm or greater as a “large water bead.” Therefore, the test method covers testing for both scenarios.

Finally, the acrylamide limits from the European Toy Safety Standard EN 71–9 were developed to address acrylamide exposure following long-term licking, sucking, and chewing of toys that are intended to be mouthed for a significant amount of time. In contrast, water bead toys have not been found to be mouthed, sucked, or chewed for long periods of time, and are also not intended to be. Therefore, the rule does not adopt the acrylamide testing procedures and limits of EN 71–9.

Comment: Emily Threatt contends that due to the high number of ingestion incidents and the hazards of long-term acrylamide exposure, the more stringent standard for acrylamide requirements of the European Toy Safety Standard EN 71–9 should be adopted. The NPR states that EN 71–9 is not appropriate because it was designed to address acrylamide exposure following the long-term licking, sucking, and chewing of toys intended to be mouthed. The NPR also states water beads are not likely to be mouthed for a significant amount of time. The commenter states, although water beads are not intended to be mouthed, they are mouthed, and the

water bead regulation should reflect this reality.

Response: As stated in the preamble of the NPR (89 FR 73033), the European Toy Safety Standard EN 71–9 acrylamide concentration limit has been calculated based on long-term licking, sucking, and chewing of toys that are intended or likely to be mouthed for a significant amount of time. Examples of such products that are mouthed for a significant amount of time are teethingers, rattles, and other hand-held soft plastic toys for young children. In contrast, water bead toys are not intended to be mouthed, nor are they likely to be mouthed for a significant amount of time. According to incident information, water beads are typically ingested relatively quickly and are not mouthed for a significant amount of time; thus, EN 71–9 is not appropriate to use for the acrylamide requirements in the rule.

4. Acrylamide Test Recommendations and Questions

Comment: The Toy Association contends that it is highly unlikely for younger children, such as 6–8 months of age, which was used to estimate the body weight and determine the acrylamide limit, to be physically or developmentally able to obtain 100 small water beads in one instance. The Toy Association states that the 100 small water bead value relates to older children. The Toy Association asserts that it is not appropriate to use a chosen test value of 100 small water beads while also using the selected body weight.

Response: The Commission agrees that children 6- to 8-months of age are less likely than older children to obtain and consume 100 small water beads in a single incident. However, the number of 100 small water beads used in the rule is within the range of documented ingestion incidents, and because of the extremely small size of some dehydrated water bead toys, it is foreseeable that some children in the 6- to 8-month age range who have repeated access to small water beads could consume this many over multiple exposures during the course of a day. Additionally, this value includes a safety factor as a buffer to account for additional uncertainties. Therefore, the number of 100 small water beads used in the test method for small water beads is a more stringent standard for the testing quantity that would further reduce the risk of injury from acute acrylamide exposure in water bead toys to achieve the highest level of safety feasible for water bead toys.

Comment: Max Williams asserts that the test procedure for acrylamide testing

proposed in the NPR, which involves a pH neutral solution, does not account for the variations in pH levels that might be present in the stomach or the small intestine.

Response: Although the test method in the rule does not account for pH variation, data gathered by CPSC supports the use of a simplified extraction solution with one pH level as opposed to a testing protocol involving solutions with different pH levels. CPSC previously performed testing designed to simulate water beads traveling through the human digestive tract. Water beads were extracted in a pH-neutral solution to mimic the pH of saliva, followed by a 0.07 N hydrochloric acid solution to mimic the pH of stomach acid, and finally followed by a slightly basic solution to mimic the pH of small intestinal fluid. During this testing, it was noted that of the total amount of acrylamide that was extracted, most leached within the first 24 hours of testing. For simplicity, CPSC tested a 24-hour extraction of water beads in deionized water and observed acrylamide extraction on the same order of magnitude as the multi-day extractions performed across various pH levels. Based on this testing, staff determined that a 24-hour extraction in deionized water is sufficient to estimate acrylamide exposure.

Comment: Petia Paneff and Austin Woods assert a 0.1 mm difference in the diameter of a water bead is unlikely to have any meaningful impact on the potential consumption of the number of water beads. They argue that a child would be just as likely to ingest a handful of 4.0 mm diameter water beads as they would 3.9 mm diameter water beads, potentially resulting in a significant increase in acrylamide exposure. Austin Woods suggests creating additional size designations with different numbers of water beads tested in each designation, while Petia Paneff recommends that acrylamide content in water beads should be evaluated based on the dehydrated weight of the beads.

Response: The commenters are correct that a 0.1 mm difference in the diameter of a water bead is unlikely to have any meaningful impact on the potential consumption of the number of water beads and are calling into question the reasoning of the 4.0 mm diameter size cutoff between testing one large water bead (4.0 mm diameter or greater) and 100 small water beads (less than 4.0 mm diameter). Based on the products tested by CPSC, staff observed that size differences between “small” and “large” water beads of water bead toys currently on the market were distinct enough that

³⁴ Jackson J, Randell KA, Knapp JF. Two-Year-Old With Water Bead Ingestion. *Pediatr Emerg Care*. 2015 Aug;31(8):605–7. doi: 10.1097/PEC.0000000000000520. PMID: 26241717.

the size categorization could be rationally made. All small water beads tested measured, at or below, 3.0 mm diameter (prior to hydration), while all large water beads tested measured well over 4.0 mm in diameter (prior to hydration). The cutoff size of 4.0 mm diameter was chosen because all small water beads were well below this size, while all large water beads were well above it. Practically speaking, it is very unlikely there will be many 3.9 mm diameter water beads, which are on the edge of 4.0 mm diameter small vs large water bead threshold, because virtually all of the water beads are significantly over or under the 4.0 mm. The decision to test a certain number of water beads was based on incident data, which found that children would typically only swallow one or two large water beads, while small water beads could be ingested in much larger numbers. Regarding the suggestion to test water beads based on dehydrated weight, determining the amount of water beads that a child can grasp is more appropriately based on volume and not dehydrated weight because the smaller water beads have a very low mass, and weight is not a limiting factor on the number of water beads that can be grasped by a child. Basing the extraction parameters on incident data allowed staff to better model and determine the possible acrylamide hazard presented by a product.

Additionally, because not all water beads are spherical when dehydrated and can be different shapes such as cubes and stars, as explained in section VI.C of this preamble, section 1250.4(c).2 of the final rule has been revised to define a small water bead as a water bead being “less than 4 mm in all dimensions prior to hydration” and define a large water bead as a water bead being “greater than or equal to 4 mm in any dimension prior to hydration.”

Comment: That Water Bead Lady and CFA state CPSC should investigate whether water beads break apart within the digestive tract releasing additional acrylamide. Max Williams and AAP also suggest investigating how much acrylamide is released when water beads are chewed and break apart before ingestion.

Response: CPSC has investigated whether water beads break apart within the digestive tract. According to incident data reviewed by staff, and as discussed in the preamble of the NPR (89 FR 73033), ingested water beads do not break apart in the stomach or small intestine but instead remain whole when successfully passing through the digestive tract or when creating a

blockage. CPSC has not found evidence of children chewing water beads before or after expansion.

Comment: That Water Bead Lady states CPSC should investigate the effects of acrylamide on the enteric nervous system, mucosa, gut flora, bacteria, and gastrointestinal tissue under simulated conditions of both non-obstruction and obstruction.

Response: The acrylamide limit requirement in the rule is intended to limit the amount of acrylamide intake due to acute acrylamide exposure when water bead toys are ingested. By preventing this exposure in the first instance, it is unnecessary to further research the effects of acrylamide on the enteric nervous system, mucosa, gut flora, bacteria, and gastrointestinal tissue. The Commission considers the acrylamide limit requirement in this rule adequate to address the hazards associated with acute exposure from acrylamide in water bead toys without a need for the type of study suggested by the commenter, which could take years to complete while injuries and death continue to occur.

Comment: SGS seeks clarification on the following language in the NPR: “Following the extraction period, determine the volume of remaining water for each trial, then analyze the water to determine the mass of acrylamide present using an instrument that is able to quantitate acrylamide at levels equal to or less than the proposed limit.” The commenter asks if the volume of remaining water means “the volume of water remaining after the water beads absorb water” or if it means “the water volume added to the dehydrated water beads before the water extraction.” The commenter also asks if the volume of remaining water is used as the final volume in the calculation of acrylamide content, or if the volume of water added to the dehydrated water beads, before the water extraction, is used as the final volume in the calculation.

Response: The “volume of remaining water” refers to the volume of water that remains in the container after the water beads have absorbed water during the 24-hour extraction period. It does not refer to the volume of water initially added to the dehydrated water beads. The “volume of remaining water” is used in the final calculation. It is measured and then multiplied by the measured acrylamide concentration, given by the analytical instrument used to measure acrylamide concentration, to determine the mass of acrylamide extracted. The volume of water originally added to the dehydrated

water beads is not used in the calculation of extracted acrylamide.

Comment: SGS inquires if CPSC has official guidelines on how to completely separate water beads after absorbing water from the remaining water.

Response: While there are no official guidelines regarding the separation of the water beads from the remaining water following the extraction, any means may be used so long as the full volume of remaining water can be separated and measured, and so long as the method used for separation would not add or remove acrylamide from the water to be analyzed. Care should be taken to avoid any losses of the remaining water during separation, as an accurate volume measurement is crucial for calculating an accurate mass of extracted acrylamide.

Comment: SGS asks a question regarding the following language in the NPR: “Because water beads absorb different volumes of water depending on their size, conduct additional tests before performing final acrylamide extractions, to determine what volume of water best allows for full water bead growth without unnecessarily diluting the concentration of extracted acrylamide.” The commenter asks if CPSC has any official guidelines on how to determine the volume as the water volume may affect the result of the acrylamide extraction.

Response: Due to large variations in water bead type, size, and growth potential, CPSC does not have official guidelines on the volume of water to use for extractions, as there is no volume of water that will be appropriate for all water bead toys. Staff recommend first performing a test trial for each type of water bead from each product to determine an appropriate volume of water to use for those water bead extractions. However, these test trials would not be used for the analysis of acrylamide but rather are used to determine the appropriate volume of water that will allow for full growth of the water beads while ensuring that they remain fully submerged in water during the entire 24-hour extraction period. Care should be taken to choose an appropriate volume when using this approach while also minimizing unnecessary dilution of any acrylamide that may be extracted. Test trials should be conducted under the same extraction conditions required in the rule (water bath at 37 °C, 30 revolutions per minute, 24 hours) which are unchanged from the NPR.

D. Marking, Labeling, and Instructional Literature Requirements

1. Warning Content: Hazard and Consequences

a. Clarifications About Water Bead Growth

Comment: Ayden White, Christian Beasley, Mollie Price, Albert Tacornal, Austin Watson, Zach Gilbert, AAP, and U.S. PIRG suggest revisions to the warning to clarify or add details about the growth of water beads. Ayden White, Mollie Price, Albert Tacornal, Zach Gilbert, AAP, and U.S. PIRG suggest that the warning state more explicitly that water beads can expand over time or can grow after ingestion. Some commenters, such as U.S. PIRG, suggest adding descriptions of the amount of growth by stating how large water beads can get, while Zach Gilbert suggests adding statistics to describe how the beads can expand to multiple times their original size (e.g., percentage increase). Christian Beasley and Austin Watson suggest that the warning include language explaining that products can grow by absorbing water, other liquids, or body moisture, with one commenter, Austin Watson, stating that consumers might not recognize the potential for expansion after ear insertions, relative to ingestions, because the ear environment is seemingly dryer. Three commenters offer specific revisions to the initial sentence of the warning to address one or more of these growth-related issues. Christian Beasley suggests, “This product contains water beads that can grow larger when exposed to water or water-based fluids.” Mollie Price suggests, “This product contains water beads that [can] grow larger within the [human] body.” AAP suggests, “This product contains water beads that can grow much, much larger when the[sic] absorb water or any liquid. This includes bodily fluids if the beads are swallowed or placed in the nose or ears.”

Response: The Commission agrees that the first sentence of the warning labels in the proposed rule (Figures 3 and 4), which describe the growth of water beads, should be revised to clarify that the expansion of these beads can occur within the body, specifically, after ingestion or insertion. To address the comments related to this concern, the final rule has revised this sentence in Figures 4 and 5 (renumbered) from “This product contains water beads that grow larger,” to, “Contains water beads that can grow larger when swallowed or inserted in the ear or nose.” The Commission does not agree that specifying the precise amount by which

the beads can grow is necessary, given that the subsequent sentence already communicates this information qualitatively by stating that they have blocked intestines. The Commission also concludes that specifying that growth can occur when exposed to liquids other than pure water or to body moisture is unnecessary, because the warning labels’ revised language now explicitly states that growth can occur “when . . . inserted in the ear or nose.” The lack of this information in the NPR warnings was the basis for the commenters’ suggestions for including information about other bodily fluids. By adding ear and nose insertions to the hazard identification sentence, the Commission also addresses concerns from commenters that references to ear and nasal insertions were not sufficiently prominent by being mentioned only at the end of the warning labels.

b. References to Death

Comment: Max Williams, Ryan Jernigan, Kirksey Croft, and one anonymous commenter express concerns about the warning labels’ reference to death and use of the phrase, “Your child can die too.” Max Williams and Kirksey Croft suggest that emphasizing deaths in the warnings is inappropriate, especially in comparison to warnings for other hazards, such as choking, that are associated with more fatalities but do not explicitly refer to death. Max Williams also notes that deaths are very rare, with only one known death involving water beads. Max Williams and Ryan Jernigan describe the phrase, “Your child can die too,” using terms such as paternalistic, inflammatory, alarmist, and fearmongering, and claim that this phrase could lead consumers to either ignore the statement or to no longer take warnings seriously. An anonymous commenter states that the phrase, “Your child can die too,” is redundant with the preceding sentence, which already addresses the potential for death. Generally, commenters on the phrase, “Your child can die too,” recommend its removal. However, Eleanor Grundberg refers to this phrase in more positive terms, stating that it will likely grab the attention of consumers, and Daniel Mendoza suggests that this phrase “emphasizes the urgency of the hazard and is likely to resonate with caregivers.”

Response: The warning labels’ reference to death is appropriate given the known potential consequences of ingesting water beads. However, the use of the phrase, “Your child can die too,” is unnecessary given the already-

explicit reference to death in the warnings and the relative rarity of fatalities, which presumably will become even more rare as the performance requirements of the rule go into effect. The phrase, “Children have DIED,” already emphasizes the urgency of the hazard and is likely to motivate consumers to act. Thus, the phrase, “Your child can die too,” has been removed from the warnings shown in Figures 4 and 5 of the final rule. Additionally, the sentence describing how children have died has been revised in Figures 4 and 5 to be more concise by changing the phrase, “after swallowing water beads because the beads blocked,” to “when the beads blocked,” because the initial sentence of the final rule’s warnings already identify swallowing explicitly.

c. Additional Ingestion-Related Information

Comment: Eleanor Grundberg, Ryan Jernigan, Zach Gilbert, and U.S. PIRG suggest that the warning include additional details related to the ingestion hazard. Ryan Jernigan, Zach Gilbert, and U.S. PIRG suggest that the warning refer to hospital-related treatments, such as hospitalization statistics or the potential for emergency surgery. Eleanor Grundberg suggests that the warning include the following language about the symptoms of intestinal blockages, to reduce the potential for misdiagnosis by parents: “This product may cause lethargy, distress, dehydration, loss of appetite, fever, fatigue, and abdominal pain when an expanded water bead blocks the small intestine.” Jacob Lowe suggests that all toys that have acrylamide should have a warning label.

Response: We disagree with commenters suggesting that the warnings refer to hospital-related treatments resulting from ingestions. Although ingestion-related hospitalizations and other non-fatal consequences are more common than fatalities, the potential for death from ingestions is likely to be a stronger motivator for consumers and is highlighted in the warning labels. However, we agree that there would be value in addressing the potential for hospital-related treatments in the context of ear and nose insertions, and this is discussed below in response to comments about non-ingestion hazards.

The Commission appreciates the comments about adding language regarding the symptoms of intestinal blockages but concludes that adding this information to the warning is not appropriate at this time. The intent of the warning labels is to identify the

ingestion and insertion hazards and to instruct consumers about how to avoid them. Prioritizing and limiting the information to be included on a warning label is important to hold, or maintain, a consumer's attention after the warning has been noticed, and the symptoms of intestinal blockages are not especially diagnostic, in that they do not point consumers to a single, unambiguous cause (*i.e.*, ingested water beads). Thus, although additional information about potential symptoms could be useful, this information would be more appropriate for manufacturers to consider including within the instructional literature rather than on the warning labels. Finally, regarding Jacob Lowe's suggestion of applying warning labels to all toys containing acrylamide, this comment is outside of the scope of the rulemaking. However, if the Commission finds evidence of hazards presented by acrylamide in toys other than water beads in the future, then regulatory activity may be considered.

d. Non-Ingestion Hazards

Comments: Kayla O'Connor, Caitlin Slusarski, Kayla O'Connor, Christian Beasley, Jake Peterson, John Oldham, Albert Tacornal, Austin Watson, Zach Gilbert, Consumer Reports, and four anonymous commenters suggest not limiting the hazard and consequence information in the warnings to the ingestion hazard, and to include information related to other water-bead hazards. Many comments emphasize the need for information on ear and nose insertions and on inhalations or aspirations. Mollie Price and Austin Watson identify particular consequences of interest related to insertions, including deafness or permanent hearing loss, invasive surgery, and seizures. Another commenter, John Oldham, suggests the following language about the insertion and inhalation hazards: "If inhaled into the lung, this product can cause unconsciousness and the inability to deliver oxygen to the brain; if inserted into the ear, this product can damage ear structure or hearing loss; and if inserted into the nose, this product can cause bleeding, fever, or nasal swelling." Caitlin Slusarski, Austin Watson and Zach Gilbert suggest that the warnings address other hazards such as the choking hazard and the toxicity of water beads. An anonymous commenter suggests adding language to describe the water beads' carcinogenic properties or the potential for acrylamide toxicity. Christian Beasley also suggests the following warning: "Water beads are composed of absorbent

polymers, which can contain acrylamide monomer—a chemical that can be hazardous when ingested." Consumer Reports suggests restricting the ability of manufacturers to use the term "non-toxic" in their labeling.

Response: The Commission agrees with commenters that the hazard description in the warnings for water beads should not be limited to the ingestion hazard, given the frequency and potential severity of the insertion hazard. As discussed earlier, the final rule has revised the initial sentence of the warnings in Figures 4 and 5 (renumbered from Figures 3 and 4 in the proposed rule) to state that beads also can grow when "inserted in the ear or nose." In addition, the warnings in the final rule add information describing the potential consequences of the insertion hazard. Specifically, after the sentence describing the potential for death from ingestions, the warnings in Figures 4 and 5 of the final rule add the sentence, "Inserted beads have resulted in surgeries." This addition is consistent with commenters' request for information pertaining to the other primary hazards and is broad enough to encompass different types of insertions without adding unnecessarily lengthy text. As noted previously, prioritizing and limiting the information presented on a warning label is important to improve the likelihood that consumers will fully read and attend to the most important safety information in the warning. The Commission assesses that including information about aspirations would be more appropriate to include in the instructions, rather than in the warning labels. The Commission also finds it unnecessary to add language about the beads' carcinogenic properties or the potential for acrylamide toxicity because of the limit in the rule on the amount of allowable acrylamide in water bead toys—a limit that is intended to address the toxicity hazard directly.

e. X-Ray Visibility

Comment: Elizabeth Berdan, CFA, That Water Bead Lady, and one anonymous commenter suggest adding language to the warning labels stating that water beads often do not appear on an x-ray. Elizabeth Berdan recommends the following specific language: "This product is not visible on x-rays, which may delay diagnosis and treatment." As noted later, in the summary and response to comments related to instructional literature, That Water Bead Lady and NASPGHAN suggest that the package insert, or instructional literature, include information about water beads not appearing on an x-ray.

Response: The Commission acknowledges that it might be helpful for consumers who suspect that their child has ingested water beads to know that water beads are not easily visible on x-rays. However, the Commission disagrees with adding this information to the warning labels in the final rule. This information, like the information on ingestion symptoms described earlier, would be more appropriate provided within the instructional literature. This approach allows the warning labels to focus on and highlight the most critical safety information about water beads, increasing the likelihood that consumers will fully read and understand this warning information.

2. Additional Hazard-Related Revisions

Comment: Three commenters offered the following specific revisions to the initial sentences that describe the hazard and consequences. Elizabeth Berdan suggests: "DANGEROUS IF SWALLOWED. This product contains water beads that can cause life-threatening bowel obstructions, especially at narrow points like the ileocecal valve." Albert Tacornal suggests: "This product uses water beads, a known hazard. Water beads expand and, if ingested, can cause serious injury or death." Ryan Jernigan suggests: "Water Beads Expand When Ingested and May Shatter—Potentially Fatal."

Response: As discussed earlier, the Commission has revised the warning language in Figures 4 and 5 of the final rule to clarify the hazards and consequences associated with water bead products. These revisions address most of the commenters' specific suggestions and concerns about water beads expanding within the body and the potential for death. The Commission disagrees with adding language that explicitly identifies the "ileocecal valve," as this term is unlikely to be understood by the general population and is not necessary for consumers to understand the ingestion hazard. In response to the comment suggesting warning language about water beads shattering, there is no evidence that the hazard associated with water beads stems from the beads breaking down or "shattering" within the body. Rather, consistent with the final rule warnings, the primary hazard involves intact, expanded water beads being unable to pass naturally through the gastrointestinal tract and causing an obstruction.

3. Warning Content: Hazard Avoidance

a. Discard Statement

Comment: Jared Shelton, Briana Zimmerman, Eleanor Grundberg, Christian Beasley, Albert Tacornal, Austin Watson, AAP, and CFA express concerns about, or proposed clarifying revisions to, the warning statement to discard the product if the water beads are coming out. Jared Shelton, Eleanor Grundberg, Christian Beasley, AAP, and CFA assert that the current statement is vague, open to interpretation, or confusing, and requires clarification. Jared Shelton, Eleanor Grundberg, and Christian Beasley focus on the phrase “coming out,” stating that it is unclear how many beads need to have exited, whether the beads must be continually leaving or flowing out of the product, or whether the beads are coming out of the product or the child. Christian Beasley suggests changing the phrase “coming out” to “exposed,” which purportedly emphasizes that the beads are unshielded or unprotected. Other commenters offer the following specific revisions to the discard statement. Jared Shelton suggests: “If internal beads become accessible for any reason discard the product immediately.” Briana Zimmerman suggests: “Discard if beads become separated from the body of the toy,” or “Discard if beads are no longer within the toy cavity.” AAP suggests: “Discard if the beads are leaking out of this product”; alternatively, “leaking out” could be replaced with “exposed,” “visible,” “dislodged,” or “accessible.” CFA suggests: “Discard if the beads are or become accessible.”

Albert Tacornal and Austin Watson suggest that in addition to discarding the product, consumers should be told to search for loose water beads that children could ingest. Albert Tacornal suggests the following language in their comment: “. . . ensure no loose beads can be picked up and swallowed by children.”

Response: The Commission agrees with commenters that the statement, “Discard if beads are coming out,” in Figure 4 of the proposed rule, is open to interpretation and potentially confusing. For improved clarity, the Commission has revised this statement in Figure 5 (renumbered from Figure 4) of the final rule to say, “Discard product if beads start to come out.” This revision clarifies that the statement is referring to the beads coming out of the product—thus, the need to discard the product, not just the beads—and that the product should be discarded as soon as any beads start to come out, rather than the beads having to be flowing out of the

product. The Commission concludes that adding language that instructs consumers to seek out loose water beads is not needed, as this would increase the length of the warning, without presenting a clear additional benefit. Calling attention to beads coming out of the product, combined with the earlier information in the warning about the hazardousness of the beads and the potential for death, should be sufficient to motivate consumers to look for loose beads in the environment.

b. Minimum Age

Comment: Elizabeth Berdan, Porter Spell, Han Lemberg and Caroline Diver suggest adding more specific age-related information to the warnings, either in terms of what ages should be prohibited from playing with these products or the age at which play with these products would be appropriate, but the recommendations varied. For example, Elizabeth Berdan suggests, “DO NOT ALLOW CHILDREN UNDER 9 YEARS TO HAVE ACCESS TO THIS PRODUCT.” Han Lemberg suggests, “Children ages 0–3 should never play with water bead toys.” Caroline Diver suggests that the warnings state that children under 3 should never be permitted to play with water bead toys.

Response: The warning labels in Figures 4 and 5 of the final rule already include qualitative age-related information in the form of the statement, “Keep away from babies and toddlers,” to highlight those children most at risk. The commenters have not provided a basis for more specific numeric age recommendations, and there appears to be no consensus among these commenters about the appropriate age. Thus, the Commission declines to add more specific age-related information to the warning labels in the final rule.

c. Sensory Toys

Comment: Briana Zimmerman and Max Williams express concern about the NPR warning’s reference to sensory toys, stating that it is unclear what constitutes, or what uses would classify a product as, a “sensory toy,” or that the reference to sensory toys could confuse or mislead consumers. Briana Zimmerman states that the common use of sensory toys by neurodivergent children, and the marketing of these products for these children, could lead consumers to conclude that water beads do not pose a danger to neurotypical children. Max Williams suggests the following possible revisions to the warning statement about sensory toys: “Do not use in sensory toys for children under 5 years of age,” or “Not for use

in sensory toys that are put in the mouth.”

Response: The Commission shares commenters’ concerns about potential confusion surrounding what constitutes a sensory toy. In addition, staff’s concerns about the use of water beads as sensory toys or bath toys were based on such uses being common among young children. The warning labels in the rule already explicitly warn to keep water beads away from babies and toddlers, making the precaution against the use of these products as sensory or bath toys redundant. Thus, to improve the likelihood of consumers reading the full warning content by further limiting the length of the warnings and the amount of potentially unnecessary content that could distract from the most important safety information, the final rule removes the bullet statement, “Never use as a sensory toy or bath toy,” from the warning labels in Figures 4 and 5.

d. Supervision

Comment: Daniel Mendoza, Max Williams, Mollie Price, and Austin Watson suggest adding content about monitoring or supervising the child during play with or while in the presence of water beads, with Max Williams adding that supervision is especially important for children who are on the cusp of toddlerhood.

Response: Supervision is one method of preventing childhood injuries. However, there is agreement in the literature³⁵ that caregivers cannot be perfectly attentive during their child’s entire awake time, particularly if multiple children are present. Ingestion and insertion incidents can happen in a matter of seconds, meaning consumers might be unaware that an incident has occurred. Consumers also might witness an ingestion and not act, believing that the water bead will simply pass through the digestive tract. Thus, the Commission assesses that adding supervision to the warning label is unlikely to be very effective at preventing incidents.

Nevertheless, the Commission agrees that there is value in adding a brief

³⁵ Morrongiello, B.A., Corbett, M., McCourt, M., & Johnston, N. (2006). Understanding unintentional injury-risk in young children I. The nature and scope of caregiver supervision of children at home. *Journal of Pediatric Psychology*, 31(6): 529–539; Morrongiello, B.A., Corbett, M., McCourt, M., & Johnston, N. (2006). Understanding unintentional injury-risk in young children II. The contribution of caregiver supervision, child attributes, and parent attributes. *Journal of Pediatric Psychology*, 31(6): 540–551; Wickens, C.D., & Hollands, J.G. (2000). *Engineering Psychology and Human Performance* (3rd Ed.). Upper Saddle River, NJ: Prentice Hall (pp. 714–715).

statement about supervision, given its important role in injury prevention. Thus, the warning labels in Figures 4 and 5 of the final rule add the new statement, “Watch older children during use,” immediately after the statement, “Keep away from babies and toddlers,” a phrase that already identifies a vulnerable population and implies that careful attention is warranted. The additional statement, “Watch older children during use,” not only emphasizes the importance of monitoring children’s use of water beads, but the reference to older children avoids the potential for consumers to conclude that only infants and toddlers are at risk.

e. Limiting Access

Comment: Ayden White and Daniel Mendoza suggest adding information related to limiting children’s access to water beads. Ayden White suggests adding instructions for proper water bead storage. Daniel Mendoza suggests that the warning could instruct consumers to keep water beads out of children’s reach.

Response: The Commission agrees with limiting young children’s access to water beads. However, the warning statement, “Keep away from babies and toddlers,” in Figures 4 and 5 of the rule, already clearly communicates this information. Adding information about storage and the use of child-proof containers to the warning label would potentially distract consumers from the most critical safety information about water beads, thereby reducing the likelihood that consumers will fully read and understand the warnings, and is not appropriate, as consumers are unlikely to have child-resistant containers readily available for this use.

f. Teach Not to Mouth

Comment: Daniel Mendoza suggests adding an instruction to the warnings that directs consumers to teach children not to place objects in their mouths.

Response: Children place non-food items into their mouths for several developmentally appropriate reasons. For example, young children learn about texture, shape, and taste through mouthing, and during teething, children naturally attempt to soothe the discomfort of tooth eruption by mouthing objects. Mouthing objects is a form of childhood education by teaching children what is safe to place in the mouth, and it is a natural part of a child’s curiosity and imitation play. Through mouthing, children learn what items they can or cannot eat. In light of this, it is unrealistic to expect warning language that instructs caregivers to

teach children not to put objects into their mouths to be effective in preventing water bead ingestions. Therefore, the Commission declines to add such an instruction to the warnings.

4. Warning Content: Pictograms or Graphics

Comments: Michael Ravnitzky, Han Lemberg, Christian Beasley, Caroline Divver, Christopher Cochran, and Zach Gilbert suggest adding pictograms, icons, or similar graphical elements to the warning to convey the hazard. The commenters suggest that these graphics would help to capture attention and would improve understanding of the hazard among non-English-speaking households or those who cannot read, including children. Christopher Cochran suggests that ANSI Z535.4 emphasizes the use of such graphics, paired with text. Han Lemberg specifically recommends adding a graphic depicting the ingestion risk. Zach Gilbert suggests the use of a visual representation of a water bead growing and obstructing the intestines.

Response: The use of pictograms and icons is one common method of communicating safety information and enhancing attention to warnings, and the Commission acknowledges that, in principle, the use of such graphics could help those not capable of reading English. However, staff are not aware of any pictograms or similar graphics that accurately and effectively portray the hazards associated with water beads. Designing effective graphics to address a specific hazard can be challenging. Even seemingly obvious or intuitive graphics may be misunderstood and lead to misinterpretation, including the possibility of interpretations that are the opposite of the intended meaning. To minimize confusion, warning pictograms should be developed based on empirical research and thoroughly tested with the intended audience. Based on the above, the Commission declines to add pictograms to the warning labels in the final rule.

5. Warning Content: Multilingual Labels

Comment: Han Lemberg asserts that warnings should be provided in both English and Spanish to ensure that the largest number of consumers can understand the warning.

Response: The warnings on products sold in the United States must be written in English. There are no mandatory requirements for warnings and packaging information to be presented in multiple languages, but the Commission acknowledges that this is a common practice within the industry. The Commission recognizes the

potential usefulness of providing warnings in multiple languages and does not discourage their use if the language is first presented in English. However, the Commission will not impose a mandatory requirement that departs from the traditional approach of only requiring warnings in the English language.

However, consistent with the commenter’s expressed goal of ensuring that the largest number of consumers can understand the warnings, several changes to the warning language for the final rule that have been discussed previously (e.g., changes to the hazard descriptions and consequences, changes to the “discard” statement) have simplified and clarified the content of the warning language. To further improve the likelihood that most consumers, including those with limited English literacy, will be capable of understanding and acting on the warnings, the warning labels in Figures 4 and 5 of the final rule revise the phrase, “Seek immediate medical attention,” to the simpler and more plain-language wording, “Get medical help right away.” This change should assist in ensuring that the largest number of consumers can understand the warning.

6. Warning Format

a. Highlighting Specific Text

Comment: Kayla O’Connor, Jake Peterson, Caroline Divver, and Austin Watson suggest formatting changes to highlight certain text in the warning. Kayla O’Connor and Jake Peterson suggest using boldface text to highlight references to ear insertion, nasal insertion, and aspiration. Caroline Divver suggests using boldface text for the statement “seek immediate medical attention.” Jake Peterson and Austin Watson suggest moving certain text, with Jake Peterson suggesting moving the bullet item about insertions and aspirations earlier, and Austin Watson suggesting moving the statement about discarding products with water beads into the bullet list. The latter commenter states that this change was needed because the statement is a hazard-avoidance statement, and its current placement, in non-boldface text, interrupts the descriptions of the hazard and its consequences, making it less likely to be read.

Response: The Commission agrees with commenters about the importance of highlighting key information in warnings and has formatted select text in Figures 4 and 5 of the final rule, such as the phrases, “Discard product” (Figure 5 only), and “Get medical help

right away” (both figures) in boldface. As discussed earlier, the Commission has relocated information about the hazards associated with ear and nose insertions to earlier in the warning. The statement about discarding water beads has been moved into the bullet list of the warning label shown in Figure 5 of the final rule, with other preventative, or hazard-avoidance, behaviors.

b. Size of Label Elements

Comment: Zach Gilbert suggests increasing the overall size of the label, enlarging the type sizes, and increasing the size of the “warning marker,” which the Commission interprets as meaning the signal word panel, to better capture consumer attention.

Response: The warning labels in the final rule are designed to be consistent with ANSI Z535.4, the primary U.S. voluntary standard for the design of product safety signs and labels, to attract consumers’ attention using features such as color, a safety alert symbol and signal word “WARNING,” a surrounding border, and key information highlighted in boldface type. The size of the signal word panel follows requirements outlined in section 5.3 of ASTM F963 and is consistent with other toy warning labels. Thus, the warnings’ visual elements should be readily visible and noticeable to consumers, particularly given the requirement for the warnings to be located on the principal display panel of the product package. The Commission declines to make changes to the size of the warnings or their individual elements in the final rule based on this comment.

7. Warning Placement

Comment: Christian Beasley and Jake Peterson assert that the warning should appear in a prominent location on the front of the package, while Jake Peterson contends that the warnings also should be available online where the products are purchased. Albert Tacornal recommends that warnings appear on containers of water beads, not on products that use water beads, because the containers are the source of the risk and the products that use them will likely be discarded without the warning being read.

Response: The final rule requires warning labels to be on the principal display panel of the toy packaging, where it is most likely to be seen by consumers. If the water beads are packaged in a separate container, the warning label is required on its principal display panel. Additionally, if there is not enough space available on the packaging, or there is no packaging,

manufacturers can use a hangtag containing the required warning label as permitted in section 1250.4(d)(1)(iii) of the rule. Regarding online warning labels, section 105 of the CPSIA requires cautionary statements for small parts, balloons, marbles and small balls on any advertisements including internet websites, catalogs, or other printed material where a toy is offered for purchase. CPSC supports online warning labels generally for toys but is not requiring them in this rule because a holistic approach to developing online warning label requirements for toys would be more efficient than just addressing the issue in this rule. Therefore, staff plans to recommend that the ASTM F15.22 Subcommittee’s Emerging Hazards Task Group consider the development of general requirements for online warning labels for toys for inclusion in ASTM F963.

8. Warning Effectiveness

Comment: Eleanor Grundberg notes that the NPR acknowledges the lesser effectiveness of warnings compared to designing out a hazard or guarding consumers from a hazard. The Toy Association asserts that warnings for water bead toy products are neither appropriate nor required because the performance requirements address the potential for intestinal obstruction. Albert Tacornal argues that warnings are unlikely to be effective in dissuading consumers from purchasing these products and are unlikely to increase supervision, and that previously issued warnings about these products appear to be ineffective because incidents continue. Albert Tacornal also states consumers may be indifferent to yet another warning because they are already inundated with warnings. Savannah Mesel asserts that warnings are not effective in preventing accidents among young children who lack the ability to understand the danger. This commenter further explains that although warnings can help parents or caregivers understand, they cannot prevent child exposure, even with supervision, as demonstrated by current supervision practices in the incident data and research that shows toddlers are often out of sight for brief periods during play. The commenter also notes that caregivers also may underestimate the danger, particularly if the products are marketed as safe for children’s sensory play. Eleanor Grundberg states that the proposed warnings may offer a benefit by reducing the time between ingestion and treatment.

Response: The Commission agrees that providing warnings and instructions about hazards is less

effective at eliminating or reducing exposure to hazards than either designing the hazard out of a product or guarding the consumer from the hazard. This is the basis for the performance requirements in the final rule that are intended to reduce the likelihood of intestinal obstructions if water beads are ingested. Nevertheless, the Commission recognizes that the performance requirements alone may not fully address the potential for intestinal blockages after ingestion, given anatomical variations among children and the likelihood of variance in water bead sizes during manufacturing. The rule’s performance requirements are engineered to minimize injury associated with water beads being inserted in the ears, nose, or other parts of the body. By contrast, the warning labels and instructions are intended to supplement the performance requirements by increasing consumer awareness of the hazards associated with water beads and potentially reducing young children’s exposure to these products. Therefore, performance requirements and warning labels and instructions are complementary, not an exclusive way to address a hazard.

9. Instructional Literature

Comment: Consumer Reports and one anonymous commenter express support for the proposed instructional literature requirements, with one of the anonymous commenters stating that they are adequate and efficient. Daniel Mendoza suggests that the instructional materials follow ANSI Z535.4. Other commenters suggest that various information be included in packaging inserts, or instructional literature. Specifically, NASPGHAN and That Water Bead Lady suggest including information stating that ingested water beads will not appear on x-rays, which will enable consumers to convey this information to health care providers. Caitlin Slusarski suggests including information about all the hazards associated with water beads. An anonymous commenter suggests including information about the use and storage of water beads. An anonymous commenter suggests including information about what to do if water beads are accidentally ingested. Mollie Price suggests including information about supervision, if not included in the warning itself. The Toy Association suggests including cautionary information about ear and nose insertions.

Response: The rule requires the instructional literature, when provided, to include the same warnings that must appear on the product packaging, which

is required to be formatted consistent with certain sections of ANSI Z535.4–2023, with modifications. Instructional literature is required to meet those same formatting requirements, but without the use of color, provided the warnings contrast with the background of the instructional literature. The revised warning labels in the final rule include more comprehensive and explicit information about the ingestion and insertion hazards, so the instructional literature will include this more detailed information. As suggested by commenters and mentioned previously, the instructions are an appropriate place to add additional product safety information, such as water beads not being easily visible on x-rays, ear insertions leading to hearing loss, nose insertions leading to surgical extraction, and storage instructions. For reasons discussed previously, the Commission is not requiring such information to be required on the warning label in the final rule. However, manufacturers may choose to include such information, if desired. Additionally, the Commission notes the warning label in the final rule already includes some of the information being sought by commenters, such as information about supervision and the need to “[s]eek medical attention” if water beads are ingested, and as noted earlier, this information is required to be in the instructional literature that accompanies these products.

10. Labeling Exemption

Comment: Intertek Shenzhen asks if the size of the toy is too small, could the labeling requirement on toy be exempted.

Response: As noted in the preamble of the NPR (89 FR 73049) and § 1250.4(d)(1)(iii) of the rule, if there is not enough space available on the packaging, or there is no packaging, manufacturers can use a hangtag containing the required warning label.

E. Other Recommendations

1. Proposed Language Changes to Codified Text

Comment: Michael Ravnitzky contends there are several areas where the rule could be improved or clarified by increasing the use of plain language. He notes, in the NPR § 1250.4(a) says: “This section establishes performance and labeling requirements for water bead toys and toys containing water beads to minimize the risk of children ingesting, inserting, aspirating, and choking on water beads.” The commenter suggests instead: “This section sets performance and labeling

rules for water bead toys to reduce the risk of children swallowing, inhaling, or choking on water beads.” The commenter also makes several other suggested modifications to definitions, where modifying language would improve clarity.

Regarding aspiration hazard, the NPR proposes: “Aspiration hazard means a hazard caused by a child inhaling a water bead whereby the water bead can become lodged in the respiratory tract and can potentially cause death or injury.” The commenter suggests instead: “Aspiration hazard: This occurs when a child inhales a water bead. The bead can get stuck in the respiratory tract, causing injury or death.”

Regarding choking hazard, the NPR proposes: “Choking hazard means a hazard caused by a child attempting to swallow a water bead whereby the water bead can become lodged in the throat and can potentially cause death or injury.” The commenter suggests instead: “Choking hazard: This occurs when a child tries to swallow a water bead. The bead can get stuck in the throat, causing injury or death.”

Regarding ingestion hazard, the NPR proposes: “Ingestion hazard means a hazard caused by a child swallowing a water bead whereby the water bead can become lodged in the digestive tract and can potentially cause death or injury.” The commenter suggests instead: “Ingestion hazard: This occurs when a child swallows a water bead. The bead can get stuck in the digestive tract, causing injury or death.”

Regarding insertion hazard, the NPR proposes: “Insertion hazard means a hazard caused by a child putting a water bead in the ear canal or nasal passage of the body and can potentially cause injury or death.” The commenter suggests instead: “Insertion hazard: This occurs when a child puts a water bead in the ear or nose. The bead can cause injury or death.”

Response: None of the commenter’s suggestions improve clarity. Instead, these suggestions only repeat the proposed language, but with reduced and synonymous language. Therefore, the Commission is not modifying the language in the final rule based on the comment.

2. Bitterants

Comment: Bindi Naik-Mathuria, Porter Spell, Brianna Zimmerman, John Oldham, Ryan Jernigan, Connor Mitchell, AAPs, and That Water Bead Lady suggest requiring water beads be made unpalatable, with the use of a bitterant. The commenters assert that although adding a bitterant would not prevent children from putting the water

beads in their mouth initially, it may prompt them to reject the water bead.

Response: The Commission declines to add a bitterant requirement to the final rule. The Commission concludes that bitterants generally are not effective in deterring ingestions. Real world investigations have not demonstrated that bitterants are effective at preventing ingestions.³⁶ Bitterants do not deter initial ingestion because the user has not yet tasted the bitterant. This makes bitterants ineffective at protecting users from harm that can result from a single ingestion. A single water bead can result in an intestinal obstruction that requires medical intervention to resolve. Researchers also found that in adults, between 15 percent to 30 percent do not detect the taste of bitter compounds.^{37 38 39} Additionally, bitterants would not prevent ear and nose insertions.

3. BPA Limits

Comment: Consumer Reports states that CPSC should consider whether limits for bisphenol A (BPA), a known endocrine disruptor that has been linked to certain cancers and fertility issues, should be included in the final rule. The violative level would have to be determined to be included. In 2023, Consumer Reports tested several brands of water beads for known toxic chemicals, including lead, phthalates, and BPA, and found BPA in six brands of water beads.

Response: A BPA limit was not proposed in the NPR and is not included in the final rule. Proposing a limit on BPA would not be warranted at this time for the following reasons: (1) CPSC is not aware of any incidents involving or alleging BPA as an acute health hazard in water beads; (2) staff have no information on the levels of BPA found in the 2023 Consumer Reports study or the methods that were used to measure BPA; (3) staff have not established a method for measuring extractable BPA from water beads; (4) the toxicity concerns for BPA are associated with long-term, repeated or continuous exposure, which is not how incident data indicates children are exposed to water beads; (5) the acute toxicity of BPA appears to be relatively low; and (6) currently no federal agency has established an acute toxicity reference value for BPA. Additionally,

³⁶ (CPSC, 1992). CPSC (1992) Final Report Study of Aversive Agents.

³⁷ Id.

³⁸ (NIDCD, 2010). Global Variation in Sensitivity to Bitter-Tasting Substances (PTC or PROP) | NIDCD (nih.gov).

³⁹ (NIDCD, 2019). Quick Statistics About Taste and Smell | NIDCD (nih.gov).

CPSC has not committed resources to research and derive an acute acceptable daily intake for BPA. If staff find evidence of hazards presented by BPA contained in water beads in the future, then regulatory activity may be considered.

4. Child Resistant Packaging

Comment: Elizabeth Berdan and John Oldham recommend that toy manufacturers should be required to use child-resistant packaging to minimize the risk of accidental ingestion by young children.

Response: Staff does not expect child-resistant packaging requirements to be an effective deterrent because the hazard pattern for water beads shows they can be lost and picked up off the ground and ingested at a later time. Additionally, once water beads are expanded, it is unlikely that adults would reuse the same child-resistant package because the expanded water beads would no longer fit in the child-resistant package. Before expanded water beads would fit in the child-resistant package, they would need several hours to dehydrate and shrink back to their original size.

5. Regulate Marketing

Comment: Elizabeth Berdan and U.S. PIRG suggest prohibiting the marketing of expanding water beads for children's use. Consumer Reports urges the agency to monitor how water bead products are marketed as they expect manufacturers to repurpose and remarket water bead products as non-toys. Porter Spell and Jannah Hancock recommend a minimum age be set for any item containing water beads.

Response: This rulemaking is being conducted pursuant to CPSIA section 106, and CPSC does not have the authority to prohibit the specific marketing of water beads to children or to enforce minimum age requirements. However, if CPSC finds non-toy water bead products that are designed, manufactured or marketed for children under age 14 years old, then the water bead product will be considered a toy and within scope of this rule, and thus subject to its requirements.

6. Ship Water Beads Fully Saturated

Comment: Ryan Jernigan asserts that the Commission should mandate manufacturers fully saturate water beads during production. While the Commission proposes implementing standards that limit the ability of water beads to expand, saturating the water beads fully before they reach the market may prove to be a simpler and more effective solution.

Response: The commenter's suggestion would not be effective. Over time, when not immersed in water, water beads shrink back to their original size. If manufacturers ship the water bead toys fully saturated, so the water beads arrive fully expanded, the consumer will likely take the water beads out for play and the water beads will eventually dehydrate and shrink. The shrunken water beads would then pose a hazard to a child if a child were to swallow one of the shrunken water beads. There is no guarantee that the water beads would be placed back in water, to keep them expanded, when not in use. Thus, the commenter's recommendation would not be effective in mitigating the hazards that water beads pose to children.

7. Make Ingested Water Beads Detectable

Comment: Porter Spell and Christopher Cochran suggest making water beads detectable by doctors such as making water beads able to show up on x-ray technology or other imaging techniques.

Response: Staff are unaware of methods of making water beads detectable through x-ray scans due to their composition. As stated in the preamble of the NPR (89 FR 73029), water beads are not easily identified using routine x-ray radiography because they are not dense, appearing dark or black and almost entirely transparent when the x-ray beam passes through the water bead. Incident data and medical literature report children requiring serial x-rays, computer tomography (CT) scans, and ultrasounds to diagnose a water bead bowel obstruction.

8. Durability Testing

Comment: Christopher Cochran and Emily Threatt suggest the Commission should consider including stricter tests for durability. Stricter durability testing would likely ensure that water beads do not break into smaller, more ingestible pieces. Ryan Jernigan recommends a reevaluation of materials used in making water beads, if water beads shatter upon compression.

Response: The ingestion hazard pattern presented by water beads is children ingesting whole water beads, not water beads breaking up and then children ingesting those pieces. Additionally, if fully expanded water beads were to break into pieces, those pieces do not have the potential to grow any further. In other words, testing the whole, fully grown water bead is the most stringent test, so testing the expansion of detachable pieces is not

necessary. Therefore, durability testing is not necessary.

9. Information and Education Campaigns

Comment: Ryan Jernigan and Medical Toxicology LLC suggest that CPSC should explore or engage in educational campaigns about the dangers of water beads to increase awareness and allow consumers to make informed decisions. Ryan Jernigan opines that public education can complement regulatory efforts by informing parents about the risks involved with these toys and encouraging vigilant supervision. Consumer Reports notes that such campaigns may help to educate consumers but are not enough.

Response: The Commission supports information and education campaigns about the dangers of water beads and agrees that such campaigns are important and useful. However, CPSC has provided public service announcements regarding the hazard presented by this product and has issued unilateral warnings,^{40 41} safety warnings,⁴² public safety bulletins^{43 44 45} and social media graphics.^{46 47} CPSC Commissioners have issued statements related to the topic.^{48 49 50} In addition, several health

⁴⁰ <https://www.cpsc.gov/Newsroom/News-Releases/2024/CPSC-Warns-Consumers-to-Immediately-Stop-Using-Jangostor-Water-Beads-Due-to-Chemical-Toxicity-Hazard-Violation-of-Federal-Ban-of-Hazardous-Substances-Sold-on-Amazon-com>.

⁴¹ <https://www.cpsc.gov/Newsroom/News-Releases/2024/CPSC-Warns-Consumers-to-Immediately-Stop-Using-Tuladuo-Water-Bead-Sets-Due-to-Chemical-Toxicity-Hazard-Violation-of-Federal-Ban-of-Hazardous-Substances-Sold-on-Amazon-com>.

⁴² CPSC Warns that Narcotics and Water Beads Are Growing Risks Facing Young Children (March 19, 2024) <https://www.cpsc.gov/Newsroom/News-Releases/2024/CPSC-Warns-that-Narcotics-and-Water-Beads-Are-Growing-Risks-Facing-Young-Children>.

⁴³ Water Bead Safety Education Page <https://www.cpsc.gov/Safety-Education/Safety-Education-Centers/Water-Beads-Information-Center>.

⁴⁴ Water Beads: A Danger to Young Children & Can Be Deadly if Swallowed Graphic <https://www.cpsc.gov/Safety-Education/Safety-Guides/Toys-Crafts-Water-Beads/Water-Beads-A-Danger-to-Young-Children-Can-Be-Deadly-if-Swallowed>.

⁴⁵ Water Beads Can Be Deadly If Swallowed Graphic <https://www.cpsc.gov/Safety-Education/Safety-Guides/Toys-Crafts-Water-Beads/Water-Beads-Can-Be-Deadly-If-Swallowed>.

⁴⁶ Instagram @USCPSC https://www.instagram.com/p/C4rVCCANJyS/?utm_source=ig_web_button_share_sheet.

⁴⁷ X.com @USCPSC <https://x.com/USCPSC/status/1702341499604648310>.

⁴⁸ Water Beads Can Cause Intestinal Obstruction and Lead to Death: Get Them Out of Your Home (Sept 13 2023) <https://www.cpsc.gov/About-CPSC/Commissioner/Richard-Trumka/Statement/Water-Beads-Can-Cause-Intestinal-Obstruction-and-Lead-to-Death-Get-Them-Out-of-Your-Home>.

⁴⁹ Chair Hoehn-Saric Statement on the Dangers that Water Beads Pose to Young Children (Sept 14

organizations and social media advocates have brought attention to the issue. Despite such campaigns, incidents continue, demonstrating that such campaigns are not sufficient on their own. The Commission agrees with Ryan Jernigan that information and education campaigns can complement regulatory efforts that include performance and labeling requirements to reduce the incidence of ingestion and insertion incidents with water beads.

10. Collaboration With Manufacturers

Comment: Ryan Jernigan and Daniel Mendoza opine that it might be beneficial for CPSC to consider a collaborative approach with manufacturers to develop safer alternatives to water beads. CPSC could also establish workshops or webinars that provide practical guidance on compliance strategies, product redesign, and best practices for ensuring safety while maintaining product integrity. Encouraging innovation in toy design could lead to the creation of expanding materials that do not pose similar risks, thereby maintaining consumer interest while prioritizing safety.

Response: CPSC has been collaborating with manufacturers and other members of the public in a voluntary standard development setting for years to address the hazards of water bead toys. As stated in the preamble of the NPR (89 FR 73025), since 2009, CPSC has worked with the ASTM F15.22 Subcommittee Emerging Hazards Task Group to update the toy standard to address the hazards of water bead toys. The task group has discussed specific incident data and potential expansion limits for water bead toys, as well as the issue of acrylamide toxicity and water bead toys potentially containing high levels of acrylamide. The subcommittee has not, to date, published a standard that addresses the hazards presented by water bead toys. This includes the hazards presented due to expansion and acrylamide exposure.

11. Ban Water Beads Bills

Comment: Jake Peterson and NASPGHAN note that two bills have been introduced to Congress: H.R. 6468 (Ban Water Beads Act)⁵¹ and S. 4298

(Esther's Law)⁵² and that these are the best course of action to ensure children's safety.

Response: To date, neither of the two bills referenced by the commenters have been enacted into law. Therefore, as indicated by incident data, this rule is necessary in order to protect children from the risks of injuries from water bead toys.

F. Environmental Impact

Comment: Connor Mitchell asks whether CPSC is concerned that non-compliant water beads might be thrown away, further exacerbating the issues that plastic causes in our environment.

Response: As stated in the preamble of the NPR (89 FR 73045), there is little to no potential for affecting the human environment from the rule, and therefore, no environmental impact assessment is required for this rule. Additionally, non-compliant water beads do not have to be thrown away. Manufacturers and sellers can repackaging water bead toys to be sold for various non-toy purposes such as decorative purposes, air freshener products or deodorizers for cat litter, and in first-aid cold packs.

G. Data

Comment: Erin Brennan notes that the NPR suggests that there were 6,300 water bead related injuries seen in emergency departments from 2017 through 2022, but this number fails to differentiate between cases where actual harm to the child was recorded and visits that were merely precautionary, where no medical intervention was even necessary. The commenter asserts that if there were 6,300 cases of death or serious injury from these beads, then regulation may be necessary, but this is certainly not the case. Considering the actual risks involved in allowing children to play with water beads, the proposed regulations of these water beads are not justified.

Response: As stated in the preamble of the NPR (89 FR 73031), based on NEISS data, CPSC estimates 6,300 injuries related to water beads were treated in U.S. hospital emergency departments over the six-year period from 2017 through 2022. The disposition of those visits were as follows: 95 person treated by a medical professional and released; 2 percent admitted for hospitalization; 3 percent held for observation; and less than 1 percent left without being seen. Given that 95 percent of these visits are categorized as being treated and

released, staff cannot assume that these were all merely precautionary, where no medical intervention was necessary, as suggested by the commenter. Treatment could include multiple types of treatment depending on level of severity, including the administration of a scope or laxative.

H. Economic Impact

Comment: Corey Lee proposes the Commission reevaluate the per unit cost of the new packaging and labeling requirements. In his estimation, the unit cost seems to be arbitrarily set. The commenter asserts that no formula or methodology was presented as to how the Commission came to the figure. He states that one can assume the Commission is relying on older data and may be unaware of the complexities in the graphic production process. He states that the new label could require a new graphics plate which can cost up to \$1,000. More costing data needs to be assessed from various packaging and labeling suppliers. Also, the estimation needs to include discussions about the potential production consequences and potential financial risks posed by the new labeling requirement.

Response: As stated in the NPR, firms might incur a small one-time additional cost from updating existing labels and/or adding labels. The preamble of the NPR (89 FR 73044) stated that costs associated with modifying or adding warning labels are low on a per unit basis because all manufacturers of children's products are already required to provide labels with their product pursuant to section 14(a)(5) of the CPSA. In the preamble of the NPR (89 FR 73044) staff estimated that the additional costs related to updating labels are less than \$0.01 per unit of product sold, which is a typical industry assumption with minor changes to labeling. However, staff did consider the commenter's high-end cost estimate for \$1,000 for a new graphics plate in its updated economic feasibility assessment for the final rule given the complexity for moisture resistant packaging with this product that the commenter described. Therefore, the main conclusion of economic feasibility assessment remains that the final rule is economically feasible but could incur significant costs to small businesses that may either drop out of the market or stop marketing their products as toys.

Comment: The Toy Association contends that the assertion that firms might incur a small, one-time additional cost from updating existing labels and/or adding labels is incorrect. While the incremental cost estimated in the NPR for an over label (separately applied

2023) <https://www.cpsc.gov/About-CPSC/Chairman/Alexander-Hoehn-Saric/Statement/Chair-Hoehn-Saric-Statement-on-the-Dangers-that-Water-Beads-Pose-to-Young-Children>.

⁵⁰ Statement of Commissioner Peter A. Feldman on Buffalo Games, LLC, Water Beads Recall (Sept 14 2023) <https://www.cpsc.gov/About-CPSC/Commissioner/Peter-A-Feldman/Statement/Statement-of-Commissioner-Peter-A-Feldman-on-Buffalo-Games-LLC-Water-Beads-Recall>.

⁵¹ <https://www.congress.gov/bills/118th-congress/house-bill/6468/text>.

⁵² <https://www.congress.gov/bills/118th-congress/senate-bill/4298/text>.

stick-on label) might be at or close to the estimated cost for the application only, staff's estimates do not take into account the real costs associated with having to redesign the packaging to accommodate the additional label footprint, as well as the scrap costs for packaging already printed above and beyond the over label rework for product that is already contained in the previous packaging version. Stating that all manufacturers of children's products are already required to provide labels with their product pursuant to section 14(a)(5) of the CPSA is also misleading, since the labels being referenced are not separate components as staff appear to be implying, but instead integrated labeling elements incorporated into the design and positioning of the printed packaging layouts. Any such change requires a redesign to re-align and re-arrange all the packaging layout elements, especially when the new label is large and in such cases, the entire sizing of the package layout may well need to be enlarged to accommodate the label, resulting in additional scrap costs as well as increased shipment costs since the physical volume of the packages increase accordingly.

Response: While the Toy Association did not provide specific cost information for staff consideration, staff did account for labeling cost to be as high as a one-time purchase of a graphic plate of \$1,000 in the economic feasibility assessment based on another comment. However, that cost estimate is likely an overestimate for manufacturers as the labeling requirements may be met in less expensive ways. If there is not enough space available on the packaging for the new label, manufacturers can use a hangtag warning label. In the preamble of the NPR (89 FR 73044), staff estimated the additional costs related to updating labels are less than \$0.01 per unit of product sold. Staff continue to expect the incremental cost related to the labeling provisions to be generally low for firms. The costs associated with modifying or adding warning labels are low on a per unit basis because all manufacturers of children's products are already required to provide labels with their product pursuant to section 14(a)(5) of the CPSA. Firms might incur a small one-time additional cost from updating existing labels and/or adding labels. Even with the consideration of higher labeling costs, the main conclusion of the economic feasibility assessment remains that the final rule is economically feasible but could impose significant costs on small businesses that may either drop out of the market or stop marketing their products as toys.

Comment: Jake Peterson notes that small businesses can be disproportionately affected by an overbroad regulatory environment. A recent study by the American Enterprise Institute found that more regulation yields more profits for larger firms while crushing smaller ones.⁵³ Therefore, it is likely that large toy companies may benefit from this regulation.

Response: The commenter's assertions are not specific to water beads and are not substantiated with data. Instead, the commenter references an op-ed article by Timothy P. Carney that discusses the results of a working paper by Shikhar Singla. Neither of these references are about the toy industry. The referenced working paper does not review any regulations from the CPSC to estimate regulatory costs by regulatory agencies, nor does it rely on data from any large toy companies. The author of the working paper reviewed data from the Environmental Protection Agency, National Highway Traffic Safety Administration, Energy Department, Interior Department, Justice Department, Health and Human Services Department, Labor Department, Agriculture Department, Defense Department, and Homeland Department. The working paper references commercial package air conditioning and heating equipment, commercial warm air furnaces, automobile manufacturing, and light truck/utility vehicle manufacturing, which are not similar to the topic of the NPR.

In the preamble of the NPR (89 FR 73042) and unchanged for the final rule, staff assessed the rule likely would have a significant economic impact on a substantial number of small entities supplying the water bead toy market, primarily from redesign costs in the first year that the rule would be effective. Specifically, a significant impact likely would occur for small companies whose products do not meet the requirements of the rule. However, it is important to note that CPSC has enforced ASTM F963 as a mandatory standard for toys since 2009 and the existing section 4.40 *Expanding Materials* of ASTM F963–23 includes requirements for toys, including but not limited to water beads, that are made of expanding materials. Therefore, certain costs, as mentioned in the preamble of the NPR (89 FR 73042), should not be new significant costs for most small firms, given suppliers should already test to the current mandatory standard. As stated in the preamble of the NPR (89

FR 73044), staff expect that small manufacturers likely would incur significant costs from redesign, retooling, loss of product sales, and material changes to comply with the rule.

Comment: Connor Mitchell asserts that the NPR suggests small firms can alleviate compliance costs by replacing non-compliant water beads with smaller ones that fulfill the size requirement. However, the commenter states that the NPR also says that the growth requirement will likely require the redesign of all water beads, as no known water bead products comply with the rule. Therefore, the commenter questions how firms can alleviate costs in the manner advocated above. Finally, the commenter asserts firms could replace non-compliant water beads with ones that conform to the size regulations, these smaller water beads are still non-compliant with the proposed regulation because they do not meet the limits on water bead growth.

Response: Staff are aware of water bead toys that meet the rule's size limit requirement, which is being able to pass through a 5.0 mm diameter gauge. Additionally, staff note the proposed 50 percent growth limit has been removed from the rule. However, nearly all products staff reviewed exceed the updated size limit requirement. Staff expect manufacturers will incur retooling costs to ensure compliance and this could be a significant one-time cost, incurred by the manufacturer. Manufacturers also have the option of re-marketing their non-compliant water beads for non-toy uses such as decorative purposes (e.g., placement in candle holders), in vases or gardens for plant hydration, as air freshener products or deodorizers for cat litter, and for use in first-aid cold packs.

Comment: Connor Mitchell asks on what basis does CPSC believe that firms can sell non-compliant water beads in alternative non-toy markets. It fails to cite any market analysis or knowledge that would convince me that manufacturers or sellers could sell their non-compliant product into the non-toy water bead market. The commenter asks if the demand is already met in the non-toy water bead market, what is there to show that the non-compliant water beads would fulfill additional demand.

Response: As stated in the preamble of the NPR (89 FR 73027) there are several examples of non-toy water bead products. For example, products outside of the scope of this rule include water beads used for various non-toy uses, such as water beads used for decorative purposes (e.g., placement in candle holders), in vases or gardens for plant

⁵³ Timothy Carney, *More Regulation Yields More Profits for Large Firms While Crushing Small Ones*: Study Op-ed, Washington Examiner (2023).

hydration, as air freshener products or deodorizers for cat litter, and in first-aid cold packs. Also, additional demand is not required to sell products in already existing markets. Manufacturers would only make the transition if it was profitable to do so and as such would be creating an additional supply of the product. Generally, an increase in the supply of a product, given a stable product demand, results in a more competitive market.

Comment: The Toy Association asserts that staff estimate that “water beads over the size limit are less than 5 percent of the market based on the range of sizes from the descriptions and an assumed distribution” appears to be incorrect, since a significant portion of the hydrated water beads are larger than the proposed 9.0 mm diameter. A cursory review of water bead products on e-commerce sites illustrates water beads that are stated to expand to a size larger than the proposed 9.0 mm diameter threshold.

Response: Many of the water bead products available on the market that the commenter likely found in their cursory review are sold on e-commerce sites that are out of scope of this rule. Water bead toys are water beads designed, manufactured or marketed as a plaything for children under 14 years of age (consistent with the definition of a “toy” in ASTM F963). However, the commenter is correct that water beads over the size limit of 5.0 mm diameter (including the 9.0 mm diameter proposed in the NPR) likely do constitute more than 5 percent of the water bead toy market. Only some water bead toys are produced at sizes under the water bead diameter limit. Water bead toys that do not meet the proposed size limit would require modification.

I. Effective Date

Comment: Corey Lee and the Toy Association recommend the Commission extend the proposal’s effective date from 90 days to 360 days. Kirksey Croft agrees the compressed time frame of 90 days will not give small businesses enough time to implement all the requirements set forth and asserts that many small businesses will be effectively shut out of the market due to compliance costs. Also, the packaging and labeling costs associated with transitioning products to other markets will inhibit many transitions. Additionally, China WTO/TBT National Notification & Enquiry Center states the new proposal will have a significant impact on small and medium-sized enterprises, due to product size design adjustments, substitution and optimization of acrylamide raw

materials in product components, production and labeling of warning labels, and testing by third party organizations, etc. China recommends that the Commission should give a transitional period of 1–2 years.

Response: Although the rule includes mechanical, acrylamide, and labeling requirements, most of the test methods and test equipment are not unique, and the current ASTM F963 Toy Safety Standard utilizes several similar methods and equipment. Additionally, staff are aware of water beads currently on the market that comply with the rule’s size limit and would pass through the 5.0 mm diameter gauge cited in the rule when fully expanded.

Companies that choose not to redesign and reduce the fully expanded size of their water beads to comply with this rule regulating water bead toys have the option to repurpose and remarket those products as non-toy water bead products. Therefore, the Commission is finalizing the 90-day effective date as proposed.

Comment: AAP urges CPSC to adopt the soonest possible feasible implementation date. AAP also advises CPSC to take measures in this rule to avoid a massive sell-off inventory that does not comply with the rule.

Response: The Administrative Procedure Act (APA) generally requires that the effective date of a rule be at least 30 days after publication of the final rule. 5 U.S.C. 553(d). The Commission proposed a 90-day effective date in the NPR, which is being finalized as proposed.

Comment: AAP advises CPSC to take measures in this rule to avoid a massive sell-off inventory that does not comply with the rule.

Response: CPSC expects manufacturers to do what is most economically feasible and beneficial for them. That may include repackaging or repurposing their non-compliant water beads to be sold for non-toy uses such as decorative purposes (e.g., placement in candle holders), in vases or gardens for plant hydration, as air freshener products or deodorizers for cat litter, and used in first-aid cold packs. Suppliers of non-compliant water beads may bypass traditional retail channels like wholesalers and retailers and use e-commerce platforms to sell-off inventory directly to consumers. Such sales would be subject to compliance and enforcement action when the rule becomes effective.

Comment: Kirksey Croft opines that the proposal raises severe concerns about laboratory readiness and compliance capabilities under the 90-day timeline. While 81 third party

laboratories are CPSC-accepted under ASTM F963–23 and 153 under ASTM F963–17, none are accredited for the new testing protocols or equipped with specialized analytical equipment like LC–MS/MS. The accreditation process alone typically takes several months, due to new test protocols, personnel training, and formal acceptance.

Response: Although this rule introduces new acrylamide testing requirements that will require specialized analytical equipment, such as an LC–MS/MS system to measure acrylamide extractions, this equipment is commercially available and not unique. New equipment, such as LS–MS/MS systems, are regularly purchased by third party laboratories as new standards are introduced and other standards are updated. Similarly, third party laboratories develop test protocols and train personnel as needed, as new standards are introduced and standards are updated on a regular basis. While third party laboratories may not currently be CPSC-accepted for the water bead rule, CPSC expects these laboratories will be competent to conduct the required testing and will have their International Organization for Standardization (ISO) accreditation and CPSC-acceptance updated in the normal course of accreditation. Finally, 90 days is the statutory time allotted to issue a notice of requirements (NOR) under section 14 of the CPSA.

VI. Description of the Final Rule for Water Bead Toys

Based on incident data described in section III of this preamble and the reasons provided in the NPR and staff’s engineering, health sciences, and human factors assessments, the rule creates a new section 1250.4, Requirements for Water Beads for 16 CFR part 1250, Safety Standard Mandating ASTM F963 for Toys, adding performance and labeling requirements for water beads to better address the known water bead hazards and to provide the highest level of safety feasible for such products. Further, this rule revises the title of part 1250 from “Safety Standard Mandating ASTM F963 for Toys” to “Safety Standard for Toys,” to reflect the inclusion of the requirements in this rule that do not incorporate by reference existing requirements in the ASTM F963 voluntary standard.

A. Section 1250.4(a) Scope and Purpose

This section establishes performance and labeling requirements for water bead toys and toys containing water beads to minimize the risk of children ingesting, inserting, aspirating, and

choking on water beads. The provisions of this part are intended to eliminate or adequately reduce the risk of injury and death to children from water bead toy hazards. This section adds requirements for water bead toys in addition to the requirements of § 1250.2. Section 1250.4(a) is being finalized as proposed in the NPR.

B. Section 1250.4(b) Definitions

Section 1250.4(b) provides definitions for the following terms used in the rule: aspiration hazard, choking hazard, ingestion hazard, insertion hazard, and water bead. The definitions in § 1250.4(b) are being finalized as proposed in the NPR except for one change discussed below. The language in the definition of water bead in the final rule has been amended from the proposed “water absorbent polymer” to

“liquid absorbent polymer.” The change from “water” to the term “liquid” in the definition of water bead is to ensure the definition is broad enough to include water beads that can absorb liquids other than water that could present the same hazard.

C. Section 1250.4(c) Performance Requirements

Section 1250.4(c) provides performance requirements for water bead toys with mechanical requirements (§ 1250.4(c)(1)) and the accompanying test method, and acrylamide limit requirements (§ 1250.4(c)(2)) with the accompanying test. Section 1250.4(c) is being finalized as proposed in the NPR except as discussed below.

In section 1250.4(c)(1) of the final rule, the proposed funnel test gauge diameter has been reduced from 9.0 mm

to 5.0 mm. See section V.B of the preamble for further details. The corresponding test methods have been revised by deleting sections 1250.4(c)(1)(iii) and (vi) from the test method as being unnecessary because the 50 percent expansion limit has been removed from the final rule, which makes it unnecessary to measure the water bead toy’s dehydrated dimensions (1250.4(c)(1)(iii)) and the percentage of expansion (1250.4(c)(1)(vi)) with calipers. The remaining paragraphs in the test method have been renumbered to reflect these changes. Finally, an additional test option allowing for a sieve test gauge to be used for testing multiple water beads has been added to the testing requirements in section 1250.4(c)(1), which is depicted below as the new Figure 3 as it appears in the codified text of the final rule.

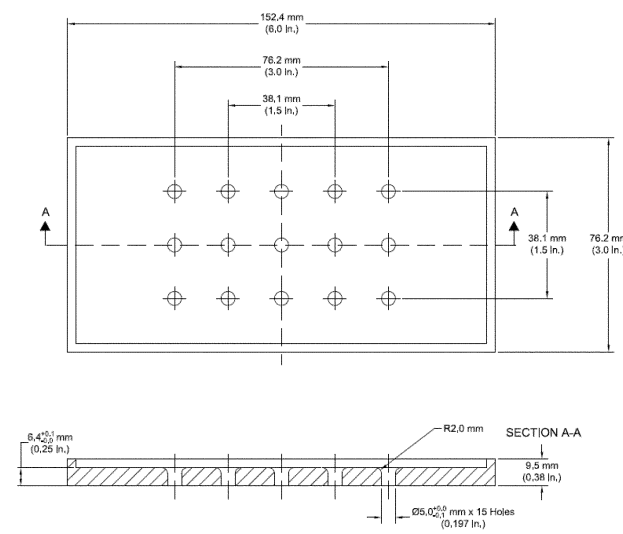


Figure 3 to paragraph (c)(1) – Sieve Test Gauge. Material: Polytetrafluorethylene (PTFE).

In section 1250.4(c)(2), the extractable acrylamide limit has been changed from 65 µg to 325 µg per 100 small beads or per 1 large bead in the final rule. Additionally, in section 1250.4(c)(2), for acrylamide testing, the proposed language of the definition for small and large water beads has been changed from the proposed “across the smallest diameter” for small water beads to “in all dimensions,” and for large water beads from “across the smallest diameter” to “in any dimension” in the final rule.

D. Section 1250.4(d) Labeling Requirements

Section 1250.4(d) provides the marking, labeling, and instructional literature requirements for water bead toys (marking and labeling in § 1250.4(d)(1)) and (instructional literature in § 1250.4(d)(2)). Section 1250.4(d) is being finalized as proposed in the NPR except as discussed below.

Several changes have been made to proposed Figures 3 and 4 in § 1250.4(d) as described below. In section 1250.4(d), Figures 3 (“Warning for Water Bead Toys and Packaging”) and 4 (“Toys That Contain Water Beads”) of the proposed rule have been renumbered in the final

rule as Figures 4 and 5, respectively, and the figure captions have been revised for clarity. The Figure 4 caption now reads as, “Warning for Water Bead Toys and their Packaging,” and the Figure 5 caption now reads as, “Warning for Toys with Contained Water Beads and their Packaging.” In addition, both figures have been revised in the final rule to reflect changes in warning content made in response to public comments and other clarifications. All changes described below apply to both figures, unless otherwise specified.

- The first sentence of the warning has been changed from “This product

contains water beads that grow larger,” to “Contains water beads that can grow larger when swallowed or inserted in the ear or nose” in the final rule. This revision clarifies that the expansion of water beads can occur within the body after ingestion or insertion and brings greater attention to the common insertion hazard.

- The sentence, “Discard if beads are coming out,” in proposed Figure 4 has been changed to, “Discard product if beads start to come out,” to clarify that the product containing the water beads, not just the beads, should be discarded and that the product should be discarded as soon as any beads start to come out, rather than the beads having to be flowing out of the product. In addition, this sentence has been moved into the bullet list of precautionary statements in renumbered Figure 5 in the final rule, where hazard-avoidance statements are more appropriately located.

- The sentence, “Children have DIED after swallowing water beads because the beads blocked their intestines,” has

been changed in the final rule to “Children have DIED when the beads blocked their intestines,” for brevity and to limit redundancy with the initial sentence of the warnings, which was revised to explicitly refer to swallowing.

- The sentence, “Your child can die too,” has been deleted in the final rule as unnecessary and unwarranted given the explicit reference to death in the prior sentence, which already emphasizes the urgency of the hazard and is likely to motivate consumers to act, and the relative rarity of fatalities.

- The sentence, “Inserted beads have resulted in surgeries,” has been added to the warnings in the final rule to identify the potentially consequences of exposure to the insertion hazard.

- The sentence, “Watch older children during use,” has been added to the warning in the final rule after the statement about keeping water beads away from babies and toddlers to emphasize the importance of monitoring older children’s use of water beads.

- The sentence, “Never use as a sensory toy or bath toy,” has been

deleted from the final rule to prevent confusion about what constitutes a sensory toy. In addition, this language was intended to address young children, who commonly use water beads as sensory or bath toys. The warnings in the rule already explicitly warn to keep beads away from babies and toddlers.

- The sentence, “Seek immediate medical attention if you think your child swallowed beads or inserted beads into their nose, ears, or other part of the body,” has been changed in the final rule to, “Get medical help right away if you think your child swallowed or inserted beads,” to be more concise, to eliminate redundant information, and to be presented in more plain language, which is likely to increase the number of consumers able to read and understand the statement. The phrase, “Get medical help right away,” also has been highlighted using boldface type in the final rule. The renumbered Figures 4 and 5 as revised in the final rule are depicted below.

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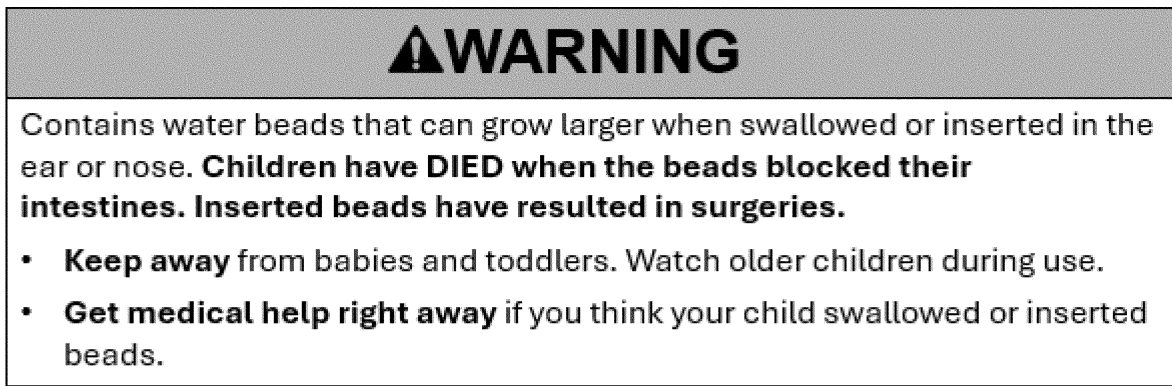


Figure 4 to Paragraph (d)(1)(i)—Warning for Water Bead Toys and their Packaging.

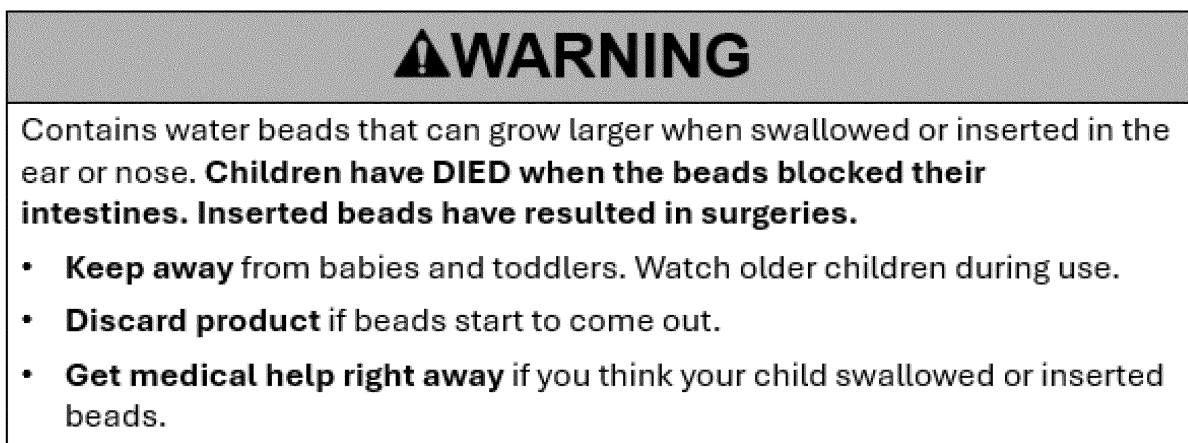


Figure 5 to Paragraph (d)(1)(ii)—Warning for Toys with Contained Water Beads and their Packaging.

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Section 1250.4(d)(1)(vi)(C) of the rule also corrects two minor typographical errors in the proposed rule. First, in the proposed rule, this section mistakenly referenced “section X of” ANSI Z535.4–2023; however, the Z535.4 standard does not have a section X. Thus, the phrase “section X of” has been deleted in the final rule. Second, in the proposed rule, this section mistakenly omitted the quotation marks at the beginning of the phrase, “safety white,” in the example that was provided. These missing quotation marks have been added for the final rule.

E. Section 1250.10 Incorporation by Reference

Section 1250.10 creates a centralized incorporation by reference provision for part 1250 and incorporates by reference ANSI Z535.4–2023, *American National Standard for Product Safety Signs and Labels* (approved December 14, 2023) and provides information on where that standard is available. ANSI Z535.4–

2023 includes requirements related to safety alert symbol use; signal word selection; warning panel format, arrangement, and shape; color requirements for each panel; letter style; to identify and warn against specific hazards; and to provide information to avoid personal injury.

VII. Amendment to 16 CFR Part 1112 To Include Notice of Requirements for Safety Standard for Toys: Requirements for Water Beads

Products subject to a consumer product safety rule under the CPSA, or to a similar rule, ban, standard, or regulation under any other act enforced by the Commission, must be certified as complying with all applicable CPSC-enforced requirements. 15 U.S.C. 2063(a). Certification of children’s products subject to a children’s product safety rule must be based on testing conducted by a CPSC-accepted third party conformity assessment body. 15 U.S.C. 2063(a)(2). The Commission must

publish an NOR for the accreditation of testing laboratories as third party conformity assessment bodies to assess conformity with a children’s product safety rule. 15 U.S.C. 2063(a)(3). This rule for water bead toys is a children’s product safety rule that requires the issuance of an NOR.

The Commission’s rules, at 16 CFR part 1112, establish requirements for accreditation of third party conformity assessment bodies to test for conformance with a children’s product safety rule in accordance with section 14(a)(2) of the CPSA. Part 1112 also lists the NORs that the CPSC has published. In the NPR, the Commission proposed to amend part 1112 to include the Safety Standard for Toys: Requirements for Water Beads in the list of children’s product safety rules for which the CPSC has issued NORs. The numbering for proposed section 16 CFR 1112.15(b)(32)(ii)(LL) has been revised in the final rule to 16 CFR 1112.15(b)(32)(iv) for accuracy but is

otherwise being finalized as proposed in the NPR.

Laboratories applying for acceptance as a CPSC-accepted third party conformity assessment body to test to the new Safety Standard for Toys: Requirements for Water Beads are required to meet the third party conformity assessment body accreditation requirements in part 1112. When a laboratory meets the requirements as a CPSC-accepted third party conformity assessment body, the laboratory can apply to the CPSC to have the Safety Standard for Toys: Requirements for Water Beads included in its scope of accreditation as reflected on the CPSC website at: www.cpsc.gov/labsearch.

VIII. Feasibility of Requirements

Pursuant to section 106(c) of the CPSIA, Congress directed the Commission to “periodically review and revise the rules set forth under this section to ensure that such rules provide the highest level of safety for such products that is feasible.” 15 U.S.C. 2056b(c). The Commission’s statutory obligation is to ensure that toys have the highest level of safety that the producers are capable of achieving, considering technological and economic ability. Based on the staff’s analysis provided in the NPR and the responses to comments in the final rule, the Commission determines that the rule is technically and economically feasible.

A. Technological Feasibility

A rule is technically feasible if it is capable of being done. For example, compliant products might already be on the market; or the technology to comply with requirements might be commercially available; or existing products could be made compliant; or alternative practices, best practices, or operational changes would allow manufacturers to comply. *See, e.g.*, 15 U.S.C. 1278a(d) (discussing lead limits). The requirements of the final rule meet the technical feasibility criteria. For instance, some products currently available on the market are within the final rule’s 5.0 mm size limitation. There are also some products currently available on the market that meet the acrylamide limits of 325 µg of extractable acrylamide per 100 small beads or per one large bead. With respect to demonstrating compliance, the test gauge test does not require tools, like a push rod, to determine whether a water bead can pass through the gauge. Further, several testing tools required in the rule (*e.g.*, a small parts cylinder) are already included in CPSC mandatory standards or come from the ASTM F963

standard. Accordingly, much of the technology is already used when testing to section 4.40 of ASTM F963–23 and is commercially available.

B. Economic Feasibility

The rule is economically feasible because non-compliant toy products can be redesigned to be compliant or can be repurposed and remarketed for non-toy uses. Based on staff’s analysis, the Commission expects manufacturers would incur material costs to redesign their product and retool their manufacturing processes to produce a compliant product to comply with the rule. Staff expect the redesign and retooling costs likely will be significant for small firms involved in the water bead toy market. Labeling costs are typically negligible, however a public comment stated that the labeling costs for these packages may be more complicated and require a new graphics plate which could cost up to \$1,000. These costs would be a one-time purchase spread over the production of likely thousands of units. Additionally, other options, such as hang tags, are available to manufacturers. A decline in sales is expected, as many currently available water bead toys would not be compliant with the rule. However, while the impact of the rule may be significant to suppliers, firms could sell compliant water bead toys or repurpose and remarket non-compliant water bead toys for non-toy purposes, such as agricultural purposes, decorative purposes, as air freshener products or deodorizers for cat litter, and in first-aid cold packs.

IX. Incorporation by Reference

The rule incorporates by reference ANSI Z535.4–2023, *American National Standard for Product Safety Signs*. In accordance with the regulations of the Office of the Federal Register, 1 CFR part 51, Part V.I.E of this preamble summarizes the requirements of the ANSI Z535.4–2023. The standard is reasonably available to interested parties in several ways. Interested persons may purchase a copy of ANSI Z535.4–2023 from ANSI via its website, www.ansi.org, or by mail from ANSI, 25 West 43rd Street, 4th Floor, New York, NY 10036, telephone: (212) 642–4900. Once the rule takes effect, a read-only copy of ANSI Z535.4–2023 will be available for viewing, at no cost, on the ANSI website at: <https://libr.ansi.org/Standards/nema.aspx>. Alternatively, interested parties may inspect a copy of the standards at CPSC’s Office of the Secretary by contacting Alberta E. Mills, Commission Secretary, U.S. Consumer Product Safety Commission, 4330 East

West Highway, Bethesda, MD 20814; phone: (301) 504–7479; email: cpsc-os@cpsc.gov.

ASTM F963–23 is referenced in the amendatory text of this document and was previously approved for 16 CFR 1250.2.

X. Effective Date

The Administrative Procedure Act (APA) generally requires that the effective date of a rule be at least 30 days after publication of the final rule. 5 U.S.C. 553(d). The Commission proposed a 90-day effective date in the NPR. For the reasons discussed in the response to comments in section V.H of this preamble, the Commission is finalizing the 90-day effective date as proposed in the NPR. Additionally, a 90-day effective date allows the rule going into effect to coincide with the third party testing requirements for children’s products under section 14(a)(3) of the CPSA, as an NOR date must be no later than 90 days before such rules or revisions take place. 15 U.S.C. 2063(a)(3). The rule applies to all water beads toys manufactured after the effective date. 15 U.S.C. 2058(g)(1).

XI. Regulatory Flexibility Act

When an agency is required to publish a notice of proposed rulemaking, the Regulatory Flexibility Act (RFA, 5 U.S.C. 601–612) generally requires that the agency prepare an IRFA for the NPR and a final regulatory flexibility analysis (FRFA) for the final rule. 5 U.S.C. 603, 604. These analyses must describe the impact that the rule would have on small businesses and other entities. The FRFA must contain:

- (1) a statement of the need for and objectives of the rule;
- (2) significant issues raised by commenters on the IRFA, the agency’s assessment of those issues, and changes made to the result as a result of the comments;
- (3) a response to any comments filed by the Chief Counsel for Advocacy of the U.S. Small Business Administration (Advocacy), and changes made as a result of those comments;
- (4) a description and estimate of the number of small entities to which the rule will apply;
- (5) a description of the projected reporting, recordkeeping, and other compliance requirements of the rule, 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; and
- (6) steps the agency has taken to minimize the significant economic impact on small entities, consistent with

the objective of the applicable statute, including the factual, policy, and legal reasons for selecting the alternative in the final rule and why other alternatives were rejected.

Staff prepared an IRFA for this rulemaking that was provided in the preamble of the NPR. The FRFA is provided below.

A. Need for and Objectives of the Rule

Section I of this preamble explains why the Commission is establishing a mandatory rule for water bead toys and provides a statement of the objectives of, and legal basis for the rule. Section II of this preamble describes the types of products within the scope of the rule, the market for water beads, and the use of water beads in the U.S. The requirements in the rule are more stringent than ASTM F963–23, which the Commission is incorporating into the mandatory rule 16 CFR part 1250, Safety Standard Mandating ASTM F963 for Toys, as described in sections IV and V of this preamble. The rule addresses the known hazards presented by water bead toys, discussed in section III of this preamble, that the current ASTM F963–23 does not adequately address.

B. Comments and Responses Concerning Impact on Small Entities

One hundred thirty-five comments were submitted in response to the NPR.

However, none of the comments specifically addressed, or resulted in significant changes to, the initial regulatory flexibility analysis. A summary of the significant issues with possible economic impacts, clarifications and corrections to the initial analysis, and a summary of staff's assessment of such issues are contained in section V.F of this preamble.

C. Issues Raised by the Small Business Administration

The Small Business Administration (SBA) did not submit a comment on the proposed rule.

D. Small Entities to Which the Rule Would Apply

Section II of this preamble describes the products within the scope of the rule and an overview of the market for water beads. This section provides additional details on the market for products within the scope of the rule.

Staff has found that a majority of the firms that sell water bead toys are wholesalers of hobby goods, toys, and plastic products.⁵⁴ Retailers of water bead toy products are hobby and toy stores, department stores, and warehouse stores and supercenters.⁵⁵ Some of these products may be sold by convenience stores, but staff estimates the number of units sold from such stores is negligible. Water bead toys are

small, novelty products which can easily be stored and sold on varying retail channels and therefore, the described retailers, importers, and manufacturers are not all inclusive but represent the most prominent sources for water bead toys.

Currently, over 30 firms supply water bead toys to the U.S. market. Most of the U.S.-based manufacturers and importers are small companies based on Small Business Administration (SBA) size standards.⁵⁶ The SBA size standards for small entities are based on the number of employees or the annual revenue of the firm, and there is a specific size standard for each 6-digit North American Industry Classification Series (NAICS) category.⁵⁷ The U.S. Census Bureau conducts an annual survey of small businesses in the U.S. and tallies how many large and small businesses are in each NAICS category.⁵⁸ There is no NAICS category specifically for water bead manufacturing or importing. Firms that manufacture water bead toy products may be categorized as doll, toy, and game manufacturing or under the category “All Other Plastic Product Manufacturing.” Importers are generally considered a type of merchant wholesaler. As seen in Tables 1 and 2 below depicting applicable NAICS categories, the SBA small entity threshold for manufacturers is generally 150 to 750 employees.

TABLE 1—ESTIMATE OF NUMBER OF SMALL MANUFACTURERS AND IMPORTERS

NAICS code	Description	SBA size standard for firms (# of employees)	Number of firms that meet size standard (based on SUSB data)
339930	Doll, Toy, and Game Manufacturing	700	7
326199	All Other Plastic Product Manufacturing	750	1
424610	Plastics Materials and Basic Forms and Shapes Merchant Wholesalers	150	4
423920	Toy and Hobby Goods and Supplies Merchant Wholesalers	175	19

TABLE 2—ESTIMATE OF NUMBER OF SMALL RETAILERS

NAICS code ⁵⁹	Description	SBA size standard for firms (annual revenue) millions \$	Number of firms that meet size standard (based on SUSB data)
452210	Department Stores	\$40.0	15
452310	General Merchandise Stores, Including Warehouse Clubs and Supercenters	47.0	8,006

⁵⁴ The North American Industry Classification System (NAICS) defines product codes for U.S. firms. Firms advertise water bead products as toys, and therefore water beads may be categorized under many NAICS product codes. These firms could be listed in NAICS code 339930 Doll, Toy, and Game Manufacturing but some may also be listed in code 326199 All Other Plastic Product Manufacturing. Importers of these products could also vary among different NAICS codes. A majority of the firms should be listed in the following NAICS codes as wholesalers: 423920 Toy and Hobby Goods and Supplies Merchant Wholesalers, and 424610

Plastics Materials and Basic Forms and Shapes Merchant Wholesalers.
⁵⁵ Retailers consist of NAICS codes 459120 Hobby, Toy, and Game Stores, 455110 Department Stores, and 455211 Warehouse Clubs and Supercenters.
⁵⁶ Under SBA standards, a manufacturer, importer, and retailer of a product is categorized as a small entity based on their associated NAICS code. SBA uses the number of employees to determine if a manufacturer or importer is a small entity while SBA uses the amount of annual revenues for retailers.

⁵⁷ The North American Industry Classification System (NAICS) is the standard used by Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy. For more information, see <https://www.census.gov/naics/>. Some programs use 6-digit NAICS codes, which provide more specific information than programs that use more general 3- or 4-digit NAICS codes.
⁵⁸ <https://www.census.gov/programs-surveys/susb/data/tables.html>.

TABLE 2—ESTIMATE OF NUMBER OF SMALL RETAILERS—Continued

NAICS code ⁵⁹	Description	SBA size standard for firms (annual revenue) millions \$	Number of firms that meet size standard (based on SUSB data)
451120	Hobby, Toy, and Game Stores	35.0	4,660

Based on the Census Bureau's 2021 Statistics of U.S. Businesses (SUSB) data and a review of publicly available data on annual revenues, staff estimates the number of firms classified as small for the aforementioned NAICS codes to be eight manufacturers, 23 importers, and 12,681 retailers. These firms could be considered small and supply water bead toys.

E. Compliance, Reporting, Paperwork, and Recordkeeping Requirements of the Rule

The rule requires suppliers (manufacturers and importers) of water bead toys to meet performance, warning label, and user instruction requirements, and to conduct third party testing to demonstrate compliance. This section discusses the reporting and paperwork requirements. As required by the Paperwork Reduction Act of 1995, CPSC receives approval of information collection requirements pertaining to third party for children's products under OMB Control Number 3041–0159.

Manufacturers must demonstrate that they have met the performance requirements of the rule by providing a children's product certificate. As specified in 16 CFR part 1109, suppliers who are not the original manufacturer, such as importers, may rely on the testing or certification suppliers provide, as long as the requirements in part 1109 are met. Manufacturers and importers are required to furnish certificates to retailers and distributors (section 14(g)(3) of the CPSA); retailers are not required to third party test the children's products that they sell unless they are also the manufacturer or importer. Under section 14 of the CPSA, manufacturers, importers, and private labelers of water bead toys will be required to certify, based on a test of each product conducted by third party conformity assessment body, that their products comply with the requirements of the rule. Each children's product

certificate must identify the third party conformity assessment body that conducted the testing upon which the certificate is based.

F. Impact of the Rule on Small Entities

Water bead toys that expand and are unable to pass through a 5.0 mm diameter gauge when tested pursuant to section 8.30, *Expanding Materials Test Method* of ASTM F963–23, with modifications in the rule, would require modification to meet the rule or be taken off the market. Additionally, water beads toys that do not meet the acrylamide limit would require modification or discontinuation.

The Commission assesses it is likely that a substantial number of small firms will incur significant costs from redesign, retooling, loss of sales, or the purchase and installation of new components. Staff have identified some water bead toys that are produced at sizes under the maximum water bead size limit of 5.0 mm. Staff estimates that water bead toys over the size limit are a significant portion of the market and that most available water bead toys currently available on the market would not be compliant.

Staff reviewed product descriptions for popular water bead toy retail packages and found that most are sold in mixed sizes with water bead toys that are typically over the maximum size limit of the rule. Staff estimates that water bead toys under the size limit are less than 5 percent of the market based on the range of sizes in these descriptions. Staff assess water bead toys over the established limit can be replaced with sizes smaller than the limit to comply with the rule, however these water bead toys may need to be redesigned by the manufacturer. Given this requirement, and the likelihood that most currently available water bead toys would not be compliant, staff expects some small firms to exit the market, or to no longer package and advertise their products as toys but instead as agricultural or decorative home products (although firms may be able to redesign toys with water beads that expand to less than 5.0 mm diameter). Due to the uncertainty related to redesigning these products, staff cannot

generate an estimate of the potential costs of the rule.

Firms might incur a small one-time additional cost from updating existing labels and/or adding labels. Generally, the costs associated with modifying or adding warning labels are low on a per unit basis because all manufacturers of children's products are already required to provide labels with their product pursuant to section 14(a)(5) of the CPSA. In the NPR, staff estimated additional costs related to updating labels as less than \$0.01 per unit of product sold, which is a typical industry assumption. However, a commenter stated that labelling and repackaging for water beads may be more complex and submitted a cost estimate for a graphic plate of up to \$1,000. Staff consider this to be the high-end of potential cost for labelling, and that the existence of less expensive alternatives, such as hang tags, will drive firms to less expensive options. Additionally, this one-time \$1,000 costs will be spread across thousands of units.

G. Impact on Small Manufacturers

Staff considers 1 percent of revenue to be a "significant" economic impact, consistent with other federal government agencies. Staff expect that small manufacturers would incur significant costs from redesign, retooling, loss of product sales, and material change to comply with the rule. Overall, staff assess that a substantial number of small manufacturing firms will likely incur a significant cost from the rule, although sale losses would be mitigated to the extent that manufacturers repurpose and remarket non-compliant water bead toys for non-toy uses (e.g., agricultural or decorative).

H. Third Party Testing Costs

The final rule requires manufacturers and importers of water bead toys to comply with additional performance requirements and demonstrate compliance by required third party testing. As specified in 16 CFR part 1109, entities that are not manufacturers of children's products, such as importers, may rely on the certificate of compliance provided by others.

Water bead toy manufacturers are already required to certify compliance

⁵⁹ Note that there are discrepancies between the published SBA size standard NAICS code and the SUSB code. Staff used the code description to match the size standard to the correct value. Retailer size determinations were made using 2017 SUSB data and applying a ratio of the number of firms that meet the standard to the 2021 data values.

of children's products using CPSC-accepted third party testing. The certification must be based on a test of each product performed by a CPSC-accepted third party conformity assessment body. Based on quotes from testing laboratories for ASTM F963 mechanical services and chemistry testing services, the cost of certification testing ranges from \$300 to \$500 per product sample. However, manufacturers could incur additional costs for certifying compliance with the rule. Some laboratories currently not performing acrylamide testing in other contexts may incur retooling costs to perform the necessary testing, which could result in higher prices per product sample. In addition, third party testing laboratories will likely need to invest in new testing equipment to test to the new requirements and would pass the costs of the additional testing equipment on to the supplier. CPSC expects an incremental cost increase of \$50 in the cost of testing water bead toys to the rule.⁶⁰

I. Other Federal Rules That May Duplicate, Overlap, or Conflict With the Final Rule

CPSC has not identified any other federal rules that duplicate, overlap, or conflict with the final rule.

J. Alternatives Considered To Reduce the Impact on Small Entities

The Commission considered three alternatives to the final rule that could reduce the impact on small entities: (1) not establishing a mandatory standard for water beads, (2) establishing an information and education campaign, or (3) setting a later effective date.

1. Not Establishing a Mandatory Standard

Section 106 of the CPSIA requires CPSC to periodically review and revise ASTM F963 to ensure that such standards provide the highest level of safety for such products that is feasible. Given CPSC's statutory mandate, and continuing incidents associated with water bead toys as described in section III of this preamble, the Commission has determined that it must address the safety of children using water bead toys to ensure that the risks of ingestion and insertion into the body are mitigated. While failing to promulgate a mandatory

standard for water beads would have no direct impact on U.S. small businesses, it would allow hazardous products to remain on the market and do nothing to reduce known hazards associated with water bead toys. This option might be selected if it were believed that the risk associated with these products is acceptable and that agency warning efforts have resulted, or will result, in the necessary market changes to address these injuries. As discussed immediately below, however, that is not the case. In addition, while there are no direct costs associated with this alternative, this alternative is unlikely to directly address the fatal and non-fatal injuries identified from water bead toys.

2. Information and Education Campaign

CPSC could expand its information and education campaigns concerning the ingestion hazard associated with water bead toys. This would require consumer outreach efforts like advertising and marketing related to the hazards. This alternative could be implemented independent of regulatory action. Public awareness is a crucial component in making safe purchasing decisions and safely using water beads toys. CPSC issued the first warning about ingesting water beads in 2012 with a recall. Since then, there have been many announcements from government bodies, healthcare professionals and the media.⁶¹ Given the continuing incidents associated with water beads, the Commission assesses that information and education campaigns have limited effectiveness in adequately addressing the hazard.

⁶¹ Dunecraft Recalls Water Balz, Skulls, Orbs and Flower Toys Due to Serious Ingestion Hazard | CPSC.gov (2012) <https://www.cpsc.gov/Recalls/2012/dunecraft-recalls-water-balz-skulls-orbs-and-flower-toys-due-to-serious-ingestion>; ACCC warns of dangers of water expanding balls to kids | ACCC (2015) <https://www.accc.gov.au/media-release/accc-warns-of-dangers-of-water-expanding-balls-to-kids>; Are Water Beads Toxic?—poisonhelp.org <https://www.poisonhelp.org/2024/03/26/water-beads-toxic/>; How High-Powered Magnetic Toys Can Harm Children—HealthyChildren.org (2023) <https://www.healthychildren.org/English/safety-prevention/at-home/Pages/Dangers-of-Magnetic-Toys-and-Fake-Piercings.aspx?ampnfstatus=401&nfToken=00000000-0000-0000-0000-000000000000&nfstatusdescription=ERROR%2525252525253A%2525252525252BNo%252525252525252Blocal%2525252525252Btoken>; Water Beads: A Danger to Young Children & Can Be Deadly if Swallowed | CPSC.gov (2023) <https://www.cpsc.gov/Safety-Education/Safety-Guides/Toys-Crafts-Water-Beads/Water-Beads-A-Danger-to-Young-Children-Can-Be-Deadly-if-Swallowed>; Water Beads: Harmful if Swallowed, Put in Ears—HealthyChildren.org (2024) https://www.healthychildren.org/English/safety-prevention/at-home/Pages/Water-Beads-Harmful.aspx?gad_source=1; Water Beads | CPSC.gov (2024) <https://www.cpsc.gov/Safety-Education/Safety-Education-Centers/Water-Beads-Information-Center?language=en>.

⁶⁰ Third party testing laboratories would need to invest approximately \$200 in performance testing equipment to test to the new requirements. Staff assumes each testing lab would test 4 product samples to the performance requirements and would pass the costs of the additional testing equipment on to the supplier. (\$200 in new equipment + 4 tests of product samples = an additional \$50 per test.)

Therefore, the Commission finds that while an information campaign might be helpful, it would be inadequate to address water bead toy hazards.

3. Later Effective Date

The Commission could propose a later effective date that would reduce the burden on firms of all sizes by allowing more time to remove products from the market, repackage, and test products. In addition, testing laboratories need to become accredited to the rule before any product can be tested to the rule. Smaller companies are less likely to have the resources to quickly come into compliance with the rule than larger ones, and a minority of the small U.S. companies that have products in scope of this rule have multiple products that do not appear to meet the new performance requirements. However, the Commission finds that providing a longer effective date would allow the hazards of water bead toys to be unaddressed for a later period of time resulting in more deaths and injuries, and thus, would unreasonably delay addressing the ingestion hazard associated with water beads.

XII. Paperwork Reduction Act

This rule contains information collection requirements that are subject to public comment and review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (PRA; 44 U.S.C. 3501–3521). The preamble to the NPR discussed the information collection burden of the rule and specifically requested comments on the accuracy of CPSC's estimates. 89 FR 73045 (September 9, 2024). The NPR described the provisions of the rule and provided an estimate of the annual reporting burden for the rule under the PRA. The estimated burden of this collection of information is unchanged from the NPR. CPSC did not receive any comments regarding the information collection burden in the NPR through OMB. OMB has assigned control number 3041–0206 to this information collection.

XIII. Certification and Notice of Requirements

Section 14(a) of the CPSA imposes the requirement that products subject to a consumer product safety rule under the CPSA, or to a similar rule, ban, standard, or regulation under any other act enforced by the Commission, must be certified as complying with all applicable CPSC-enforced requirements. 15 U.S.C. 2063(a). Section 14(a)(2) of the CPSA requires that certification of children's products subject to a

children's product safety rule be based on testing conducted by a CPSC-accepted third party conformity assessment body. Section 14(a)(3) of the CPSA requires the Commission to publish an NOR for the accreditation of third party conformity assessment bodies (or laboratories) to assess conformity with a children's product safety rule to which a children's product is subject. The rule creates a new 16 CFR 1250.4 as part of 16 CFR part 1250 that is a children's product safety rule that requires the issuance of an NOR.

16 CFR part 1112 establishes requirements for accreditation of third party conformity assessment bodies to test for conformity with a children's product safety rule in accordance with section 14(a)(2) of the CPSA. Part 1112 also codifies all of the NORs issued previously by the Commission. To meet the requirement that the Commission issue an NOR for the rule, the rule adds water beads to the list of children's product safety rules for which CPSC has issued an NOR.

Testing laboratories applying for acceptance as a CPSC-accepted third party conformity assessment body to test to the new standard for water bead toys would be required to meet the third party conformity assessment body accreditation requirements in part 1112. When a laboratory meets the requirements as a CPSC-accepted third party conformity assessment body, the laboratory can apply to CPSC to have 16 CFR 1250.4, Safety Standard for Toys: Requirements for Water Beads, included within the laboratory's scope of accreditation of CPSC safety rules listed for the laboratory on the CPSC website at: <https://www.cpsc.gov/cgi-bin/labsearch/>.

Testing laboratories should not be adversely impacted as a result of this rule. Approximately 155 third party testing laboratories are CPSC-accepted to test compliance with expanding materials as provided in section 4.40 of ASTM F963–23. Staff expect that these laboratories will become accredited and CPSC-accepted to test to this new rule in the normal course of business. CPSC expects that these laboratories will be able to test to this rule within a short time period. Furthermore, no laboratory is required to provide testing services. The only laboratories that are expected to provide such services are those that anticipate receiving sufficient revenue from the mandated testing to justify procuring the testing equipment and obtaining accreditation.

XIV. Preemption

Section 26(a) of the CPSA, 15 U.S.C. 2075(a), states that when a consumer

product safety standard is in effect and applies to a product, no state or political subdivision of a state may either establish or continue in effect a standard or regulation that prescribes requirements for the performance, composition, contents, design, finish, construction, packaging, or labeling of such product dealing with the same risk of injury unless the state requirement is identical to the federal standard. Section 106(f) of the CPSIA deems rules issued under that provision "consumer product safety standards." Therefore, once a rule issued under section 106 of the CPSIA takes effect, it will have preemptive effect in accordance with section 26(a) of the CPSA.

XV. Environmental Considerations

Certain categories of CPSC actions normally have "little or no potential for affecting the human environment" and therefore do not require an environmental assessment or an environmental impact statement. Safety standards providing requirements for consumer products come under this categorical exclusion. 16 CFR 1021.5(c)(1). The final rule for water bead toys falls within the categorical exclusion.

XVI. Congressional Review Act and Executive Order 12866

Pursuant to the Congressional Review Act (CRA) and Executive Order (E.O.) 12866, the Office of Management and Budget's Office of Information and Regulatory Affairs has determined that this rule does not qualify as a "major rule," as defined in 5 U.S.C. 804(2), and is not a significant regulatory action as defined under section 2(f) of E.O. 12866. To comply with the CRA, CPSC will submit the required information to each House of Congress and the Comptroller General.

List of Subjects

16 CFR Part 1112

Administrative practice and procedure, Audit, Consumer protection, Reporting and recordkeeping requirements, Third party conformity assessment body.

16 CFR Part 1250

Consumer protection, Incorporation by reference, Infants and children, Labeling, Law enforcement, Toys.

For the reasons discussed in the preamble, the Commission proposes to amend 16 CFR parts 1112 and 1250 as follows:

PART 1112—REQUIREMENTS PERTAINING TO THIRD PARTY CONFORMITY ASSESSMENT BODIES

■ 1. The authority citation for part 1112 continues to read as follows:

Authority: 15 U.S.C. 2063.

■ 2. Amend § 1112.15 by reserving paragraph (b)(32)(iii) and adding paragraph (b)(32)(iv) to read as follows:

§ 1112.15 When can a third party conformity assessment body apply for CPSC acceptance for a particular CPSC rule and/or test method?

* * * * *

(b) * * *

(32) * * *

(iii) [Reserved]

(iv) 16 CFR 1250.4, Requirements for Water Beads.

* * * * *

PART 1250—SAFETY STANDARD FOR TOYS

■ 3. The authority citation for part 1250 continues to read as follows:

Authority: 15 U.S.C. 2056b.

■ 4. Revise the heading of part 1250 to read as set forth above.

■ 5. Revise § 1250.1 to read as follows:

§ 1250.1 Scope.

This part establishes a consumer product safety standard for toys.

■ 6. Revise § 1250.2(a) to read as follows:

§ 1250.2 Requirements for toy safety.

(a) Each toy must comply with all applicable provisions of ASTM F963–23 (incorporated by reference, see § 1250.10).

* * * * *

■ 7. Add § 1250.4 to read as follows:

§ 1250.4 Requirements for water beads.

(a) *Scope and purpose.* This section establishes performance and labeling requirements for water bead toys and toys containing water beads to minimize the risk of children ingesting, inserting, aspirating, and choking on water bead toys. The provisions of this part are intended to eliminate or adequately reduce the risk of injury and death to children from water bead toy hazards. This section adds requirements for water bead toys in addition to the requirements of § 1250.2.

(b) *Definitions.* In addition to the definitions in ASTM F963–23 (incorporated by reference, see § 1250.10), the following definitions apply for purposes of this section:

Aspiration hazard means a hazard caused by a child inhaling a water bead

whereby the water bead can become lodged in the respiratory tract and can potentially cause death or injury.

Choking hazard means a hazard cause by a child attempting to swallow a water bead whereby the water bead can become lodged in the throat and can potentially cause death or injury.

Ingestion hazard means a hazard caused by a child swallowing a water bead whereby the water bead can become lodged in the digestive tract and can potentially cause death or injury.

Insertion hazard means a hazard caused by a child putting a water bead in the ear canal or nasal passage of the body and can potentially cause death or injury.

Water bead means a various shaped liquid absorbent polymer, composed of materials such as, but not limited to, polyacrylamide and polyacrylate, which expands when soaked in liquid.

(c) *Performance requirements.* In addition to the requirements of § 1250.2, all water bead toys and toys containing water beads within the scope of the rule must meet the performance requirements in this section to minimize the risk of children ingesting, inserting, aspirating, and choking on water beads.

(1) *Size limit requirements.* Water beads as received or water beads removed from a toy, which fit entirely inside the small parts cylinder in their dehydrated (pre-expanded) state as shown in figure 1 to this paragraph (c)(1) (16 CFR 1501.4) shall, after expansion, remain whole while completely passing through the funnel test gauge as shown in figure 2 to this paragraph (c)(1) or sieve test gauge as shown in figure 3 to this paragraph (c)(1), under its own weight, when tested in accordance with the following test procedure:

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Figure 1 to Paragraph (c)(1)—Small Parts Cylinder

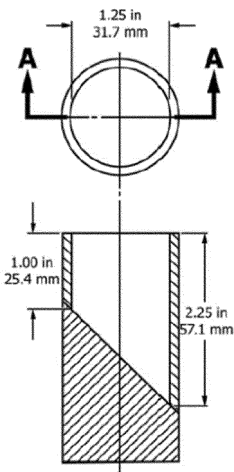


Figure 2 to Paragraph (c)(1)—Funnel Test Gauge. Material: Polytetrafluorethylene (PTFE)

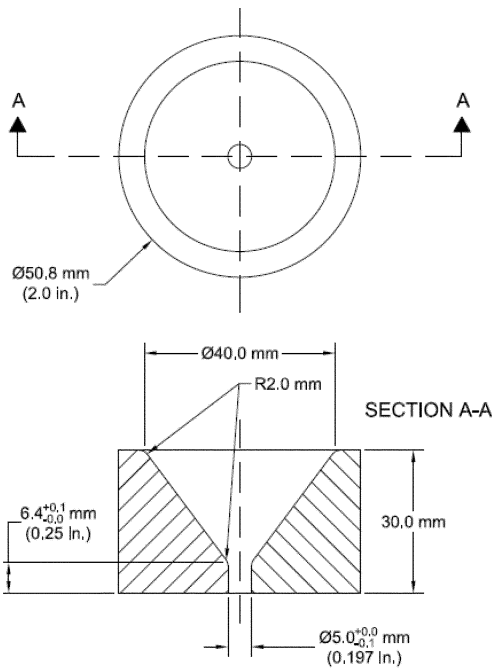
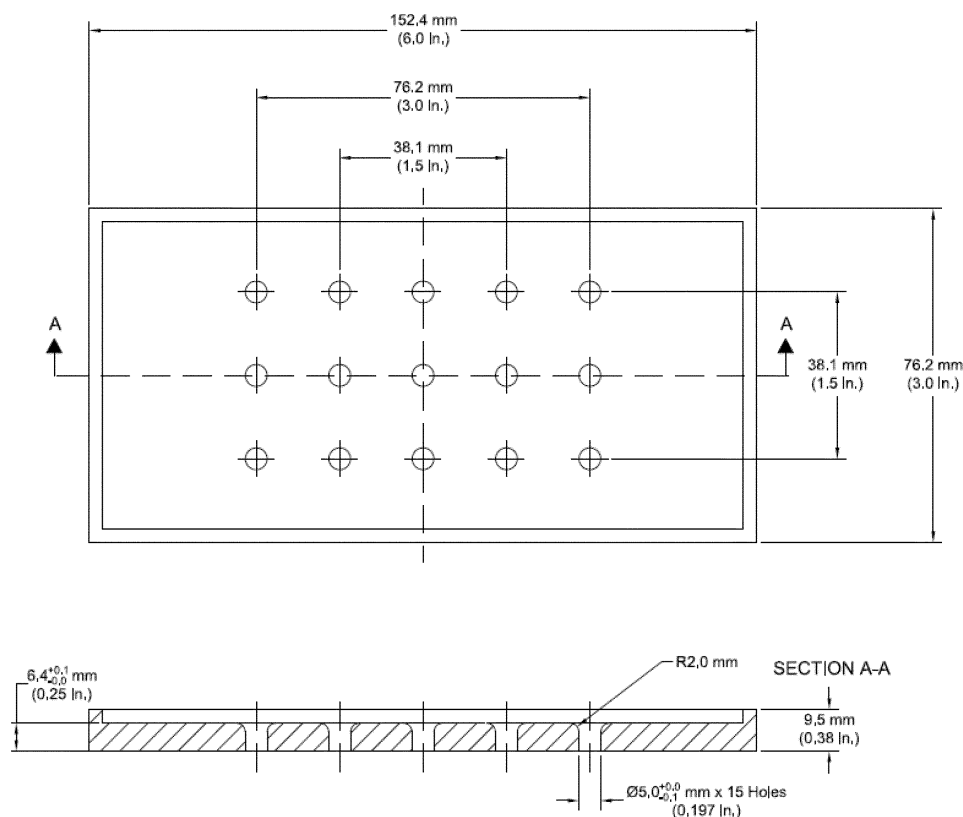


Figure 3 to Paragraph (c)(1)—Sieve Test Gauge. Material: Polytetrafluorethylene (PTFE)



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(i) Condition the water bead or toy containing the water bead, at $20 \pm 5^\circ\text{C}$ ($68 \pm 9^\circ\text{F}$) and at a relative humidity of 40–65 percent for a minimum of seven hours prior to the test.

(ii) If the water bead is partially expanded, or contained within a toy and partially expanded, remove the water bead for testing and allow 120 hours to dehydrate before confirming the water bead fits entirely inside the small parts cylinder in its dehydrated state.

(iii) Submerge the water bead under a test bath of deionized water maintained at $37 \pm 2^\circ\text{C}$ ($98.6 \pm 3.6^\circ\text{F}$) for the duration of immersion, without agitation. For water beads that exhibit positive buoyancy, place weight(s) (with mass just sufficient to achieve complete submersion) atop the water bead. Care should be taken to minimize contact of the water bead with the sides or bottom of the container.

(iv) Maintain submersion for 72 hours, measuring the water bead dimensions at 6 hours, 24 hours, 48 hours and 72 hours duration. If the greatest expansion was observed at 72 hours of submersion, proceed to immediately test the expanded water bead. If the greatest expansion was

observed at another time interval, condition and submerge a new water bead per paragraphs (c)(1)(i) through (iii) of this section for the time interval at which the greatest expansion was observed. Then immediately test the expanded water bead.

(v) Place the expanded water bead on the surface of the funnel or sieve gauge opening and observe if the expanded water bead is able to completely pass through the funnel or sieve gauge opening. The expanded water bead shall remain whole and completely pass through the funnel or sieve gauge opening.

(2) *Acrylamide limit requirements.* Water beads shall not have more than 325 μg acrylamide extractable from 100 small water beads (defined as <4 mm in all dimensions of the bead prior to hydration) or from one large water bead (defined as ≥ 4 mm in any dimension of the bead prior to hydration) in the test procedure described in paragraphs (c)(2)(i) through (vi):

(i) To determine the amount of extractable acrylamide in water beads, first place the water beads (one large water bead or 100 small water beads) as

received in a container with deionized water that has been pH neutralized.

(ii) Situate the container(s) in a shaker bath that can heat the water beads to 37°C and shake them at a rate of 30 revolutions per minute (RPM). Leave the water beads untouched for 24 hours.

(iii) Multiple concurrent trials, or sequential repetitions, must be performed to ensure that results are reasonably consistent, given any bead-to-bead variation. For large water beads, perform three trials with one large bead per trial. For small water beads, perform three trials with 100 small beads per trial. Each trial is conducted in a separate container of deionized water that has been pH neutralized.

(iv) Use an extraction container and volume of deionized water so that all water beads remain covered by water for the duration of the extraction period. Because water beads absorb water differently depending on their various sizes, additional tests may need to be conducted before starting the extractions to determine a volume of water that allows for full growth and coverage of the water beads without unnecessarily diluting the concentration of extracted acrylamide. Select containers that will not compress the

water beads at any point during the 24-hour extraction period.

(v) Cover the containers to prevent evaporation of the water during the extraction.

(vi) Following the extraction, determine the volume of remaining water for each trial. Analyze the remaining water to determine the mass of extracted acrylamide present using an instrument that can quantitate

acrylamide at levels equal to or less than the limit.

(d) *Labeling requirements.* All water bead toys and packaging of toys containing water beads within the scope of the rule must meet the marking, labeling, and instructional literature requirements in this section to minimize the risk of children ingesting, inserting, aspirating, and choking on water beads.

(1) *Requirements for marking and labeling.* (i) Water bead toys, packaging of water bead toys, and the container of water beads, if provided, must include the safety alert symbol, signal word, and word message as shown in figure 4 to this paragraph (d)(1)(i).

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Figure 4 to Paragraph (d)(1)(i)—
Warning for Water Bead Toys and
Their Packaging

⚠ WARNING

Contains water beads that can grow larger when swallowed or inserted in the ear or nose. **Children have DIED when the beads blocked their intestines. Inserted beads have resulted in surgeries.**

- **Keep away** from babies and toddlers. Watch older children during use.
- **Get medical help right away** if you think your child swallowed or inserted beads.

(ii) Products with contained water beads, such as balls filled with water beads, and the packaging must include

the safety alert symbol, signal word, and word message as shown in figure 5 to this paragraph (d)(1)(ii):

Figure 5 to Paragraph (d)(1)(ii)—
Warning for Toys With Contained
Water Beads and Their Packaging

⚠ WARNING

Contains water beads that can grow larger when swallowed or inserted in the ear or nose. **Children have DIED when the beads blocked their intestines. Inserted beads have resulted in surgeries.**

- **Keep away** from babies and toddlers. Watch older children during use.
- **Discard product** if beads start to come out.
- **Get medical help right away** if you think your child swallowed or inserted beads.

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(iii) Products with contained water beads that do not have packaging must have a hangtag or sticker label with the full warning(s). Multiple products sold in a package or bin must be individually labeled with a hangtag or sticker.

(iv) The warnings shall be in the English language at a minimum.

(v) The warnings shall be conspicuous and permanent on the principal display panel as defined in section 3.1.62 of the version of ASTM F963-23 and in a distinct color contrasting to the background on which it appears.

(vi) The warnings shall conform to ANSI Z535.4-2023 (incorporated by

reference, see § 1250.10), sections 6.1-6.4, 7.2-7.6.3, and 8.1, with the following changes:

(A) In sections 6.2.2, 7.3, 7.5, and 8.1.2, of ANSI Z535.4-2023 replace the word “should” with the word “shall.”

(B) In section 7.6.3 of ANSI Z535.4-2023, replace the phrase “should (when feasible)” with the word “shall.”

(C) In ANSI Z535.4-2023, strike the word “safety” when used immediately before a color (for example, replace “safety white” with “white”).

(vii) Certain text in the message panel must be in bold and in capital letters as shown in the example warning labels in

figure 4 to paragraph (d)(1)(i) of this section and figure 5 to paragraph (d)(1)(ii) of this section. Text must use black lettering on a white background or white lettering on a black background.

(viii) The message panel text shall appear in sans serif letters and be center or left aligned. Text with precautionary (hazard avoidance) statements shall be preceded by bullet points.

(ix) Multiple precautionary statements shall be separated by bullet points if paragraph formatting is used.

(x) The safety alert symbol ⚠ and the signal word “WARNING” shall appear in sans serif letters and be at least 1/8”

(3.2 mm) high and be center or left aligned. The remainder of the text shall be in characters whose upper case shall be at least $\frac{1}{16}$ " (1.6 mm) high.

(xi) The safety alert symbol, an exclamation mark in a triangle, when used with the signal word, must precede the signal word. The base of the safety alert symbol must be on the same horizontal line as the base of the letters of the signal word. The height of the safety alert symbol must equal or exceed the signal word letter height. The exclamation mark must be at least half the size of the triangle centered vertically.

(2) *Requirements for instructional literature.* Instructions shall have the same warning labels that must appear on the product packaging, with similar formatting requirements, but without the need to be in color. However, the signal word and safety alert symbol shall contrast with the background of the signal word panel, and the warnings

shall contrast with the background of the instructional literature.

■ 8. Add § 1250.10 to read as follows:

§ 1250.10 Incorporation by reference.

Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. All approved incorporation by reference (IBR) material is available for inspection at the U.S. Consumer Product Safety Commission and at the National Archives and Records Administration (NARA). Contact the U.S. Consumer Product Safety Commission at: the Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814, telephone (301) 504-7479, email: cpsc-os@cpsc.gov. 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. The material may be obtained from the following sources:

(a) ASTM International: 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428-2959; telephone (610) 832-9585; www.astm.org.

(1) ASTM F963-23, Standard Consumer Safety Specification for Toy Safety, approved on August 1, 2023; into §§ 1250.2(a), 1250.4(b) and (d).

(2) [Reserved]

(b) National Electrical Manufacturers Association (NEMA): 1300 North 17th Street, Suite 900, Rosslyn, Virginia 22209; (703) 841-3200; www.nema.org.

(1) ANSI Z535.4-2023, American National Standard for Product Safety Signs and Labels (approved December 14, 2023); into § 1250.4(d).

(2) [Reserved]

Alberta E. Mills,

Secretary, Consumer Product Safety Commission.

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Part III

The President

Notice of December 10, 2025—Continuation of the National Emergency
With Respect to Serious Human Rights Abuse and Corruption
Notice of December 10, 2025—Continuation of the National Emergency
With Respect to the Global Illicit Drug Trade

Presidential Documents

Title 3—

Notice of December 10, 2025

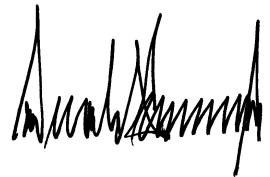
The President

Continuation of the National Emergency With Respect to Serious Human Rights Abuse and Corruption

On December 20, 2017, by Executive Order 13818, the President declared a national emergency with respect to serious human rights abuse and corruption around the world and, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), took related steps to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States.

The prevalence and severity of human rights abuse and corruption that have their source, in whole or in substantial part, outside the United States, continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For this reason, the national emergency declared on December 20, 2017, must continue in effect beyond December 20, 2025. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13818 with respect to serious human rights abuse and corruption.

This notice shall be published in the *Federal Register* and transmitted to the Congress.



THE WHITE HOUSE,
December 10, 2025.

Presidential Documents

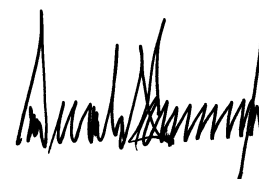
Notice of December 10, 2025

Continuation of the National Emergency With Respect to the Global Illicit Drug Trade

On December 15, 2021, by Executive Order 14059, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by global illicit drug trafficking.

The trafficking into the United States of illicit drugs, including fentanyl and other synthetic opioids, is causing the deaths of tens of thousands of Americans annually, as well as countless more non-fatal overdoses with their own tragic human toll. Drug cartels, transnational criminal organizations, and their facilitators are the primary sources of illicit drugs and precursor chemicals that fuel the current opioid epidemic, as well as drug-related violence that harms our communities. International drug trafficking—including the illicit production, global sale, and widespread distribution of illegal drugs; the rise of extremely potent drugs such as fentanyl and other synthetic opioids; as well as the growing role of internet-based drug sales—continues to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For this reason, the national emergency declared in Executive Order 14059 of December 15, 2021, must continue in effect beyond December 15, 2025. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 14059 with respect to global illicit drug trafficking.

This notice shall be published in the *Federal Register* and transmitted to the Congress.



THE WHITE HOUSE,
December 10, 2025.

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Federal Register

Vol. 90, No. 237

Friday, December 12, 2025

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Federal Register/Code of Federal Regulations

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Laws **741-6000**

Presidential Documents

Executive orders and proclamations **741-6000**

The United States Government Manual **741-6000**

Other Services

Electronic and on-line services (voice) **741-6020**

Privacy Act Compilation **741-6050**

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FEDERAL REGISTER PAGES AND DATE, DECEMBER

55041-55292	1
55293-55620	2
55621-55788	3
55789-55996	4
55997-56656	5
56657-56966	8
56967-57136	9
57137-57350	10
57351-57674	11
57675-57866	12

CFR PARTS AFFECTED DURING DECEMBER

At the end of each month the Office of the Federal Register publishes separately a List of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

3 CFR

Proclamations:

10994	55787
10995	57135
10996	57347

Executive Orders:

14364	57349
-------	-------

Administrative Orders:

Notices:

Notice of December 10, 2025	57863
Notice of December 10, 2025	57865

5 CFR

315	57137
-----	-------

7 CFR

5001	57351, 57675
------	--------------

Proposed Rules:

989	57384
-----	-------

10 CFR

2	55621
19	55621
20	55621
21	55621
25	55621
26	55621
30	55621
31	55621
32	55621
34	55621
35	55621
36	55621
37	55621
39	55621
40	55621
50	55621
51	55621
52	55621
54	55621
55	55621
60	55621
61	55621
62	55621
63	55621
70	55621
71	55621
72	55621, 56657
73	55621
74	55621
75	55621
76	55621
81	55621
95	55621
110	55621
140	55621
150	55621
160	55621
170	55621
171	55621

800	56966
1040	56966, 56967
1042	56967

Proposed Rules:

2	55699
19	55699
20	55699
21	55699
25	55699
26	55699
30	55699
31	55699
32	55699
34	55699
35	55699
36	55699
37	55699
39	55699
40	55699
50	55699
51	55699
52	55699
54	55699
55	55699
60	55699
61	55699
62	55699
63	55699
70	55699
71	55699
72	55699, 56697
73	55699
74	55699
75	55699
76	55699
81	55699
95	55699
110	55699
140	55699
150	55699
160	55699
170	55699
171	55699

12 CFR

3	55248
6	55248
208	55248
217	55248
252	55248
303	55789
314	55789
324	55248
335	55789
340	55789
347	55789
363	55789
380	55789

Proposed Rules:

3	55048
217	55048
324	55048
621	56066

704.....57391	868.....55978	117.....55063	64.....56013
715.....57393	872.....55978	165.....56713	74.....57698
748.....57397, 57399	874.....55978		76.....56062
13 CFR	876.....55978	37 CFR	80.....57698
107.....55997	878.....55978	385.....55044	87.....57698
14 CFR	880.....55978	386.....55045	88.....57698
25.....56662	882.....55978	Proposed Rules:	90.....57698
39.....56663, 56666, 56668,	886.....55978	380.....55821	95.....57698
56670, 56673, 56677, 56679,	888.....55978		96.....57698
56968, 56971, 56973, 56976,	890.....55978	40 CFR	97.....57698
56979, 56981, 56985, 56987,	892.....55978	52.....56001, 57364, 57365,	101.....57698
56989, 57675, 57678, 57680,	1308.....57356, 57542	57367, 57370, 57373, 57374,	Proposed Rules:
57683, 57685, 57688	Proposed Rules:	57636	1.....55066, 56076
71.....55634, 55636, 55639,	1308.....57534	57671	2.....55826, 56076
55640, 55641, 56682, 57352	23 CFR	63.....55681, 56010	4.....55835
97.....55293, 55294, 57353,	630.....55646	180.....56691	25.....55702, 56076, 56338
57354	633.....55648	Proposed Rules:	27.....56076
259.....57138	24 CFR	52.....57403, 57409, 57411,	54.....55836
260.....55999	5.....56683	57414, 57416	64.....55713, 56101, 56115
399.....55999	888.....56683	180.....57418	48 CFR
Proposed Rules:	903.....56683	248.....57436	1517.....55045
39.....55817, 56070, 56072,	982.....56683	41 CFR	
56699, 57011, 57168, 57170	983.....56683	Ch. 300–304.....56890	49 CFR
61.....56701	985.....56683	Proposed Rules:	Proposed Rules:
71.....55819, 56711, 57014,	26 CFR	174.....55065	171.....55836
57173, 57401, 57721, 57722,	300.....55041	180.....55065	172.....55836
57724	28 CFR	42 CFR	173.....55836
15 CFR	0.....57139	71.....55813	174.....55836
774.....56001	42.....57141	405.....55342	175.....55836
16 CFR	30 CFR	414.....55342	176.....55836
1112.....57820	948.....55649, 55658	424.....55342	177.....55836
1218.....57691	31 CFR	455.....55342	178.....55836
1250.....57820	528.....57695, 57696	483.....55687	523.....56438
Proposed Rules:	587.....57696	484.....55342	531.....56438, 57726
425.....55701	589.....57696	498.....55342	533.....56438, 57726
1241.....55701	32 CFR	Proposed Rules:	535.....57726
17 CFR	161.....55042	512.....57598	536.....56438
10.....55642	33 CFR	1001.....57015	537.....56438, 57726
11.....55642	100.....56001, 56689, 57149,	47 CFR	50 CFR
249.....57355	57358	1.....57698	217.....57546
21 CFR	165.....55812, 56690, 57149,	10.....57288	223.....56992
801.....55978	57151, 57359, 57360, 57362,	13.....57698	224.....56992
803.....55978	57363, 57697	17.....57698	622.....55046, 57713
812.....55978	Proposed Rules:	20.....57698	635.....56695
860.....55978	1.....56076	22.....57698	648.....55814, 55815, 57376
862.....55978		24.....57698	660.....57714
864.....55978		26.....57698	679.....56063, 56064, 56065
866.....55978		27.....57698	Proposed Rules:
		30.....57698	216.....57442
		54.....57152, 57698	648.....56836, 57017

LIST OF PUBLIC LAWS

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion

in today's **List of Public Laws**.

Last List December 9, 2025

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