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Federal Register
Vol. 90, No. 70
Monday, April 14, 2025

# Presidential Documents

**Title 3—**

## The President

**Executive Order 14259 of April 8, 2025**

## Amendment to Reciprocal Tariffs and Updated Duties as Applied to Low-Value Imports From the People's Republic of China

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), section 604 of the Trade Act of 1974, as amended (19 U.S.C. 2483), and section 301 of title 3, United States Code, I hereby determine and order:

**Section 1**. *Background.* In Executive Order 14257 of April 2, 2025 (Regulating Imports with a Reciprocal Tariff to Rectify Trade Practices that Contribute to Large and Persistent Annual United States Goods Trade Deficits), I declared a national emergency arising from conditions reflected in large and persistent annual U.S. goods trade deficits, and imposed additional *ad valorem* duties that I deemed necessary and appropriate to deal with that unusual and extraordinary threat, which has its source in whole or substantial part outside the United States, to the national security and economy of the United States. Section 4(b) of Executive Order 14257 provided that ''[s]hould any trading partner retaliate against the United States in response to this action through import duties on U.S. exports or other measures, I may further modify the [Harmonized Tariff Schedule of the United States] to increase or expand in scope the duties imposed under this order to ensure the efficacy of this action.'' I further declared pursuant to Executive Order 14256 of April 2, 2025 (Further Amendment to Duties Addressing the Synthetic Opioid Supply Chain in the People's Republic of China as Applied to Low-Value Imports) that duty-free *de minimis* treatment on articles described in section 2(a) of Executive Order 14195 is no longer available effective at 12:01 a.m. eastern daylight time on May 2, 2025.

On April 4, 2025, the State Council Tariff Commission of the People's Republic of China (PRC) announced that in response to Executive Order 14257, effective at 12:01 a.m. eastern daylight time on April 10, 2025, a 34 percent tariff would be imposed on all goods imported into the PRC originating from the United States. Pursuant to section 4(b) of Executive Order 14257, I am ordering modification of the Harmonized Tariff Schedule of the United States (HTSUS) and taking other actions to increase the duties imposed on the PRC in response to this retaliation. In my judgment, this modification is necessary and appropriate to effectively address the threat to the national security and economy of the United States.

**Sec. 2**. *Tariff Increase.* In recognition of the fact that the PRC has announced that it will retaliate against the United States in response to Executive Order 14257, the HTSUS shall be modified as follows. Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on April 9, 2025:

(a) heading 9903.01.63 of the HTSUS shall be amended by deleting ''34%'' each place that it appears and by inserting ''84%'' in lieu thereof; and

(b) subdivision (v)(xiii)(10) of U.S. note 2 to subchapter III of chapter 99 of the HTSUS shall be amended by deleting ''34%'', and inserting ''84%'' in lieu thereof.

**Sec. 3**. *De Minimis Tariff Increase.* To ensure that the imposition of tariffs pursuant to section 2 of this order is not circumvented and that the purpose

of Executive Order 14257 and this action is not undermined, I also deem it necessary and appropriate to:

(a) increase the *ad valorem* rate of duty set forth in section 2(c)(i) of Executive Order 14256 from 30 percent to 90 percent;

(b) increase the per postal item containing goods duty in section 2(c)(ii) of Executive Order 14256 that is in effect on or after 12:01 a.m. eastern daylight time on May 2, 2025, and before 12:01 a.m. eastern daylight time on June 1, 2025, from 25 dollars to 75 dollars; and

(c) increase the per postal item containing goods duty in section 2(c)(ii) of Executive Order 14256 that is in effect on or after 12:01 a.m. eastern daylight time on June 1, 2025, from 50 dollars to 150 dollars.

**Sec. 4**. *Implementation.* The Secretary of Commerce, the Secretary of Homeland Security, and the United States Trade Representative, as applicable, in consultation with the Secretary of State, the Secretary of the Treasury, the Assistant to the President for Economic Policy, the Senior Counselor for Trade and Manufacturing, the Assistant to the President for National Security Affairs, and the Chair of the International Trade Commission, are directed to take all necessary actions to implement and effectuate this order, consistent with applicable law, including through temporary suspension or amendment of regulations or notices in the *Federal Register* and adopting rules and regulations, and are authorized to take such actions, and to employ all powers granted to the President by IEEPA, as may be necessary to implement this order. Each executive department and agency shall take all appropriate measures within its authority to implement this order.

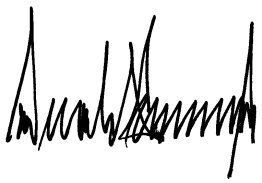
**Sec. 5**. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department, agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.



THE WHITE HOUSE,
*April 8, 2025.*

[FR Doc. 2025–06378
Filed 4–11–25; 8:45 am]
Billing code 3395–F4–P

# Presidential Documents

**Executive Order 14260 of April 8, 2025**

## Protecting American Energy From State Overreach

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered:

**Section 1**. *Purpose.* My Administration is committed to unleashing American energy, especially through the removal of all illegitimate impediments to the identification, development, siting, production, investment in, or use of domestic energy resources—particularly oil, natural gas, coal, hydropower, geothermal, biofuel, critical mineral, and nuclear energy resources. An affordable and reliable domestic energy supply is essential to the national and economic security of the United States, as well as our foreign policy. Simply put, Americans are better off when the United States is energy dominant.

American energy dominance is threatened when State and local governments seek to regulate energy beyond their constitutional or statutory authorities. For example, when States target or discriminate against out-of-State energy producers by imposing significant barriers to interstate and international trade, American energy suffers, and the equality of each State enshrined by the Constitution is undermined. Similarly, when States subject energy producers to arbitrary or excessive fines through retroactive penalties or seek to control energy development, siting, or production activities on Federal land, American energy suffers.

Many States have enacted, or are in the process of enacting, burdensome and ideologically motivated ''climate change'' or energy policies that threaten American energy dominance and our economic and national security. New York, for example, enacted a ''climate change'' extortion law that seeks to retroactively impose billions in fines (erroneously labelled ''compensatory payments'') on traditional energy producers for their purported past contributions to greenhouse gas emissions not only in New York but also anywhere in the United States and the world. Vermont similarly extorts energy producers for alleged past contributions to greenhouse gas emissions anywhere in the United States or the globe.

Other States have taken different approaches in an effort to dictate national energy policy. California, for example, punishes carbon use by adopting impossible caps on the amount of carbon businesses may use, all but forcing businesses to pay large sums to ''trade'' carbon credits to meet California's radical requirements. Some States delay review of permit applications to produce energy, creating de facto barriers to entry in the energy market. States have also sued energy companies for supposed ''climate change'' harm under nuisance or other tort regimes that could result in crippling damages.

These State laws and policies weaken our national security and devastate Americans by driving up energy costs for families coast-to-coast, despite some of these families not living or voting in States with these crippling policies. These laws and policies also undermine Federalism by projecting the regulatory preferences of a few States into all States. Americans must be permitted to heat their homes, fuel their cars, and have peace of mind—free from policies that make energy more expensive and inevitably degrade quality of life.

These State laws and policies try to dictate interstate and international disputes over air, water, and natural resources; unduly discriminate against

out-of-State businesses; contravene the equality of States; and retroactively impose arbitrary and excessive fines without legitimate justification.

These State laws and policies are fundamentally irreconcilable with my Administration's objective to unleash American energy. They should not stand.

**Sec. 2**. *State Laws and Causes of Action.* (a) The Attorney General, in consultation with the heads of appropriate executive departments and agencies, shall identify all State and local laws, regulations, causes of action, policies, and practices (collectively, State laws) burdening the identification, development, siting, production, or use of domestic energy resources that are or may be unconstitutional, preempted by Federal law, or otherwise unenforceable. The Attorney General shall prioritize the identification of any such State laws purporting to address ''climate change'' or involving ''environmental, social, and governance'' initiatives, ''environmental justice,'' carbon or ''greenhouse gas'' emissions, and funds to collect carbon penalties or carbon taxes.

(b) The Attorney General shall expeditiously take all appropriate action to stop the enforcement of State laws and continuation of civil actions identified in subsection (a) of this section that the Attorney General determines to be illegal.

(c) Within 60 days of the date of this order, the Attorney General shall submit a report to the President, through the Counsel to the President, regarding actions taken under subsection (b) of this section. The Attorney General shall also recommend any additional Presidential or legislative action necessary to stop the enforcement of State laws identified in subsection (a) of this section that the Attorney General determines to be illegal or otherwise fulfill the purpose of this order.

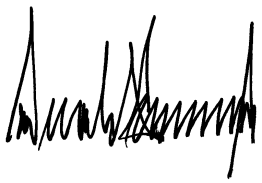
**Sec. 3**. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department, agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.



THE WHITE HOUSE,
*April 8, 2025.*

[FR Doc. 2025–06379
Filed 4–11–25; 8:45 am]
Billing code 3395–F4–P

# Presidential Documents

**Executive Order 14261 of April 8, 2025**

## Reinvigorating America's Beautiful Clean Coal Industry and Amending Executive Order 14241

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered:

**Section 1**. *Purpose.* In order to secure America's economic prosperity and national security, lower the cost of living, and provide for increases in electrical demand from emerging technologies, we must increase domestic energy production, including coal. Coal is abundant and cost effective, and can be used in any weather condition. Moreover, the industry has historically employed hundreds of thousands of Americans. America's coal resources are vast, with a current estimated value in the trillions of dollars, and are more than capable of substantially contributing to American energy independence with excess to export to support allies and our economic competitiveness. Our Nation's beautiful clean coal resources will be critical to meeting the rise in electricity demand due to the resurgence of domestic manufacturing and the construction of artificial intelligence data processing centers. We must encourage and support our Nation's coal industry to increase our energy supply, lower electricity costs, stabilize our grid, create high-paying jobs, support burgeoning industries, and assist our allies.

**Sec. 2**. *Policy.* It is the policy of the United States that coal is essential to our national and economic security. It is a national priority to support the domestic coal industry by removing Federal regulatory barriers that undermine coal production, encouraging the utilization of coal to meet growing domestic energy demands, increasing American coal exports, and ensuring that Federal policy does not discriminate against coal production or coal-fired electricity generation.

**Sec. 3**. *Strengthening Our National Energy Security.* The Chair of the National Energy Dominance Council (NEDC) shall designate coal as a ''mineral'' as defined in section 2 of Executive Order 14241 of March 20, 2025 (Immediate Measures to Increase American Mineral Production), thereby entitling coal to all the benefits of a ''mineral'' under that order. Further, Executive Order 14241 is hereby amended by deleting the reference to ''4332(d)(1)(B)'' in section 6(d) of that order and replacing it with a reference to ''4532(d)(1)(B)''.

**Sec. 4**. *Assessing Coal Resources and Accessibility on Federal Lands.* (a) Within 60 days of the date of this order, the Secretary of the Interior, the Secretary of Agriculture, and the Secretary of Energy shall submit a consolidated report to the President through the Assistant to the President for Economic Policy that identifies coal resources and reserves on Federal lands, assesses impediments to mining such coal resources, and proposes policies to address such impediments and ultimately enable the mining of such coal resources by either private or public actors.

(b) The Secretary of Energy shall include in the report described in subsection (a) of this section an analysis of the impact that the availability of the coal resources identified could have on electricity costs and grid reliability.

**Sec. 5**. *Lifting Barriers to Coal Mining on Federal Lands.* (a) The Secretary of the Interior and the Secretary of Agriculture shall prioritize coal leasing and related activities, consistent with applicable law, as the primary land use for the public lands with coal resources identified in the report described in section 4(a) of this order and expedite coal leasing in these areas, including

by utilizing such emergency authorities as are available to them and identifying opportunities to provide for expedited environmental reviews, consistent with applicable law.

(b) The Secretary of the Interior, pursuant to the authorities in the Mineral Leasing Act of 1920, as amended and supplemented (30 U.S.C. 181 *et seq.*), the Mineral Leasing Act for Acquired Lands of 1947, as amended (30 U.S.C. 351–359), and the Multiple Mineral Development Act of 1954 (30 U.S.C. 521–531 *et seq.*), shall acknowledge the end of the Jewell Moratorium by ordering the publication of a notice in the *Federal Register* terminating the ''Environmental Impact Statement Analyzing the Potential Environmental Effects from Maintaining Secretary Jewell's Coal Leasing Moratorium'', and process royalty rate reduction applications from Federal coal lessees in as expeditious a manner as permitted by applicable law.

**Sec. 6**. *Supporting American Coal as an Energy Source.* (a) Within 30 days of the date of this order, the Administrator of the Environmental Protection Agency, the Secretary of Transportation, the Secretary of the Interior, the Secretary of Energy, the Secretary of Labor, and the Secretary of the Treasury shall identify any guidance, regulations, programs, and policies within their respective executive department or agency that seek to transition the Nation away from coal production and electricity generation.

(b) Within 60 days of the date of this order, the heads of all relevant executive departments and agencies (agencies) shall consider revising or rescinding Federal actions identified in subsection (a) of this section consistent with applicable law.

(c) Agencies that are empowered to make loans, loan guarantees, grants, equity investments, or to conclude offtake agreements, both domestically and abroad, shall, to the extent permitted by law, take steps to rescind any policies or regulations seeking to or that actually discourage investment in coal production and coal-fired electricity generation, such as the 2021 U.S. Treasury Fossil Fuel Energy Guidance for Multilateral Development Banks rescinded by the Department of the Treasury and similar policies or regulations.

(d) Within 30 days of the date of this order, the Secretary of State, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Energy, the Chief Executive Officer of the International Development Finance Corporation, the President of the Export-Import Bank of the United States, and the heads of all other agencies that have discretionary programs that provide, facilitate, or advocate for financing of energy projects shall review their charters, regulations, guidance, policies, international agreements, analytical models and internal bureaucratic processes to ensure that such materials do not discourage the agency from financing coal mining projects and electricity generation projects. Consistent with law, and subject to the applicable agency head's discretion, where appropriate, any identified preferences against coal use shall immediately be eliminated except as explicitly provided for in statute.

**Sec. 7**. *Supporting American Coal Exports.* The Secretary of Commerce, in consultation with the Secretary of State, the Secretary of Energy, the United States Trade Representative, the Assistant to the President for National Security, and the heads of other relevant agencies, shall take all necessary and appropriate actions to promote and identify export opportunities for coal and coal technologies and facilitate international offtake agreements for United States coal.

**Sec. 8**. *Expanding Use of Categorical Exclusions for Coal Under the National Environmental Policy Act.* Within 30 days of the date of this order, each agency shall identify to the Council on Environmental Quality any existing and potential categorical exclusions pursuant to the National Environmental Policy Act, increased reliance on and adoption of which by other agencies pursuant to 42 U.S.C. 4336c could further the production and export of coal.

**Sec. 9**. *Steel Dominance.* (a) The Secretary of Energy, pursuant to the authority under the Energy Act of 2020 (the ''Act''), shall determine whether coal used in the production of steel meets the definition of a ''critical material'' under the Act and, if so, shall take steps to place it on the Department of Energy Critical Materials List.

(b) The Secretary of the Interior, pursuant to the authority under the Act, shall determine whether metallurgical coal used in the production of steel meets the criteria to be designated as a ''critical mineral'' under the Act and, if so, shall take steps to place coal on the Department of the Interior Critical Minerals List.

**Sec. 10**. *Powering Artificial Intelligence Data Centers.* (a) For the purposes of this order, ''artificial intelligence'' or ''AI'' has the meaning set forth in 15 U.S.C. 9401(3).

(b) Within 60 days of the date of this order, the Secretary of the Interior, Secretary of Commerce, and the Secretary of Energy shall identify regions where coal-powered infrastructure is available and suitable for supporting AI data centers; assess the market, legal, and technological potential for expanding coal-based infrastructure to power data centers to meet the electricity needs of AI and high-performance computing operations; and submit a consolidated summary report with their findings and proposals to the Chair of the NEDC, the Assistant to the President for Science and Technology and the Special Advisor for AI and Crypto.

**Sec. 11**. *Acceleration of Coal Technology.* (a) The Secretary of Energy shall take all necessary actions, consistent with applicable law, to accelerate the development, deployment, and commercialization of coal technologies including, but not limited to, utilizing all available funding mechanisms to support the expansion of coal technology, including technologies that utilize coal and coal byproducts such as building materials, battery materials, carbon fiber, synthetic graphite, and printing materials, as well as updating coal feedstock for power generation and steelmaking.

(b) Within 90 days of the date of this order, the Secretary of Energy shall submit a detailed action plan to the President through the Chair of the NEDC outlining the funding mechanisms, programs, and policy actions taken to accelerate coal technology deployment.

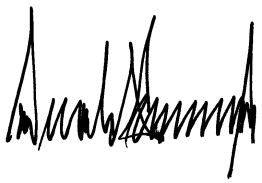
**Sec. 12**. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.



THE WHITE HOUSE,
*April 8, 2025.*

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Billing code 3395–F4–P

# Presidential Documents

**Executive Order 14262 of April 8, 2025**

## Strengthening the Reliability and Security of the United States Electric Grid

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered:

**Section 1**. *Purpose.* The United States is experiencing an unprecedented surge in electricity demand driven by rapid technological advancements, including the expansion of artificial intelligence data centers and an increase in domestic manufacturing. This increase in demand, coupled with existing capacity challenges, places a significant strain on our Nation's electric grid. Lack of reliability in the electric grid puts the national and economic security of the American people at risk. The United States' ability to remain at the forefront of technological innovation depends on a reliable supply of energy from all available electric generation sources and the integrity of our Nation's electric grid.

**Sec. 2**. *Policy*. It is the policy of the United States to ensure the reliability, resilience, and security of the electric power grid. It is further the policy of the United States that in order to ensure adequate and reliable electric generation in America, to meet growing electricity demand, and to address the national emergency declared pursuant to Executive Order 14156 of January 20, 2025 (Declaring a National Energy Emergency), our electric grid must utilize all available power generation resources, particularly those secure, redundant fuel supplies that are capable of extended operations.

**Sec. 3**. *Addressing Energy Reliability and Security with Emergency Authority.* (a) To safeguard the reliability and security of the United States' electric grid during periods when the relevant grid operator forecasts a temporary interruption of electricity supply is necessary to prevent a complete grid failure, the Secretary of Energy, in consultation with such executive department and agency heads as the Secretary of Energy deems appropriate, shall, to the maximum extent permitted by law, streamline, systemize, and expedite the Department of Energy's processes for issuing orders under section 202(c) of the Federal Power Act during the periods of grid operations described above, including the review and approval of applications by electric generation resources seeking to operate at maximum capacity.

(b) Within 30 days of the date of this order, the Secretary of Energy shall develop a uniform methodology for analyzing current and anticipated reserve margins for all regions of the bulk power system regulated by the Federal Energy Regulatory Commission and shall utilize this methodology to identify current and anticipated regions with reserve margins below acceptable thresholds as identified by the Secretary of Energy. This methodology shall:

(i) analyze sufficiently varied grid conditions and operating scenarios based on historic events to adequately inform the methodology;

(ii) accredit generation resources in such conditions and scenarios based on historical performance of each specific generation resource type in the real time conditions and operating scenarios of each grid scenario; and

(iii) be published, along with any analysis it produces, on the Department of Energy's website within 90 days of the date of this order.

(c) The Secretary of Energy shall establish a process by which the methodology described in subsection (b) of this section, and any analysis and results it produces, are assessed on a regular basis, and a protocol to identify which generation resources within a region are critical to system reliability. This protocol shall additionally:

(i) include all mechanisms available under applicable law, including section 202(c) of the Federal Power Act, to ensure any generation resource identified as critical within an at-risk region is appropriately retained as an available generation resource within the at-risk region; and

(ii) prevent, as the Secretary of Energy deems appropriate and consistent with applicable law, including section 202 of the Federal Power Act, an identified generation resource in excess of 50 megawatts of nameplate capacity from leaving the bulk-power system or converting the source of fuel of such generation resource if such conversion would result in a net reduction in accredited generating capacity, as determined by the reserve margin methodology developed under subsection (b) of this section.

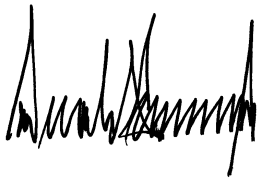
**Sec. 4**. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.



THE WHITE HOUSE,
*April 8, 2025.*

[FR Doc. 2025–06381
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Billing code 3395–F4–P

# Presidential Documents

**Notice of April 10, 2025**

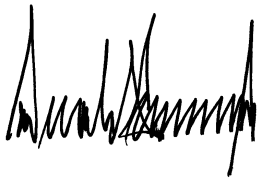
## Continuation of the National Emergency With Respect to Specified Harmful Foreign Activities of the Government of the Russian Federation

On April 15, 2021, by Executive Order 14024, 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 the economy of the United States constituted by specified harmful foreign activities of the Government of the Russian Federation. On March 8, 2022, the President issued Executive Order 14066 to expand the scope of the national emergency declared in Executive Order 14024. On August 20, 2021, March 11, 2022, April 6, 2022, and December 22, 2023, the President issued Executive Orders 14039, 14068, 14071, and 14114, respectively, to take additional steps with respect to the national emergency declared in Executive Order 14024.

Specified harmful foreign activities of the Government of the Russian Federation—in particular, efforts to undermine the conduct of free and fair democratic elections and democratic institutions in the United States and its allies and partners; to engage in and facilitate malicious cyber-enabled activities against the United States and its allies and partners; to foster and use transnational corruption to influence foreign governments; to pursue extraterritorial activities targeting dissidents or journalists; to undermine security in countries and regions important to United States national security; and to violate well-established principles of international law, including respect for the territorial integrity of 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 in Executive Order 14024, which was expanded in scope in Executive Order 14066, and with respect to which additional steps were taken in Executive Orders 14039, 14068, 14071, and 14114, must continue in effect beyond April 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 14024.

This notice shall be published in the *Federal Register* and transmitted to the Congress.



THE WHITE HOUSE,
*April 10, 2025.*

[FR Doc. 2025–06399
Filed 4–11–25; 8:45 am]
Billing code 3395–F4–P

# Rules and Regulations

Federal Register
Vol. 90, No. 70
Monday, April 14, 2025



## DEPARTMENT OF JUSTICE

### Executive Office for Immigration Review

### 8 CFR Part 1003

**[EOIR 25–AB34; AG Order No. 6224–2025]**

**RIN 1125–AB34**

## Reducing the Size of the Board of Immigration Appeals

**AGENCY:** Executive Office for Immigration Review, Department of Justice.

**ACTION:** Interim final rule with request for comments.

**SUMMARY:** This interim final rule (''IFR'') amends the Department of Justice (''Department'') regulations relating to the organization of the Board of Immigration Appeals (''Board'' or ''BIA'') by reducing the Board to 15 members.

**DATES:**

*Effective date:* This IFR is effective April 14, 2025.

*Comments:* Written comments must be submitted on or before May 14, 2025. Comments postmarked on or before that date will be considered timely. The electronic Federal Docket Management System will accept comments until midnight Eastern Time on that date.

**ADDRESSES:** If you wish to provide comments regarding this rulemaking, you must submit comments, identified by the agency name and referencing RIN 1125–AB34 or EOIR Docket No. 25–AB34, by one of the two methods below.

- *Federal eRulemaking Portal: www.regulations.gov.* Follow the website instructions for submitting comments.
- *Mail:* Paper comments that duplicate an electronic submission are unnecessary. If you wish to submit a paper comment in lieu of electronic submission, please direct the mail/shipment to: Stephanie Gorman, Acting Assistant Director, Office of Policy, Executive Office for Immigration Review, 5107 Leesburg Pike, Suite 2500, Falls Church, VA 22041. To ensure proper handling, please reference the agency name and RIN 1125–AB34 or EOIR Docket No. 25–AB34 on your correspondence. Mailed items must be postmarked or otherwise indicate a shipping date on or before the submission deadline.

**FOR FURTHER INFORMATION CONTACT:** Stephanie Gorman, Acting Assistant Director, Office of Policy, Executive Office for Immigration Review, 5107 Leesburg Pike, Suite 2500, Falls Church, VA 22041, telephone (703) 305–0289.

**SUPPLEMENTARY INFORMATION:**

### I. Public Participation

Interested persons are invited to participate in this rulemaking by submitting written data, views, or arguments on all aspects of this rule. The Department also invites comments that relate to the economic, environmental, or federalism effects that might result from this rule. Comments that will provide the most assistance to the Department in developing these procedures will reference a specific portion of the rule, explain the reason for any recommended change, and include data, information, or authority that supports such recommended change.

Each submitted comment should include the agency name and reference RIN 1125–AB34 or EOIR Docket No. 25–AB34 for this rulemaking. Please note that all properly received comments are considered part of the public record and generally may be made available for public inspection at *www.regulations.gov.* Such information includes personally identifying information (such as name, address, etc.) voluntarily submitted by the commenter. The Department may withhold from public viewing information provided in comments 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 *www.regulations.gov.*

If you want to submit personally identifying information (such as your name, address, etc.) as part of your comment, but do not want it to be posted online, you must include the phrase ''PERSONALLY IDENTIFYING INFORMATION'' in the first paragraph of your comment and identify what information you want redacted. The redacted personally identifying information will be placed in the agency's public docket file but not posted online.

If you want to submit confidential business information as part of your comment, but do not want it to be posted online, you must include the phrase ''CONFIDENTIAL BUSINESS INFORMATION'' in the first paragraph of your comment. You also must prominently identify confidential business information to be redacted within the comment. If a comment has so much confidential business information that it cannot be effectively redacted, all or part of that comment may not be posted on *www.regulations.gov.* The redacted confidential business information will not be placed in the public docket file.

To inspect the agency's public docket file in person, you must make an appointment with the agency. Please see the **FOR FURTHER INFORMATION CONTACT** paragraph above for agency contact information.

### II. Background

The Executive Office for Immigration Review (''EOIR'') administers the Nation's immigration court system. Generally, cases commence before an immigration judge after the Department of Homeland Security (''DHS'') files a charging document with the immigration court. *See* 8 CFR 1003.14(a). EOIR primarily decides whether aliens who are charged by DHS with violating immigration law pursuant to the Immigration and Nationality Act (''INA'' or ''Act''), codified at 8 U.S.C. 1101–1537, should be ordered removed from the United States, or should be granted relief or protection from removal and be permitted to remain in the United States. EOIR's Office of the Chief Immigration Judge administers these adjudications in immigration courts nationwide.

Many—but not all—decisions of the immigration judges are subject to review by EOIR's appellate body, the Board, which at full capacity under the current regulations comprises 28 permanent Board members. *See* 8 CFR 1003.1(a)(1), (b). The Board is the highest administrative tribunal for interpreting and applying Federal immigration law.

The Board's decisions can be reviewed by the Attorney General, as provided in 8 CFR 1003.1(g) and (h). Decisions of the Board and the Attorney General are subject to judicial review. INA 242, 8 U.S.C. 1252. The Board issues both precedent and non-precedent decisions, and a decision may be designated as a precedent by a majority vote of permanent Board members. *See* 8 CFR 1003.1(g)(3).

**III. Reduction of Number of Board Members**

The size of the BIA was last addressed through a rule promulgated in April 2024. *See* Expanding the Size of the Board of Immigration Appeals, 89 FR 22630 (Apr. 2, 2024). At that time, the Department issued a final rule not only addressing comments received in response to the Department's 2020 IFR that expanded the size of the Board from 21 to 23 members, Expanding the Size of the Board of Immigration Appeals, 85 FR 18105 (Apr. 1, 2020), but also adding five additional Board member positions, thereby expanding the size of the Board to 28 permanent members. 89 FR 22630.

The number of permanent Board members has fluctuated over time based on changing circumstances. Throughout the history of the BIA, the number of authorized Board member positions has ranged from as few as 5 members to as many as the current 28 members. *See* Board of Immigration Appeals; Immigration Review Function; Editorial Amendments, 48 FR 8038, 8039 (Feb. 25, 1983). At present, the BIA has 28 authorized Board member positions, the largest in its 85-year history. Over the past 30 years, the primary justification for increasing the number of Board members has been the rising EOIR caseload.[1] *See* Expansion of the Board of Immigration Appeals, 60 FR 29469, 29469 (June 5, 1995); Board Members of the Board of Immigration Appeals, 61 FR 59305, 59305 (Nov. 22, 1996); 23 Board of Immigration Appeals Members, 66 FR 47379, 47379 (Sept. 12, 2001); Board of Immigration Appeals: Composition of Board and Temporary Board Members, 71 FR 70855, 70855–56 (Dec. 7, 2006), *finalized without change by* Board of Immigration Appeals: Composition of Board and Temporary Board Members, 73 FR 33875 (June 16, 2008); Expanding the Size of the Board of Immigration Appeals, 80 FR 31461, 31462 (June 3, 2015); Expanding the Size of the Board of Immigration Appeals, 83 FR 8321, 8321–22 (Feb. 27, 2018); 85 FR 18106; 89 FR 22631.

However, increasing the size of the Board has not necessarily equated to a corresponding increase in the number of cases adjudicated or a reduction in the pending caseload. Although many factors may have contributed to this outcome—including organizational and administrative challenges—the data demonstrate that increasing the Board's size has not brought about the hoped-for increases in productivity envisioned by prior expansions. Furthermore, increasing the Board beyond a certain size has added structural inefficiencies that further undermine the Board's ability to effectively adjudicate cases.

The Department notes that several commenters on the 2020 IFR expanding the Board raised similar concerns—*i.e.,* that expanding the Board's size would do little to address its pending caseload. *See* 89 FR 22632 (2024 final rule responding to comments on the 2020 IFR). Although the Department further expanded the size of the Board in 2024 notwithstanding those comments, *id.,* the Department has now reconsidered its view and agrees with the commenters who pointed to broader issues affecting the Board's caseload that expanding the Board would not abate.

While the number of Board members authorized by regulation has increased by 13 since 2015, the number of cases completed annually by Board members has exceeded the total number completed in 2015 only three years since then, and the current projection for Fiscal Year 2025 is that completions will be less than in Fiscal Year 2015. *See* EOIR Workload and Adjudication Statistics, *All Appeals Filed, Completed, and Pending* (Jan. 16, 2025), *https://www.justice.gov/eoir/media/1344986/dl?inline.* In short, the data available do not conclusively demonstrate that the increased Board size will lead to increased case adjudications.

Importantly, the expansions have also diminished the Board's ability to meet other critical aspects of its mission. Several commenters on the 2020 IFR expanding the Board also raised these concerns, arguing that the expansion contradicted the Department's stated priorities of maintaining ''administrability'' and ''coherent direction.'' *See* 89 FR 22632 (2024 final rule responding to comments on the 2020 IFR). The Department gave those concerns little weight in 2024, but it now recognizes the validity of such concerns and has given them more weight. Accordingly, it now agrees that the Board's current size is far too unwieldy to provide an appropriate level of administrative oversight and coherent management. The Department has now determined that 15 Board members, the number it had before the start of the multiple waves of expansion over the past decade, is the appropriate size for the Board.

The mission of EOIR is ''to adjudicate immigration cases by fairly, expeditiously, and uniformly interpreting and administering the Nation's immigration laws.'' EOIR, *About the Office, https://www.justice.gov/eoir/about-office* (last updated Jan. 22, 2025). While the expeditious processing of cases is a cornerstone of EOIR's mission, the Board plays an equally important role in fairly and uniformly interpreting and administering immigration law. The Department now realizes that the recent expansions of the Board did not appropriately account for the impact that the size of the Board has on its ability to meet these other important aspects of its mission.[2] At this time, the Department believes that the continued expansion of the Board has had significant institutional costs, including effects on the cohesiveness of the Board's decision-making process and the collegiality among Board members, a loss of uniformity in its non-precedent decisions, increased difficulty providing effective leadership, as well as an administrative and supervisory strain on the Board's limited legal staff.

The substantial increase in the number of Board members over the past 10 years has diminished the cohesiveness of the Board's decision-making process, causing the process of issuing precedent decisions to become more time-consuming and challenging. A key purpose of the Board is to publish precedent decisions to provide clear guidance and promote the uniform application of the immigration laws nationwide. *See* 8 CFR 1003.1(d)(1) (providing that ''the Board, through precedent decisions, shall provide clear and uniform guidance to DHS, the immigration judges, and the general public on the proper interpretation and administration of the [INA] and its implementing regulations''). As the number of Board members has increased, a greater number of votes has been required to reach a majority of Board members to consider a case en banc, as well as to designate a decision

[1] Although most changes to the size of the Board involved increasing the number of permanent Board members, the number of authorized permanent Board members was reduced from 21 to 11 in 2002. Board of Immigration Appeals: Procedural Reforms to Improve Case Management, 67 FR 54878 (Aug. 26, 2002).

[2] Between 2015 and 2024, the Board added 13 permanent Board member positions. *See* 80 FR 31461 (2015 IFR expanding Board from 15 to 17 members); 83 FR 8321 (2018 final rule expanding Board to 21 members); 85 FR 18105 (2020 IFR expanding Board to 23 members); 89 FR 22630 (2024 final rule expanding Board to 28 members).

as precedent. 8 CFR 1003.1(a)(5), (g)(3). The challenges presented by a higher number of Board members are reflected in the overall decline in the number of precedent decisions issued by the Board over the last 10 years. Even though the number of Board members has increased by 13 since 2015, the number of BIA precedent decisions issued has decreased by half. In 2015, the Board issued 28 precedent decisions, as compared to only 14 precedent decisions in 2024.

Furthermore, having an even number of Board members presents an added challenge in issuing precedent decisions, which require approval by a majority of the permanent Board members. *See* 8 CFR 1003.1(g)(3). Thus, if the Board is evenly divided over whether a case should become precedent, the decision cannot be issued as a precedent absent direction from the Attorney General or a designee of the Attorney General. *Id.* Further, given the numerous other responsibilities of the Attorney General—and of any high-level official she would entrust as a designee—relying on the Attorney General or a designee to direct designation of a Board decision to be published as a precedent would be impractical on a consistent basis. The Department believes that it is important that the number of authorized positions be an odd number to ensure the Board is not prevented from issuing a precedent decision by an evenly divided Board.

In addition, the increasing number of Board members has resulted in greater inconsistency in the Board's non-precedent decisions. Board members exercise independent judgment and discretion in deciding the cases that come before them. *See* 8 CFR 1003.1(d)(1)(ii). The Department recognizes that there will be some level of inconsistency in unpublished decisions, regardless of the size of the Board. However, retaining a 28-member Board only increases the likelihood of such inconsistency and adversely impacts the uniformity of its decisions.

Lastly, the increase in the number of Board members, particularly in the last four years, has not been met with a proportionate increase in the number of attorney advisors, paralegals, and administrative staff, resulting in administrative and supervisory strain on the Board's limited legal staff. Over the last four years, the Department has prioritized immigration-judge and Board-member hiring without prioritizing the hiring of necessary staff to support these positions. At the Board, attorney advisors play a pivotal role in the adjudicatory process, analyzing administrative records, providing guidance and interpretation of immigration law, and preparing proposed decisions for Board-member consideration. Without sufficient attorney advisors and other support staff, the Board cannot efficiently adjudicate its caseload, no matter how much it increases the number of permanent Board members.

Furthermore, the Department believes that, when previously assessing the expansion of the size of the Board from 23 to 28 permanent members, insufficient weight was given to the authority of the Attorney General to appoint temporary Board members to address any significant fluctuations in the Board's caseload or changes in case processing priorities. *See* 8 CFR 1003.1(a)(4). The appointment of temporary Board members provides a two-fold benefit. First, temporary Board members are appointed for renewable six-month terms and have the authority of a Board member to adjudicate assigned cases, but they do not have the authority to vote on any matter decided by the Board en banc, including whether a decision should be designated as precedent. *See* 8 CFR 1003.1(a)(4) and (5), (g)(3). Thus, the appointment of temporary Board members affords the Department significant flexibility in addressing the Board's case adjudication priorities but does not adversely impact the Board's en banc process.

Second, temporary Board-member appointments play an important role in the long-term interests of EOIR, including through career development and advancement for immigration judges and others serving temporarily in Board-member positions.[3]

In short, a reduction in permanent Board-member positions will not impede the Board's ability to address exigent circumstances because of the availability of temporary Board members. Further, temporary Board members can be appointed relatively quickly, whereas expanding the Board requires a regulatory change; thus, temporary Board members also provide added flexibility for shifts in the Board's workload.

In conclusion, the Department believes that reducing the number of Board member positions to 15 would increase the consistency of Board decisions and facilitate an efficient en banc process, thereby improving the quantity and value of Board precedents. Fifteen is an odd number, so it reduces the likelihood of tie votes en banc. It also serves as an appropriate baseline by returning the Board to the number of members it had prior to the wave of expansion that began in 2015. In the Board's experience, particularly considering the period between December 2006 and June 2015 when the Board stood at 15 members compared to the subsequent decade when the Board expanded multiple times and nearly doubled in size, a cohort of 15 members represents a realistic capacity to adjudicate cases in a cohesive and efficient manner without sacrificing quality decision-making or the ability to publish precedents which can aid immigration judges, DHS, practitioners, and aliens in addressing the large backlog of pending cases in immigration courts.

It will also increase the Board's ability to more quickly, effectively, and consistently issue precedent decisions on critical questions involving the interpretation of immigration laws. The Department believes that an increase in the number of precedent decisions will be of greater assistance to immigration judges, DHS, practitioners, and individuals in immigration proceedings and will improve overall efficiency in the immigration court system. In particular, the issuance of Board precedent decisions provides guidance to immigration judges, which increases their efficiency by allowing them to rely on such precedent rather than having to provide their own independent legal analysis on some complex recurring issues. Similarly, DHS officers are bound by Board precedent decisions. *See* 8 CFR 103.10(b). A reduction to 15 Board member positions will allow for the most efficient use of appellate judge resources to adjudicate administrative appeals on a timely basis, thereby balancing the Board's role in interpretation and administration of the law with its overall efficiency. Finally, the reduction in size of the Board, which effectively began in December of 2024, has been implemented through a combination of retirements, voluntary reassignments, the recent government-wide deferred-resignation program, and a reduction-in-force measure.

[3] The Attorney General may in her discretion appoint, among others, EOIR immigration judges, administrative law judges, and senior attorneys with at least 10 years of immigration experience to serve as temporary Board members for renewable terms not to exceed six months. 8 CFR 1003.1(a)(4). Serving as a temporary Board member provides a unique opportunity to observe and participate in the Board's adjudicatory process. While temporary Board members are non-voting members of the en banc Board, they may serve as the author or panel member for a precedent decision. These opportunities develop valuable skills and provide experiences that help to strengthen and improve the EOIR career staff.

**IV. Public Comments**

This rule is exempt from the usual requirements of prior notice and comment and a 30-day delay in effective date because it relates to a matter of agency organization, procedure, or practice. *See* 5 U.S.C. 553(b)(A). The Department nonetheless has chosen to promulgate this rule as an IFR, providing the public with opportunity for post-promulgation comment before the Department issues a final rule on this matter.

**V. Regulatory Requirements**

*A. Administrative Procedure Act*

Notice and comment is unnecessary because this is a rule of agency management or personnel as well as a rule of agency organization, procedure, or practice. *See* 5 U.S.C. 553(a)(2), (b)(A). For the same reasons, this rule is not subject to a 30-day delay in effective date. *See* 5 U.S.C. 553(a)(2), (d).

*B. Regulatory Flexibility Act*

Under the Regulatory Flexibility Act (''RFA''), a regulatory flexibility analysis is not required when a rule is exempt from notice-and-comment rulemaking under 5 U.S.C. 553(b) or other law. 5 U.S.C. 603(a), 604(a). Because this is a rule of internal agency organization and therefore is exempt from notice-and-comment rulemaking, no RFA analysis under 5 U.S.C. 603 or 604 is required for this rule.

*C. Unfunded Mandates Reform Act of 1995*

This rule will not result in the expenditure by State, local, and Tribal governments, in the aggregate, or by the private sector, of $100 million or more in any one year (adjusted for inflation), and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995, codified at 2 U.S.C. 1501 *et seq.*

*D. Executive Orders 12866 (Regulatory Planning and Review) and 13563 (Improving Regulation and Regulatory Review)*

This rule is limited to agency organization, management, or personnel matters and is therefore not subject to review by the Office of Management and Budget pursuant to section 3(d)(3) of Executive Order 12866, Regulatory Planning and Review. Nevertheless, the Department certifies that this regulation has been drafted in accordance with the principles of Executive Order 12866, section 1(b), and Executive Order 13563. Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health, and safety effects, distributive impacts, and equity). The benefits of this rule include providing the Department with an appropriate means of responding to issues regarding the size of the Board. The public will benefit from the reduction of the number of Board members because such reduction will help EOIR better accomplish its mission of adjudicating cases in an efficient and timely manner.

*E. Executive Order 13132 (Federalism)*

This rule will not have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with section 6 of Executive Order 13132, this rule does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement.

*F. Executive Order 12988 (Civil Justice Reform)*

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

*G. Paperwork Reduction Act*

The provisions of the Paperwork Reduction Act of 1995, Public Law 104–13, 44 U.S.C. chapter 35, and its implementing regulations, 5 CFR part 1320, do not apply to this final rule because there are no new or revised recordkeeping or reporting requirements.

*H. Congressional Review Act*

This is not a major rule as defined by 5 U.S.C. 804(2). This action pertains to agency organization, management, and personnel and, accordingly, is not a ''rule'' as that term is used in 5 U.S.C. 804(3). Therefore, the reports to Congress and the Government Accountability Office specified by 5 U.S.C. 801 are not required.

**List of Subjects in 8 CFR Part 1003**

Administrative practice and procedure, Aliens, Immigration, Legal services, Organization and functions (Government agencies).

Accordingly, for the reasons stated in the preamble, the Attorney General is amending part 1003 of chapter V of title 8 of the Code of Federal Regulations as follows:

## PART 1003—EXECUTIVE OFFICE FOR IMMIGRATION REVIEW

■ 1. The authority citation for part 1003 continues to read as follows:

**Authority:** 5 U.S.C. 301; 6 U.S.C. 521; 8 U.S.C. 1101, 1103, 1154, 1155, 1158, 1182, 1226, 1229, 1229a, 1229b, 1229c, 1231, 1254a, 1255, 1324d, 1330, 1361, 1362; 28 U.S.C. 509, 510, 1746; sec. 2 Reorg. Plan No. 2 of 1950; 3 CFR, 1949–1953 Comp., p. 1002; section 203 of Pub. L. 105–100, 111 Stat. 2196–200; sections 1506 and 1510 of Pub. L. 106–386, 114 Stat. 1527–29, 1531–32; section 1505 of Pub. L. 106–554, 114 Stat. 2763A–326 to –328.

■ 2. Amend § 1003.1 by revising the third sentence of paragraph (a)(1) to read as follows:

**§ 1003.1 Organization, jurisdiction, and powers of the Board of Immigration Appeals.**

(a)(1) * * * The Board shall consist of 15 members.* * *

* * * * *

Dated: April 4, 2025.

**Pamela Bondi,**

*Attorney General.*

[FR Doc. 2025–06294 Filed 4–11–25; 8:45 am]

**BILLING CODE 4410–30–P**

## NUCLEAR REGULATORY COMMISSION

**10 CFR Part 72**

**[NRC–2024–0200]**

**RIN 3150–AL23**

## List of Approved Spent Fuel Storage Casks: NAC Multi-Purpose Canister (NAC–MPC) System, Certificate of Compliance No. 1025, Amendment No. 9, and Revision to Amendment Nos. 6, 7, and 8

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Direct final rule; confirmation of effective date.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is confirming the effective date of May 13, 2025, for the direct final rule that was published in the **Federal Register** on February 27, 2025. This direct final rule amended the NAC International, Inc. Multi-Purpose Canister System listing within the ''List of approved spent fuel storage casks'' to include Amendment No. 9 and revisions to Amendment Nos. 6, 7, and 8 to Certificate of Compliance No. 1025.

**DATES:** *Effective date:* The effective date of May 13, 2025, for the direct final rule

published February 27, 2025 (90 FR 10781), is confirmed.

**ADDRESSES:** Please refer to Docket ID NRC–2024–0200 when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- *Federal Rulemaking Website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2024–0200. Address questions about NRC dockets to Helen Chang; telephone: 301–415–3228; email: *Helen.Chang@nrc.gov.* For technical questions, contact the individuals listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at *https://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''Begin Web-based ADAMS Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, at 301–415–4737, or by email to *PDR.Resource@nrc.gov.* The revision of Certificate of Compliance No. 1025, the associated changes to the technical specifications, and the final safety evaluation report are available in ADAMS under Accession No. ML25083A282.
- *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:** Kristina Banovac, Office of Nuclear Material Safety and Safeguards; telephone: 301–415–7116, email: *kristina.banovac@nrc.gov* or Amy McKenna, Office of Nuclear Material Safety and Safeguards, email: *amy.mckenna@nrc.gov.* Both are staff of the U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

**SUPPLEMENTARY INFORMATION:** On February 27, 2025 (90 FR 10781), the NRC published a direct final rule amending its regulations in part 72 of title 10 of the *Code of Federal Regulations* to revise the NAC International, Inc. Multi-Purpose Canister System listing within the ''List of approved spent fuel storage casks'' to include Amendment No. 9 and revision to Amendment Nos. 6, 7, and 8. Amendment No. 9 and revision to Amendment Nos. 6, 7, and 8 revises the description of the vertical concrete cask (VCC) in the certificate of compliance and technical specifications to make a distinction between the VCC body and the VCC lid, in terms of applicability of the American Concrete Institute (ACI) Specifications ACI 349 and ACI 318.

In the direct final rule, the NRC stated that if no significant adverse comments were received, the direct final rule would become effective on May 13, 2025. The NRC received and docketed one comment on the companion proposed rule (90 FR 10799; February 27, 2025). An electronic copy of the comment can be obtained from the Federal Rulemaking website at *https://www.regulations.gov* under Docket ID NRC–2024–0200 and is also available in ADAMS under Accession No. ML25090A312. The NRC evaluated the comment against the criteria described in the direct final rule and determined that the comment was not significant and adverse. Specifically, the comment was outside the scope of this rulemaking and did not oppose the rule; propose a change or an addition to the rule; or cause the NRC to make a change to the rule, the certificate of compliance, or the technical specifications. Therefore, this direct final rule will become effective as scheduled.

Dated: April 9, 2025.

For the Nuclear Regulatory Commission.

**Araceli Billoch Colon,**

*Chief, Regulatory Analysis and Rulemaking Support Branch, Division of Rulemaking, Environmental, and Financial Support, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 2025–06315 Filed 4–11–25; 8:45 am]

**BILLING CODE 7590–01–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

### 14 CFR Part 71

**[Docket No. FAA–2024–2455; Airspace Docket No. 24–ANM–98]**

**RIN 2120–AA66**

## Modification & Establishment of Class E Airspace; Cortez Municipal Airport, Cortez, CO

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action modifies the Class E airspace designated as a surface area, modifies the Class E airspace extending upward from 700 feet above the surface, and establishes Class E airspace designated as an extension to a Class E surface area at Cortez Municipal Airport, Cortez, CO. This action also updates the administrative portions of the airport's legal descriptions. These actions support the safety and management of instrument flight rules (IFR) operations at the airport.

**DATES:** Effective date 0901 UTC, August 7, 2025. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

**ADDRESSES:** A copy of the Notice of Proposed Rulemaking (NPRM), all comments received, this final rule, and all background material may be viewed online at *www.regulations.gov* using the FAA Docket number. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year.

FAA Order JO 7400.11J, 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:** Nathan A. Chaffman, Federal Aviation Administration, Western Service Center, Operations Support Group, 2200 S. 216th Street, Des Moines, WA 98198; telephone (206) 231–3460.

**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 modifies and establishes Class E airspace to support IFR operations at Cortez Municipal Airport, CO.

### History

The FAA published a notice of proposed rulemaking for Docket No.

FAA–2024–2455 in the **Federal Register** (90 FR 4684; January 16, 2025), proposing to modify and establish Class E airspace at Cortez Municipal Airport, Cortez, CO. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

**Differences From the NPRM**

Subsequent to the publication of the NPRM and effective February 10, 2025, the FAA's definition of the acronym ''NOTAM'' reverted to ''Notice to Airmen.'' As such, the proposal to update the term within the legal description of the Class E airspace designated as a surface area is no longer necessary and is withdrawn.

**Incorporation by Reference**

Class E2, E4, and E5 airspace areas are published in paragraphs 6002, 6004, and 6005, respectively, of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document amends the current version of that order, FAA Order JO 7400.11J, dated July 31, 2024, and effective September 15, 2024. These amendments will be published in the next update to FAA Order JO 7400.11. FAA Order JO 7400.11J is publicly available as listed in the **ADDRESSES** section of this document. FAA Order JO 7400.11J lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

**The Rule**

The FAA is amending 14 CFR part 71 to modify Class E airspace designated as a surface area, modify the Class E airspace extending upward from 700 feet above the surface, and establish Class E airspace designated as an extension to a Class E surface area at Cortez Municipal Airport, Cortez, CO.

The radius of the Class E airspace designated as a surface area is widened by a half mile to better contain arriving IFR aircraft when less than 1,000 feet above the surface when conducting circling maneuvers or when executing the Area Navigation (RNAV) (Global Positioning System [GPS]) Runway (RWY) 3 approach, and aircraft conducting the missed approach portions of the Very High Frequency Omnidirectional Range (VOR) RWY 3, RNAV (GPS) Y RWY 21, and RNAV (GPS) Z RWY 21 approaches until reaching the next adjacent airspace. Furthermore, the Class E airspace designated as surface area is extended .8 miles to the northeast to laterally contain IFR departure operations while between the surface and the base of adjacent controlled airspace when executing the LEDVE RWY 3 or CORTEZ TWO RWY 3 departure procedures. Moreover, the Class E airspace designated as surface area is extended 2.4 miles to the southwest to laterally contain IFR departure operations while between the surface and the base of adjacent controlled airspace when executing the LEDVE RWY 21 or CORTEZ TWO RWY 21 departure procedures. Finally, the northern leg of the Class E airspace designated as surface area no longer serves the purpose of containment and is removed.

An extension to the Class E airspace designated as surface area measuring approximately 8 x 8 miles is established to the northeast, as the previously designated Class E surface area airspace did not fully contain arriving IFR aircraft when less than 1,000 feet above the surface when executing the RNAV (GPS) Y RWY 21 or RNAV (GPS) Z RWY 21 approaches. This extension contains these operations more appropriately without imposing a 2-way radio communication requirement.

The central radius of the Class E airspace extending upward from 700 feet above the surface is reduced from 7 miles to 6.1 miles, as there were portions of the previously designated Class E airspace to the southeast and west that did not provide procedural containment. Secondly, the northern extension of the Class E airspace extending upward from 700 feet above the surface is widened by 6 miles and re-aligned to the northeast, which better contains arriving IFR operations below 1,500 feet above the surface when executing the RNAV (GPS) Y RWY 21 or RNAV (GPS) Z RWY 21 approaches. The Class E airspace extending upward from 700 feet above the surface is extended to the southwest to contain aircraft more appropriately until reaching 1,200 feet above the surface when executing the CORTEZ TWO RWY 21 or LEDVE ONE RWY 21 departure procedures, or the missed approach portion of the RNAV (GPS) Z RWY 21 approach until reaching 1,200 feet above the surface. The Class E airspace extending upward from 700 feet above the surface is extended 1.8 miles to the north-northwest of the airport to better contain aircraft executing the missed approach portion of the RNAV (GPS) Y RWY 21 approach until reaching 1,200 feet above the surface.

Lastly, the FAA finalizes administrative modifications to the airport's legal descriptions. The airport's name on line two of the legal description text headers is amended to read ''Cortez Municipal Airport'' to match the FAA's database. Reference to the Cortez VOR/Distance Measuring Equipment (DME) on line three of the airport's legal descriptions is no longer needed and is removed. The airspace is now described using the airport reference point. The legal description for the Class E airspace designated as surface area is updated to replace the outdated use of the phrase ''Airport/Facility Directory.'' This phrase now reads ''Chart Supplement,'' to align with the FAA's current nomenclature.

**Regulatory Notices and Analyses**

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

**Environmental Review**

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures,'' paragraph 5–6.5.a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

**List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

**The Amendment**

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

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

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

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

**§ 71.1 [Amended]**

■ 2. The incorporation by reference in 14 CFR part 71.1 of FAA Order JO 7400.11J, Airspace Designations and Reporting Points, dated July 31, 2024, and effective September 15, 2024, is amended as follows:

*Paragraph 6002 Class E Airspace Areas Designated as a Surface Area*

* * * * *

**ANM CO E2 Cortez, CO [Amended]**

Cortez Municipal Airport, CO
(Lat. 37°18′11″ N, long. 108°37′41″ W)

That airspace extending upward from the surface within a 4.8-mile radius of the airport, within 1.9 miles either side of the airport's 032° bearing extending from its 4.8-mile radius to 5.6 miles northeast, and within 1.9 miles either side of the airport's 217° bearing extending from its 4.8-mile radius to 7.2 miles southwest. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

* * * * *

*Paragraph 6004 Class E Airspace Areas Designated as an Extension to a Class D or Class E Surface Area*

* * * * *

**ANM CO E4 Cortez, CO [New]**

Cortez Municipal Airport, CO
(Lat. 37°18′11″ N, long. 108°37′41″ W)

That airspace extending upward from the surface within 4.1 miles either side of the airport's 042° bearing extending from its 4.8-mile radius to 13 miles northeast of the airport, excluding that airspace within the airport's Class E airspace designated as a surface area.

* * * * *

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

* * * * *

**ANM CO E5 Cortez, CO [Amended]**

Cortez Municipal Airport, CO
(Lat. 37°18′11″ N, long. 108°37′41″ W)

That airspace extending upward from 700 feet above the surface within a 6.1-mile radius of the airport, within 6.1 miles either side of the airport's 048° bearing extending from the 6.1-mile radius to 18.8 miles northeast, within 1.9 miles either side of the airport's 217° bearing extending from the 6.1-mile radius to 9.4 miles southwest, and within 4.2 miles west of the airport's 350° bearing extending from the 6.1-mile radius to 7.9 miles north.

* * * * *

Issued in Des Moines, Washington, on April 4, 2025.

**B.G. Chew,**

*Group Manager, Operations Support Group, Western Service Center.*

[FR Doc. 2025–06190 Filed 4–11–25; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Ocean Energy Management

### 30 CFR Part 550

**[Docket ID: BOEM–2023–0012]**

**RIN 1010–AE11**

## Protection of Marine Archaeological Resources

**AGENCY:** Bureau of Ocean Energy Management, Interior.

**ACTION:** Final rule; Congressional Review Act revocation.

**SUMMARY:** Under the Congressional Review Act, Congress passed, and the President signed, a joint resolution disapproving the final ''Protection of Marine Archaeology Resources'' rule published by the Bureau of Ocean Energy Management (BOEM) on September 3, 2024. That rule required lessees and operators to submit an archaeological report with any oil and gas exploration or development plan they submit to BOEM for approval of proposed activities on the Outer Continental Shelf (OCS). Under the joint resolution and by operation of the Congressional Review Act, the ''Protection of Marine Archaeological Resources'' rule has no force or effect.

**DATES:** This final rule is effective on April 14, 2025.

**FOR FURTHER INFORMATION CONTACT:** Karen Thundiyil, Office Director, Office of Regulatory Affairs, BOEM, 1849 C Street NW, Washington, DC 20240, at email address *Karen.Thundiyil@boem.gov,* or at telephone number (202) 742–0970.

**SUPPLEMENTARY INFORMATION:**

### I. Background

Pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1334), the National Historic Preservation Act, and the National Environmental Policy Act, BOEM issued the final rule ''Protection of Marine Archaeological Resources.'' BOEM published the rule in the **Federal Register** on September 3, 2024 (89 FR 71160), which amended 30 CFR part 550. The rule required that lessees and operators submit an archaeological report with any oil and gas exploration or development plan they provide to BOEM for approval of proposed activities on the OCS.

The purpose of that rule was to address concerns regarding BOEM's regulatory requirements for protecting marine archaeological resources. Specifically, those concerns centered on BOEM's inability to accurately identify the location of such potential resources and BOEM's long-standing policy of requiring archaeological surveys only in cases where evidence of a resource existed. The two major provisions of the rule were (1) the replacement of the ''reason to believe'' standard in the current regulations with the requirement that all proposed exploration or development plans that would disturb the seabed must be accompanied by an archaeological report, and (2) the codification of minimum requirements for any new high resolution geophysical surveys.

The United States Senate passed Senate Joint Resolution 11, disapproving the rule under the Congressional Review Act (5 U.S.C. 801 *et seq.*) on February 25, 2025. The United States House of Representatives passed the joint resolution on March 4, 2025. President Donald J. Trump signed the joint resolution into law on March 14, 2025 (Public Law No.: 119–3). Under the joint resolution and by operation of the Congressional Review Act, the ''Protection of Marine Archaeological Resources'' final rule has no force or effect.

### II. Procedural Requirements

This action is not an exercise of BOEM's rulemaking authority under the Administrative Procedure Act because BOEM is not ''formulating, amending, or repealing a rule'' under 5 U.S.C. 551(5). Rather, BOEM is effectuating changes to the Code of Federal Regulations to reflect what the congressional action has already accomplished. Accordingly, BOEM is not soliciting comments on this action.

### List of Subjects in 30 CFR Part 550

Administrative practice and procedure, Air pollution control, Continental shelf, Environmental impact statements, Environmental protection, Federal lands, Government contracts, Investigations, Mineral resources, Oil and gas exploration, Oil pollution, Outer continental shelf, Penalties, Pipelines, Public lands—rights-of-way, Reporting and recordkeeping requirements, Rights-of-way, Sulfur.

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

**Adam G. Suess,**

*Acting Assistant Secretary, Land and Minerals Management.*

For the reasons stated in the preamble, BOEM amends 30 CFR part 550 as follows:

## PART 550—OIL AND GAS AND SULFUR OPERATIONS IN THE OUTER CONTINENTAL SHELF

■ 1. The authority citation for part 550 continues to read as follows:

**Authority:** 30 U.S.C. 1751; 31 U.S.C. 9701; 43 U.S.C. 1334.

### Subpart A—General

■ 2. Amend § 550.105 by revising the definition of ''Archaeological resource'' to read as follows:

**§ 550.105 Definitions.**

* * * * *

*Archaeological resource* means any material remains of human life or activities that are at least 50 years of age and that are of archaeological interest.

* * * * *

■ 3. Revise § 550.194 to read as follows:

**§ 550.194 How must I protect archaeological resources?**

(a) If the Regional Director has reason to believe that an archaeological resource may exist in the lease area, the Regional Director will require in writing that your EP, DOCD, or DPP be accompanied by an archaeological report. If the archaeological report suggests that an archaeological resource may be present, you must either:

(1) Locate the site of any operation so as not to adversely affect the area where the archaeological resource may be; or

(2) Establish to the satisfaction of the Regional Director that an archaeological resource does not exist or will not be adversely affected by operations. This requires further archaeological investigation, conducted by an archaeologist and a geophysicist, using survey equipment and techniques the Regional Director considers appropriate. You must submit the investigation report to the Regional Director for review.

(b) If the Regional Director determines that an archaeological resource is likely to be present in the lease area and may be adversely affected by operations, the Regional Director will notify you immediately. You must not take any action that may adversely affect the archaeological resource until the Regional Director has told you how to protect the resource.

(c) If you discover any archaeological resource while conducting operations in the lease or right-of-way area, you must immediately halt operations within the area of the discovery and report the discovery to the BOEM Regional Director. If investigations determine that the resource is significant, the Regional Director will tell you how to protect it.

**§ 550.195 [Removed and Reserved]**

■ 4. Remove and reserve § 550.195.

[FR Doc. 2025–06291 Filed 4–11–25; 8:45 am]

BILLING CODE 4340–98–P

# Proposed Rules

Federal Register
Vol. 90, No. 70
Monday, April 14, 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–2025–0606; Airspace Docket No. 25–AEA–6]**

**RIN 2120–AA66**

## Amendment of Class E Airspace; Hagerstown, MD

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This action proposes to amend the Class E airspace extending upward from 700 feet above the surface designated for Hagerstown, MD, by updating the reference to the St. Thomas Very High Frequency Omnidirectional Range Station and Tactical Air Navigation System (VORTAC) to show it as the St. Thomas Tactical Air Navigation System (TACAN). This action would support the safety and management of instrument flight rule (IFR) operations in the area.

**DATES:** Comments must be received on or before May 29, 2025.

**ADDRESSES:** Send comments identified by FAA Docket No. FAA–2025–0606 and Airspace Docket No. 25–AEA–6 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:* 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 for 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 for Federal holidays.

FAA Order JO 7400.11J 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:** Marc Ellerbee, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Avenue, College Park, GA 30337; Telephone: (404) 305–5589.

**SUPPLEMENTARY INFORMATION:**

### Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority, as it would amend Class E airspace in Hagerstown, MD, to support the safety and management of instrument flight rule (IFR) operations in the area.

### 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 edits, 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 regular business hours at the office of the Eastern Service Center, Federal Aviation Administration, Room 210, 1701 Columbia Ave., College Park, GA 30337.

### Incorporation by Reference

Class E5 airspace designations are published in Paragraph 6005 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14

CFR 71.1 on an annual basis. This document proposes to amend the current version of that order, FAA Order JO 7400.11J, Airspace Designations and Reporting Points, dated July 31, 2024, and effective September 15, 2024. These updates will be published in the next update to FAA Order JO 7400.11. FAA Order JO 7400.11J is publicly available as listed in the **ADDRESSES** section of this document. FAA Order JO 7400.11J lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

**The Proposal**

The FAA proposes an amendment to 14 CFR part 71 that would amend the Class E airspace extending upward from 700 feet above the surface at Hagerstown, MD. The VOR portion of the St. Thomas VORTAC was decommissioned on November 30, 2023, and only the TACAN remains as a functional part of the NAVAID. This rule would change the associated references in the airspace legal description from St. Thomas VORTAC to St. Thomas TACAN. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations in the area.

**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 Department of Transportation (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 1050.1F, ''Environmental Impacts: Policies and Procedures,'' prior to any final regulatory action by the FAA.

**Lists of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

**The Proposed Amendment**

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

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

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

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

**§ 71.1 [Amended]**

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11J, Airspace Designations and Reporting Points, dated July 31, 2024, and effective September 15, 2024, is amended as follows:

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

* * * * *

**AEA MD E5 Hagerstown, MD [Amended]**

Hagerstown Regional Airport-Richard A. Henson Field, MD
(Lat. 39°42′31″ N, long. 77°43′35″ W)
Hagerstown VOR
(Lat. 39°41′52″ N, long. 77°51′21″ W)
St. Thomas TACAN
(Lat. 39°56′00″ N, long. 77°57′03″ W)
Hagerstown Regional Airport-Richard A. Henson Field ILS Runway 27 Localizer
(Lat. 39°42′23″ N, long. 77°44′31″ W)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of the Hagerstown Regional Airport-Richard A. Henson Field, and within 3.1 miles each side of the Hagerstown VOR 237° radial and 057° radial extending from 9.6 miles southwest of the VOR to 2.7 miles northeast of the VOR, and within 4.4 miles each side of the Hagerstown Regional Airport-Richard A. Henson Field ILS Runway 27 localizer course extending from the localizer to 12.6 miles east of the localizer, and within 4.4 miles each side of the St. Thomas TACAN 141° radial extending from the 6.6-mile radius to the St. Thomas TACAN, excluding that portion within Prohibited Area P–40.

* * * * *

Issued in College Park, Georgia, on April 8, 2025.

**Patrick Young,**

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

[FR Doc. 2025–06237 Filed 4–11–25; 8:45 am]

**BILLING CODE 4910–13–P**

# Notices

Federal Register
Vol. 90, No. 70
Monday, April 14, 2025

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

## DEPARTMENT OF AGRICULTURE

### Forest Service

### Shasta County Resource Advisory Committee

**AGENCY:** Forest Service, Agriculture (USDA).

**ACTION:** Notice of meeting.

**SUMMARY:** The Shasta County Resource Advisory Committee (RAC) will hold a public meeting according to the details shown below. The committee is authorized under the Secure Rural Schools and Community Self-Determination Act (the Act) and operates in compliance with the Federal Advisory Committee Act. The purpose of the committee is to improve collaborative relationships and to provide advice and recommendations to the Forest Service concerning projects and funding consistent with title II of the Act, as well as make recommendations on recreation fee proposals for sites on the Shasta-Trinity National Forest within Shasta County, consistent with the Federal Lands Recreation Enhancement Act.

**DATES:** A virtual and in-person meeting will be held on April 30, 2025, 9 a.m. to 12 p.m. and 5 p.m. to 8 p.m. Pacific daylight time.

*Written and Oral Comments:* Anyone wishing to provide in-person or virtual oral comments must pre-register by 11:59 p.m. Pacific daylight time on April 22, 2025. Written public comments will be accepted by 11:59 p.m. Pacific daylight time on April 22, 2025. Comments submitted after this date will be provided by the Forest Service to the committee, but the committee may not have adequate time to consider those comments prior to the meeting.

All committee meetings are subject to cancellation. For status of the meeting prior to attendance, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

**ADDRESSES:** This meeting will be held in-person at the Shasta-Trinity Supervisors Office, located at 3644 Avtech Parkway Redding, California 96002. The public may also join the meeting virtually via Microsoft Teams Join the meeting now. Meeting ID: 271 414 997 655, Passcode: W3v7yt6a, or Dial in by phone +1 323–886–7051 Phone conference ID: 471 427 872#. Committee information and meeting details can be found at the following website: *https://www.fs.usda.gov/main/stnf/workingtogether/advisorycommittees* or by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**.

*Written Comments:* Written comments must be sent by email to *monique.rea@usda.gov* or via mail (postmarked) to Monique Rea, 360 Main St., Weaverville, California 96093. The Forest Service strongly prefers comments be submitted electronically.

*Oral Comments:* Persons or organizations wishing to make oral comments must pre-register by 11:59 p.m. Pacific Daylight Time on April 22, 2025, and speakers can only register for one speaking slot. Oral comments must be sent by email to *monique.rea@usda.gov* or via mail (postmarked) to Monique Rea, 360 Main St., Weaverville, California 96093.

**FOR FURTHER INFORMATION CONTACT:** Sara Acridge, Designated Federal Officer, by phone at (530) 806–5520 or email at *sara.acridge@usda.gov*; or Monique Rea, Shasta County RAC Coordinator, by phone at 530–780–3906 or email at *monique.rea@usda.gov*.

**SUPPLEMENTARY INFORMATION:** The purpose of the meeting is to:

1. Hear from title II project proponents and discuss title II project proposals;
2. Make funding recommendations on title II projects;
3. Approve meeting minutes;
4. Schedule the next meeting.

The agenda will include time for individuals to make oral statements of three minutes or less. Individuals wishing to make an oral statement should make a request in writing at least three days prior to the meeting date to be scheduled on the agenda. Written comments may be submitted to the Forest Service up to 14 days after the meeting date listed under **DATES**.

Please contact the person listed under **FOR FURTHER INFORMATION CONTACT**, by or before the deadline, for all questions related to the meeting. All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. The public may inspect comments received upon request.

*Meeting Accommodations:* The meeting location is compliant with the Americans with Disabilities Act, and the USDA provides reasonable accommodation to individuals with disabilities where appropriate. If you are a person requiring reasonable accommodation, please make requests in advance for sign language interpretation, assistive listening devices, or other reasonable accommodation to the person listed under the **FOR FURTHER INFORMATION CONTACT** section, or contact USDA's TARGET Center at (202) 720–2600 (voice and TTY) or USDA through the Federal Relay Service at (800) 877–8339. Additionally, program information may be made available in languages other than English.

Equal opportunity practices, in accordance with USDA policies, will be followed in all membership appointments to the Committee.

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Dated: April 9, 2025.

**Cikena Reid,**

*USDA Committee Management Officer.*

[FR Doc. 2025–06307 Filed 4–11–25; 8:45 am]

**BILLING CODE 3411–15–P**

## COMMISSION ON CIVIL RIGHTS

### Notice of Public Meeting of the Oklahoma Advisory Committee

**AGENCY:** U.S. Commission on Civil Rights.

**ACTION:** Announcement of virtual business meeting.

**SUMMARY:** Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act (FACA) that the Oklahoma Advisory Committee (Committee) to the U.S. Commission on Civil Rights will hold a virtual business meeting via ZoomGov on Wednesday, April 23, 2025, from 2 p.m.–3 p.m. CT. For the purpose of beginning their term and to discuss their first project topics.

**DATES:** The meeting will take place on Wednesday, April 23rd, from 2 p.m.–3 p.m. CT.

**ADDRESSES:**

- *Registration Link (Audio/Visual): https://www.zoomgov.com/webinar/register/WN_nFH8Oal3RvStf5KG4yfPyQ.*
- *Join by Phone (Audio Only):* 1–833–435–1820 USA Toll Free; Webinar ID: # 161 961 7940.

**FOR FURTHER INFORMATION CONTACT:** Brooke Peery, Designated Federal Officer (DFO) at *bpeery@usccr.gov* or by phone at (202) 701–1376.

**SUPPLEMENTARY INFORMATION:** Committee meetings are available to the public through the videoconference link above. Any interested member of the public may listen to the meeting. An open comment period will be provided to allow members of the public to make a statement as time allows. Per the Federal Advisory Committee Act, public minutes of the meeting will include a list of persons who are present at the meeting. If joining via phone, callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Closed captioning will be available for individuals who are deaf, hard of hearing, or who have certain cognitive or learning impairments. To request additional accommodations, please email Corrine Sanders, Support Services Specialist, *csanders@usccr.gov* at least 10 business days prior to the meeting.

Members of the public are entitled to make comments during the open period at the end of the meeting. Members of the public may also submit written comments; the comments must be received in the Regional Programs Unit within 30 days following the meeting. Written comments can be sent via email to Brooke Peery (DFO) at *bpeery@usccr.gov*.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Coordination Unit Office, as they become available, both before and after the meeting. Records of the meetings will be available via *www.facadatabase.gov* under the Commission on Civil Rights, Texas Advisory Committee link. Persons interested in the work of this Committee are directed to the Commission's website, *http://www.usccr.gov,* or may contact the Regional Programs Coordination Unit at *csanders@usccr.gov*.

**Agenda**

I. Welcome & Roll Call
II. Introductions
III. Review of Concept Stage
IV. Committee Discussion
V. Public Comment
VI. Adjournment

Dated: April 8, 2025.

**David Mussatt,**

*Supervisory Chief, Regional Programs Unit.*

[FR Doc. 2025–06270 Filed 4–11–25; 8:45 am]

**BILLING CODE 6335–01–P**

## COMMISSION ON CIVIL RIGHTS

### Notice of Public Meetings of the District of Columbia Advisory Committee to the U.S. Commission on Civil Rights

**AGENCY:** U.S. Commission on Civil Rights.

**ACTION:** Notice of virtual business meetings.

**SUMMARY:** Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act, that the District of Columbia Advisory Committee (Committee) to the U.S. Commission on Civil Rights will hold a series of public meetings via Zoom. The purpose of these meetings is to discuss gathering supplemental testimony on the committee's topic of accessibility and provision of special education for students with disabilities in DC public schools.

**DATES:**

Thursday, May 1, 2025, from 12 p.m.–1 p.m. Eastern Time.

Thursday, May 22, 2025, from 12 p.m.–1 p.m. Eastern Time.

**ADDRESSES:** The meeting will be held via Zoom.

*May 1 Registration Link (Audio/Visual): https://tinyurl.com/35hb2hn8.*

*May 1 Join by Phone (Audio Only):* 1–833–435–1820 USA Toll Free; Webinar ID: 160 776 3285 #.

*May 22 Registration Link (Audio/Visual): https://tinyurl.com/5n7cktb9.*

*May 22 Join by Phone (Audio Only):* 1–833–435–1820 USA Toll Free; Webinar ID: 160 886 4787 #.

**FOR FURTHER INFORMATION CONTACT:** Melissa Wojnaroski, DFO, at *mwojnaroski@usccr.gov* or 1–202–618–4158.

**SUPPLEMENTARY INFORMATION:** Committee meetings are available to the public through the registration links above. Any interested member of the public may attend meetings. Open comment periods will be provided to allow members of the public to make oral statements as time allows. Pursuant to the Federal Advisory Committee Act, public minutes of meetings will include a list of persons who are present at meetings. If joining via phone, callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Closed captioning is available by selecting ''CC'' in the meeting platform. To request additional accommodations, please email *svillanueva@usccr.gov* at least 10 business days prior to meetings.

Members of the public are entitled to submit written comments; the comments must be received in the regional office within 30 days following a scheduled meeting. Written comments may be emailed to Sarah Villanueva at *svillanueva@usccr.gov.* Persons who desire additional information may contact the Regional Programs Coordination Unit at 1–202–809–9618.

Records generated from meetings may be inspected and reproduced at the Regional Programs Coordination Unit Office, as they become available, both before and after meetings. Records of the meetings will be available via *www.facadatabase.gov* under the Commission on Civil Rights, District of Columbia Advisory Committee link. Persons interested in the work of this Committee are directed to the Commission's website, *http://www.usccr.gov,* or may contact the Regional Programs Coordination Unit at *svillanueva@usccr.gov.*

**Agenda**

I. Welcome and Roll Call
II. Approval of Minutes

III. Post-Report Discussion
IV. Public Comment
V. Next Steps
VI. Adjournment

Dated: April 8, 2025.

**David Mussatt,**

*Supervisory Chief, Regional Programs Unit.*

[FR Doc. 2025–06268 Filed 4–11–25; 8:45 am]

**BILLING CODE 6335–01–P**

## COMMISSION ON CIVIL RIGHTS

### Notice of Public Meeting of the Virginia Advisory Committee to the U.S. Commission on Civil Rights

**AGENCY:** U.S. Commission on Civil Rights.

**ACTION:** Notice of virtual business meeting.

**SUMMARY:** Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act, that the Virginia Advisory Committee (Committee) to the U.S. Commission on Civil Rights will hold a public meeting via Zoom. This is the inaugural meeting of the newly appointed Committee.

**DATES:** Thursday, May 8, 2025, from 3 p.m.–4 p.m. Eastern Time.

**ADDRESSES:** The meeting will be held via Zoom.

*Registration Link (Audio/Visual): https://tinyurl.com/3rw3juen.*

*Join by Phone (Audio Only):* 1–833–435–1820 USA Toll Free; Webinar ID: 161 181 1136 #.

**FOR FURTHER INFORMATION CONTACT:** Melissa Wojnaroski, DFO, at *mwojnaroski@usccr.gov* or 1–202–618–4158.

**SUPPLEMENTARY INFORMATION:** This Committee meeting is available to the public through the registration link above. Any interested member of the public may attend this meeting. An open comment period will be provided to allow members of the public to make oral statements as time allows. Pursuant to the Federal Advisory Committee Act, public minutes of the meeting will include a list of persons who are present at the meeting. If joining via phone, callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Closed captioning is available by selecting ''CC'' in the meeting platform. To request additional accommodations, please email *svillanueva@usccr.gov* at least 10 business days prior to the meeting.

Members of the public are entitled to submit written comments; the comments must be received in the regional office within 30 days following the scheduled meeting. Written comments may be emailed to Sarah Villanueva at *svillanueva@usccr.gov.* Persons who desire additional information may contact the Regional Programs Coordination Unit at 1–202–809–9618.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Coordination Unit Office, as they become available, both before and after the meeting. Records of the meetings will be available via *www.facadatabase.gov* under the Commission on Civil Rights, Virginia Advisory Committee link. Persons interested in the work of this Committee are directed to the Commission's website, *http://www.usccr.gov,* or may contact the Regional Programs Coordination Unit at *svillanueva@usccr.gov.*

**Agenda**

I. Welcome and Roll Call
II. New Member Introductions
III. Civil Rights Discussion
IV. Public Comment
V. Next Steps
VI. Adjournment

Dated: April 8, 2025.

**David Mussatt,**

*Supervisory Chief, Regional Programs Unit.*

[FR Doc. 2025–06269 Filed 4–11–25; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF COMMERCE

### Census Bureau

### Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; 2026 Government Units Survey; Cancellation

**AGENCY:** Census Bureau, Department of Commerce.

**ACTION:** Notice.

**SUMMARY:** Census Bureau published a document on February 20, 2025, which provided the Census Bureau's plans for the 2026 Government Units Survey. This notice serves as a notification of the cancellation of this collection, the 2026 Government Units Survey.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Joy Pierson, PSFCB Branch Chief, at 301–763–7196 or *Joy.P.Pierson@census.gov* and Mercera Silva, PSFCB Section Chief, at 301–763–8047 or *Mercera.Silva@census.gov*.

**SUPPLEMENTARY INFORMATION:** On February 20, 2025, **Federal Register** Document 2025–02857 was published, which provided the Census Bureau's plans for the 2026 Government Units Survey. The Census Bureau has recently determined that alternative data collection methods for identifying and classifying active governments for the Census of Governments are reliable. These methods include reviewing legislation and leveraging direct agreements with states. This will support data quality while alleviating respondent burden for local governments. This notice serves as notification of the cancellation of this collection after the **Federal Register** notice was published for public comment.

**Sheleen Dumas,**

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

[FR Doc. 2025–06303 Filed 4–11–25; 8:45 am]

**BILLING CODE 3510–07–P**

## DEPARTMENT OF COMMERCE

**[Docket No. DOC–2025–0002]**

### Privacy Act of 1974; System of Records

**AGENCY:** Office of the Secretary, Department of Commerce.

**ACTION:** Notice of a new system of records.

**SUMMARY:** The Department of Commerce (Department or Commerce) is issuing this notice of its intent to establish a new system of records entitled ''COMMERCE/DEPT–30, Public Affairs Records.'' The purpose of soliciting this information is to enable the Department's Office of Public Affairs and the Department's operating units to establish and maintain contact with the media, members of civil society organizations, and the public, as well as circulate information to specific individuals or groups based on self-identified regional and policy interests. This system significantly expands the Department's ability to collect current data, historical data, interviews, and commentary, as well as digitize existing libraries of this data in a searchable format. The Department uses public affairs records (PA Records) for various purposes, including research, historical commentary, storm and disaster

archives, and public affairs records documenting matters of significant public interest. The Department is committed to ensuring that any technology, including digitization of archival records, used to collect, use, retain, or disseminate information about individuals complies with the Constitution, Federal law, regulations, and policies.

**DATES:** In accordance with 5 U.S.C. 552a(e)(4) and (11), this notice will go into effect without further notice on April 14, 2025. All routine uses will go into effect on May 14, 2025, unless otherwise revised pursuant to comments received. The Department will publish any significant changes to the system of records or routine uses resulting from public comment.

**ADDRESSES:** You may submit comments, identified as pertaining to ''COMMERCE/DEPT–30, Public Affairs Records'' via the Federal Rulemaking Portal: *http://www.regulations.gov.* All submissions received must include the agency name and docket number for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

**FOR FURTHER INFORMATION CONTACT:** Dr. Brian E. Anderson, Privacy Act Officer, Office of Privacy and Open Government, *privacyact@doc.gov* or call: 202–482–8294.

**SUPPLEMENTARY INFORMATION:** The Department is creating a new system of records for PA Records, entitled ''COMMERCE/DEPT–30, Public Affairs Records,'' as part of its commitment to ensuring that collection, use, retention, or dissemination of information about individuals with any technology, including digitized archival records, complies with the Constitution, Federal law, regulations, and policies. The public affairs function involves exchanging information and communications between the Federal government and the public. This function consists of two main activities: Creating or distributing of official government information such as publications, speeches, agency histories, and educational materials. The Office of Public Affairs oversees the external affairs and communications functions, comprising Congressional Relations; Banking Relations; Press Relations; Internal Communications; External Outreach and Minority Affairs. Consistent with Office of Management and Budget Circular A–130, Managing Information as a Strategic Resource, this newly established system of records will be included in Commerce's inventory of records systems. In accordance with 5 U.S.C. 552a(r), Commerce has provided a report of this system of records to Congress and to the Office of Management and Budget.

**SYSTEM NAME AND NUMBER:**

Public Affairs Records, COMMERCE/DEPT–30.

**SECURITY CLASSIFICATION:**

Unclassified.

**SYSTEM LOCATION:**

Records are maintained by Department of Commerce, Office of Public Affairs, 1401 Constitution Ave. NW, Washington, DC 20230. The locations at which the system is maintained by Commerce bureaus and operating units are:

1. Bureau of Economic Analysis (BEA), 4600 Silver Hill Road, Washington, DC.
2. Bureau of Industry and Security (BIS), 14th and Constitution Avenue NW, Room 3876, Washington, DC 20230.
3. U.S. Census Bureau (CENSUS), 4600 Silver Hill Rd., Hillcrest Heights, MD 20746.
4. Economic Development Agency (EDA), 1401 Constitution Ave. NW, Suite 71014, Washington, DC 20230.
5. Office of the Under Secretary for Economic Affairs (OUS/EA), 1401 Constitution Ave. NW, Washington, DC 20230.
6. International Trade Administration (ITA), 1401 Constitution Ave. NW, Mail Stop 3421, Washington, DC 20230.
7. Minority Business Development Agency (MBDA), 1401 Constitution Ave. NW, Washington, DC 20230.
8. National Institute of Standards and Technology (NIST), 100 Bureau Drive, Gaithersburg, MD 20899.
9. National Oceanic and Atmospheric Administration (NOAA),
10. National Telecommunications and Information Administration (NTIA), 1401 Constitution Avenue NW, Room 4897, Washington, DC 20230.
11. U.S. Patent and Trademark Office (USPTO), 600 Dulany St., Alexandria, VA 22314.
12. Office of the Secretary (OS), 1401 Constitution Ave. NW, Washington, DC 20230.

**SYSTEM MANAGER(S):**

Commerce, Office of Public Affairs, Meghan Burris, Director of Public Affairs, *publicaffairs@doc.gov,* 1401 Constitution Ave. NW, Washington, DC 20230. The system managers for the Department bureaus and operating units' points of contact are:

1. BEA, Public Affairs Officer, Jeannine Aversa, 202–606–2649, *Jeannine.aversa@bea.gov.*
2. BIS, Office of Congressional and Public Affairs Office, *ocpa@bis.doc.gov.*
3. CENSUS, Office of Public Affairs, or Public Information Office (PIO), 301–763–3030, *pio@census.gov.*
4. EDA, Office of Public Affairs, *publicaffairs@doc.gov,* 202–482–4085, *www.eda.gov.*
5. OUS/EA, Office of Public Affairs, *publicaffairs@doc.gov,* 202–482–4085.
6. ITA, Office of Public Affairs, 202–482–3809, *publicaffairs@trade.gov.*
7. MBDA, Public Affairs Officer, Antavia Grimsley, 202–482–6272, *MBDAPublicAffairs@mbda.gov.*
8. NIST, Public Affairs Office, Jennifer Huergo, 301–975–6343, *Jennifer.huergo@nist.gov.*
9. NOAA, Public Affairs Specialist, Jasmine Blackwell, 202–482–6090, *jasmine.blackwell@noaa.gov.*
10. NTIA, Office of Public Affairs (OPA), Stephen Yusko, Director (Acting), 202–482–7002, *press@ntia.gov.*
11. USPTO, Office of the Chief Communications Officer. Mandy Kraft, Deputy Press Secretary, 571–272–8400, *press@uspto.gov.*
12. OS, Office of Public Affairs, Meghan Burris, Director of Public Affairs, *publicaffairs@doc.gov.*

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

5 U.S.C. 301 (Departmental Regulations); 44 U.S.C. 2912 (Preservation of Electronic Messages and Other Records).

**PURPOSE(S) OF THE SYSTEM:**

The Department of Commerce may use Public Affairs Records for various purposes, including archival references, Central Library documentation, historical research, agency operations, storm and disaster documentation, and documentation of commentary, interviews, and references of matters of significant public interest. By nature, matters that arise to the level of public affairs documentation and essential interactions between the Federal and the public and the information that the Department presents to the public about government activities for the preservation, reference, and retrieval.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

a. Current and former employees of the Department and other people whose association with the Department relates to the use of PA records. The names of

individuals and the files in their names may be: (1) received pursuant to employment; or (2) submitted by the employee for access or use to files within the system in the conduct of assigned duties involving matters of public interest;

b. Agency, partners, individuals, including members of the public, who are identified while assisting the agency or commenting on matters of public interest, dignitaries, or experts in a field, those close to disaster relief efforts, storm tracking, and law enforcement activities. Members of the public could also include fishing vessel owners and occupants (made a comment or had a picture etc.);

c. Media representatives who request interviews with the Office of the Secretary and/or Department principals;

d. individuals who request information from a press officer concerning an issue(s) or information about the Department and its policies;

e. individuals who are on the mailing list for the Secretary's speeches;

f. individuals who invite the Secretary or Department principals to accept a speaking engagement or attend a function;

g. representatives of nongovernmental organizations throughout the United States;

h. state and local government officials; and

i. Department employees who have asked the Office of Public Affairs or the public affairs team within their respective operating unit to place articles about their achievements in their hometown newspapers.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

This system is a comprehensive repository, contains contact information for individuals who are involved in the operations of the Office Public Affairs and the offices of public affairs operating within the Department's operating units; travel records, assignments, biographies, speaking engagements, interviews and communications of the Secretary and Department principals and members of the media; records relating to requests for access to Department facilities by members of the press; press releases; names of local media organizations; information on Department employees who asked the Department to publish information/articles about them; and invitations sent to the Secretary and Department principals to include the name/organization of the requester, internal control number, assigned action office and status. On-camera video and audio interviews and commentary, with names of participants, audio recordings from news conferences, image, audio and video legal releases, public affairs photography with caption information, historical journals, capstone emails, notes, transcripts, audio and video logs, graphic images, documentaries, podcasts, and dialogue regarding matters of public interest or scientific significance, textual-based materials (articles, newspaper files, letters, tweets, posts, etc.), and existing records not currently searchable that are to be digitized.

**RECORD SOURCE CATEGORIES:**

Submissions of images or media from the public and employee documentation of a public interest event obtained during of their official work, capstone email records that include final determinations, policies, and guidance pertaining to agency operations and other news-worthy documentation created or submitted to the agency. Also, these records contain information obtained directly from the individual who is the subject of these records, the agency or organization that the individual represents, published directories, and/or other operating units in the Department.

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:**

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, all or a portion of the records or information contained in this system may be disclosed to authorized entities, as is determined to be relevant and necessary, outside the Department as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

1. *Media and the Public*—A record in this system of records may be disclosed for distribution and presentation for news, public relations, official agency social media, community affairs purposes, with the approval of the Department's Chief Privacy Officer in consultation with counsel, when there exists a legitimate public interest in the disclosure of the information or when disclosure is necessary to preserve confidence in the integrity of the Department or is necessary to demonstrate the accountability of the Department's officers, employees, or individuals covered by the system; except to the extent the Department determines that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

2. *Audit Disclosure*—A record from this system of records may be disclosed to an agency, organization, or individual for the purpose of performing an audit or oversight operation as authorized by law, but only such information as is necessary and relevant to such audit or oversight function to accomplish an agency function related to this system of records. Individuals provided information under this routine use are subject to the same Privacy Act requirements and limitations on disclosure as are applicable to the Department officers and employees.

3. *Governments Disclosure*—A record from this system of records may be disclosed to a Federal, state, local, tribal, or international agency, in response to its request, in connection with (1) the assignment, hiring, or retention of an individual, (2) the issuance of a security clearance, (3) the letting of a contract, or (4) the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

4. *Record Informational Inquiries*—A record in this system of records may be disclosed to a Federal, state, local, tribal, or international agency, maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to a Department decision concerning (1) the assignment, hiring, or retention of an individual, (2) the issuance of a security clearance, (3) the letting of a contract, or (4) the issuance of a license, grant, or other benefit.

5. *Law Enforcement and Investigation*—A record in this system of records may be disclosed to a Federal, state, local, tribal, or foreign agency or other appropriate entity where a record, either alone or in conjunction with other information, indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by (1) general statute or particular program statute or contract, (2) rule, regulation, or order issued pursuant thereto, or (3) the necessity to protect an interest of the Department. The agency receiving the record(s) must be charged with the responsibility of investigating or prosecuting such violations or with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, or protecting the interest of the Department.

6. *Non-Federal Personnel*—A record in this system of records may be disclosed to individuals, contractors, agents, grantees, experts, consultants, student volunteers, and other workers

who technically do not have the status of Federal employees, performing or working on a contract, service, grant, cooperative agreement, or other work assignment for the Department or the Department of Commerce, to the extent needed to perform their assigned functions. These individuals or entities may have a need for information from the system of records: (1) in the course of operating or administrating the system of records; (2) in the course of fulfilling an agency function, but only to the extent necessary to fulfill that function; or (3) in order to fulfill their contract(s), but who do not operate the system of records within the meaning of 5 U.S.C. 552a(m).

7. *Data Breach Notification*—A record in this system of records may be disclosed to appropriate agencies, entities, and persons when (1) the Department suspects or has confirmed that there has been a breach of the system of records; (2) the Department has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, Department (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Department's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

8. *Data Breach Assistance*—A record in this system of records may be disclosed to another Federal agency or Federal entity when the Department determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

9. *Adjudication and Litigation*—A record in this system of records may be disclosed to a court, magistrate, or administrative tribunal during the course of presenting evidence, including disclosures to opposing counsel or witnesses in the course of civil discovery, litigation, or settlement negotiations where use of such records by the court or the Department is deemed by the Department to be relevant and necessary to the litigation, provided, however, that in each case, the Department determines that disclosure of the records to the court is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

10. *Department of Justice Litigation*—To the U.S. Department of Justice (DOJ), or in a proceeding before a court, adjudicative body, or other administrative body in which the Department is authorized to appear, when:

(1) The Department;

(2) Any employee of the Department in their official capacity; or

(3) Any employee of the Department in their individual capacity where the DOJ or the Department has agreed to represent the employee; or

(4) The United States, when the Department determines that litigation is likely to affect the Department;

is a party to litigation or has an interest in such litigation, and the use of such records by the DOJ or the Department is deemed by the Department to be relevant and necessary to the litigation, provided, however, that in each case, the Department determines that disclosure of the records to DOJ is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

11. *Freedom of Information Act Assistance From Department of Justice*—A record in this system of records may be disclosed to the Department of Justice in connection with determining whether disclosure thereof is required by the Freedom of Information Act (5 U.S.C. 552).

12. *Congressional Inquiries*—A record in this system of records may be disclosed to a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of, and at the request of, the individual who is the subject of the record.

13. *National Archives and Records Administration*—A record in this system of records may be disclosed to the Administrator of the National Archives and Records Administration (NARA), or said administrator's designee, during an inspection of records conducted by NARA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with NARA regulations governing inspection of records for this purpose, and any other relevant directive. Such disclosure shall not be used to make determinations about individuals. A capstone email record may be disclosed to NARA that is created by individuals serving in specific level positions. These records will include final determinations, policies, and guidance pertaining to agency operations and strategic planning under the authority of 44 U.S.C. 2912 and M–23–07 Update to Transition to Electronic Records.

**POLICIES AND PRACTICES FOR STORAGE OF RECORDS:**

Automated storage includes but is not limited to digital audio and video media captured via webinar software, flatbed scanners, and digitization of older film or audio recordings stored on departmental computers and servers. Non-digitized images such as films, audio tapes, and other hardcopy images are maintained in file cabinets or locked storage rooms.

**POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:**

Records may be retrieved alphabetically by last name and/or first name, cross referenced to file number, and by event or topic of newsworthiness.

**POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:**

Records in the system are maintained in accordance with the NARA approved Records Controls Schedules 6.4 Item 010, Temporary. Destroy when 3 years old, or no longer needed, whichever is later; IN1–241–05–001:5; N1–241–06–002:4; N1–241–06–002:6; N1–241–10–001:10.3; and General Records Schedules 1.1 3.2 and 6.1.

**ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:**

Records are protected from unauthorized access and improper use through administrative, technical, and physical security measures.

*Administrative Safeguards:* Administrative controls include, but are not limited to, written policies, standards, and procedures reinforced by training and periodic auditing and the completion of a Privacy Threshold Analysis (PTA) and/or a Privacy Impact Assessment (PIA).

*Physical Safeguards:* Physical controls include, but are not limited to, the use of the Department Employee ID and/or badge number and Department key cards, security guards, cipher locks, biometrics, and closed-circuit TV.

*Technical Safeguards:* Technical controls include, but are not limited to user identification, password protection, firewalls, virtual private network, encryption, intrusion detection systems, common access cards, smart cards,

biometrics, and public key infrastructure.

*Alleged or Confirmed Incidents:* The Department will report and take action to remediate security incidents involving the unauthorized access or disclosure of personally identifiable and sensitive information according to applicable law, regulations, OMB guidance, and Department of Commerce policies.

**RECORD ACCESS PROCEDURES:**

Individuals seeking to access records maintained in this system of records must submit an access request in accordance with the Department's Privacy Act implementing regulations in 15 CFR part 4, subpart B. The regulations define the procedures for making requests for records in person, not in person, and on behalf of a minor or by a legal guardian.

**CONTESTING RECORD PROCEDURES:**

Individuals contesting the content of records about themselves contained in this system of records must submit a request for correction or amendment in accordance with the Department's Privacy Act implementing regulations in 15 CFR part 4, subpart B. The regulations define the procedures for making requests for correction or amendment and include what should be submitted with the request.

**NOTIFICATION PROCEDURES:**

Individuals seeking to determine whether this system of records contains information about themselves must submit a request in accordance with the Department's Privacy Act implementation regulations in 15 CFR part 4, subpart B. The regulations define the procedures for making inquiries and what information should be submitted with the request.

**EXEMPTIONS PROMULGATED FOR THE SYSTEM:**

None.

**HISTORY:**

None.

**Charles R. Cutshall,**

*Director of Open Government, Office of Privacy and Open Government, Department of Commerce.*

[FR Doc. 2025–06227 Filed 4–11–25; 8:45 am]

**BILLING CODE 3510–17–P**

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

**[B–24–2025]**

### Foreign-Trade Zone (FTZ) 49, Notification of Proposed Production Activity; Merck, Sharp & Dohme LLC; (Pharmaceutical Products for Research and Development); Rahway, New Jersey

Merck, Sharp & Dohme LLC submitted a notification of proposed production activity to the FTZ Board (the Board) for its facility in Rahway, New Jersey, within Subzone 49Y. The notification conforming to the requirements of the Board's regulations (15 CFR 400.22) was received on April 2, 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 product(s) and material(s)/component(s) would be added to the production authority that the Board previously approved for the operation, as reflected on the Board's website.

The proposed finished products include: drug products for infectious disease; neurologic disease; oncology; immunotherapy; cardiovascular disease; and, monoclonal antibody drug products for neurologic disease and oncology (duty free).

The proposed foreign-status materials/components include the following active pharmaceutical ingredients: pyridine infectious disease; lactam cardiovascular disease, pyranol immunotherapy; nucleoside infectious disease; furan infectious disease; pyrimidine infectious disease; monoclonal antibody neurologic disease; pyrimidine neurologic disease; pyridazine oncology; macrocycle infectious disease; monoclonal antibody oncology; alkaloid oncology; macrocycle cardiovascular disease; sulfonamide cardiovascular disease; and, pyran neurologic disease (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) and section 301 of the Trade Act of 1974 (section 301), depending on the country of origin. The applicable section 1702 and section 301 decisions require subject merchandise to be admitted to FTZs in privileged foreign status (19 CFR 146.41).

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 May 27, 2025.

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 Diane Finver at *Diane.Finver@trade.gov.*

Dated: April 8, 2025.

**Elizabeth Whiteman,**

*Executive Secretary.*

[FR Doc. 2025–06283 Filed 4–11–25; 8:45 am]

**BILLING CODE 3510–DS–P**

## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

### Sensors and Instrumentation Technical Advisory Committee

**AGENCY:** Bureau of Industry and Security, U.S. Department of Commerce.

**ACTION:** Notice of open meeting.

**SUMMARY:** The Sensors and Instrumentation Technical Advisory Committee (SITAC) advises and assists the Secretary of Commerce and other Federal officials on matters related to export control policies; the SITAC will meet to review and discuss these matters. The meeting will be open to the public.

**DATES:** The meeting will be held on April 29, 2025, from 12:30 p.m. to 1:30 p.m. eastern time (all times are eastern time). Individuals requiring special accommodations to access the session virtually should contact *TAC@bis.doc.gov* no later than 11:59 p.m. on April 22, 2025, so that appropriate arrangements can be made. Individuals interested in participating virtually should contact *TAC@bis.doc.gov* no later than 11:59 p.m. on April 27, 2025.

**ADDRESSES:** The meeting will only be accessible via teleconference.

**FOR FURTHER INFORMATION CONTACT:** Kevin Coyne, Committee Liaison Officer, Bureau of Industry and Security, U.S. Department of Commerce, *TAC@bis.doc.gov,* (202) 482–4933.

**SUPPLEMENTARY INFORMATION:**

#### Background

The Sensors and Instrumentation Technical Advisory Committee (SITAC)

advises and assists the Secretary of Commerce (Secretary) and other Federal officials and agencies with respect to actions designed to carry out the policy set forth in section 1752 of the Export Control Reform Act. The purpose of the meeting is to have the SITAC members, U.S. Government representatives, and the public review working group reports, partake in open business discussions, and receive industry presentations.

**Agenda**

The meeting will include working group reports, open business discussions, and industry presentations.

**Meeting Attendance**

The meeting will only be accessible via teleconference. Registration in advance is required to receive the meeting invite for virtual attendance. Individuals interested in participating virtually should contact *TAC@bis.doc.gov* no later than 11:59 p.m. eastern time on April 27, 2025.

**Special Accommodations**

Individuals requiring special accommodations to access the meeting virtually should contact *TAC@bis.doc.gov* no later than 11:59 p.m. eastern time on April 22, 2025, so that appropriate arrangements can be made.

**Public Participation**

To the extent that time permits during the meeting, members of the public may present oral statements to the SITAC. The public may submit written statements at any time before or after the meeting. However, to facilitate distribution of materials to the SITAC members, the SITAC suggests that members of the public forward their materials prior to the meeting via email to *TAC@bis.doc.gov.* Material submitted by the public will be made public; therefore, submissions should not contain confidential information. Meeting materials from the meeting will be accessible via the Technical Advisory Committee (TAC) website at: *https://tac.bis.doc.gov,* within 30 days after the meeting.

**Meeting Cancellation**

If the meeting is cancelled, a cancellation notice will be posted on the TAC website at: *https://tac.bis.doc.gov.*

**Kevin Coyne,**

*Committee Liaison Officer.*

[FR Doc. 2025–06321 Filed 4–11–25; 8:45 am]

**BILLING CODE 3510–JT–P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

**[A–469–821]**

## Prestressed Concrete Steel Wire Strand From Spain: Final Results of Antidumping Duty Administrative Review; 2022–2023

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** The U.S. Department of Commerce (Commerce) determines that the producer/exporter subject to this administrative review made sales of subject merchandise at less than normal value during the period of review (POR) June 1, 2022, through May 31, 2023.

**DATES:** Applicable April 14, 2025.

**FOR FURTHER INFORMATION CONTACT:** Lilit Astvatsatrian, 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) 482–6412.

**SUPPLEMENTARY INFORMATION:**

**Background**

On July 5, 2024, Commerce published the *Preliminary Results* and invited comments from interested parties.[1] On July 22, 2024, Commerce tolled certain deadlines in this proceeding by seven days.[2] Commerce conducted verification of the sales information provided by the sole mandatory respondent, Global Special Steel Products S.A.U. (d.b.a. Trenzas y Cables de Acero PSC, S.L.) (TYCSA).[3] In October 2024, we received case and rebuttal briefs from the petitioners[4] and TYCSA.[5] On October 15, 2024, Commerce extended the deadline for the final results until January 8, 2025.[6] On December 9, 2024, Commerce tolled certain deadlines in this administrative proceeding by 90 days.[7] The deadline for issuing the final results is now April 8, 2025. For a complete description of the events that occurred since the *Preliminary Results, see* the Issues and Decision Memorandum.[8] Commerce conducted this administrative review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act).

**Scope of the Order**[9]

The products subject to the *Order* are prestressed concrete steel wire strand from Spain. For a full description of the scope of the *Order, see* the Issues and Decision Memorandum.

**Analysis of Comments Received**

All issues raised in the case and rebuttal briefs are listed in the appendix to this notice and addressed in the Issues and Decision Memorandum. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

**Changes Since the Preliminary Results**

Based on comments received from interested parties regarding our *Preliminary Results,* we made certain changes to the weighted-average dumping margin calculations for TYCSA.[10]

**Final Results of Review**

For these final results, we determine the following estimated weighted-average dumping margin exists for the period June 1, 2022, through May 30, 2023:

[1] *See Prestressed Concrete Steel Wire Strand from Spain: Preliminary Results of Antidumping Duty Administrative Review; 2022–2023,* 89 FR 55580 (July 5, 2024) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

[2] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated July 22, 2024.

[3] *See* Memorandum, ''Verification of the Questionnaire Responses of Global Special Steel Products S.A.U. (d.b.a. Trenzas y Cables de Acero PSC, S.L.) in the 2022–2023 Antidumping Duty Administrative Review of Prestressed Concrete Steel Wire Strand from Spain,'' dated September 26, 2024).

[4] The petitioners are Insteel Wire Products Company, Sumiden Wire Products Corporation, and Wire Mesh Corp.

[5] *See* Petitioners' Letter, ''Petitioner's Case Brief,'' dated October 4, 2024; TYCSA's Letter, ''Case Brief,'' dated October 4, 2024; Petitioners' Letter, ''Petitioner's Rebuttal Brief,'' dated October 11, 2024; and TYCSA's Letter, ''Rebuttal Brief,'' dated October 11, 2024.

[6] *See* Memorandum, ''Extension of Deadline for Final Results of Antidumping Duty Administrative Review,'' dated October 15, 2024.

[7] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated December 9, 2024.

[8] *See* Memorandum, ''Issues and Decision Memorandum for the Final Results of the 2022–2023 Administrative Review of the Antidumping Duty Order on Prestressed Concrete Steel Wire Strand from Spain,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[9] *See Prestressed Concrete Steel Wire Strand from Indonesia, Italy, Malaysia, South Africa, Spain, Tunisia, and Ukraine: Antidumping Duty Orders,* 86 FR 29998 (June 4, 2021) (*Order*).

[10] For a full description of these changes, *see* Issues and Decision Memorandum.

| Producer or exporter | Weighted-average dumping margin (percent) |
|---|---|
| Global Special Steel Products S.A.U. (d.b.a. Trenzas y Cables de Acero PSC, S.L.) | 3.44 |

**Disclosure**

Commerce intends to disclose the calculations performed for TYCSA in connection with these final results to interested parties within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this notice in the **Federal Register**, in accordance with 19 CFR 351.224(b).

**Assessment Rates**

Pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b)(1), Commerce has determined, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review.

We calculated importer-specific *ad valorem* duty assessment rates on the basis of the ratio of the total amount of dumping calculated for the examined sales to the total entered value of those sales, in accordance with 19 CFR 351.212(b)(1). Where either the respondent's weighted-average dumping margin is zero or *de minimis* within the meaning of 19 CFR 351.106(c)(1), or an importer-specific assessment rate is zero or *de minimis* (*i.e.,* less than 0.5 percent), we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

Commerce's ''automatic assessment'' practice will apply to entries of subject merchandise during the POR produced by TYCSA for which it did not know that the merchandise it sold to an intermediary (*e.g.,* a reseller, trading company, or exporter) was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate established in the less-than-fair-value (LTFV) investigation (*i.e.,* 14.75 percent),[11] if there is no rate for the intermediate company(ies) involved in the transaction.[12]

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

**Cash Deposit Requirements**

The following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the company listed above will be equal to the weighted-average dumping margin that is established in the final results of this review, except if the rate is less than 0.50 percent and, therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) for previously investigated or reviewed companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding in which the company participated; (3) if the exporter is not a firm covered in this review, a prior review, or the LTFV investigation, but the producer is, the cash deposit rate will be the cash deposit rate established for the most recently completed segment for the producer of the subject merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 14.75 percent, the all-others rate established in the LTFV investigation.[13] These deposit requirements, when imposed, shall remain in effect until further notice.

**Administrative Protective Order (APO)**

This notice serves as the only reminder to parties subject to an APO of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

**Notification to Importers**

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

**Notification to Interested Parties**

This notice is issued and published in accordance with sections 751(a)(1), 751(a)(3), and 777(i)(1) of the Act.

Dated: April 7, 2025.

**Christopher Abbott,**

*Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

## Appendix

**List of Topics Discussed in the Issues and Decision Memorandum**



[FR Doc. 2025–06286 Filed 4–11–25; 8:45 am]

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[11] *See Order,* 79 FR at 30816.

[12] For a full description of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[13] *See Order,* 79 FR at 30816.

## DEPARTMENT OF COMMERCE

### International Trade Administration

**[A–570–203, A–552–850]**

### Polypropylene Corrugated Boxes From the People's Republic of China and the Socialist Republic of Vietnam: Initiation of Less-Than-Fair-Value Investigations

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**DATES:** Applicable April 7, 2025.

**FOR FURTHER INFORMATION CONTACT:** Brian Warnes (the People's Republic of China (China)) and Alexander Cipolla (the Socialist Republic of Vietnam (Vietnam)), AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–0028 and (202) 482–4956, respectively.

**SUPPLEMENTARY INFORMATION:**

#### The Petitions

On March 18, 2025, the U.S. Department of Commerce (Commerce) received antidumping duty (AD) petitions concerning imports of polypropylene corrugated boxes from China and Vietnam filed in proper form on behalf of CoolSeal USA Inc., Inteplast Group Corporation, SeaCa Plastic Packaging, and Technology Container Corp. (the petitioners), domestic producers of polypropylene corrugated boxes.[1] The AD Petitions were accompanied by a countervailing duty (CVD) petition concerning imports of polypropylene corrugated boxes from China.[2]

On March 20 and 28, 2025, Commerce requested supplemental information pertaining to certain aspects of the Petitions in supplemental questionnaires.[3] On March 25, 26, and 31, 2025, the petitioners filed timely responses to these requests for additional information.[4]

In accordance with section 732(b) of the Tariff Act of 1930, as amended (the Act), the petitioners allege that imports of polypropylene corrugated boxes from China and Vietnam are being, or are likely to be, sold in the United States at less than fair value (LTFV) within the meaning of section 731 of the Act, and that imports of such products are materially injuring, or threatening material injury to, the polypropylene corrugated boxes industry in the United States. Consistent with section 732(b)(1) of the Act, the Petitions were accompanied by information reasonably available to the petitioners supporting their allegations.

Commerce finds that the petitioners filed the Petitions on behalf of the domestic industry, because the petitioners are interested parties, as defined in section 771(9)(C) of the Act. Commerce also finds that the petitioners demonstrated sufficient industry support for the initiation of the requested LTFV investigations.[5]

#### Period of Investigation (POI)

Because the Petitions were filed on March 18, 2025, and because China and Vietnam are non-market economy (NME) countries, pursuant to 19 CFR 351.204(b)(1), the POI for the China and Vietnam LTFV investigations is July 1, 2024, through December 31, 2024.

#### Scope of the Investigations

The products covered by these investigations are polypropylene corrugated boxes from China and Vietnam. For a full description of the scope of these investigations, *see* the appendix to this notice.

#### Comments on the Scope of the Investigations

On March 20 and 28, 2025, Commerce requested information and clarification from the petitioners regarding the proposed scope to ensure that the scope language in the Petitions is an accurate reflection of the products for which the domestic industry is seeking relief.[6] On March 25 and 31, 2025, the petitioners provided clarifications and revised the scope.[7] The description of merchandise covered by these investigations, as described in the appendix to this notice, reflects these clarifications.

As discussed in the *Preamble* to Commerce's regulations, we are setting aside a period for interested parties to raise issues regarding product coverage (*i.e.,* scope).[8] Commerce will consider all scope comments received from interested parties and, if necessary, will consult with interested parties prior to the issuance of the preliminary determinations. If scope comments include factual information,[9] all such factual information should be limited to public information. To facilitate preparation of its questionnaires, Commerce requests that scope comments be submitted by 5:00 p.m. Eastern Time (ET) on April 28, 2025, which is the next business day after 20 calendar days from the signature date of this notice.[10] Any rebuttal comments, which may include factual information, and should also be limited to public information, must be filed by 5:00 p.m. ET on May 8, 2025, which is 10 calendar days from the initial comment deadline.

Commerce requests that any factual information that parties consider relevant to the scope of these investigations be submitted during that period. However, if a party subsequently finds that additional factual information pertaining to the scope of the investigations may be relevant, the party must contact Commerce and request permission to submit the additional information. All scope comments must be filed simultaneously on the records of the concurrent LTFV and CVD investigations.

#### Filing Requirements

All submissions to Commerce must be filed electronically via Enforcement and

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[1] *See* Petitioners' Letter, ''Petition for the Imposition of Antidumping and Countervailing Duties,'' dated March 18, 2025 (Petitions).

[2] *Id.*

[3] *See* Commerce's Letters, ''Supplemental Questions,'' dated March 20, 2025 (First General Issues Questionnaire) and Country-Specific Supplemental Questionnaires: China Supplemental and Vietnam Supplemental, dated March 20, 2025; *see also* Memoranda, ''Phone Call with Counsel to the Petitioners,'' dated March 28, 2025 (March 28 General Issues and China AD Memorandum); ''Phone Call with Counsel to the Petitioners,'' dated March 28, 2025; and Memorandum, ''Phone Call with Counsel to the Petitioners,'' dated April 1, 2025.

[4] *See* Petitioners' Letters, ''Petitioners' Supplement to Volume I of the Petition for the Imposition of Antidumping and Countervailing Duties,'' dated March 25, 2025 (First General Issues Supplement); *see also* ''Country-Specific AD Supplemental Response: First China AD Supplement,'' dated March 25, 2025; ''Country-Specific AD Supplemental Response: First Vietnam AD Supplement,'' dated March 26, 2025; ''Petitioners' Second Supplement to Volume I of the Petition for the Imposition of Antidumping Duties,'' dated March 31, 2025 (Second General Issues Supplement); ''Petitioners' Second Supplement to Volume III of the Petition for the Imposition of Antidumping Duties,'' dated March 31, 2025, and ''Petitioners' Submission of Certifications,'' dated April 2, 2025.

[5] *See* section on ''Determination of Industry Support for the Petitions,'' *infra.*

[6] *See* First General Issues Questionnaire; *see also* March 28 General Issues and China AD Memorandum.

[7] *See* First General Issues Supplement at 4–11 and Exhibit GEN–SUPP–1; *see also* Second General Issues Supplement at 2–5.

[8] *See Antidumping Duties; Countervailing Duties, Final Rule,* 62 FR 27296, 27323 (May 19, 1997) (*Preamble*); *see also* 19 CFR 351.312.

[9] *See* 19 CFR 351.102(b)(21) (defining ''factual information'').

[10] *See* 19 CFR 351.303(b)(1). The deadline for scope comments falls on April 27, 2025, which is a Sunday. In accordance with 19 CFR 351.303(b)(1), Commerce will accept comments filed by 5:00 p.m. ET on April 28, 2025 (''For both electronically filed and manually filed documents, if the applicable due date falls on a non-business day, the Secretary will accept documents that are filed on the next business day.'').

Compliance's Antidumping Duty and Countervailing Duty Centralized Electronic Service System (ACCESS), unless an exception applies.[11] An electronically filed document must be received successfully in its entirety by the time and date it is due.

**Comments on Product Characteristics**

Commerce is providing interested parties an opportunity to comment on the appropriate physical characteristics of polypropylene corrugated boxes to be reported in response to Commerce's AD questionnaires. This information will be used to identify the key physical characteristics of the subject merchandise in order to report the relevant factors of production (FOPs) accurately, as well as to develop appropriate product comparison criteria.

Interested parties may provide any information or comments that they feel are relevant to the development of an accurate list of physical characteristics. In order to consider the suggestions of interested parties in developing and issuing the AD questionnaires, all product characteristics comments must be filed by 5:00 p.m. ET on April 28, 2025, which is the next business day after 20 calendar days from the signature date of this notice.[12] Any rebuttal comments, which may include factual information, and should also be limited to public information, must be filed by 5:00 p.m. ET on May 8, 2025, which is 10 calendar days from the initial comment deadline. All comments and submissions to Commerce must be filed electronically using ACCESS, as explained above, on the record of the each of the LTFV investigations.

[11] *See Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures,* 76 FR 39263 (July 6, 2011); *see also Enforcement and Compliance: Change of Electronic Filing System Name,* 79 FR 69046 (November 20, 2014) for details of Commerce's electronic filing requirements, effective August 5, 2011. Information on using ACCESS can be found at *https://access.trade.gov/help.aspx* and a handbook can be found at *https://access.trade.gov/help/Handbook_on_Electronic_Filing_Procedures.pdf.*

[12] *See* 19 CFR 351.303(b)(1). The deadline for product characteristics comments falls on April 27, 2025, which is a Sunday. In accordance with 19 CFR 351.303(b)(1), Commerce will accept comments filed by 5:00 p.m. ET on April 28, 2025 (''For both electronically filed and manually filed documents, if the applicable due date falls on a non-business day, the Secretary will accept documents that are filed on the next business day.'').

**Determination of Industry Support for the Petitions**

Section 732(b)(1) of the Act requires that a petition be filed on behalf of the domestic industry. Section 732(c)(4)(A) of the Act provides that a petition meets this requirement if the domestic producers or workers who support the petition account for: (i) at least 25 percent of the total production of the domestic like product; and (ii) more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition. Moreover, section 732(c)(4)(D) of the Act provides that, if the petition does not establish support of domestic producers or workers accounting for more than 50 percent of the total production of the domestic like product, Commerce shall: (i) poll the industry or rely on other information in order to determine if there is support for the petition, as required by subparagraph (A); or (ii) determine industry support using a statistically valid sampling method to poll the ''industry.''

Section 771(4)(A) of the Act defines the ''industry'' as the producers as a whole of a domestic like product. Thus, to determine whether a petition has the requisite industry support, the statute directs Commerce to look to producers and workers who produce the domestic like product. The U.S. International Trade Commission (ITC), which is responsible for determining whether ''the domestic industry'' has been injured, must also determine what constitutes a domestic like product in order to define the industry. While both Commerce and the ITC must apply the same statutory definition regarding the domestic like product,[13] they do so for different purposes and pursuant to a separate and distinct authority. In addition, Commerce's determination is subject to limitations of time and information. Although this may result in different definitions of the like product, such differences do not render the decision of either agency contrary to law.[14]

Section 771(10) of the Act defines the domestic like product as ''a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation under this title.'' Thus, the reference point from which the domestic like product analysis begins is ''the article subject to an investigation'' (*i.e.,* the class or kind of merchandise to be investigated, which normally will be the scope as defined in the petition).

With regard to the domestic like product, the petitioners do not offer a definition of the domestic like product distinct from the scope of the investigations.[15] Based on our analysis of the information submitted on the record, we have determined that polypropylene corrugated boxes, as defined in the scope, constitute a single domestic like product, and we have analyzed industry support in terms of that domestic like product.[16]

In determining whether the petitioners have standing under section 732(c)(4)(A) of the Act, we considered the industry support data contained in the Petitions with reference to the domestic like product as defined in the ''Scope of the Investigations,'' in the appendix to this notice. To establish industry support, the petitioners provided their own 2024 production and compared this to the estimated total production of the domestic like product for the entire domestic industry.[17] We relied on data provided by the petitioners for purposes of measuring industry support.[18]

Our review of the data provided in the Petitions, the First General Issues Supplement, Second General Issues Supplement, and other information readily available to Commerce indicates that the petitioners have established industry support for the Petitions.[19] First, the Petitions established support from domestic producers (or workers) accounting for more than 50 percent of the total production of the domestic like product and, as such, Commerce is not required to take further action in order to evaluate industry support (*e.g.,* polling).[20] Second, the domestic producers (or workers) have met the statutory criteria for industry support under section 732(c)(4)(A)(i) of the Act

[13] *See* section 771(10) of the Act.

[14] *See USEC, Inc.* v. *United States,* 132 F. Supp. 2d 1, 8 (CIT 2001) (citing *Algoma Steel Corp., Ltd.* v. *United States,* 688 F. Supp. 639, 644 (CIT 1988), *aff'd* 865 F.2d 240 (Fed. Cir. 1989)).

[15] *See* Petitions at Volume I (pages 13–15); *see also* First General Issues Supplement at 13–17.

[16] For a discussion of the domestic like product analysis as applied to these cases and information regarding industry support, *see* Checklists, ''Antidumping Duty Investigation Initiation Checklists: Polypropylene Corrugated Boxes from the People's Republic of China and the Socialist Republic of Vietnam,'' dated concurrently with, and hereby adopted by, this notice (Country-Specific AD Initiation Checklists), at Attachment II, Analysis of Industry Support for the Antidumping and Countervailing Duty Petitions Covering Polypropylene Corrugated Boxes from the People's Republic of China and the Socialist Republic of Vietnam (Attachment II). These checklists are on file electronically via ACCESS.

[17] For further discussion, *see* Attachment II of the Country-Specific AD Initiation Checklists.

[18] *Id.*

[19] *Id.*

[20] *Id.; see also* section 732(c)(4)(D) of the Act.

because the domestic producers (or workers) who support the Petitions account for at least 25 percent of the total production of the domestic like product.[21] Finally, the domestic producers (or workers) have met the statutory criteria for industry support under section 732(c)(4)(A)(ii) of the Act because the domestic producers (or workers) who support the Petitions account for more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the Petitions.[22] Accordingly, Commerce determines that the Petitions were filed on behalf of the domestic industry within the meaning of section 732(b)(1) of the Act.[23]

### Allegations and Evidence of Material Injury and Causation

The petitioners allege that the U.S. industry producing the domestic like product is being materially injured, or is threatened with material injury, by reason of the imports of the subject merchandise sold at LTFV. In addition, the petitioners allege that subject imports exceed the negligibility threshold provided for under section 771(24)(A) of the Act.[24]

The petitioners contend that the industry's injured condition is illustrated by a significant increase in the volume of subject imports; reduced market share; underselling and price depression and/or suppression; low capacity utilization rates; declines in profitability and operating income; and lost sales and revenues.[25] We assessed the allegations and supporting evidence regarding material injury, threat of material injury, causation, as well as negligibility, and we have determined that these allegations are properly supported by adequate evidence, and meet the statutory requirements for initiation.[26]

### Allegations of Sales at LTFV

The following is a description of the allegations of sales at LTFV upon which Commerce based its decision to initiate LTFV investigations of imports of polypropylene corrugated boxes from China and Vietnam. The sources of data for the deductions and adjustments relating to U.S. price and normal value (NV) are discussed in greater detail in the Country-Specific AD Initiation Checklists.

### U.S. Price

For China and Vietnam, the petitioners based export price (EP) on pricing information for polypropylene corrugated boxes produced in each country and sold or offered for sale in the U.S. market during the POI.[27] For each country, the petitioners made certain adjustments to U.S. price to calculate a net ex-factory U.S. price, where applicable.[28]

### Normal Value

Commerce considers China and Vietnam to be NME countries.[29] In accordance with section 771(18)(C)(i) of the Act, any determination that a foreign country is an NME country shall remain in effect until revoked by Commerce. Therefore, we continue to treat China and Vietnam as NME countries for purposes of the initiation of these LTFV investigations. Accordingly, we base NV on FOPs valued in surrogate market economy countries in accordance with section 773(c) of the Act.

The petitioners claim that Malaysia is an appropriate surrogate country for China because it is a market economy that is at a level of economic development comparable to that of China and is a significant producer of comparable merchandise.[30] The petitioners provided publicly available information from Malaysia to value all FOPs except labor.[31] Consistent with Commerce's recent practice in cases involving Malaysia as a surrogate country,[32] to value labor, the petitioners provided data from another surrogate country, the Republic of Türkiye (Türkiye).[33] Based on the information provided by the petitioners, we believe it is appropriate to use Malaysia as a surrogate country for China to value all FOPs except labor and Türkiye to value labor for initiation purposes.

The petitioners claim that Indonesia is an appropriate surrogate country for Vietnam because it is a market economy that is at a level of economic development comparable to that of Vietnam and is a significant producer of comparable merchandise.[34] The petitioners provided publicly available information from Indonesia to value all FOPs.[35] Based on the information provided by the petitioners, we believe it is appropriate to use Indonesia as a surrogate country for Vietnam to value all FOPs for initiation purposes.

Interested parties will have the opportunity to submit comments regarding surrogate country selection and, pursuant to 19 CFR 351.301(c)(3)(i), will be provided an opportunity to submit publicly available information to value FOPs within 30 days before the scheduled date of the preliminary determinations.

### Factors of Production

Because information regarding the volume of inputs consumed by Chinese and Vietnamese producers/exporters was not reasonably available, the petitioners used the production experience and product-specific consumption rates of a U.S. producer of polypropylene corrugated boxes as a surrogate to value Chinese and Vietnamese manufacturers' FOPs.[36] Additionally, the petitioners calculated factory overhead, selling, general, and administrative expenses, and profit based on the experience of Malaysian and Indonesian producers of identical and comparable merchandise, respectively.[37]

### Fair Value Comparisons

Based on the data provided by the petitioners, there is reason to believe that imports of polypropylene corrugated boxes from China and Vietnam are being, or are likely to be, sold in the United States at LTFV. Based on comparisons of EP to NV in

[21] *See* Attachment II of the Country-Specific AD Initiation Checklists.

[22] *Id.*

[23] *Id.*

[24] For further discussion, *see* Country-Specific AD Initiation Checklists at Attachment III, Analysis of Allegations and Evidence of Material Injury and Causation for the Antidumping and Countervailing Duty Petitions Covering Polypropylene Corrugated Boxes from the People's Republic of China and the Socialist Republic of Vietnam.

[25] *Id.*

[26] *Id.*

[27] *See* Country-Specific AD Initiation Checklists.

[28] *Id.*

[29] *See, e.g., Certain Freight Rail Couplers and Parts Thereof from the People's Republic of China: Preliminary Affirmative Determination of Sales at Less Than Fair Value and Preliminary Affirmative Determination of Critical Circumstances,* 88 FR 15372 (March 13, 2023), and accompanying Preliminary Decision Memorandum at 5, unchanged in *Certain Freight Rail Couplers and Parts Thereof from the People's Republic of China: Final Affirmative Determination of Sales at Less-Than-Fair Value and Final Affirmative Determination of Critical Circumstances,* 88 FR 34485 (May 30, 2023); *see also, e.g., Raw Honey from the Socialist Republic of Vietnam: Final Results of Antidumping Duty Changed Circumstances Review,* 89 FR 64411 (August 7, 2024), and accompanying NME Analysis Memorandum at 5.

[30] *See* China AD Initiation Checklist.

[31] *Id.*

[32] See, *e.g., Certain Collated Steel Staples from the People's Republic of China: Final Results of Antidumping Duty Administrative Review; and Final Determination of No Shipments; 2021–2022,* 88 FR 85242 (December 7, 2023), and accompanying Issues and Decision Memorandum (IDM) at Comment 2; and *Light-Walled Rectangular Pipe and Tube from the People's Republic of China: Final Results of Antidumping Duty Administrative Review,* 88 FR 15671 (March 14, 2023), and accompanying IDM at Comment 2.

[33] *See* China AD Initiation Checklist.

[34] *See* Vietnam AD Initiation Checklist.

[35] *Id.*

[36] *See* Country-Specific AD Initiation Checklists.

[37] *Id.*

accordance with sections 772 and 773 of the Act, the estimated dumping margins for polypropylene corrugated boxes from each of the countries covered by this initiation are as follows: (1) China—74.98 to 83.64 percent; (2) and Vietnam—52.07 percent.[38]

**Initiation of LTFV Investigations**

Based upon the examination of the Petitions and supplemental responses, we find that they meet the requirements of section 732 of the Act. Therefore, we are initiating LTFV investigations to determine whether imports of polypropylene corrugated boxes from China and Vietnam are being, or are likely to be, sold in the United States at LTFV. In accordance with section 733(b)(1)(A) of the Act and 19 CFR 351.205(b)(1), unless postponed, we will make our preliminary determinations no later than 140 days after the date of these initiations.

**Respondent Selection**

In the Petitions, the petitioner identified 26 companies in China and seven companies in Vietnam as producers and/or exporters of polypropylene corrugated boxes.[39] Our standard practice for respondent selection in AD investigations involving NME countries is to select respondents based on quantity and value (Q&V) questionnaires in cases where Commerce has determined that the number of companies is large, and it cannot individually examine each company based upon its resources. Therefore, considering the number of producers and/or exporters identified in the Petition, Commerce will solicit Q&V information that can serve as a basis for selecting exporters for individual examination in the event that Commerce determines that the number is large and decides to limit the number of respondents individually examined pursuant to section 777A(c)(2) of the Act. Because there are 26 Chinese producers and/or exporters identified in the Petitions, Commerce has determined that it will issue Q&V questionnaires to the largest producers and/or exporters in China that are identified in the U.S. Customs and Border Protection POI entry data for which there is complete address information on the record.[40] For Vietnam, because there are seven producers and/or exporters identified in the Petitions, Commerce will issue a Q&V questionnaire to each potential respondent in Vietnam for which there is complete address information on the record.

Commerce will post the Q&V questionnaires along with filing instructions on Commerce's website at *https://www.trade.gov/ec-adcvd-case-announcements.* Producers/exporters of polypropylene corrugated boxes from China and Vietnam that do not receive Q&V questionnaires may still submit a response to the Q&V questionnaire and can obtain a copy of the Q&V questionnaire from Commerce's website. Responses to the Q&V questionnaire must be submitted by the relevant Chinese and Vietnamese producers/exporters no later than 5:00 p.m. ET on April 21, 2025, which is two weeks from the signature date of this notice. All Q&V questionnaire responses must be filed electronically via ACCESS. An electronically filed document must be received successfully, in its entirety, by ACCESS no later than 5:00 p.m. ET on the deadline noted above.

Interested parties must submit applications for disclosure under administrative protective order (APO) in accordance with 19 CFR 351.305(b). As stated above, instructions for filing such applications may be found on Commerce's website at *https://www.trade.gov/administrative-protective-orders.*

**Separate Rates**

In order to obtain separate rate status in an NME investigation, exporters and producers must submit a separate rate application. The specific requirements for submitting a separate rate application in an NME investigation are outlined in detail in the application itself, which is available on Commerce's website at *https://access.trade.gov/Resources/nme/nme-sep-rate.html.* Note that Commerce recently promulgated new regulations pertaining to separate rates, including the separate rate application deadline and eligibility for separate rate status, in 19 CFR 351.108.[41] Pursuant to 19 CFR 351.108(d)(1), the separate rate application will be due 21 days after publication of this initiation notice.[42] Exporters and producers must file a timely separate rate application if they want to be considered for individual examination. In addition, pursuant to 19 CFR 351.108(e), exporters and producers who submit a separate rate application and have been selected as mandatory respondents will be eligible for consideration for separate rate status only if they fully respond to all parts of Commerce's AD questionnaire and participate in the LTFV proceeding as mandatory respondents.[43] Commerce requires that companies from Vietnam submit a response both to the Q&V questionnaire and to the separate rate application by the respective deadlines to receive consideration for separate rate status. Companies not filing a timely Q&V questionnaire response will not receive separate rate consideration.

**Use of Combination Rates**

Commerce will calculate combination rates for certain respondents that are eligible for a separate rate in an NME investigation. The Separate Rates and Combination Rates Bulletin states:

> {w}hile continuing the practice of assigning separate rates only to exporters, all separate rates that {Commerce} will now assign in its NME investigation will be specific to those producers that supplied the exporter during the period of investigation. Note, however, that one rate is calculated for the exporter and all of the producers which supplied subject merchandise to it during the period of investigation. This practice applies both to mandatory respondents receiving an individually calculated separate rate as well as the pool of non-investigated firms receiving the {weighted average} of the individually calculated rates. This practice is referred to as the application of ''combination rates'' because such rates apply to specific combinations of exporters and one or more producers. The cash-deposit rate assigned to an exporter will apply only to merchandise both exported by the firm in question *and* produced by a firm that supplied the exporter during the period of investigation.[44]

**Distribution of Copies of the Petitions**

In accordance with section 732(b)(3)(A) of the Act and 19 CFR 351.202(f), a copy of the public version of the Petitions has been provided to the governments of China and Vietnam via ACCESS. To the extent practicable, we will attempt to provide a copy of the public version of the Petitions to each exporter named in the Petitions, as provided under 19 CFR 351.203(c)(2).

**ITC Notification**

Commerce will notify the ITC of our initiation, as required by section 732(d) of the Act.

[38] *Id.*

[39] *See* Petitions at Volume I (page 12 and Exhibit GEN–5); *see also* First General Issues Supplement at 2–4.

[40] *See* Memorandum, ''Release of U.S. Customs and Border Protection Entry Data,'' dated April 2, 2025.

[41] *See Regulations Enhancing the Administration of the Antidumping and Countervailing Duty Trade Remedy Laws,* 89 FR 101694, 101759–60 (December 16, 2024).

[42] *See* 19 CFR 351.108(d)(1).

[43] *See* 19 CFR 351.108(e).

[44] *See* Enforcement and Compliance's Policy Bulletin No. 05.1, regarding, ''Separate-Rates Practice and Application of Combination Rates in Antidumping Investigation involving NME Countries,'' (April 5, 2005), at 6 (emphasis added), available on Commerce's website at *https://access.trade.gov/Resources/policy/bull05-1.pdf.*

**Preliminary Determinations by the ITC**

The ITC will preliminarily determine, within 45 days after the date on which the Petitions were filed, whether there is a reasonable indication that imports of polypropylene corrugated boxes from China and/or Vietnam are materially injuring, or threatening material injury to, a U.S. industry.[45] A negative ITC determination for any country will result in the investigation being terminated with respect to that country.[46] Otherwise, these LTFV investigations will proceed according to statutory and regulatory time limits.

**Submission of Factual Information**

Factual information is defined in 19 CFR 351.102(b)(21) as: (i) evidence submitted in response to questionnaires; (ii) evidence submitted in support of allegations; (iii) publicly available information to value factors under 19 CFR 351.408(c) or to measure the adequacy of remuneration under 19 CFR 351.511(a)(2); (iv) evidence placed on the record by Commerce; and (v) evidence other than factual information described in (i)–(iv). Section 351.301(b) of Commerce's regulations requires any party, when submitting factual information, to specify under which subsection of 19 CFR 351.102(b)(21) the information is being submitted [47] and, if the information is submitted to rebut, clarify, or correct factual information already on the record, to provide an explanation identifying the information already on the record that the factual information seeks to rebut, clarify, or correct.[48] Time limits for the submission of factual information are addressed in 19 CFR 351.301, which provides specific time limits based on the type of factual information being submitted. Interested parties should review the regulations prior to submitting factual information in these investigations.

**Extensions of Time Limits**

Parties may request an extension of time limits before the expiration of a time limit established under 19 CFR 351.301, or as otherwise specified by Commerce. In general, an extension request will be considered untimely if it is filed after the expiration of the time limit established under 19 CFR 351.301, or as otherwise specified by Commerce.[49] For submissions that are due from multiple parties simultaneously, an extension request will be considered untimely if it is filed after 10:00 a.m. ET on the due date. Under certain circumstances, Commerce may elect to specify a different time limit by which extension requests will be considered untimely for submissions which are due from multiple parties simultaneously. In such a case, we will inform parties in a letter or memorandum of the deadline (including a specified time) by which extension requests must be filed to be considered timely. An extension request must be made in a separate, standalone submission; under limited circumstances we will grant untimely filed requests for the extension of time limits, where we determine, based on 19 CFR 351.302, that extraordinary circumstances exist. Parties should review Commerce's regulations concerning the extension of time limits and the *Time Limits Final Rule* prior to submitting factual information in these investigations.[50]

**Certification Requirements**

Any party submitting factual information in an AD or CVD proceeding must certify to the accuracy and completeness of that information.[51] Parties must use the certification formats provided in 19 CFR 351.303(g).[52] Commerce intends to reject factual submissions if the submitting party does not comply with the applicable certification requirements.

**Notification to Interested Parties**

Interested parties must submit applications for disclosure under APO in accordance with 19 CFR 351.305. Parties wishing to participate in these investigations should ensure that they meet the requirements of 19 CFR 351.103(d) (*e.g.,* by filing the required letter of appearance). Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).[53]

This notice is issued and published pursuant to sections 732(c)(2) and 777(i) of the Act, and 19 CFR 351.203(c).

Dated: April 7, 2025.

**Christopher Abbott,**

*Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

## Appendix

**Scope of the Investigations**

The merchandise covered by these investigations is polypropylene corrugated boxes. Polypropylene corrugated boxes are boxes, bins, totes, or other load-bearing containers made for holding goods, that are made of corrugated polypropylene sheets, also known as polypropylene hollow core sheets, polypropylene fluted sheets, polypropylene twin wall sheets, or multi wall sheets. Such polypropylene sheets are ''corrugated,'' ''fluted,'' or ''hollow core,'' meaning the inside of the sheet contains channels or pockets of air which make the sheets lightweight, while retaining strength and durability. Polypropylene corrugated boxes are typically produced from a plastic resin consisting of 50 percent or more polypropylene. Polypropylene corrugated boxes are covered by the scope irrespective of the particular mix of polypropylene homo-polymer, polypropylene co-polymer, recycled or virgin polypropylene, or ancillary chemicals such as electrostatic agents or flame retardants. Polypropylene corrugated boxes are formed by corrugated polypropylene sheets cut to length, die-cut into specific box shapes, and may be cut or scored to allow each side of the box to be folded into shape. Polypropylene corrugated boxes may include a tab or attached portion of polypropylene corrugated sheet (commonly referred to as a ''manufacturer's joint'') that has been cut, slotted, or scored to facilitate the formation of the box by stapling, gluing, welding, or taping the sides together to form a tight seal. One-piece polypropylene corrugated boxes are die-cut or otherwise formed so that the top, bottom, and sides form a single, contiguous unit. Two-piece polypropylene corrugated boxes are those with a folded bottom and a folded top as separate pieces. Multi-piece polypropylene corrugated boxes are those with separate bottoms and tops that are fitted to a single folded piece comprising the sides of the box. Polypropylene corrugated boxes may be printed with ink or digital designs.

[45] *See* section 733(a) of the Act.

[46] *Id.*

[47] *See* 19 CFR 351.301(b).

[48] *See* 19 CFR 351.301(b)(2).

[49] *See* 19 CFR 351.301; *see also Extension of Time Limits; Final Rule,* 78 FR 57790 (September 20, 2013) (*Time Limits Final Rule*), available at *https://www.gpo.gov/fdsys/pkg/FR-2013-09-20/html/2013-22853.htm.*

[50] *See* 19 CFR 351.302; *see also, e.g., Time Limits Final Rule.*

[51] *See* section 782(b) of the Act.

[52] *See Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings,* 78 FR 42678 (July 17, 2013) (*Final Rule*). Additional information regarding the *Final Rule* is available at *https://access.trade.gov/Resources/filing/index.html.*

[53] *See Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings,* 88 FR 67069 (September 29, 2023).

The subject merchandise includes polypropylene corrugated boxes with or without handles, with or without lids or tops, with or without reinforcing wire, whether in a one-piece, two-piece, or multi-piece configuration, and whether folded into shape or in an unfolded form. The subject merchandise includes all polypropylene corrugated boxes regardless of size, shape, or dimension. The subject merchandise also includes polypropylene corrugated box lids or tops when imported separately from polypropylene corrugated boxes.

The products subject to these investigations are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under statistical reporting number 3923.10.9000. Although the HTSUS statistical reporting number is provided for convenience and customs purposes, the written description of the merchandise is dispositive.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

**[A–357–823]**

### Raw Honey From Argentina: Final Results of Antidumping Duty Administrative Review; 2021–2023

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** The U.S. Department of Commerce (Commerce) determines that producers and exporters subject to this administrative review made sales of subject merchandise at less than normal value during the period of review (POR), November 23, 2021, through May 31, 2023.

**DATES:** Applicable April 14, 2025.

**FOR FURTHER INFORMATION CONTACT:** Thomas Martin or Zachary Shaykin, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3936 or (202) 482–2638, respectively.

**SUPPLEMENTARY INFORMATION:**

#### Background

On July 8, 2024, Commerce published the preliminary results of the 2022–2023 administrative review of the antidumping duty (AD) order on raw honey from Argentina [1] and invited interested parties to Comment.[2] The review covers 24 producers or exporters of the subject merchandise. Commerce selected two exporters, Asociación De Cooperativas Argentinas Cooperativa Limitada (ACA) and NEXCO S.A. (NEXCO), for individual examination.[3] Commerce rescinded this review with respect to five exporters in the *Preliminary Results*.[4] The remaining companies not selected for individual examination are listed in Appendix II of this notice.

On July 22, 2024, Commerce tolled certain deadlines in this administrative review by seven days.[5] On October 28, 2024, we extended the deadline for the final results of this review by 60 days.[6] On December 9, 2024, Commerce tolled certain deadlines in this administrative proceeding by an additional 90 days.[7] Accordingly, the deadline for these final results is now April 8, 2025. A summary of events that occurred since publication of the *Preliminary Results,* as well as a full discussion of the issues raised by interested parties for these final results, are included in the Issues and Decision Memorandum.[8] Commerce conducted this administrative review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act).

#### Scope of the Order

The merchandise covered by the *Order* is raw honey from Argentina. For a complete description of the scope of the *Order, see* the Issues and Decision Memorandum.

#### Analysis of Comments Received

All issues raised in case and rebuttal briefs are addressed in the Issues and Decision Memorandum and are listed in Appendix I to this notice. The Issues and Decision Memorandum is a public document and is on file electronically *via* Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at *https://access.trade/gov/public/FRNoticesListLayout.aspx.*

#### Changes Since the Preliminary Results

We made certain changes to the calculation of constructed value and inventory carrying costs from the *Preliminary Results.* The Issues and Decision Memorandum contains a description of these changes. For further discussion of Commerce's analysis regarding these changes, *see* Issues and Decision Memorandum at Comments 1 and 4.

#### Rate for Non-Examined Companies

For the weighted-average dumping margin assigned to companies not selected for individual examination in an administrative review, Commerce, generally, looks to section 735(c)(5) of the Act which provides instructions for calculating the estimated weighted-average dumping margin for all other producers and exporters, *i.e.,* the all-others rate, in an investigation. Under section 735(c)(5)(A) of the Act, the all-others rate is normally ''an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero or *de minimis* margins, and any margins determined entirely {on the basis of facts available}.'' Under section 735(c)(5)(B) of the Act, if the estimated weighted-average dumping margins established for all exporters and producers individually investigated are zero or *de minimis,* or are determined entirely based on facts otherwise available, then Commerce may use any reasonable method to establish the estimated all-others rate for exporters and producers not individually investigated, including averaging the estimated weighted-average dumping margins determined for the exporters and producers individually investigated.

In this administrative review, we calculated weighted-average dumping margins for ACA and NEXCO that are not zero, *de minimis* (*i.e.,* less than 0.5 percent), or determined entirely on the facts available. Accordingly, consistent with section 735(c)(5)(A) of the Act, Commerce is assigning to the companies not individually examined a margin of 4.70 percent, which is the weighted average of ACA and NEXCO's margin

[1] *See Raw Honey from Argentina, Brazil, India, and the Socialist Republic of Vietnam: Antidumping Duty Orders,* 87 FR 35501 (June 10, 2022) (*Order*).

[2] *See Raw Honey from Argentina: Preliminary Results and Rescission, in Part, of Antidumping Duty Administrative Review; 2021–2023,* 89 FR 55915 (July 8, 2024) (*Preliminary Results*).

[3] *See* Memorandum, ''Respondent Selection,'' dated August 29, 2023.

[4] *See Preliminary Results,* 89 FR at 55915.

[5] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated July 22, 2024.

[6] *See* Memorandum, ''Extension of Deadline for Final Results of Antidumping Duty Administrative Review,'' dated October 28, 2024.

[7] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated December 9, 2024.

[8] *See* Memorandum, ''Issues and Decision Memorandum for the Final Results of the Antidumping Duty Administrative Review of Raw Honey from Argentina; 2021–2023,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

based on publicly-ranged U.S. sales values.[9]

## Final Results of the Review

We have determined that the following estimated weighted-average dumping margins for the firms listed below for the period November 23, 2021, through May 31, 2023.

| Producer or exporter | Weighted-average dumping margin (percent) |
|---|---|
| Asociación De Cooperativas Argentinas Cooperativa Limitada | 15.06 |
| NEXCO S.A | 1.51 |
| Review-Specific Rate for Non-Examined Companies[10] | 4.70 |

## Disclosure

Commerce intends to disclose its calculations and analysis performed for these final results within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this notice in the **Federal Register**, in accordance with 19 CFR 351.224(b).

## Assessment Rates

Pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b)(1), Commerce will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review. The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.[11]

For an individually examined respondent whose weighted-average dumping margin is not zero or *de minimis* (*i.e.,* less than 0.50 percent), Commerce intends to calculate importer-specific AD assessment rates on the basis of the ratio of the total amount of dumping calculated for each importer's examined sales to the total entered value of those sales. Pursuant to 19 CFR 351.212(b)(1), neither ACA nor NEXCO reported actual entered value for all of its U.S. sales; in such instances, we calculated importer-specific per-unit duty assessment rates by aggregating the importer's amount of dumping calculated for the examined sales and dividing this amount by the total quantity of those sales. To consider whether the per-unit importer-specific assessment rate is *de minimis,* we estimated the enter value for each U.S. sales and calculated an estimated *ad valorem* importer-specific assessment rate as the importer's aggregated amount of dumping divided by the estimated entry value of those sales. Where either a respondent's weighted-average dumping margin is zero or *de minimis,* or an importer-specific (estimated) *ad valorem* assessment rate is zero or *de minimis,* we intend to instruct CBP to liquidate appropriate entries without regard to antidumping duties.[12]

For entries of subject merchandise during the POR produced by an individually examined respondent for which it did not know its merchandise was destined for the United States, we intend to instruct CBP to liquidate such entries at the all-others rate (*i.e.,* 16.92 percent) [13] if there is no rate for the intermediate company(ies) involved in the transaction.[14]

For the companies that were not selected for individual examination, we will instruct CBP to assess antidumping duties at the assessment rate equal to the weighted-average of the dumping margins for each individually examined exporter in the final results of review.

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for statutory injunction has expired (*i.e.,* within 90 days of publication).

## Cash Deposit Requirements

Upon publication of this notice in the **Federal Register**, the following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the companies listed above will be equal to the weighted-average dumping margin established in the final results of this review, except if the rate is *de minimis* (*i.e.,* less than 0.50 percent), in which case the cash deposit rate will be zero; (2) for an exporter of subject merchandise previously reviewed or investigated companies not covered by this review, the cash deposit rate will continue to be equal to the company-specific rate published for the most recently-completed segment of this proceeding; (3) if the exporter is not a firm covered in this review, a prior review, or the less-than-fair-value (LTFV) investigation, but the producer is, the cash deposit rate will continue to be equal to the rate established for the most recently-completed segment of this proceeding for the producer of the merchandise; and (4) the cash deposit rate for all other producers and exporters will continue to be 16.92 percent, the all-others rate established in the LTFV *Final Determination.*[15] These cash deposit requirements, when

[9] With two respondents under examination, Commerce normally calculates: (A) A weighted-average of the weighted-average dumping margins calculated for the examined respondents; (B) a simple average of the weighted-average dumping margins calculated for the examined respondents; and (C) a weighted-average of the weighted-average dumping margins calculated for the examined respondents using each company's publicly-ranged U.S. sale quantities for the merchandise under consideration. Commerce then compares (B) and (C) to (A) and selects the rate closest to (A) as the most appropriate rate for all other producers and exporters. *See, e.g., Ball Bearings and Parts Thereof from France, Germany, Italy, Japan, and the United Kingdom: Final Results of Antidumping Duty Administrative Reviews, Final Results of Changed-Circumstances Review, and Revocation of an Order in Part,* 75 FR 53661, 53663 (September 1, 2010). As complete publicly ranged sales data were available, Commerce based the weighted-average dumping margin for non-examined companies on the publicly ranged sale quantities for each of the mandatory respondents. For a complete analysis of the data, please see Memorandum, ''Calculation of the Final Margin for Respondents Not Selected for Individual Examination,'' dated concurrently with this notice.

[10] *See* Appendix II for a list of these companies.

[11] *See* section 751(a)(2)(C) of the Act.

[12] *See* 19 CFR 351.106(c)(2); *see also Antidumping Proceeding: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings; Final Modification,* 77 FR 8101, 8103 (February 14, 2012).

[13] *See Raw Honey from Argentina: Final Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances,* 87 FR 22179, 22181 (April 14, 2022) (*Final Determination*).

[14] *See Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[15] *See Final Determination,* 87 FR at 22181.

imposed, shall remain in effect until further notice.

**Notification to Importers**

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

**Administrative Protective Order (APO)**

This notice also serves as a final reminder to parties subject to an APO of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

**Notification to Interested Parties**

We are issuing and publishing these final results of administrative in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 351.221(b)(4).

Dated: April 8, 2025.

**Christopher Abbott,**

*Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

## Appendix I

**List of Topics Discussed in the Issues and Decision Memorandum**



## Appendix II

**Non-Examined Companies Receiving a Review-Specific Rate**

1. Azul Agronegocios S.A.
2. Compaia Apicola Argentina S.A.
3. Compania Inversora Platense S.A.
4. Cooperativa Apicola La Colmena Ltda.
5. D'Ambros Maria de Los Angeles y D'Ambros Maria Daniela SRL.
6. Gasrroni S.R.L.
7. Geomiel S.A.
8. Gruas San Blas S.A.
9. Honey & Grains Srl.
10. Industrial Haedo S.A.
11. Industrias Haedo S.A.
12. Naiman S.A.
13. Newsan S.A.
14. Patagonik Food S.A.,
15. Promiel Srl (Vicentin S.A.I.C.).
16. Terremare Foods S.A.S.
17. Villamora S.A.

[FR Doc. 2025–06325 Filed 4–11–25; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

**[A–533–873]**

### Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel From India: Final Results of Antidumping Duty Administrative Review; 2022–2023

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** The U.S. Department of Commerce (Commerce) determines that Goodluck India Limited (Goodluck) and Tube Products of India, Ltd., a unit of Tube Investments of India Limited (collectively, TII), made sales of subject merchandise in the United States at prices below normal value during the period of review (POR) June 1, 2022, through May 31, 2023.

**DATES:** Applicable April 14, 2025.

**FOR FURTHER INFORMATION CONTACT:** Colin Thrasher, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3004.

**SUPPLEMENTARY INFORMATION:**

**Background**

On July 5, 2024, Commerce published the *Preliminary Results* of the 2022–2023 administrative review of the antidumping duty order on certain cold-drawn mechanical tubing of carbon and alloy steel (mechanical tubing) from India, covering two producers/exporters, Goodluck and TII.[1] On July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.[2] On October 2, 2024, Commerce postponed the final results of this review by 60 days.[3] On December 9, 2024, Commerce tolled certain deadlines in this administrative proceeding by an additional 90 days, to April 8, 2025.[4] For the events that occurred since Commerce published the *Preliminary Results, see* the Issues and Decision Memorandum.[5] Commerce conducted this review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act).

**Scope of the Order**[6]

The merchandise subject to the *Order* is certain cold-down mechanical tubing of carbon and alloy steel from India. For a full description of the scope, *see* the Issues and Decision Memorandum.

**Analysis of Comments Received**

All issues raised by interested parties in the case and rebuttal briefs are addressed in the Issues and Decision Memorandum. A list of the issues addressed in the Issues and Decision Memorandum is included in the appendix to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at *https://access.trade/gov/public/FRNoticesListLayout.aspx.*

**Changes Since the Preliminary Results**

Based on our review of the record, Commerce made certain revisions to the margin calculations for Goodluck and made no changes to the margin

[1] *See Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel from India: Preliminary Results of Antidumping Duty Administrative Review; 2022–2023;* 89 FR 55552 (July 5, 2024) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

[2] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated July 22, 2024.

[3] *See* Memorandum, ''Extension of Deadline for Final Results of Antidumping Duty Administrative Review,'' dated October 2, 2024.

[4] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated December 9, 2024.

[5] *See* Memorandum, ''Issues and Decision Memorandum for the Final Results of Antidumping Duty Administrative Review of Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel from India; 2022–2023,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[6] *See Certain Mechanical Tubing of Carbon and Alloy Steel from the People's Republic of China, the Federal Republic of Germany, India, Italy, the Republic of Korea, and Switzerland: Antidumping Duty Orders; and Amended Final Determinations of Sales at Less Than Fair Value for the People's Republic of China and Switzerland,* 83 FR 26962 (June 11, 2018) (*Order*).

calculations for TII. The Issues and Decision Memorandum contains descriptions of these revisions.

## Final Results of the Administrative Review

We determine that the following estimated weighted-average dumping margin exists for the period June 1, 2022, through May 31, 2023:

| Exporter/producer | Weighted-average dumping margin (percent) |
|---|---|
| Goodluck India Limited | 2.47 |
| Tube Products of India, Ltd., a unit of Tube Investments of India Limited | 2.44 |

## Disclosure

We intend to disclose the calculations performed for these final results within five days of the date of publication of this notice to parties in this proceeding, in accordance with 19 CFR 351.224(b).

## Assessment Rates

Pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b), Commerce has determined, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review. Because Goodluck and TII's weighted-average dumping margins are not zero or *de minimis* (*i.e.,* less than 0.5 percent) in the final results of this review, we calculated an importer-specific assessment rate based on the ratio of the total amount of dumping calculated for each importer's examined sales and the total entered value of those same sales in accordance with 19 CFR 351.212(b)(1).[7] Where an importer-specific assessment rate is zero or *de minimis* (*i.e.,* less than 0.5 percent), the entries by that importer will be liquidated without regard to antidumping duties. The final results of this administrative review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.[8]

For entries of subject merchandise during the POR produced by either of the individually examined respondents for which it did not know that the merchandise it sold to the intermediary (*e.g.,* a reseller, trading company, or exporter) was destined for the United States, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.[9]

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

## Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of CDMT from India entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results as provided by section 751(a)(2) of the Act: (1) the cash deposit rate for Goodluck and TII will be equal to the weighted-average dumping margin established in these final results of this administrative review; (2) for merchandise exported by producers or exporters not covered in this review but covered in a prior completed segment of this proceeding, the cash deposit rate will continue to be the company-specific rate published in the completed segment for the most recent period; (3) if the exporter is not a firm covered in this review, or the less-than-fair-value investigation, but the producer is, then the cash deposit rate will be the cash deposit rate established for the most recently completed segment for the producer of the subject merchandise; and (4) the cash deposit rate for all other producers and exporters will continue to be the all-others rate (*i.e.,* 5.87 percent *ad valorem*).[10] These cash deposit requirements, when imposed, shall remain in effect until further notice.

## Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping and/or countervailing duties prior to liquidation of the relevant entries during the POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

## Administrative Protective Order (APO)

This notice serves as the only reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 9 CFR 351.305(a)(3). Timely notification of the return, or destruction, of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and the terms of an APO is a violation subject to sanction.

## Notification to Interested Parties

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i) of the Act, and 19 CFR 351.221(b)(5).

Dated: April 8, 2025.

**Christopher Abbott,**

*Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

## Appendix

### List of Topics Discussed in the Issues and Decision Memorandum



[7] In these final results, Commerce applied the assessment rate calculation method adopted in *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings;* Final Modification, 77 FR 8101 (February 14, 2012).

[8] *See* section 751(a)(2)(C) of the Act.

[9] *See Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[10] *See Order.*

[FR Doc. 2025–06323 Filed 4–11–25; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

**[A–552–833]**

### Raw Honey From the Socialist Republic of Vietnam: Final Results of Antidumping Duty Administrative Review; 2021–2023

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** The U.S. Department of Commerce (Commerce) determines that Ban Me Thout Honeybee Joint Stock Company (BMT) and DakLak Honeybee Joint Stock Company (DakHoney), sold raw honey from the Socialist Republic of Vietnam (Vietnam) in the United States at less than normal value during the period of review (POR) August 25, 2021, through May 31, 2023.

**DATES:** Applicable April 14, 2025.

**FOR FURTHER INFORMATION CONTACT:** Krisha Hill or Stephanie Trejo, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4037 or (202) 482–4390, respectively.

**SUPPLEMENTARY INFORMATION:**

#### Background

On July 5, 2024, Commerce published the *Preliminary Results* of the 2021–2023 administrative review of the antidumping duty (AD) order on raw honey from Vietnam.[1] We invited interested parties to comment on the *Preliminary Results.* For details of the events that occurred since the *Preliminary Results, see* the Issues and Decision Memorandum.[2]

#### Scope of the Order [3]

The product covered by this order is raw honey from Vietnam. For a full description of the scope of the *Order, see* the Issues and Decision Memorandum.

#### Analysis of Comments Received

A summary of the events that occurred since Commerce published the *Preliminary Results,* as well as a full discussion of the issues raised by parties for these final results, may be found in the Issues and Decision Memorandum.[4] A list of the issues that parties raised and to which we responded in the Issues and Decision Memorandum is provided in the appendix to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

#### Changes Since the Preliminary Results

Based on a review of the record and the comments received from interested parties, and for the reasons explained in the Issues and Decision Memorandum, we made certain changes to the preliminary weighted-average dumping margin calculations for BMT and DakHoney. For further discussion of these changes, *see* the Issues and Decision Memorandum.

#### Separate Rates

No parties commented on our preliminary separate rate determination. Therefore, we have continued to grant separate rate status to 15 companies/company groups listed in the ''Final Results of Review'' section, below. Additionally, consistent with the *Preliminary Results,* we have continued to deny separate rate status to the following companies: (1) Bee Honey Corporation of Ho Chi Minh City; (2) Golden Bee Company Limited; (3) Golden Honey Co., Ltd.; (4) Hai Phong Honeybee Company Limited; (5) Highlands Honeybee Travel Co., Ltd.; (6) Hoa Viet Honeybee Co., Ltd.; (7) Hung Binh Phat; (8) Hung Thinh Trading Pvt; (9) Huong Rung Co., Ltd.; (10) Huong Viet Honey Co., Ltd.; (11) Nguyen Hong Honey Co., LTDTA; (12) Phong Son Co., Ltd.; (13) Saigon Bees Co., Limited; (14) Thai Hoa Mat Bees Raising Co., Ltd.; (15) Thai Hoa Viet Mat Bees Raising Co.; (16) TNB Foods Co., Ltd.; and (17) Vinawax Producing Trading and Service Company Limited.[5]

#### Rate for Non-Examined Separate Rate Respondents

The statue and Commerce's regulations do not address what rate to apply to respondents not selected for individual examination when Commerce limits its examination in an administrative review pursuant to section 777A(c)(2) of the Act. Generally, Commerce looks to section 735(c)(5) of the Act, which provides instructions for calculating the all-others rate in an investigation, for guidance when calculating the rate for non-selected respondents that are not examined individually in an administrative review. Section 735(c)(5)(A) of the Act states that the all-others rate should be calculated by averaging the weighted-average dumping margins for individually-examined respondents, excluding rates that are zero, *de minimis,* or based entirely on facts available. When the rates for individually examined companies are all zero, *de minimis,* or based entirely on facts available, section 735(c)(5)(B) of the Act provides that Commerce may use ''any reasonable method'' to establish the all-others rate.

We calculated a 100.72 percent dumping margin for one of the mandatory respondents in this review, BMT, and a 156.96 percent dumping margin for the other mandatory respondent, DakHoney. Therefore, we assigned the separate rate respondents identified in the rate chart below, a dumping margin equal to the weighted average of the dumping margins for BMT and DakHoney,[6] consistent with

[1] *See Raw Honey From the Socialist Republic of Vietnam: Preliminary Results of Antidumping Duty Administrative Review; 2021–2023,* 89 FR 55554 (July 5, 2024) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

[2] *See* Memorandum, '' Issues and Decision Memorandum for the Final Results of the 2021–2023 Administrative Review of the Antidumping Duty Order on Raw Honey from the Socialist Republic of Vietnam,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[3] *See Raw Honey From Argentina, Brazil, India, and the Socialist Republic of Vietnam: Antidumping Duty Orders,* 87 FR 35501 (June 10, 2022) (*Order*).

[4] *See* Issues and Decision Memorandum.

[5] *See Raw Honey From the Socialist Republic of Vietnam: Preliminary Results of Antidumping Duty Administrative Review; 2021–2023,* 89 FR 55554 (July 5, 2024).

[6] With two respondents under examination, Commerce normally calculates: (A) a weighted-average of the dumping margins calculated for the examined respondents; (B) a simple average of the dumping margins calculated for the examined respondents; and (C) a weighted-average of the dumping margins calculated for the examined respondents using each company's publicly ranged

Continued

the guidance in section 735(c)(5)(A) of the Act.[7]

**Final Results of Review**

We determine that the following dumping margins exist for the period August 25, 2021, through May 31, 2023:

| Exporter | Weighted-average dumping margin (percent) |
|---|---|
| Ban Me Thuot Honeybee Joint Stock Company | 100.72 |
| Daklak Honeybee Joint Stock Company | 156.96 |
| Bao Nguyen Honeybee Co., Ltd | 121.97 |
| Daisy Honey Bee Joint Stock Company | 121.97 |
| Dak Nguyen Hong Exploitation of Honey Company Limited TA | 121.97 |
| Dongnai HoneyBee Corporation | 121.97 |
| Hanoi Honey Bee Joint Stock Company | 121.97 |
| Hoa Viet Honeybee One Member Company Limited | 121.97 |
| Hoang Tri Honey Bee Co., Ltd | 121.97 |
| Huong Rung Trading-Investment and Export Company Limited | 121.97 |
| Nhieu Loc Company Limited | 121.97 |
| Southern Honey Bee Company Ltd | 121.97 |
| Spring Honeybee Co., Ltd | 121.97 |
| Thanh Hao Bees Co., Ltd | 121.97 |
| Viet Thanh Food Co., Ltd | 121.97 |

*Disclosure*

Pursuant to 19 CFR 351.224(b), we will disclose the calculations we performed for these final results to the parties to this proceeding within five days of the publication of this notice in the **Federal Register**.

**Assessment Rates**

Pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b)(1), Commerce will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise covered by the final results of this review. Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the publication date of these final results in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

For each individually examined respondent in this review whose weighted-average dumping margin in the final results of review is not zero or *de minimis* (*i.e.,* less than 0.5 percent), Commerce intends to calculate importer/customer-specific assessment rates.[8] Where the respondent reported reliable entered values, Commerce intends to calculate importer/customer-specific ad valorem assessment rates by aggregating the amount of dumping calculated for all U.S. sales to the importer/customer and dividing this amount by the total entered value of the merchandise sold to the importer/customer.[9] Where the respondent did not report entered values, Commerce will calculate importer/customer-specific assessment rates by dividing the amount of dumping for reviewed sales to the importer/customer by the total quantity of those sales. Commerce will calculate an estimated ad valorem importer/customer-specific assessment rate to determine whether the per-unit assessment rate is *de minimis;* however, Commerce will use the per-unit assessment rate where entered values were not reported.[10] Where an importer/customer-specific ad valorem assessment rate is not zero or *de minimis,* Commerce will instruct CBP to collect the appropriate duties at the time of liquidation. Where either the respondent's weighted average dumping margin is zero or *de minimis,* or an importer/customer-specific ad valorem assessment rate is zero or *de minimis,* Commerce will instruct CBP to liquidate appropriate entries without regard to antidumping duties.[11]

Pursuant to Commerce's refinement to its practice, for sales that were not reported in the U.S. sales database submitted by a respondent individually examined during this review, Commerce will instruct CBP to liquidate the entry of such merchandise at the dumping margin assigned to the Vietnam-wide entity (*i.e.,* 60.03 percent).[12] For respondents not individually examined in this administrative review that qualified for a separate rate, the assessment rate will be equal to the weighted-average dumping margin assigned to the respondents in these final results of review.[13]

Additionally, where Commerce determines that an exporter under review had no shipments of subject merchandise to the United States during the POR, any suspended entries of subject merchandise that entered under that exporter's CBP case number during

U.S. sale quantities for the merchandise under consideration. Commerce then compares (B) and (C) to (A) and selects the rate closest to (A) as the most appropriate rate for all other producers and exporters. *See, e.g., Ball Bearings and Parts Thereof from France, Germany, Italy, Japan, and the United Kingdom: Final Results of Antidumping Duty Administrative Reviews, Final Results of Changed Circumstances Review, and Revocation of an Order in Part,* 75 FR 53661, 53663 (September 1, 2010).

[7] *See* Memorandum, ''Final Calculation of the Dumping Margin for Respondents Not Selected for Individual Examination,'' dated concurrently with, and hereby adopted by, this notice for the discussion of this issue.

[8] *See Antidumping Proceedings: Calculation of the Weighted Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification,* 77 FR 8101 (February 14, 2012) (*Final Modification*).

[9] *See* 19 CFR 351.212(b)(1).

[10] *Id.*

[11] *See Final Modification,* 77 FR at 8103.

[12] For a full discussion of this practice, *see Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties,* 76 FR 65694 (October 24, 2011); *see also, Raw Honey From the Socialist Republic of Vietnam: Final Affirmative Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances,* 87 FR 22184 (April 14, 2022).

[13] *See Drawn Stainless Steel Sinks from the People's Republic of China: Preliminary Results of the Antidumping Duty Administrative Review and Preliminary Determination of No Shipments: 2014–2015,* 81 FR 29528 (May 12, 2016), and accompanying PDM at 10–11, unchanged in *Drawn Stainless Steel Sinks from the People's Republic of China: Final Results of Antidumping Duty Administrative Review; Final Determination of No Shipments; 2014–2015,* 81 FR 54042 (August 15, 2016).

the POR will be liquidated at the dumping margin assigned to the Vietnam-wide entity.

In accordance with section 751(a)(2)(C) of the Act, the final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated antidumping duties, where applicable.

**Cash Deposit Requirements**

The following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) for the exporters listed above, the cash deposit rate will be equal to the weighted-average dumping margins established in the final results of this review, except if the rate is *de minimis,* in which case the cash deposit rate will be zero; (2) for previously-examined Vietnamese and non-Vietnamese exporters not listed above that at the time of entry are eligible for a separate rate base on a prior completed segment of this proceeding, the cash deposit rate will continue to the be the existing exporter-specific cash deposit rate; (3) for all Vietnam exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be the rate previously established for the Vietnam-wide entity (60.03 percent); and (4) for all non-Vietnamese exporters of subject merchandise which at the time of entry do not have a separate rate, the cash deposit rate will be the rate applicable to the Vietnamese exporter that supplied the non-Vietnamese exporter. These cash deposit requirements, when imposed, shall remain in effect until further notice.

**Notification of Importers**

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during the POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties has occurred and the subsequent assessment of double antidumping duties.

**Administrative Protective Order (APO)**

This notice also serves as a final reminder to parties subject to an APO of their responsibility to return or destroy proprietary information disclosed under an APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation subject to sanction.

**Notification to Interested Parties**

Commerce is issuing and publishing the final results of this review in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

Dated: April 7, 2025.

**Christopher Abbott,**

*Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

## Appendix

**List of Topics Discussed in the Issues and Decision Memorandum**



[FR Doc. 2025–06287 Filed 4–11–25; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

**[C–570–204]**

### Polypropylene Corrugated Boxes From the People's Republic of China: Initiation of Countervailing Duty Investigation

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**DATES:** Applicable April 7, 2025.

**FOR FURTHER INFORMATION CONTACT:** Shane Subler or Rachel Accorsi, Office VIII, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–6241 or (202) 482–3149, respectively.

**SUPPLEMENTARY INFORMATION:**

**The Petition**

On March 18, 2025, the U.S. Department of Commerce (Commerce) received a countervailing duty (CVD) petition concerning imports of polypropylene corrugated boxes from the People's Republic of China (China), filed in proper form on behalf of CoolSeal USA Inc., Inteplast Group Corporation, SeaCa Plastic Packaging, and Technology Container Corp. (the petitioners), domestic producers of polypropylene corrugated boxes.[1] The CVD Petition was accompanied by antidumping duty (AD) petitions concerning imports of polypropylene corrugated boxes from China and the Socialist Republic of Vietnam.[2]

Between March 20 and April 1, 2025, Commerce requested supplemental information pertaining to certain aspects of the Petition in supplemental questionnaires.[3] Between March 25 and April 2, 2025, the petitioners filed timely responses to these requests for additional information.[4]

[1] *See* Petitioners' Letter, ''Petition for the Imposition of Antidumping and Countervailing Duties,'' dated March 18, 2025 (Petition).

[2] *Id.*

[3] *See* Commerce's Letters, ''Supplemental Questions,'' dated March 20, 2025 (First General Issues Questionnaire) and ''Supplemental Questions,'' dated March 21, 2025; *see also* Memorandum, ''Phone Call with Counsel to the Petitioners,'' dated March 28, 2025 (March 28, 2025, Memorandum); and Memorandum, ''Phone Call with Counsel to the Petitioners,'' dated April 1, 2025.

[4] *See* Petitioners' Letters, ''Petitioners' Supplement to Volume I of the Petition for the Imposition of Antidumping and Countervailing Duties,'' dated March 25, 2025 (First General Issues Supplement); ''Petitioners' Supplement to Volume

Continued

In accordance with section 702(b)(1) of the Tariff Act of 1930, as amended (the Act), the petitioners allege that the Government of China (GOC) is providing countervailable subsidies, within the meaning of sections 701 and 771(5) of the Act, to producers of polypropylene corrugated boxes in China, and that such imports are materially injuring, or threatening material injury to, the domestic industry producing polypropylene corrugated boxes in the United States. Consistent with section 702(b)(1) of the Act and 19 CFR 351.202(b), for those alleged programs on which we are initiating a CVD investigation, the Petition was accompanied by information reasonably available to the petitioners supporting their allegations.

Commerce finds that the petitioners filed the Petition on behalf of the domestic industry, because the petitioners are interested parties, as defined in section 771(9)(C) of the Act. Commerce also finds that the petitioners demonstrated sufficient industry support with respect to the initiation of the requested CVD investigation.[5]

**Period of Investigation (POI)**

Because the Petition was filed on March 18, 2025, the POI is January 1, 2024, through December 31, 2024.[6]

**Scope of the Investigation**

The product covered by this investigation is polypropylene corrugated boxes from China. For a full description of the scope of this investigation, *see* the appendix to this notice.

**Comments on the Scope of the Investigation**

On March 20 and 28, 2025, Commerce requested information and clarification from the petitioners regarding the proposed scope to ensure that the scope language in the Petition is an accurate reflection of the products for which the domestic industry is seeking relief.[7] On March 25 and 31, 2025, the petitioners provided clarifications and revised the scope.[8] The description of merchandise covered by this investigation, as described in the appendix to this notice, reflects these clarifications.

As discussed in the *Preamble* to Commerce's regulations, we are setting aside a period for interested parties to raise issues regarding product coverage (*i.e.,* scope).[9] Commerce will consider all scope comments received from interested parties and, if necessary, will consult with interested parties prior to the issuance of the preliminary determination. If scope comments include factual information, all such factual information should be limited to public information.[10] To facilitate preparation of its questionnaires, Commerce requests that scope comments be submitted by 5:00 p.m. Eastern Time (ET) on April 28, 2025, which is the next business day after 20 calendar days from the signature date of this notice.[11] Any rebuttal comments, which may include factual information, and should also be limited to public information, must be filed by 5:00 p.m. ET on May 8, 2025, which is 10 calendar days from the initial comment deadline.

Commerce requests that any factual information that parties consider relevant to the scope of this investigation be submitted during that period. However, if a party subsequently finds that additional factual information pertaining to the scope of the investigation may be relevant, the party must contact Commerce and request permission to submit the additional information. All scope comments must be filed simultaneously on the records of the concurrent AD and CVD investigations.

**Filing Requirements**

All submissions to Commerce must be filed electronically via Enforcement and Compliance's Antidumping Duty and Countervailing Duty Centralized Electronic Service System (ACCESS), unless an exception applies.[12] An electronically filed document must be received successfully in its entirety by the time and date it is due.

**Consultations**

Pursuant to sections 702(b)(4)(A)(i) and (ii) of the Act, Commerce notified the GOC of the receipt of the Petition and provided an opportunity for consultations with respect to the Petition.[13] The GOC did not request consultations.

**Determination of Industry Support for the Petition**

Section 702(b)(1) of the Act requires that a petition be filed on behalf of the domestic industry. Section 702(c)(4)(A) of the Act provides that a petition meets this requirement if the domestic producers or workers who support the petition account for: (i) at least 25 percent of the total production of the domestic like product; and (ii) more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition. Moreover, section 702(c)(4)(D) of the Act provides that, if the petition does not establish support of domestic producers or workers accounting for more than 50 percent of the total production of the domestic like product, Commerce shall: (i) poll the industry or rely on other information in order to determine if there is support for the petition, as required by subparagraph (A); or (ii) determine industry support using a statistically valid sampling method to poll the ''industry.''

Section 771(4)(A) of the Act defines the ''industry'' as the producers as a whole of a domestic like product. Thus, to determine whether a petition has the requisite industry support, the statute directs Commerce to look to producers and workers who produce the domestic like product. The U.S. International Trade Commission (ITC), which is responsible for determining whether ''the domestic industry'' has been injured, must also determine what constitutes a domestic like product in order to define the industry. While both Commerce and the ITC apply the same statutory definition regarding the domestic like product,[14] they do so for different purposes and pursuant to a separate and distinct authority. In

IV of the Petition for the Imposition of Countervailing Duties,'' dated March 25, 2025 (China CVD Supplement); ''Petitioners' Second Supplement to Volume I of the Petition for the Imposition of Antidumping and Countervailing Duties,'' dated March 31, 2025 (Second General Issues Supplement); and ''Petitioners' Submission of Certifications,'' dated April 2, 2025.

[5] *See* section on ''Determination of Industry Support for the Petition,'' *infra.*

[6] *See* 19 CFR 351.204(b)(2).

[7] *See* First General Issues Questionnaire; *see also* March 28, 2025, Memorandum.

[8] *See* First General Issues Supplement at 4–11 and Exhibit GEN–SUPP–1; *see also* Second General Issues Supplement at 2–5.

[9] *See Antidumping Duties; Countervailing Duties, Final Rule,* 62 FR 27296, 27323 (May 19, 1997) (*Preamble*); *see also* 19 CFR 351.312.

[10] *See* 19 CFR 351.102(b)(21) (defining ''factual information'').

[11] *See* 19 CFR 351.303(b)(1). The deadline for scope comments falls on April 27, 2025, which is a Sunday. In accordance with 19 CFR 351.303(b)(1), Commerce will accept comments filed by 5:00 p.m. ET on April 28, 2025 (''For both electronically filed and manually filed documents, if the applicable due date falls on a non-business day, the Secretary will accept documents that are filed on the next business day.'').

[12] *See Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures,* 76 FR 39263 (July 6, 2011); *see also Enforcement and Compliance; Change of Electronic Filing System Name,* 79 FR 69046 (November 20, 2014), for details of Commerce's electronic filing requirements, effective August 5, 2011. Information on using ACCESS can be found at *https://access.trade.gov/help.aspx* and a handbook can be found at *https://access.trade.gov/help/Handbook_on_Electronic_Filing_Procedures.pdf.*

[13] *See* Commerce's Letter, ''Invitation for Consultations to Discuss the Countervailing Duty Petition,'' dated March 18, 2025.

[14] *See* section 771(10) of the Act.

addition, Commerce's determination is subject to limitations of time and information. Although this may result in different definitions of the like product, such differences do not render the decision of either agency contrary to law.[15]

Section 771(10) of the Act defines the domestic like product as ''a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation under this title.'' Thus, the reference point from which the domestic like product analysis begins is ''the article subject to an investigation'' (*i.e.,* the class or kind of merchandise to be investigated, which normally will be the scope as defined in the petition).

With regard to the domestic like product, the petitioners do not offer a definition of the domestic like product distinct from the scope of the investigation.[16] Based on our analysis of the information submitted on the record, we have determined that polypropylene corrugated boxes, as defined in the scope, constitute a single domestic like product, and we have analyzed industry support in terms of that domestic like product.[17]

In determining whether the petitioners have standing under section 702(c)(4)(A) of the Act, we considered the industry support data contained in the Petition with reference to the domestic like product as defined in the ''Scope of the Investigation,'' in the appendix to this notice. To establish industry support, the petitioners provided their own 2024 production of the domestic like product and compared this to the estimated total production of the domestic like product in 2024 by the entire domestic industry.[18] We relied on data provided by the petitioners for purposes of measuring industry support.[19]

Our review of the data provided in the Petition, the First General Issues Supplement, Second General Issues Supplement, and other information readily available to Commerce indicates that the petitioners have established industry support for the Petition.[20] First, the Petition established support from domestic producers (or workers) accounting for more than 50 percent of the total production of the domestic like product and, as such, Commerce is not required to take further action in order to evaluate industry support (*e.g.,* polling).[21] Second, the domestic producers (or workers) have met the statutory criteria for industry support under section 702(c)(4)(A)(i) of the Act because the domestic producers (or workers) who support the Petition account for at least 25 percent of the total production of the domestic like product.[22] Finally, the domestic producers (or workers) have met the statutory criteria for industry support under section 702(c)(4)(A)(ii) of the Act because the domestic producers (or workers) who support the Petition account for more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the Petition.[23] Accordingly, Commerce determines that the Petition was filed on behalf of the domestic industry within the meaning of section 702(b)(1) of the Act.[24]

## Injury Test

Because China is a ''Subsidies Agreement Country'' within the meaning of section 701(b) of the Act, section 701(a)(2) of the Act applies to this investigation. Accordingly, the ITC must determine whether imports of the subject merchandise from China materially injure, or threaten material injury to, a U.S. industry.

## Allegations and Evidence of Material Injury and Causation

The petitioners allege that imports of the subject merchandise are benefiting from countervailable subsidies and that such imports are causing, or threaten to cause, material injury to the U.S. industry producing the domestic like product. In addition, the petitioners allege that subject imports from China exceed the negligibility threshold provided for under section 771(24)(A) of the Act.[25]

The petitioners contend that the industry's injured condition is illustrated by a significant increase in the volume of subject imports; reduced market share; underselling and price depression and/or suppression; low capacity utilization rates; declines in profitability and operating income; and lost sales and revenues.[26] We assessed the allegations and supporting evidence regarding material injury, threat of material injury, causation, cumulation, as well as negligibility, and we have determined that these allegations are properly supported by adequate evidence and meet the statutory requirements for initiation.[27]

## Initiation of CVD Investigation

Based upon the examination of the Petition and supplemental responses, we find that they meet the requirements of section 702 of the Act. Therefore, we are initiating a CVD investigation to determine whether imports of polypropylene corrugated boxes from China benefit from countervailable subsidies conferred by the GOC. In accordance with section 703(b)(1) of the Act and 19 CFR 351.205(b)(1), unless postponed, we will make our preliminary determination no later than 65 days after the date of this initiation.

Based on our review of the Petition, we find that there is sufficient information to initiate a CVD investigation on 18 of the 18 programs alleged by the petitioners. For a full discussion of the basis for our decision to initiate on each program, *see* the China CVD Initiation Checklist. A public version of the initiation checklist for this investigation is available on ACCESS.

## Respondent Selection

In the Petition, the petitioners identified 26 Companies in China as producers/exporters of polypropylene corrugated boxes.[28] Commerce intends to follow its standard practice in CVD investigations and calculate company-specific subsidy rates in this investigation. In the event that Commerce determines that the number

[15] *See USEC, Inc.* v. *United States,* 132 F. Supp. 2d 1, 8 (CIT 2001) (citing *Algoma Steel Corp., Ltd.* v. *United States,* 688 F. Supp. 639, 644 (CIT 1988), *aff'd Algoma Steel Corp., Ltd.* v. *United States,* 865 F.2d 240 (Fed. Cir. 1989)).

[16] *See* Petition at Volume I (pages 13–15); *see also* First General Issues Supplement at 13–17.

[17] For a discussion of the domestic like product analysis as applied to this case and information regarding industry support, *see* Checklist, ''Countervailing Duty Investigation Initiation Checklist: Polypropylene Corrugated Boxes from the People's Republic of China,'' dated concurrently with, and hereby adopted by, this notice (China CVD Initiation Checklist), at Attachment II, Analysis of Industry Support for the Antidumping and Countervailing Duty Petitions Covering Polypropylene Corrugated Boxes from the People's Republic of China and the Socialist Republic of Vietnam (Attachment II). This checklist is on file electronically via ACCESS.

[18] For further discussion, *see* Attachment II of the China CVD Initiation Checklist.

[19] *Id.*

[20] *Id.*

[21] *Id.; see also* section 702(c)(4)(D) of the Act.

[22] *See* Attachment II of the China CVD Initiation Checklist.

[23] *Id.*

[24] *Id.*

[25] For further information regarding negligibility and the injury allegation, *see* China CVD Initiation Checklist at Attachment III, Analysis of Allegations and Evidence of Material Injury and Causation for the Antidumping Duty and Countervailing Duty Petitions Covering Polypropylene Corrugated Boxes from the People's Republic of China and the Socialist Republic of Vietnam (Attachment III).

[26] *Id.*

[27] *Id.*

[28] *See* Petition at Volume I (page 12 and Exhibit GEN–5); *see also* First General Issues Supplement at 2–4.

of companies is large and it cannot individually examine each company based on Commerce's resources, Commerce intends to select mandatory respondents based on quantity and value (Q&V) questionnaires issued to the potential respondents. Commerce normally selects mandatory respondents in CVD investigations using U.S. Customs and Border Protection (CBP) entry data for U.S. imports under the appropriate Harmonized Tariff Schedule of the United States (HTSUS) subheading(s) listed in the ''Scope of the Investigation'' in the appendix. However, for this investigation, the main HTSUS subheading under which the subject merchandise would enter (3923.10.9000) is a basket category under which non-subject merchandise may also enter. Therefore, we cannot rely on CBP entry data in selecting respondents. Notwithstanding the decision to rely on Q&V questionnaires for respondent selection, due to the large number of Chinese producers and/or exporters identified in the Petition, Commerce has determined to limit the number of Q&V questionnaires that it will issue to Chinese producers and/or exporters based on CBP data for polypropylene corrugated boxes from China during the POI under the appropriate HTSUS subheading listed in the ''Scope of the Investigation,'' in the appendix.[29] Accordingly, Commerce will issue Q&V questionnaires to the largest producers and/or exporters that are identified in the CBP entry data for which there is complete address information on the record.

Commerce will post the Q&V questionnaires along with filing instructions on Commerce's website at *https://www.trade.gov/ec-adcvd-case-announcements.* Producers/exporters of polypropylene corrugated boxes from China that do not receive Q&V questionnaires may still submit a response to the Q&V questionnaire and can obtain a copy of the Q&V questionnaire from Commerce's website. Responses to the Q&V questionnaire must be submitted by the relevant producers/exporters no later than 5:00 p.m. ET on April 21, 2025, which is two weeks from the signature date of this notice. All Q&V questionnaire responses must be filed electronically via ACCESS. An electronically filed document must be received successfully, in its entirety, by ACCESS no later than 5:00 p.m. ET on the deadline noted above.

Interested parties must submit applications for disclosure under administrative protective order (APO) in accordance with 19 CFR 351.305(b). Instructions for filing such applications may be found on Commerce's website at *https://www.trade.gov/administrative-protective-orders.*

**Distribution of a Copy of the Petition**

In accordance with section 702(b)(4)(A) of the Act and 19 CFR 351.202(f), a copy of the public version of the Petition has been provided to the GOC via ACCESS. To the extent practicable, we will attempt to provide a copy of the public version of the Petition to each exporter named in the Petition, as provided under 19 CFR 351.203(c)(2).

**ITC Notification**

Commerce will notify the ITC of its initiation, as required by section 702(d) of the Act.

**Preliminary Determination by the ITC**

The ITC will preliminarily determine, within 45 days after the date on which the Petition was filed, whether there is a reasonable indication that imports of polypropylene corrugated boxes from China are materially injuring, or threatening material injury to, a U.S. industry.[30] A negative ITC determination will result in the investigation being terminated.[31] Otherwise, this CVD investigation will proceed according to statutory and regulatory time limits.

**Submission of Factual Information**

Factual information is defined in 19 CFR 351.102(b)(21) as: (i) evidence submitted in response to questionnaires; (ii) evidence submitted in support of allegations; (iii) publicly available information to value factors of production under 19 CFR 351.408(c) or to measure the adequacy of remuneration under 19 CFR 351.511(a)(2); (iv) evidence placed on the record by Commerce; and (v) evidence other than factual information described in (i)–(iv). Section 351.301(b) of Commerce's regulations requires any party, when submitting factual information, to specify under which subsection of 19 CFR 351.102(b)(21) the information is being submitted [32] and, if the information is submitted to rebut, clarify, or correct factual information already on the record, to provide an explanation identifying the information already on the record that the factual information seeks to rebut, clarify, or correct.[33] Time limits for the submission of factual information are addressed in 19 CFR 351.301, which provides specific time limits based on the type of factual information being submitted. Interested parties should review the regulations prior to submitting factual information in this investigation.

**Extensions of Time Limits**

Parties may request an extension of time limits before the expiration of a time limit established under 19 CFR 351.301, or as otherwise specified by Commerce. In general, an extension request will be considered untimely if it is filed after the expiration of the time limit established under 19 CFR 351.301, or as otherwise specified by Commerce.[34] For submissions that are due from multiple parties simultaneously, an extension request will be considered untimely if it is filed after 10:00 a.m. ET on the due date. Under certain circumstances, Commerce may elect to specify a different time limit by which extension requests will be considered untimely for submissions which are due from multiple parties simultaneously. In such a case, we will inform parties in a letter or memorandum of the deadline (including a specified time) by which extension requests must be filed to be considered timely. An extension request must be made in a separate, standalone submission; under limited circumstances we will grant untimely filed requests for the extension of time limits, where we determine, based on 19 CFR 351.302, that extraordinary circumstances exist. Parties should review Commerce's regulations concerning the extension of time limits and the *Time Limits Final Rule* prior to submitting factual information in this investigation.[35]

**Certification Requirements**

Any party submitting factual information in an AD or CVD proceeding must certify to the accuracy and completeness of that information.[36] Parties must use the certification formats provided in 19 CFR 351.303(g).[37] Commerce intends to

[29] *See* Memorandum, ''Release of U.S. Customs and Border Protection Entry Data,'' dated April 2, 2025.

[30] *See* section 703(a)(1) of the Act.

[31] *Id.*

[32] *See* 19 CFR 351.301(b).

[33] *See* 19 CFR 351.301(b)(2).

[34] *See* 19 CFR 351.302.

[35] *See* 19 CFR 351.301; *see also Extension of Time Limits; Final Rule,* 78 FR 57790 (September 20, 2013) (*Time Limits Final Rule*), available at *https://www.gpo.gov/fdsys/pkg/FR-2013-09-20/html/2013-22853.htm.*

[36] *See* section 782(b) of the Act.

[37] *See Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings,* 78 FR 42678 (July 17, 2013) (*Final Rule*); *see also* frequently asked

reject factual submissions if the submitting party does not comply with the applicable certification requirements.

### Notification to Interested Parties

Interested parties must submit applications for disclosure under APO in accordance with 19 CFR 351.305. Parties wishing to participate in this investigation should ensure that they meet the requirements of 19 CFR 351.103(d) (*e.g.,* by filing the required letters of appearance). Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).[38]

This notice is issued and published pursuant to sections 702 and 777(i) of the Act, and 19 CFR 351.203(c).

Dated: April 7, 2025.

**Christopher Abbott,**

*Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

## Appendix

### Scope of the Investigation

The merchandise covered by this investigation is polypropylene corrugated boxes. Polypropylene corrugated boxes are boxes, bins, totes, or other load-bearing containers made for holding goods, that are made of corrugated polypropylene sheets, also known as polypropylene hollow core sheets, polypropylene fluted sheets, polypropylene twin wall sheets, or multi wall sheets. Such polypropylene sheets are ''corrugated,'' ''fluted,'' or ''hollow core,'' meaning the inside of the sheet contains channels or pockets of air which make the sheets lightweight, while retaining strength and durability. Polypropylene corrugated boxes are typically produced from a plastic resin consisting of 50 percent or more polypropylene. Polypropylene corrugated boxes are covered by the scope irrespective of the particular mix of polypropylene homo-polymer, polypropylene co-polymer, recycled or virgin polypropylene, or ancillary chemicals such as electrostatic agents or flame retardants. Polypropylene corrugated boxes are formed by corrugated polypropylene sheets cut to length, die-cut into specific box shapes, and may be cut or scored to allow each side of the box to be folded into shape. Polypropylene corrugated boxes may include a tab or attached portion of polypropylene corrugated sheet (commonly referred to as a ''manufacturer's joint'') that has been cut, slotted, or scored to facilitate the formation of the box by stapling, gluing, welding, or taping the sides together to form a tight seal. One-piece polypropylene corrugated boxes are die-cut or otherwise formed so that the top, bottom, and sides form a single, contiguous unit. Two-piece polypropylene corrugated boxes are those with a folded bottom and a folded top as separate pieces. Multi-piece polypropylene corrugated boxes are those with separate bottoms and tops that are fitted to a single folded piece comprising the sides of the box. Polypropylene corrugated boxes may be printed with ink or digital designs.

The subject merchandise includes polypropylene corrugated boxes with or without handles, with or without lids or tops, with or without reinforcing wire, whether in a one-piece, two-piece, or multi-piece configuration, and whether folded into shape or in an unfolded form. The subject merchandise includes all polypropylene corrugated boxes regardless of size, shape, or dimension. The subject merchandise also includes polypropylene corrugated box lids or tops when imported separately from polypropylene corrugated boxes.

The products subject to this investigation are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under statistical reporting number 3923.10.9000. Although the HTSUS statistical reporting number is provided for convenience and customs purposes, the written description of the merchandise is dispositive.

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questions regarding the *Final Rule,* available at *https://enforcement.trade.gov/tlei/notices/factual_info_final_rule_FAQ_07172013.pdf.*

[38] *See Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings,* 88 FR 67069 (September 29, 2023).

## DEPARTMENT OF COMMERCE

## International Trade Administration

**[A–351–857]**

## Raw Honey From Brazil: Final Results of Antidumping Duty Administrative Review, 2021–2023

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** The U.S. Department of Commerce (Commerce) determines that raw honey from Brazil was sold in the United States at prices below normal value. The period of review (POR) is November 23, 2021, through May 31, 2023.

**DATES:** Applicable April 14, 2025.

**FOR FURTHER INFORMATION CONTACT:** Rachel Jennings or John Frye, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–1110 or (202) 482–3035, respectively.

**SUPPLEMENTARY INFORMATION:**

### Background

On July 5, 2024, Commerce published the preliminary results of this review and invited parties to comment.[1] This administrative review covers 18 producers/exporters of raw honey from Brazil.[2] Commerce selected two respondents for individual examination, Apis Nativa Agroindustrial Exportadora Ltda. (Apis Nativa) and Melbras Importadora E Exportadora Agroindustrial Ltda. (Melbras). On July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.[3] On October 23, 2024, Commerce extended the final results of this review by 60 days.[4] On December 9, 2024, Commerce tolled the deadline to issue the final results in this administrative review by an additional 90 days, to April 8, 2025.[5] For a complete description the events that occurred since the *Preliminary Results, see* the Issues and Decision Memorandum.[6]

Commerce conducted this review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

### Scope of the Order [7]

The merchandise covered this *Order* is raw honey from Brazil. For a complete description of the scope of the *Order, see* the Issues and Decision Memorandum.

### Analysis of Comments Received

All issues raised in the case and rebuttal briefs are addressed in the Issues and Decision Memorandum. A list of the issues that parties raised, and to which we responded in the Issues and Decision Memorandum, is provided in Appendix I. The Issues and Decision Memorandum is a public document and

[1] *See Raw Honey from Brazil: Preliminary Results and Partial Recission of Antidumping Duty Administrative Review; 2021–2023,* 89 FR 55582 (July 5, 2024) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

[2] *See Preliminary Results* at Appendices II and III.

[3] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated July 22, 2024.

[4] *See* Memorandum, ''Extension of Deadline for Final Results of Antidumping Duty Administrative Review,'' dated October 23, 2024.

[5] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated December 9, 2024.

[6] *See* Memorandum, ''Issues and Decision Memorandum for the Final Results of the Antidumping Duty Administrative Review of Raw Honey from Brazil; 2021–2023,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[7] *See Raw Honey from Argentina, Brazil, India, and the Socialist Republic of Vietnam: Antidumping Duty Orders,* 87 FR 35501 (June 10, 2022) (*Order*), as amended by *See Raw Honey from Brazil: Notice of Court Decision Not in Harmony With the Final Determination of Antidumping Duty Investigation; Notice of Amended Final Determination; Notice of Amended Antidumping Duty Order,* 90 FR 9225 (February 10, 2025) (*Amended Final*).

is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

**Changes Since the Preliminary Results**

Based on a review of the record and comments received from parties, we made no changes to the margin calculations from the *Preliminary Results.* For a discussion of the comments, *see* the Issues and Decision Memorandum.

**Rate for Non-Examined Companies**

The Act and Commerce's regulations do not address the establishment of a rate to be applied to companies not selected for examination when Commerce limits its examination in an administrative review pursuant to section 777A(c)(2) of the Act. Generally, Commerce looks to section 735(c)(5) of the Act, which provides instructions for calculating the all-others rate in a market economy investigation, for guidance when calculating the rate for companies which were not selected for individual examination in an administrative review. Under section 735(c)(5)(A) of the Act, the all-others rate is normally ''an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* margins, and any margins determined entirely {on the basis of facts available}.''

In this review, we calculated weighted-average dumping margins of zero percent for Apis Nativa and 2.31 percent for Melbras. Therefore, in accordance with section 735(c)(5)(A) of the Act, we are applying Melbras' weighted average dumping margin of 2.31 percent to the non-examined companies (*see* Appendix II for a full list of these companies), because this is the only rate that is not zero, *de minimis,* or based entirely on facts available.

**Final Results of Review**

Commerce determines that the following weighted-average dumping margins exist during the period November 23, 2021, through May 31, 2023:

| Exporter/producer | Weighted-average dumping margin (percent) |
|---|---|
| Apis Nativa Agroindustrial Exportadora Ltda | 0.00 |
| Melbras Importadora E Exportadora Agroindustrial Ltda | 2.31 |
| Non-Examined Companies [8] | 2.31 |

**Disclosure**

Normally, Commerce discloses to interested parties the calculations of the final results of an administrative review within five days of a public announcement or, if there is no public announcement, within five days of the date of publication of the notice of final results in the **Federal Register**, in accordance with 19 CFR 351.224(b). However, because we made no changes from the *Preliminary Results,* there are no new calculations to disclose.

**Assessment Rates**

Pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b)(1), Commerce has determined, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review. Where an importer-specific assessment rate is either zero or *de minimis,* we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties. Accordingly, because the weighted-average dumping margin for Apis Nativa is zero percent, we will instruct CBP to liquidate Apis Nativa's entries without regard to antidumping duties in accordance with 19 CFR 351.106(c)(2). Further, because Melbras' weighted average dumping margin is not zero or *de minimis,* Commerce calculated importer-specific assessment rates based on the ratio of the total dumping calculated for the examined sales to the total entered value of the sales.

Consistent with Commerce's assessment practice, for entries of subject merchandise during the POR produced by Apis Nativa or Melbras for which these companies did not know that the merchandise was destined for the United States, we will instruct CBP to liquidate those entries at the all-others rate established in the original less-than-fair-value (LTFV) investigation of 9.38 percent,[9] if there is no rate for the intermediate company(ies) involved in the transaction.[10]

For the companies that were not selected for individual review, we will assign an assessment rate based on the review-specific average rates, calculated as noted in the ''Rates for Non-Examined Companies'' section above. We intend to instruct CBP to take into account the ''provisional measures deposit cap,'' in accordance with 19 CFR 351.212(d). Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

**Cash Deposit Requirements**

The following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the companies listed in these final results will be equal to the weighted-average dumping margin established in the final results of this administrative review; (2) for merchandise exported by producers or exporters not covered in this administrative review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently-completed segment of this proceeding in which they were reviewed; (3) if the exporter is not a firm covered in this review or the original LTFV investigation but the producer is, the cash deposit rate will be the rate established for the most recently-

[8] *See* Appendix II.

[9] *See Amended Final,* 90 FR at 9226.

[10] For a full discussion of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

completed segment of this proceeding for the producer of the subject merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 9.38 percent, the all-others rate established in the LTFV investigation.[11] These cash deposit requirements, when imposed, shall remain in effect until further notice.

### Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during the POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

### Administrative Protective Order (APO)

This notice also serves as a final reminder to parties subject to an APO of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return/destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

### Notification to Interested Parties

Commerce is issuing and publishing these final results in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

Dated: April 8, 2025.

**Christopher Abbott,**

*Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

## Appendix I

**List of Topics Discussed in the Issues and Decision Memorandum**



[11] *See Amended Final,* 90 FR at 9226.

## Appendix II

**List of Companies Not Individually Examined**

1. Apidouro Comercial Exportadora E Importadora Ltda.
2. Apiários Adams Agroindustrial Comercial Exportadora Ltda.
3. Breyer & Cia. Ltda.
4. Cooperativa Mista Dos Apicultores D
5. Flora Nectar
6. Lambertucci
7. Minamel
8. Nectar Floral
9. S & A Honey Ltda.
10. Apiário Diamante Comercial Exportadora Ltda/Apiário Diamante Produção e Comercial de Mel Ltda (Supermel)
11. Central de Cooperativas Apícolas do Semiárido Brasileiro—CASA APIS
12. Floranectar Ind. Comp. Imp. E Exp. De Mel
13. Minamel Agroindústria Ltda.
14. Annamell Imp. E Exp. De Produtos Apicoloas Ltda.
15. Conexão Agro Ltda ME
16. Wenzel's Apicultura Comercio Industria Importacao E Exportacao Ltda.

[FR Doc. 2025–06324 Filed 4–11–25; 8:45 am]

BILLING CODE 3510–DS–P

## DEPARTMENT OF COMMERCE

## International Trade Administration

**[C–533–839]**

## Carbazole Violet Pigment 23 From India: Preliminary Results of Countervailing Duty Administrative Review; 2022

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** The U.S. Department of Commerce (Commerce) preliminarily determines that countervailable subsidies are being provided to producers and exporters of carbazole violet pigment 23 (CVP–23) from India. The period of review (POR) is January 1, 2022, through December 31, 2022. Interested parties are invited to comment on these preliminary results.

**DATES:** Applicable April 14, 2025.

**FOR FURTHER INFORMATION CONTACT:** Brian Warnes, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–0028.

**SUPPLEMENTARY INFORMATION:**

### Background

On November 17, 2004, Commerce published the countervailing duty (CVD) order on CVP–23 from India.[1] On February 8, 2024, Commerce published in the **Federal Register** a notice of initiation of an administrative review of the *Order*.[2] On July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.[3] On August 7, 2024, Commerce extended the deadline for the preliminary results until December 13, 2024.[4] On December 2, 2024, Commerce extended the deadline for the preliminary results until January 6, 2025.[5] On December 9, 2024, Commerce tolled certain deadlines in this administrative proceeding by 90 days.[6] The current deadline for the preliminary results in this administrative review is April 7, 2025.

For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.[7] A list of topics included in the Preliminary Decision Memorandum is included as an appendix to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

### Scope of the Order

The merchandise covered by this *Order* is CVP–23 from India. For a complete description of the scope of the *Order, see* the Preliminary Decision Memorandum.

[1] *See Final Affirmative Countervailing Duty Determination: Carbazole Violet Pigment 23 From India,* 69 FR 67321 (November 17, 2004) (*Order*).

[2] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 89 FR 8641 February 8, 2024).

[3] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated July 26, 2024.

[4] See Memorandum, ''Extension of Deadline for Preliminary Results of Countervailing Duty Administrative Review,'' dated August 7, 2024.

[5] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Countervailing Duty Administrative Review,'' dated December 2, 2024.

[6] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Countervailing Duty Administrative Review,'' dated December 9, 2024.

[7] *See* Memorandum, ''Decision Memorandum for Preliminary Results of the Administrative Review of the Countervailing Duty Order on Carbazole Violet Pigment 23 from India; 2022,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

**Methodology**

Commerce is conducting this CVD administrative review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act). For each of the subsidy programs found countervailable, Commerce preliminarily determines that there is a subsidy, *i.e.,* a financial contribution by an ''authority'' that gives rise to a benefit to the recipient, and that the subsidy is specific.[8] For a full description of the methodology underlying our preliminary conclusions, including our reliance, in part on adverse facts available pursuant to sections 776(a) and (b) of the Act, *see* the Preliminary Decision Memorandum.

**Companies Not Selected for Individual Examination**

The Act and Commerce's regulations do not address the establishment of a rate to apply companies not selected for individual examination when Commerce limits its examination in an administrative review pursuant to section 777A(e)(2) of the Act. However, Commerce normally determines the rates for non-selected companies in reviews in a manner that is consistent with section 705(c)(5) of the Act, which provides instructions for calculating the all-others rate in an investigation. Section 777A(e)(2) of the Act provides that ''the individual countervailable subsidy rates determined under subparagraph (A) shall be used to determine the all-others rate under section 705(c)(5) {of the Act}.'' Section 705(c)(5)(A) states that for companies not investigated, in general, we will determine an all-others rate by weight averaging the countervailable subsidy rates established for each of the companies individually investigated, excluding zero and *de minimis* rates or any rates based solely on the facts available.

Accordingly, to determine the rate for companies not selected for individual examination, Commerce's practice is to weight average the net subsidy rates for the selected mandatory respondents, excluding rates that are zero, *de minimis,* or based entirely on facts available.[9] We preliminarily find that Gharda Chemicals, Ltd. (Gharda) and Meghmani Pigments (Meghmani) received countervailable subsidies at above *de minimis* rates and not based entirely on facts available. Commerce calculated the rate assigned to the companies under review that were not selected for individual examination using a simple average of the individual estimated subsidy rates calculated for the examined respondents.[10]

**Preliminary Results of Review**

As a result of this review, we preliminarily determine the following net countervailable subsidy rate for the period January 1, 2022, through December 31, 2022:

| Company | Subsidy rate (percent *ad valorem*) |
|---|---|
| Gharda Chemicals, Ltd[11] ..... | 3.36 |
| Meghmani Pigments[12] ..... | 8.70 |
| Navapd Pigments Pvt. Ltd .... | 6.03 |

**Disclosure and Public Comment**

Commerce intends to disclose its calculations and analysis performed in connection with these preliminary results to interested parties within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this notice in the **Federal Register**, in accordance with 19 CFR 351.224(b).

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance. Pursuant to 19 CFR 351.309(c)(1)(ii),), we have modified the deadline for interested parties to submit case briefs to Commerce to no later than 21 days after the date of the publication of this notice.[13] Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date of filing case briefs.[14] Interested parties who submit case briefs or rebuttal briefs in this proceeding must submit: (1) a table of contents listing each issue; and (2) a table of authorities.[15] All briefs must be filed electronically using ACCESS.[16] An electronically filed document must be received successfully in its entirety in ACCESS by 5:00 p.m. Eastern Time on the established deadline.

As provided under 19 CFR 351.309(c)(2) and (d)(2), in prior proceedings we have encouraged interested parties to provide an executive summary of their brief that should be limited to five pages total, including footnotes. In this review, we instead request that parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.[17] Further, we request that interested parties limit their public executive summary of each issue to no more than 450 words, not including citations. We intend to use the public executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final determination in this investigation. We request that interested parties include footnotes for relevant citations in the public executive summary of each issue. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).[18]

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in the case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, within 30 days after the date of publication of this notice. Requests should contain (1) the party's name, address, and telephone number; (2) the number of participants and whether any participant is a foreign national; and (3) a list of the issues to be discussed. If a request for a hearing is made, Commerce

[8] *See* sections 771(5)(B) and (D) of the Act (regarding financial contribution); section 771(5)(E) of the Act (regarding benefit); and section 771(5A) of the Act (regarding specificity).

[9] *See, e.g., Certain Pasta from Italy: Final Results of the 13th (2008) Countervailing Duty Administrative Review,* 75 FR 37386, 37387 (June 29, 2010).

[10] With two respondents under examination, Commerce normally calculates: (A) a weighted-average of the estimated subsidy rates calculated for the examined respondents; (B) a simple average of the estimated subsidy rates calculated for the examined respondents; and (C) a weighted-average of the estimated subsidy rates calculated for the examined respondents using each company's publicly-ranged U.S. sales values for the merchandise under consideration. Commerce then compares (B) and (C) to (A) and selects the rate closest to (A) as the most appropriate rate for all other producers and exporters. *See, e.g., Ball Bearings and Parts Thereof from France, Germany, Italy, Japan, and the United Kingdom: Final Results of Antidumping Duty Administrative Reviews, Final Results of Changed-Circumstances Review, and Revocation of an Order in Part,* 75 FR 53661, 53662 (September 1, 2010), and accompanying Issues and Decision Memorandum at Comment 1. As complete publicly-ranged sales data were not available, Commerce based the all-others rate on a simple average of the mandatory respondents' estimated subsidy rates.

[11] As discussed in the Preliminary Decision Memorandum, Commerce has found the following companies to be cross-owned with Gharda: Gujarat Insecticides Ltd.

[12] As discussed in the Preliminary Decision Memorandum, Commerce has found the following companies to be cross-owned with Meghmani: Meghmani LLP.

[13] *See* 19 CFR 351.309.

[14] *See* 19 CFR 351.309(d); *see also Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings,* 88 FR 67069, 67077 (September 29, 2023) (*APO and Service Procedures*).

[15] *See* 19 CFR 351.309(c)(2) and (d)(2).

[16] *See* 19 CFR 351.303 (for general filing requirements).

[17] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

[18] *See APO and Service Final Rule.*

intends to hold the hearing at a time and date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date of the hearing.

**Final Results**

Unless the deadline is extended pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(2), Commerce intends to issue the final results of this administrative review, including the results of its analysis of the issues raised by parties in their comments, within 120 days after the date of publication of these preliminary results.

**Assessment Rates**

Consistent with section 751(a)(1) of the Act and 19 CFR 351.212(b)(2), upon issuance of the final results, Commerce will determine, and U.S. Customs and Border Protection (CBP) shall assess, countervailing duties on all appropriate entries covered by this review. We intend to issue instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injection has expired (*i.e.,* within 90 days of publication).

**Cash Deposit Requirements**

In accordance with section 751(a)(2)(C) of the Act, Commerce also intends, upon publication of the final results, to instruct CBP to collect cash deposits of estimated countervailing duties in the amount shown for the company listed above with regard to shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this review. For all non-reviewed firms, CBP will continue to collect cash deposits of estimated countervailing duties at the all-others rate or the most recent company-specific rate applicable to the company, as appropriate. These cash deposit requirements, when imposed, shall remain in effect until further notice.

**Notification to Interested Parties**

We are issuing and publishing these preliminary results in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: April 7, 2025.

**Christopher Abbott,**

*Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

**Appendix**

**List of Topics Discussed in the Preliminary Decision Memorandum**



[FR Doc. 2025–06288 Filed 4–11–25; 8:45 am]

**BILLING CODE 3510–DS–P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**[RTID 0648–XE706]**

### Endangered Species; File No. 28467

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

**ACTION:** Notice; receipt of application.

**SUMMARY:** Notice is hereby given that Frederick Scharf, Ph.D., University of North Carolina Wilmington, 601 S College Road, Wilmington, NC 28403, has applied in due form for a permit to take Atlantic sturgeon (*Acipenser oxyrinchus*) and shortnose sturgeon (*A. brevirostrum*) for scientific research.

**DATES:** Written comments must be received on or before May 14, 2025.

**ADDRESSES:** The application and related documents are available for review by selecting ''Records Open for Public Comment'' from the ''Features'' box on the Applications and Permits for Protected Species home page, *https://apps.nmfs.noaa.gov,* and then selecting File No. 28467 from the list of available applications. These documents are also available upon written request via email to *NMFS.Pr1Comments@noaa.gov.*

Written comments on this application should be submitted via email to *NMFS.Pr1Comments@noaa.gov.* Please include File No. 28467 in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request via email to *NMFS.Pr1Comments@noaa.gov.* The request should set forth the specific reasons why a hearing on this application would be appropriate.

**FOR FURTHER INFORMATION CONTACT:** Erin Markin, Ph.D., or Shasta McClenahan, Ph.D., (301) 427–8401.

**SUPPLEMENTARY INFORMATION:** The subject permit is requested under the authority of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222 through 226).

The applicant proposes to continue research on adult, sub-adult, and juvenile Atlantic and shortnose sturgeon to determine their abundance, distribution, habitat use, and migration dynamics in the coastal rivers and estuaries of North Carolina basins (Cape Fear, Neuse, Tar/Pamlico, Roanoke/Chowan). Atlantic and shortnose sturgeon would be captured using gill nets, trammel nets, or trawls, measured, weighed, tagged (PIT, Floy, T-bar), biologically sampled (tissue), and photographed/videoed. A subset of Atlantic sturgeon would be anesthetized and receive an internal acoustic tag. In addition, these same research procedures may be conducted on Atlantic sturgeon captured under other authority in the Frying Pan Shoals area of North Carolina to determine habitat use. The permit would be valid for up to 10 years from the date of issuance.

Dated: April 8, 2025.

**Julia M. Harrison,**

*Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 2025–06246 Filed 4–11–25; 8:45 am]

**BILLING CODE 3510–22–P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**[RTID 0648–XE822]**

### Endangered Species; File No. 28617

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

**ACTION:** Notice; receipt of application.

**SUMMARY:** Notice is hereby given that Matthew Balazik, Ph.D., U.S. Army Corps of Engineers, 251 John Tyler Memorial Highway, Henrico, VA 23231, has applied in due form for a permit to take green (*Chelonia mydas*) and loggerhead (*Caretta caretta*) sea turtles for purposes of scientific research.

**DATES:** Written comments must be received on or before May 14, 2025.

**ADDRESSES:** The application and related documents are available for review by selecting ''Records Open for Public Comment'' from the ''Features'' box on the Applications and Permits for Protected Species home page, *https://apps.nmfs.noaa.gov,* and then selecting File No. 28617 from the list of available applications. These documents are also available upon written request via email to *NMFS.Pr1Comments@noaa.gov*.

Written comments on this application should be submitted via email to *NMFS.Pr1Comments@noaa.gov*. Please include File No. 28617 in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request via email to *NMFS.Pr1Comments@noaa.gov*. The request should set forth the specific reasons why a hearing on this application would be appropriate.

**FOR FURTHER INFORMATION CONTACT:** Erin Markin, Ph.D., or Amy Hapeman, (301) 427–8401.

**SUPPLEMENTARY INFORMATION:** The subject permit is requested under the authority of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq*.) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222 through 226).

The applicant proposes to test the efficacy of tickler chains as a deterrent for sea turtle interactions with U.S. Army Corps of Engineers dredging activities. Green and loggerhead sea turtles captured under other authority at the St. Lucie Power Plant would be used for the research. The applicant would drag a tickler chain array from a boat in the vicinity of up to 50 turtles of each species, annually, and photograph and record their reactions using divers and mounted cameras. The permit would be valid for up to 5 years from the date of issuance.

Dated: April 9, 2025.

**Julia M. Harrison,**

*Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 2025–06334 Filed 4–11–25; 8:45 am]

**BILLING CODE 3510–22–P**

## CONSUMER PRODUCT SAFETY COMMISSION

### Commission Agenda and Priorities; Notice of Hearing

**AGENCY:** U.S. Consumer Product Safety Commission.

**ACTION:** Notice of public hearing.

**SUMMARY:** The U.S. Consumer Product Safety Commission (Commission or CPSC) will conduct a public hearing to receive views from interested parties about the Commission's agenda and priorities for fiscal year (FY) 2026, which begins on October 1, 2025, and for FY 2027, which begins on October 1, 2026. We invite members of the public to participate.

**DATES:** The hybrid hearing will be held in person at CPSC's headquarters and remotely via webinar on May 14, 2025, beginning at 12 p.m. eastern daylight time (EDT).

**ADDRESSES:** This year's hearing will be held as a hybrid meeting—in person at CPSC's headquarters and remotely via webinar. For individuals attending in person, the meeting will be held at CPSC's headquarters, located at 4330 East-West Highway, 4th Floor—Hearing Room, Bethesda, MD 20814. Individuals who plan to attend the meeting remotely should use the following link to access the meeting: *https://events.gcc.teams.microsoft.com/event/18ddc08a-2dcc-4fa3-a471-02a4a9016807@7f5de26c-a63d-475c-9b6c-4126a914e132*. Requests to make oral presentations (in person or remotely) and the text of oral presentations and written comments should be sent by email to *cpsc-os@cpsc.gov* with the subject line, ''Agenda and Priorities FY 2026 and/or 2027.'' Requests to make oral presentations—in person or remotely—and the written text of any oral presentations must be received by the Office of the Secretary not later than 5 p.m. EDT on April 30, 2025. The Commission will accept written comments as well. These also must be received by the Office of the Secretary not later than 5 p.m. EDT on April 30, 2025.

**FOR FURTHER INFORMATION CONTACT:** For information about the hearing, or to request an opportunity to make an oral presentation, whether in person or remotely, please send an email to CPSC's Office of the Secretary at *cpsc-os@cpsc.gov*. If you have any questions about the hearing, you may contact Alberta E. Mills, Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814, telephone (301) 504–7479.

**SUPPLEMENTARY INFORMATION:**

#### I. Background

Section 4(j) of the Consumer Product Safety Act (CPSA), 15 U.S.C. 2053(j), requires the Commission to establish an agenda for action under the laws the Commission administers and, to the extent feasible, select priorities for action at least 30 days before the beginning of each fiscal year. Section 4(j) of the CPSA provides further that when establishing its agenda and priorities, the Commission [1] shall conduct a public hearing and provide an opportunity for the submission of comments.

#### II. Instructions for Remote Attendees

The hybrid public hearing will be held on May 14, 2025, at 12 p.m. EDT in person at CPSC's headquarters and remotely via webinar. The notice for the hearing will also be made available on the CPSC website on the public calendar: *https://www.cpsc.gov/Newsroom/Public-Calendar*. Individuals who plan to attend the meeting remotely should use the following link to access the meeting: *https://events.gcc.teams.microsoft.com/event/18ddc08a-2dcc-4fa3-a471-02a4a9016807@7f5de26c-a63d-475c-9b6c-4126a914e132*.

#### III. Oral Presentations (Both in Person at CPSC's Headquarters and Remotely via Webinar) and Submission of Written Comments

The Commission is preparing the agency's fiscal year 2026 Operating Plan and fiscal year 2027 Congressional Budget Request. Fiscal year 2026 begins on October 1, 2025, and fiscal year 2027 begins on October 1, 2026. Through this notice, the Commission invites the public to comment on the Commission's agenda and priorities that will be established in the fiscal year 2026 Operating Plan and the fiscal year 2027 Congressional Budget Request.

Proposed priorities should be aligned with the agency's Strategic Plan for fiscal years 2023–2026, which is available at *www.cpsc.gov/about-cpsc/agency-reports/performance-and-budget*.

Persons who desire to make oral presentations at the hearing on May 14, 2025—in person or remotely—should send an email to the Office of the Secretary, U.S. Consumer Product Safety Commission at *cpsc-os@cpsc.gov* not later than 5 p.m. EDT on April 30, 2025. Texts of intended oral presentations should be captioned ''Agenda and Priorities FY 2026 and/or 2027'' and must be received not later than 5 p.m. EDT on April 30, 2025. Oral presentations—in person or remotely—should be limited to approximately 5 minutes. The Commission reserves the right to impose further time limitations or other restrictions on presentations.

[1] The Commission voted 5–0 to approve publication of this notice.

If you do not want to make an oral presentation but would like to provide written comments, you may do so. Written comments should be captioned, ''Agenda and Priorities FY 2026 and/or 2027,'' and sent to Office of the Secretary, U.S. Consumer Product Safety Commission at *cpsc-os@cpsc.gov* no later than 5 p.m. EDT on April 30, 2025. There is no length restriction for written comments.

**Alberta E. Mills,**

*Secretary, U.S. Consumer Product Safety Commission.*

[FR Doc. 2025–06305 Filed 4–11–25; 8:45 am]

**BILLING CODE 6355–01–P**

## DEPARTMENT OF DEFENSE

### Department of the Air Force

**[ARL–250221B–PL]**

### Notice of Intent To Grant an Exclusive Patent License

**AGENCY:** Department of the Air Force, DoD.

**ACTION:** Notice of intent.

**SUMMARY:** Pursuant to the Bayh-Dole Act and implementing regulations, the Department of the Air Force hereby gives notice of its intent to grant an exclusive patent license to Kennon Products, Inc., a corporation of the state of Wyoming having a place of business at 1100 Hi Tech Dr., Sheridan, WY 82801.

**DATES:** Written objections must be filed no later than fifteen (15) calendar days after the date of publication of this notice in the **Federal Register**.

**ADDRESSES:** Submit written objections to Rachel Bankowitz, DAF Office of Research and Technology Applications (ORTA), 1864 4th Street, Bldg. 15, Room 225, Wright-Patterson AFB, OH 45433; Email: *rachel.bankowitz.ctr@us.af.mil.* Include Docket No. ARL–250221B–PL in the subject line of the message.

**FOR FURTHER INFORMATION CONTACT:** Rachel Bankowitz, DAF Office of Research and Technology Applications (ORTA), 1864 4th Street, Bldg. 15, Room 225, Wright-Patterson AFB, OH 45433; Phone: (937) 572–6750; or Email: *rachel.bankowitz.ctr@us.af.mil.*

**SUPPLEMENTARY INFORMATION:**

#### Abstract of Patent Application(s)

A cover for an aircraft opening or equipment formed from a collapsible material having programmable magnets encapsulated on at least one edge portion to adhere the cover to an aircraft surface is provided. The programmable magnets have a close field strength sufficient to maintain the cover in place during high winds while not damaging the aircraft surface coatings during installation and removal while not interfering with electric signals or nearby electrical equipment.

#### Intellectual Property

U.S. Patent No. 11,772,812 B1, issued on October 3, 2023, and entitled Magnetic Mobile Aircraft Cover.

U.S. Patent Application No. 18/235,988, filed on August 21, 2023, and entitled Magnetic Mobile Aircraft Cover.

The Department of the Air Force may grant the prospective license unless a timely objection is received that sufficiently shows the grant of the license would be inconsistent with the Bayh-Dole Act or implementing regulations. A competing application for a patent license agreement, completed in compliance with 37 CFR 404.8 and received by the Air Force within the period for timely objections, will be treated as an objection and may be considered as an alternative to the proposed license.

(Authority: 35 U.S.C. 209; 37 CFR part 404)

**Tommy W. Lee,**

*Acting Air Force Federal Register Liaison Officer.*

[FR Doc. 2025–06295 Filed 4–11–25; 8:45 am]

**BILLING CODE 3911–44–P**

## DEPARTMENT OF EDUCATION

**[Docket No.: ED–2025–SCC–0009]**

### Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; GEAR UP Application Packages for Partnership and State Grants (1894–0001)

**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 a reinstatement without change of a previously approved information collection request (ICR).

**DATES:** Interested persons are invited to submit comments on or before May 14, 2025.

**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 Ben Witthoefft, (202) 453–7576.

**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:* GEAR UP Application Packages for Partnership and State Grants (1894–0001).

*OMB Control Number:* 1840–0821.

*Type of Review:* Reinstatement without change of a previously approved ICR.

*Respondents/Affected Public:* State, Local, and Tribal Governments.

*Total Estimated Number of Annual Responses:* 156.

*Total Estimated Number of Annual Burden Hours:* 8,816.

*Abstract:* The purpose of the GEAR UP partnership and state applications is to allow partnerships and states to apply for funding under the GEAR UP program. We are requesting a reinstatement without change of the previously approved GEAR UP applications (OMB number 1840–0821). This discretionary grant program falls under the streamlined grant process,

1894–0001, which waives the 60-day comment period.

**Ross Santy,**

*Chief Data Officer, Office of Planning, Evaluation and Policy Development.*

[FR Doc. 2025–06281 Filed 4–11–25; 8:45 am]

**BILLING CODE 4000–01–P**

## DEPARTMENT OF ENERGY

### Environmental Management Site-Specific Advisory Board, Northern New Mexico

**AGENCY:** Office of Environmental Management, Department of Energy.

**ACTION:** Notice of open meeting.

**SUMMARY:** This notice announces a virtual meeting of the Environmental Management Site-Specific Advisory Board (EM SSAB), Northern New Mexico. The Federal Advisory Committee Act requires that public notice of this meeting be announced in the **Federal Register**.

**DATES:** Wednesday, May 14, 2025, 1 to 4 p.m. MDT.

**ADDRESSES:** This meeting will be held virtually. To receive the virtual access information, please contact Bridget Maestas, Northern New Mexico Citizens Advisory Board (NNMCAB) Executive Director, at the telephone number or email listed below at least two days prior to the meeting.

**FOR FURTHER INFORMATION CONTACT:** Bridget Maestas, NNMCAB Executive Director, by Phone: 505–709–7466 or Email: *bridget.maestas@em.doe.gov.*

**SUPPLEMENTARY INFORMATION:**

*Purpose of the Board:* The purpose of the Board is to provide advice and recommendations concerning the following EM site-specific issues: clean-up activities and environmental restoration; waste and nuclear materials management and disposition; excess facilities; future land use and long-term stewardship. The Board may also be asked to provide advice and recommendations on other EM program components. The Board also provides an avenue to fulfill public participation requirements outlined in the National Environmental Policy Act (NEPA), the Comprehensive Environmental Response, Compensation, and Liability Act (CERLA), the Resource Conservation and Recovery Act (RCRA), Federal Facility Agreements, Consent Orders, Consent Decrees and Settlement Agreements.

*Tentative Agenda:* (agenda topics are subject to change; please contact Bridget Maestas for the most current agenda).

- Presentation to the Board
- Agency Updates

*Public Participation:* The meeting is open to the public and public comment can be given orally or in writing. Fifteen minutes are allocated during the meeting for public comment and those wishing to make oral comment will be given a minimum of two minutes to speak. Written comments received at least two working days prior to the meeting will be provided to the members and included in the meeting minutes. Written comments received within two working days after the meeting will be included in the minutes. For additional information on public comment and to submit written comment, please contact Bridget Maestas. The EM SSAB, Northern New Mexico, welcomes the attendance of the public at its meetings and will make every effort to accommodate persons with physical disabilities or special needs. If you require special accommodations due to a disability, please contact Bridget Maestas at least seven days in advance of the meeting.

*Meeting Conduct:* The Designated Federal Officer is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Questioning of board members or presenters by the public is not permitted.

*Minutes:* Minutes will be available at the following website: *https://www.energy.gov/em/nnmcab/northern-new-mexico-citizens-advisory-board.*

*Signing Authority:* This document of the Department of Energy was signed on April 8, 2025, by David Borak, Committee Management Officer, pursuant to delegated authority from the Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on April 9, 2025.

**Jennifer Hartzell,**

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

[FR Doc. 2025–06290 Filed 4–11–25; 8:45 am]

**BILLING CODE 6450–01–P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

**[Docket No. RM98–1–000]**

### Records Governing Off-the-Record Communications; Public Notice

This constitutes notice, in accordance with 18 CFR 385.2201(b), of the receipt of prohibited and exempt off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive a prohibited or exempt off-the-record communication relevant to the merits of a contested proceeding, to deliver to the Secretary of the Commission, a copy of the communication, if written, or a summary of the substance of any oral communication.

Prohibited communications are included in a public, non-decisional file associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such a request only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication shall serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications are included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of off-the-record communications recently received by the Secretary of the Commission. Each filing may be viewed on the Commission's website at *https://www.ferc.gov* using the eLibrary link. Enter the docket number, excluding the last three digits, in the docket number field to access the document. For assistance, please contact FERC Online Support at *FERCOnlineSupport@*

*ferc.gov* or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659.

| Docket Nos. | File date | Presenter or requester |
|---|---|---|
| *Prohibited:* | | |
| None. | | |
| *Exempt:* | | |
| 1. P–2341–033, P–2350–025 | 3/28/25 | FERC Staff.[1] |

[1] Memo dated 3/28/25 from Mark Ivy re Langdale and Riverview Hydroelectric Project.

Dated: April 8, 2025.

**Carlos D. Clay,**

*Deputy Secretary.*

[FR Doc. 2025–06297 Filed 4–11–25; 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 exempt wholesale generator filings:

*Docket Numbers:* EG25–278–000.

*Applicants:* Swift Air Solar II, LLC.

*Description:* Swift Air Solar II, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

*Filed Date:* 4/8/25.

*Accession Number:* 20250408–5093.

*Comment Date:* 5 p.m. ET 4/29/25.

*Docket Numbers:* EG25–279–000.

*Applicants:* Swift Air Solar III, LLC.

*Description:* Swift Air Solar III, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

*Filed Date:* 4/8/25.

*Accession Number:* 20250408–5094.

*Comment Date:* 5 p.m. ET 4/29/25.

Take notice that the Commission received the following Complaints and Compliance filings in EL Dockets:

*Docket Numbers:* EL25–75–000; QF25–215–001; QF25–216–001; QF24–361–005; QF25–217–002.

*Applicants:* Marion Solar 4 LLC, Chaberton Solar Catherine LLC, Pivot Solar 25 LLC, Pivot Solar 24 LLC, Pivot Energy Inc., Pivot Solar 24 LLC, Chaberton Solar Catherine LLC, Pivot Solar 25 LLC, Marion Solar 4 LLC.

*Description:* Petition for Declaratory Order of Pivot Energy Inc.

*Filed Date:* 4/4/25.

*Accession Number:* 20250404–5244.

*Comment Date:* 5 p.m. ET 5/5/25.

Take notice that the Commission received the following electric rate filings:

*Docket Numbers:* ER10–1427–011; ER12–645–029; ER22–192–009; ER23–2203–004; ER24–443–003; ER19–1074–017; ER19–529–017; ER19–1075–017; ER20–1806–007; ER22–1010–008; ER22–1883–005.

*Applicants:* Ledyard Windpower, LLC, TerraForm IWG Acquisition Holdings II, LLC, Catalyst Old River Hydroelectric Limited Partnership, Brookfield Renewable Energy Marketing US LLC, Brookfield Renewable Trading and Marketing LP, Brookfield Energy Marketing Inc., Deriva Energy Services, LLC, Wildflower Solar, LLC, Evolugen Trading and Marketing LP, California Ridge Wind Energy LLC, Brookfield Energy Marketing LP.

*Description:* Supplement to 06/28/2024, Triennial Market Power Analysis for Central Region of Brookfield Energy Marketing Inc., et al.

*Filed Date:* 4/7/25.

*Accession Number:* 20250407–5203.

*Comment Date:* 5 p.m. ET 4/28/25.

*Docket Numbers:* ER10–2895–024; ER14–1964–015; ER16–287–010; ER12–161–026; ER20–2028–001; ER13–2143–017; ER10–3167–017; ER13–203–016; ER12–2068–021; ER17–482–009; ER19–1074–009; ER10–1427–003; ER20–1447–005; ER10–2917–024; ER19–1075–009; ER19–529–009; ER13–1613–017; ER10–2460–022; ER10–2461–023; ER10–2918–025; ER10–2920–025; ER12–682–023; ER10–2463–021; ER11–2201–027; ER22–192–003; ER10–2921–024; ER10–2922–024; ER13–17–021; ER10–2966–024; ER11–2383–020; ER12–1311–021; ER10–2466–022; ER22–1010–002; ER11–4029–021.

*Applicants:* Vermont Wind, LLC, TerraForm IWG Acquisition Holdings II, LLC, Stetson Wind II, LLC, Stetson Holdings, LLC, Safe Harbor Water Power Corporation, Rumford Falls Hydro LLC, Niagara Wind Power, LLC, Hawks Nest Hydro LLC, Great Lakes Hydro America, LLC, Evolugen Trading and Marketing LP, Evergreen Wind Power III, LLC, Evergreen Wind Power, LLC, Erie Wind, LLC, Erie Boulevard Hydropower, L.P., Carr Street Generating Station, L.P., Canandaigua Power Partners II, LLC, Canandaigua Power Partners, LLC, Brookfield White Pine Hydro LLC, Brookfield Renewable Trading and Marketing LP, Brookfield Renewable Energy Marketing US LLC, Brookfield Power Piney & Deep Creek LLC, Brookfield Energy Marketing US LLC, Brookfield Energy Marketing LP, Brookfield Energy Marketing Inc., BREG Aggregator LLC, Blue Sky East, LLC, Black Bear SO, LLC, Black Bear Hydro Partners, LLC, Black Bear Development Holdings, LLC, Bitter Ridge Wind Farm, LLC, Bishop Hill Energy LLC, BIF III Holtwood LLC, LSP Safe Harbor Holdings, LLC, Bear Swamp Power Company LLC.

*Description:* Bear Swamp Power Company LLC et al. submit Response to FERC's 03/04/2025 Deficiency Letter re Updated Market Power Analysis for the Northeast region.

*Filed Date:* 3/24/25.

*Accession Number:* 20250324–5213.

*Comment Date:* 5 p.m. ET 4/29/25.

*Docket Numbers:* ER16–63–005; ER14–25–023; ER17–360–004; ER17–361–004; ER17–482–013; ER17–540–003; ER16–61–005; ER22–2042–003; ER23–921–002; ER23–2203–002; ER17–2336–008; ER19–529–015; ER19–1074–015; ER20–2028–004; ER16–2527–005; ER16–64–005; ER23–2363–002; ER24–444–001; ER13–17–022; ER22–192–008; ER12–1504–008; ER10–1330–010; ER10–1331–005; ER10–1427–009; ER10–2461–024; ER10–2522–006; ER10–2567–006; ER10–2917–027; ER17–1394–009; ER10–1328–005; ER10–1332–005; ER10–2460–023; ER10–2918–026; ER10–2920–026; ER10–2922–027; ER11–2383–023; ER12–161–029; ER12–645–028; ER12–682–024; ER12–1502–008; ER12–2313–008; ER13–1139–025; ER14–1964–019; ER14–2630–018; ER16–141–007; ER16–287–013; ER16–355–005; ER17–2–006; ER17–362–004; ER17–539–003; ER19–89–001; ER19–1075–015; ER19–2684–003; ER20–1447–009; ER20–1487–004; ER20–1806–006; ER22–398–002; ER22–1010–007; ER22–1627–003; ER22–1883–003; ER23–1889–001; ER23–1939–002; ER23–2481–002; ER24–443–001.

*Applicants:* Deriva Energy Services, LLC, Crystal Hill Solar, LLC, Pike Solar LLC, Sweetland Wind Farm, LLC, Ledyard Windpower, LLC, AM Wind Repower LLC, TerraForm IWG Acquisition Holdings II, LLC, Mesa Wind Power LLC, Catalyst Old River Hydroelectric Limited Partnership, Frontier Windpower II, LLC, Brookfield Energy Marketing US LLC, Brookfield

Renewable Energy Marketing US LLC, North Rosamond Solar, LLC, Wildwood Solar I, LLC, Rio Bravo Solar II, LLC, Frontier Windpower, LLC, Colonial Eagle Solar, LLC, BIF III Holtwood LLC, Conetoe II Solar, LLC, Regulus Solar, LLC, LSP Safe Harbor Holdings, LLC, Imperial Valley Solar 1, LLC, Laurel Hill Wind Energy, LLC, Ironwood Windpower, LLC, Erie Wind, LLC, California Ridge Wind Energy LLC, Bishop Hill Energy LLC, Safe Harbor Water Power Corporation, Hawks Nest Hydro LLC, Erie Boulevard Hydropower, L.P., Carr Street Generating Station, L.P., Canandaigua Power Partners, LLC, Three Buttes Windpower, LLC, Happy Jack Windpower, LLC, 83WI 8me, LLC, Brookfield Power Piney & Deep Creek LLC, Kit Carson Windpower, LLC, Top of the World Wind Energy, LLC, Canandaigua Power Partners II, LLC, Brookfield Energy Marketing LP, Silver Sage Windpower, LLC, North Allegheny Wind, LLC, Cimarron Windpower II, LLC, Evolugen Trading and Marketing LP, Niagara Wind Power, LLC, Deriva Energy Beckjord Storage LLC, HXOap Solar One, LLC, Tallbear Seville LLC, Caprock Solar I LLC, Bitter Ridge Wind Farm, LLC, Brookfield Energy Marketing Inc., Brookfield Renewable Trading and Marketing LP, Shoreham Solar Commons LLC, Wildflower Solar, LLC, Black Mesa Energy, LLC, Jackpot Holdings, LLC, Seville Solar One LLC, Wildwood Solar II, LLC, BREG Aggregator LLC, Pumpjack Solar I, LLC, Rio Bravo Solar I, LLC, Prairie Breeze Wind Energy LLC, Seville Solar Two, LLC.

*Description:* Supplement to January 31, 2024, Notice of Non-Material Change in Status of 83WI 8me, LLC, et al.

*Filed Date:* 4/7/25.

*Accession Number:* 20250407–5224.

*Comment Date:* 5 p.m. ET 4/28/25.

*Docket Numbers:* ER22–2352–000.

*Applicants:* Duke Energy Florida, LLC, Duke Energy Progress, LLC, Duke Energy Carolinas, LLC.

*Description:* Duke Energy Carolinas, LLC et al. submit Motion for an Extension of Time, to comply with implementing the requirements of Order Nos. 881 and 881–A, with expedited consideration.

*Filed Date:* 4/4/25.

*Accession Number:* 20250404–5243.

*Comment Date:* 5 p.m. ET 4/9/25.

*Docket Numbers:* ER22–2353–000.

*Applicants:* Florida Power & Light Company.

*Description:* Florida Power & Light Company submits a Motion for Extension of Time with request for expedited consideration, to comply with implementing the requirements of Order Nos. 881 and 881–A, until April 2026.

*Filed Date:* 4/4/25.

*Accession Number:* 20250404–5242.

*Comment Date:* 5 p.m. ET 4/9/25.

*Docket Numbers:* ER25–1057–001.

*Applicants:* Hornshadow Solar 2, LLC.

*Description:* Tariff Amendment: Response to Deficiency Letter to be effective 3/2/2025.

*Filed Date:* 4/7/25.

*Accession Number:* 20250407–5200.

*Comment Date:* 5 p.m. ET 4/17/25.

*Docket Numbers:* ER25–1900–000.

*Applicants:* Southwest Power Pool, Inc.

*Description:* § 205(d) Rate Filing: Tariff Clean-Up Filing Effective 20250415 to be effective 4/15/2025.

*Filed Date:* 4/8/25.

*Accession Number:* 20250408–5063.

*Comment Date:* 5 p.m. ET 4/29/25.

*Docket Numbers:* ER25–1901–000.

*Applicants:* Midcontinent Independent System Operator, Inc., International Transmission Company.

*Description:* § 205(d) Rate Filing: International Transmission Company submits tariff filing per 35.13(a)(2)(iii: 2025–04–08_SA 4468 ITCTransmission-DTE ELECTRIC E&P (R1041) to be effective 4/1/2025.

*Filed Date:* 4/8/25.

*Accession Number:* 20250408–5076.

*Comment Date:* 5 p.m. ET 4/29/25.

*Docket Numbers:* ER25–1902–000.

*Applicants:* NextEra Energy Transmission New York, Inc., New York Independent System Operator, Inc.

*Description:* § 205(d) Rate Filing: New York Independent System Operator, Inc. submits tariff filing per 35.13(a)(2)(iii: NYISO–NEETNY 205: EPCA among NYISO, NEETNY and Hecate Energy Cider Solar SA2893 to be effective 3/25/2025.

*Filed Date:* 4/8/25.

*Accession Number:* 20250408–5121.

*Comment Date:* 5 p.m. ET 4/29/25.

*Docket Numbers:* ER25–1903–000.

*Applicants:* Public Service Company of New Mexico.

*Description:* § 205(d) Rate Filing: Jicarilla TCIA 2nd Revised SA 398 to be effective 3/28/2025.

*Filed Date:* 4/8/25.

*Accession Number:* 20250408–5141.

*Comment Date:* 5 p.m. ET 4/29/25.

*Docket Numbers:* ER25–1904–000.

*Applicants:* PJM Interconnection, L.L.C.

*Description:* § 205(d) Rate Filing: Amendment to ISA, SA No. 5382; Queue No. W3–003/AD2–026/AE1–156 to be effective 6/8/2025.

*Filed Date:* 4/8/25.

*Accession Number:* 20250408–5169.

*Comment Date:* 5 p.m. ET 4/29/25.

*Docket Numbers:* ER25–1905–000.

*Applicants:* AEP Texas Inc.

*Description:* § 205(d) Rate Filing: AEPTX-Lunis Creek Solar Project 3rd Amended Generation Interconnection Agreement to be effective 3/26/2025.

*Filed Date:* 4/8/25.

*Accession Number:* 20250408–5183.

*Comment Date:* 5 p.m. ET 4/29/25.

Take notice that the Commission received the following electric securities filings:

*Docket Numbers:* ES25–39–000.

*Applicants:* New Hampshire Transmission, LLC.

*Description:* Application Under Section 204 of the Federal Power Act for Authorization to Issue Securities of New Hampshire Transmission, LLC.

*Filed Date:* 4/8/25.

*Accession Number:* 20250408–5177.

*Comment Date:* 5 p.m. ET 4/29/25.

The filings are accessible in the Commission's eLibrary system (*https://elibrary.ferc.gov/idmws/search/fercgensearch.asp*) by querying the docket number.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659. The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or *OPP@ferc.gov.*

Dated: April 8, 2025.

**Carlos D. Clay,**

*Deputy Secretary.*

[FR Doc. 2025–06296 Filed 4–11–25; 8:45 am]

**BILLING CODE 6717–01–P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

**[Project No. 12757–008; Project No. 12758–008]**

### BOST4 Hydroelectric LLC, BOST5 Hydroelectric LLC; Notice of Intent To Prepare an Environmental Assessment

On August 16, 2024, BOST4 Hydroelectric LLC (BOST4 or licensee) filed an application for a non-capacity amendment for the Red River Lock & Dam #4 Project No. 12757 and on May 17, 2024, BOST5 Hydroelectric LLC (BOST5 or licensee) filed a similar amendment for the Red River Lock & Dam #5 Project No. 12758. The projects are located on the Red River in Red River and Bossier parishes, Louisiana. The projects occupy Federal lands administered by the U.S. Army Corps of Engineers.

At Lock & Dam #4, the unconstructed projects would be redesigned from one turbine that would produce 28.1 megawatts (MW) generating capacity to five smaller turbine units that would still have the same generating capacity of 28.1 MW. The powerhouse would be redesigned to hold the five Kaplan bulb turbine-generator units, and would be approximately 170-feet-wide, 135-feet-high, and 180-feet-long. The headrace channel and tailrace channels would also be redesigned from what was originally licensed. A Notice of Application Accepted for Filing and Soliciting Comments, Motions to Intervene, and Protest was issued on September 12, 2024.

At Lock & Dam #5, the unconstructed project would be similarly redesigned with five Kaplan bulb turbine-generator units, instead of one 28.1–MW unit. The powerhouse footprint would be approximately 204-feet-long by 153-feet-wide. The location of the recreation facilities, that the licensee is required to reconstruct, would be relocated from downstream to upstream of the dam. A Notice of Application Accepted for Filing and Soliciting Comments, Motions to Intervene, and Protest was issued on September 30, 2024.

This notice identifies Commission staff's intention to prepare an environmental assessment (EA) analyzing the proposed action. The planned schedule for the completion of the EA is July 8, 2025.[1] Revisions to the schedule may be made as appropriate. The EA will be issued and made available for review by all interested parties. All comments filed on the EA will be reviewed by staff and considered in the Commission's final decision on the proceeding.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice communities, Tribal members, and others to access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or *OPP@ferc.gov*.

Any questions regarding this notice may be directed to Rebecca Martin at 202–502–6012 or *Rebecca.martin@ferc.gov*.

Dated: April 8, 2025.

**Debbie-Anne A. Reese,**

*Secretary.*

[FR Doc. 2025–06306 Filed 4–11–25; 8:45 am]

**BILLING CODE 6717–01–P**

[1] The unique identification number for documents relating to this environmental review is EAXX–019–20–000–1744018995.

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

**[Project No. 4026–000]**

### Androscoggin Reservoir Company; Notice of Authorization for Continued Project Operation

The license for the Aziscohos Hydroelectric Project No. 4026 was issued for a period ending March 31, 2025.

Section 15(a)(1) of the FPA, 16 U.S.C. 808(a)(1), requires the Commission, at the expiration of a license term, to issue from year-to-year an annual license to the then licensee(s) under the terms and conditions of the prior license until a new license is issued, or the project is otherwise disposed of as provided in section 15 or any other applicable section of the FPA. If the project's prior license waived the applicability of section 15 of the FPA, then, based on section 9(b) of the Administrative Procedure Act, 5 U.S.C. 558(c), and as set forth at 18 CFR 16.21(a), if the licensee of such project has filed an application for a subsequent license, the licensee may continue to operate the project in accordance with the terms and conditions of the license after the minor or minor part license expires, until the Commission acts on its application. If the licensee of such a project has not filed an application for a subsequent license, then it may be required, pursuant to 18 CFR 16.21(b), to continue project operations until the Commission issues someone else a license for the project or otherwise orders disposition of the project.

If the project is subject to section 15 of the FPA, notice is hereby given that an annual license for Project No. 4026 is issued to Androscoggin Reservoir Company for a period effective April 1, 2025, through March 31, 2026, or until the issuance of a new license for the project or other disposition under the FPA, whichever comes first.

If issuance of a new license (or other disposition) does not take place on or before March 31, 2026, notice is hereby given that, pursuant to 18 CFR 16.18(c), an annual license under section 15(a)(1) of the FPA is renewed automatically without further order or notice by the Commission, unless the Commission orders otherwise.

If the project is not subject to section 15 of the FPA, notice is hereby given that Androscoggin Reservoir Company is authorized to continue operation of the Aziscohos Hydroelectric Project under the terms and conditions of the prior license until the issuance of a subsequent license for the project or other disposition under the FPA, whichever comes first.

Dated: April 8, 2025.

**Debbie-Anne A. Reese,**

*Secretary.*

[FR Doc. 2025–06304 Filed 4–11–25; 8:45 am]

**BILLING CODE 6717–01–P**

## FEDERAL COMMUNICATIONS COMMISSION

**[OMB 3060–0960; FR ID 289525]**

### Information Collection Being Reviewed by the Federal Communications Commission

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the

Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection burden on small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

**DATES:** Written PRA comments should be submitted on or before June 13, 2025. If you anticipate that you will be submitting comments but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all PRA comments to Cathy Williams, FCC, via email to *PRA@fcc.gov* and to *Cathy.Williams@fcc.gov*.

**FOR FURTHER INFORMATION CONTACT:** For additional information about the information collection, contact Cathy Williams at (202) 418–2918.

**SUPPLEMENTARY INFORMATION:**

*OMB Control Number:* 3060–0960.

*Title:* 47 CFR 76.122, Satellite Network Non-Duplication Protection Rules; 47 CFR 76.123, Satellite Syndicated Program Exclusivity Rules; 47 CFR 76.124, Requirements for Invocation of Non-Duplication and Syndicated Exclusivity Protection.

*Form Number:* Not applicable.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Business or other for-profit entities.

*Number of Respondents and Responses:* 1,428 respondents and 9,806 responses.

*Estimated Time per Response:* 0.5–1 hour.

*Frequency of Response:* On occasion reporting requirement; Third party disclosure requirement.

*Total Annual Burden:* 9,352 hours.

*Total Annual Costs:* None.

*Obligation to Respond:* Required to obtain or retain benefits. The statutory authority for this collection is contained in sections 4(i), 4(j), 303(r), 339 and 340 of the Communications Act of 1934, as amended.

*Needs and Uses:* The information collection requirements contained in 47 CFR 76.122, 76.123 and 76.124 are used to protect exclusive contract rights negotiated between broadcasters, distributors, and rights holders for the transmission of network syndicated in the broadcasters' recognized market areas. Rule sections 76.122 and 76.123 implement statutory requirements to provide rights for in-market stations to assert non-duplication and exclusivity rights.

Federal Communications Commission.

**Katura Jackson,**

*Federal Register Liaison Officer.*

[FR Doc. 2025–06329 Filed 4–11–25; 8:45 am]

**BILLING CODE 6712–01–P**

## FEDERAL RESERVE SYSTEM

### Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at *https://www.federalreserve.gov/foia/request.htm*. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)).

Comments received are subject to public disclosure. In general, comments received will be made available without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would not be appropriate for public disclosure.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551–0001, not later than May 14, 2025.

*A. Federal Reserve Bank of Kansas City* (Jeffrey Imgarten, Assistant Vice President) 1 Memorial Drive, Kansas City, Missouri 64198–0001. Comments can also be sent electronically to *KCApplicationComments@kc.frb.org*:

1. *Legacy Financial, Inc., Johnson, Kansas;* to acquire BancCentral, National Association, Alva, Oklahoma.

Board of Governors of the Federal Reserve System.

**Michele Taylor Fennell,**

*Associate Secretary of the Board.*

[FR Doc. 2025–06331 Filed 4–11–25; 8:45 am]

**BILLING CODE P**

## FEDERAL RESERVE SYSTEM

### Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (Act) (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the applications are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at *https://www.federalreserve.gov/foia/request.htm*. Interested persons may express their views in writing on the standards enumerated in paragraph 7 of the Act.

Comments received are subject to public disclosure. In general, comments received will be made available without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would not be appropriate for public disclosure.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW,

Washington DC 20551–0001, not later than April 29, 2025.

*A. Federal Reserve Bank of New York* (Bank Applications Officer) 33 Liberty Street, New York, New York 10045–0001. Comments can also be sent electronically to *Comments.applications@ny.frb.org*:

1. *Charles Frederick Oppenheim, Palm Beach, Florida; Lorna Marie Oppenheim and Caroline Emily Oppenheim, both of London, United Kingdom; and the Caroline Emily Oppenheim Revocable Trust, New Jersey, the Bessemer Trust Company, as trustee, Woodbridge, New Jersey;* to join a group acting in concert to retain voting shares of The Bessemer Group, Incorporated, Woodbridge, New Jersey, and thereby indirectly retain voting shares of Bessemer Trust Company, N.A., New York, New York, and the Bessemer Trust Company.

Board of Governors of the Federal Reserve System.

**Michele Taylor Fennell,**

*Associate Secretary of the Board.*

[FR Doc. 2025–06332 Filed 4–11–25; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### National Institutes of Health

### National Institute of Nursing Research; Amended Notice of Meeting

Notice is hereby given of a change in the meeting of the National Institute of Nursing Research Special Emphasis Panel, April 21, 2025, 8 a.m. to April 23, 2025, 5 p.m., NINR, 6700B Rockledge Drive, Bethesda, MD, 20892 which was published in the **Federal Register** on March 19, 2025, 90 FR 12749.

This meeting is being amended due to a change in the meeting dates. The new meeting dates are April 22–23, 2025. The time of the meeting will remain the same. This meeting will be virtual and closed to the public.

Dated: April 09, 2025.

**Bruce A. George,**

*Program Analyst, Office of Federal Advisory Committee Policy.*

[FR Doc. 2025–06308 Filed 4–11–25; 8:45 am]

**BILLING CODE 4140–01–P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### National Institutes of Health

### National Institute of Environmental Health Sciences; Notice of Closed Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

*Name of Committee:* National Institute of Environmental Health Sciences Special Emphasis Panel; Mechanism for Time-Sensitive Research Opportunities in the Environmental Health Sciences (R21).

*Date:* May 8, 2025.

*Time:* 10:00 a.m. to 12:30 p.m.

*Agenda:* To review and evaluate grant applications.

*Address:* National Institute of Environmental Health Sciences, Keystone Building, 530 Davis Drive, Durham, NC 27709.

*Meeting Format:* Virtual Meeting.

*Contact Person:* Leroy Worth, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Research and Training, Nat. Institute of Environmental Health Sciences, P.O. Box 12233, MD EC–30/Room 3171, Research Triangle Park, NC 27709, 984–287–3340, email: *worth@niehs.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.115, Biometry and Risk Estimation—Health Risks from Environmental Exposures; 93.142, NIEHS Hazardous Waste Worker Health and Safety Training; 93.143, NIEHS Superfund Hazardous Substances—Basic Research and Education; 93.894, Resources and Manpower Development in the Environmental Health Sciences; 93.113, Biological Response to Environmental Health Hazards; 93.114, Applied Toxicological Research and Testing, National Institutes of Health, HHS)

Dated: April 8, 2025.

**Bruce A. George,**

*Program Analyst, Office of Federal Advisory Committee Policy.*

[FR Doc. 2025–06259 Filed 4–11–25; 8:45 am]

**BILLING CODE 4140–01–P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### National Institutes of Health

### National Library of Medicine; Notice of Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the Board of Regents of the National Library of Medicine.

The meeting will be held as a virtual meeting and will be open to the public as indicated below. Individuals who plan to view the virtual meeting and need special assistance, such as sign language interpretation or other reasonable accommodations to view the meeting, should notify the Contact Person listed below in advance of the meeting. The meeting can be accessed from the NIH Videocast website at the following link: *https://videocast.nih.gov/*.

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 materials, 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:* Board of Regents of the National Library of Medicine.

*Date:* July 8, 2025.

*Open:* July 8, 2025, 10:00 a.m. to 12:00 p.m.

*Agenda:* Program Discussion.

*Place:* National Library of Medicine, 8600 Rockville Pike, Bethesda, MD 20892.

*Meeting Format:* Virtual Meeting.

*Closed:* July 8, 2025, 12:00 p.m. to 12:30 p.m.

*Agenda:* To review and evaluate grant applications.

*Contact Person:* Sarah Edwards, Writer/Editor, Office of the Director, National Library of Medicine, National Institutes of Health, Building 38A, Room 7S710, Bethesda, MD 20892, 301–827–3118, *sarah.edwards@nih.gov*.

Any member of the public may submit written comments no later than 15 days in advance of the 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: *www.nlm.nih.gov/od/bor/bor.html* where

additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program No. 93.879, Medical Library Assistance, National Institutes of Health, HHS).

Dated: April 8, 2025.

**Melanie J. Pantoja,**

*Program Analyst, Office of Federal Advisory Committee Policy.*

[FR Doc. 2025–06282 Filed 4–11–25; 8:45 am]

**BILLING CODE 4140–01–P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### National Institutes of Health

### National Institute of Diabetes and Digestive and Kidney Diseases; Notice of Closed Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

*Name of Committee:* National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; CPCRC U01 Review, RFA–DK–25–019, RFA–DK–25–020.

*Date:* May 8, 2025.

*Time:* 12:00 p.m. to 4:00 p.m.

*Agenda:* To review and evaluate grant applications.

*Address:* National Institutes of Health, National Institute of Diabetes and Digestive and Kidney Diseases, Democracy II, Suite 7000A, 6707 Democracy Boulevard, Bethesda, MD 20892.

*Meeting Format:* Virtual Meeting.

*Contact Person:* Cheryl Nordstrom, Ph.D., MPH, Scientific Review Officer, National Institute of Diabetes and Digestive and Kidney Diseases, National Institutes of Health, 6707 Democracy Blvd., Room 7013, Bethesda, MD 20892, 301–402–6711, *cheryl.nordstrom@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.847, Diabetes, Endocrinology and Metabolic Research; 93.848, Digestive Diseases and Nutrition Research; 93.849, Kidney Diseases, Urology and Hematology Research, National Institutes of Health, HHS)

Dated: April 9, 2025.

**Bruce A. George,**

*Program Analyst, Office of Federal Advisory Committee Policy.*

[FR Doc. 2025–06318 Filed 4–11–25; 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:* Applied Therapeutics for Cancer Integrated Review Group; Advancing Therapeutics A Study Section.

*Date:* June 11–12, 2025.

*Time:* 8:00 a.m. to 6:00 p.m.

*Agenda:* To review and evaluate grant applications.

*Address:* National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

*Meeting Format:* Virtual Meeting.

*Contact Person:* Maureen Shuh, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 480–4097, *maureen.shuh@nih.gov.*

*Name of Committee:* Bioengineering Sciences & Technologies Integrated Review Group; Innovations in Nanosystems and Nanotechnology Study Section.

*Date:* June 11–12, 2025.

*Time:* 9:00 a.m. to 6:00 p.m.

*Agenda:* To review and evaluate grant applications.

*Address:* National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

*Meeting Format:* Virtual Meeting.

*Contact Person:* Yingli Fu, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 594–0840, *yingli.fu@nih.gov.*

*Name of Committee:* Applied Therapeutics for Cancer Integrated Review Group; Mechanisms of Cancer Therapeutics B Study Section.

*Date:* June 12–13, 2025.

*Time:* 8:00 a.m. to 6:00 p.m.

*Agenda:* To review and evaluate grant applications.

*Address:* National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

*Meeting Format:* Virtual Meeting.

*Contact Person:* Maria Dolores Arjona Mayor, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 806D, Bethesda, MD 20892, (301) 827–8578, *dolores.arjonamayor@nih.gov.*

*Name of Committee:* Molecular, Cellular and Developmental Neuroscience Integrated Review Group; Neuronal Communications Study Section.

*Date:* June 12–13, 2025.

*Time:* 9:00 a.m. to 6:00 p.m.

*Agenda:* To review and evaluate grant applications.

*Address:* National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

*Meeting Format:* Virtual Meeting.

*Contact Person:* Wenyan Han, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Dr., Room 1010D, Bethesda, MD 20892, (301) 594–2337, *wenyan.han@nih.gov.*

*Name of Committee:* Risk, Prevention and Health Behavior Integrated Review Group; Interventions to Prevent and Treat Addictions Study Section.

*Date:* June 12–13, 2025.

*Time:* 9:30 a.m. to 5:30 p.m.

*Agenda:* To review and evaluate grant applications.

*Address:* National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

*Meeting Format:* Virtual Meeting.

*Contact Person:* Izabella Zandberg, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 594–0359, *izabella.zandberg@nih.gov.*

*Name of Committee:* Cell Biology Integrated Review Group; Biology and Development of the Eye Study Section.

*Date:* June 12–13, 2025.

*Time:* 10:00 a.m. to 6:00 p.m.

*Agenda:* To review and evaluate grant applications.

*Address:* National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

*Meeting Format:* Virtual Meeting.

*Contact Person:* Robert O'Hagan, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (240) 909–6378, *ohaganr2@csr.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: April 8, 2025.

**David W. Freeman,**

*Supervisory Program Analyst, Office of Federal Advisory Committee Policy.*

[FR Doc. 2025–06261 Filed 4–11–25; 8:45 am]

**BILLING CODE 4140–01–P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### National Institutes of Health

### National Institute of Diabetes and Digestive and Kidney Diseases; Notice of Closed Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

*Name of Committee:* National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; Polycystic Kidney Disease Centers U24 and U54 Review.

*Date:* May 7–8, 2025.

*Time:* 10:00 a.m. to 6:00 p.m.

*Agenda:* To review and evaluate grant applications.

*Address:* National Institutes of Health, National Institute of Diabetes and Digestive and Kidney Diseases, Democracy II, Suite 7000A, 6707 Democracy Boulevard, Bethesda, MD 20892.

*Meeting Format:* Virtual Meeting.

*Contact Person:* Ryan G. Morris, Ph.D., Scientific Review Officer, National Institute of Diabetes and Digestive and Kidney Diseases, National Institutes of Health, 6707 Democracy Boulevard, Room: 7015, Bethesda, MD 20892–5452, 301–594–4721, *ryan.morris@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.847, Diabetes, Endocrinology and Metabolic Research; 93.848, Digestive Diseases and Nutrition Research; 93.849, Kidney Diseases, Urology and Hematology Research, National Institutes of Health, HHS)

Dated: April 8, 2025.

**David W. Freeman,**

*Supervisory Program Analyst, Office of Federal Advisory Committee Policy.*

[FR Doc. 2025–06260 Filed 4–11–25; 8:45 am]

**BILLING CODE 4140–01–P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### National Institutes of Health

### National Institute of Diabetes and Digestive and Kidney Diseases; Notice of Closed Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

*Name of Committee:* National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; NIDDK RC2 Application Review PAR–22–069.

*Date:* May 8, 2025.

*Time:* 11:30 a.m. to 1:30 p.m.

*Agenda:* To review and evaluate grant applications.

*Address:* National Institutes of Health, National Institute of Diabetes and Digestive and Kidney Diseases, Democracy II, Suite 7000A, 6707 Democracy Boulevard, Bethesda, MD 20892.

*Meeting Format:* Virtual Meeting.

*Contact Person:* John F. Connaughton, Ph.D. Chief, Scientific Review Branch, National Institute of Diabetes and Digestive and Kidney Diseases, National Institutes of Health, 6707 Democracy Boulevard, Room: 7007, Bethesda, MD 20892–5452, (301) 594–7797, *connaughtonj@extra.niddk.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.847, Diabetes, Endocrinology and Metabolic Research; 93.848, Digestive Diseases and Nutrition Research; 93.849, Kidney Diseases, Urology and Hematology Research, National Institutes of Health, HHS)

Dated: April 9, 2025.

**Bruce A. George,**

*Program Analyst, Office of Federal Advisory Committee Policy.*

[FR Doc. 2025–06319 Filed 4–11–25; 8:45 am]

**BILLING CODE 4140–01–P**

## DEPARTMENT OF THE INTERIOR

### Geological Survey

**[GX23RL00UUW0400; OMB Control Number 1028–NEW]**

### Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Recreation Mapping for the Salmon River Basin, Idaho

**AGENCY:** U.S. Geological Survey, Interior.

**ACTION:** Notice of information collection; request for comment.

**SUMMARY:** In accordance with the Paperwork Reduction Act (PRA) of 1995, the U.S. Geological Survey (USGS) is proposing a new information collection.

**DATES:** Interested persons are invited to submit comments. To be considered, your comments must be received on or before May 14, 2025.

**ADDRESSES:** Written comments and recommendations for the proposed information collection request (ICR) 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.

You may submit comments by one of the following methods:

- *Internet: https://www.regulations.gov.* Search for and submit comments on Docket No. USGS–2025–0002;
- *U.S. Mail:* USGS, Information Collections Clearance Officer, 12201 Sunrise Valley Drive, MS 159, Reston, VA 20192.

**FOR FURTHER INFORMATION CONTACT:** JoAnn Holloway by email at *jholloway@usgs.gov* or by telephone at 303–236–2449. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States. You may also view the ICR at *http://www.reginfo.gov/public/do/PRAMain.*

**SUPPLEMENTARY INFORMATION:** In accordance with the PRA (44 U.S.C. 3501 *et seq.*) and 5 CFR 1320.8(d)(1), we provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of

information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

A **Federal Register** notice with a 60-day public comment period soliciting comments on this collection of information was published on May 21, 2024 (89 FR 44700). No comments were received.

As part of our continuing effort to reduce paperwork and respondent burdens, we are again soliciting comments from the public and other Federal agencies on the proposed ICR that is described below. We are especially interested in public comment addressing the following:

(1) Whether or not the collection of information is necessary for the proper performance of the functions of the agency, including whether or not the information will have practical utility;

(2) The accuracy of our estimate of the burden for this collection of information, including the validity of the methodology and assumptions used;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) How the agency might minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of response.

Comments that you submit in response to this notice are a matter of public record. Before including your address, phone number, email address, or other personally identifiable information (PII) in your comment, you should be aware that your entire comment—including your PII—may be made publicly available at any time. While you can ask us in your comment to withhold your PII from public review, we cannot guarantee that we will be able to do so.

*Abstract:* The information to be collected includes demographic information (age, gender, education, and income), uses/activities respondents pursue in the Salmon River Basin, what values they associate with those activities, map locations associated with their top use, and knowledge of and attitudes towards commercial uses of the Basin. This information will be collected to develop use and value maps for the Basin. The information will be used for research purposes—to understand which users, uses, and values could be most impacted by various management actions. The USGS does not manage any lands and is unaware of any specific plans by the agencies that do. The name of the survey was changed from the earlier notice published in the **Federal Register** on May 21, 2024 (89 FR 44700) to ''Recreation Mapping for the Salmon River Basin, Idaho.''

*Title of Collection:* Recreation Mapping for the Salmon River Basin, Idaho.

*OMB Control Number:* 1028–NEW.

*Form Number:* None.

*Type of Review:* New.

*Respondents/Affected Public:* Residents of and visitors to the counties intersecting the Salmon River Basin, Idaho.

*Total Estimated Number of Annual Respondents:* 1,776.

*Total Estimated Number of Annual Responses:* 1,776.

*Estimated Completion Time per Response:* ~15 minutes.

*Total Estimated Number of Annual Burden Hours:* 444.

*Respondent's Obligation:* Voluntary.

*Frequency of Collection:* One time.

*Total Estimated Annual Nonhour Burden Cost:* None.

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the PRA of 1995 (44 U.S.C. 3501 *et seq.*).

**Lara E. Douglas,**

*Center Director, Rocky Mountain Region, USGS.*

[FR Doc. 2025–06292 Filed 4–11–25; 8:45 am]

**BILLING CODE 4338–11–P**

## DEPARTMENT OF THE INTERIOR

### Office of Natural Resources Revenue

**[Docket No. ONRR–2011–0001; DS63644000 DRT000000.CH7000 234D1113RT; OMB Control Number 1012–0010]**

### Agency Information Collection Activities: Solid Minerals and Geothermal Collections

**AGENCY:** Office of Natural Resources Revenue (''ONRR''), Interior.

**ACTION:** Notice of Information Collection; request for comment.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (''PRA''), ONRR is proposing to renew an information collection. Through this information collection request (''ICR''), ONRR seeks renewed authority to collect information necessary to report the production and royalties on solid minerals and geothermal resources from Federal and Indian lands. ONRR uses forms ONRR–4292 (Coal Washing Allowance Report); ONRR–4293 (Coal Transportation Allowance Report); ONRR–4430 (Solid Minerals Production and Royalty Report); and ONRR–4440 (Solid Minerals Sales Summary) as part of these information collection requirements.

**DATES:** Your written comments must be received on or before June 13, 2025.

**ADDRESSES:** All comment submissions must (1) reference the Office of Management and Budget (''OMB'') Control Number 1012–0010 in the subject line; (2) be sent to ONRR before the close of the comment period listed under **DATES**; and (3) be sent through one of the following two methods:

- *Electronically via the Federal eRulemaking Portal:* Please visit *https://www.regulations.gov.* In the Search Box, enter the Docket ID Number for this ICR renewal (''ONRR–2011–0001'') and click ''search'' to view the publications associated with the docket folder. Locate the document with an open comment period and click the ''Comment'' button. Follow the prompts to submit your comment prior to the close of the comment period.
- *Email Submissions:* Please submit your comments to *ONRR_RegulationsMailbox@onrr.gov* with the OMB Control Number (''OMB Control Number 1012–0010'') listed in the subject line of your email. Email submissions must be postmarked on or before the close of the comment period.

*Docket:* To access the docket folder to view the ICR **Federal Register** publications, go to *https://www.regulations.gov* and search ''ONRR–2011–0001'' to view renewal notices recently published in the **Federal Register**, publications associated with prior renewals, and applicable public comments received for this ICR. ONRR will make the comments submitted in response to this notice available for public viewing at *https://www.regulations.gov.*

*OMB ICR Data:* OMB also maintains information on ICR renewals and approvals. You may access this information at *https://www.reginfo.gov/public/do/PRASearch.* Please use the following instructions: Under the ''OMB Control Number'' heading enter ''1012–0010'' and click the ''Search'' button located at the bottom of the page. To view the ICR renewal or OMB approval status, click on the latest entry (based on the most recent date). On the ''View ICR—OIRA Conclusion'' page, check the

box next to ''All'' to display all available ICR information provided by OMB.

**FOR FURTHER INFORMATION CONTACT:** Nicole Sweeney, Data Intake, Solutioning and Coordination, ONRR, by email at *Nicole.Sweeney@onrr.gov* or by telephone at (303) 231–3526. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

**SUPPLEMENTARY INFORMATION:** Pursuant to the PRA, 44 U.S.C. 3501 *et seq.,* and 5 CFR 1320.5, all information collections, as defined in 5 CFR 1320.3, require approval by OMB. ONRR may not conduct or sponsor, and you are not required to respond to, a collection of information unless it displays a currently valid OMB control number.

As part of ONRR's continuing effort to reduce paperwork and respondent burdens, ONRR is inviting the public and other Federal agencies to comment on new, proposed, revised, and continuing collections of information in accordance with the PRA and 5 CFR 1320.8(d)(1). This helps ONRR to assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand ONRR's information collection requirements and provide the requested data in the desired format.

ONRR is especially interested in public comments addressing the following:

(1) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of ONRR's estimate of the burden for this collection of information, including the validity of the methodology and assumptions used;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) How might the agency minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of response.

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

*Abstract: (a) General Information:* The Federal Oil and Gas Royalty Management Act of 1982 (''FOGRMA'') directs the Secretary of the Interior (''Secretary'') to ''establish a comprehensive inspection, collection and fiscal and production accounting and auditing system to provide the capability to accurately determine oil and gas royalties, interest, fines, penalties, fees, deposits, and other payments owed, and to collect and account for such amounts in a timely manner.'' *See* 30 U.S.C. 1711. ONRR performs these and other mineral revenue management responsibilities for the Secretary. *See* U.S. Department of the Interior Departmental Manual, 112 DM 34.1 (Sept. 9, 2020).

ONRR uses the information collected in this ICR to ensure that a lessee properly pays royalty and other mineral revenues due on solid and geothermal resources produced from Federal and Indian lands. ONRR also uses these forms for lessees to claim a coal washing and/or transportation allowance. ONRR shares the data with the Bureau of Land Management, Bureau of Indian Affairs, and Tribal and State governments for their land and lease management responsibilities. The requirement to report accurately and timely is mandatory.

*(b) Information Collections:* This ICR covers the paperwork requirements under 30 CFR parts:

- 1202, subpart H, which pertains to geothermal resources royalties.
- 1206, subparts F, H, and J, which pertain to product valuation of Federal coal, geothermal resources, and Indian coal.
- 1210, subparts E and H, which pertain to production and royalty reports on solid minerals and geothermal resources leases.
- 1212, subparts E and H, which pertain to recordkeeping of reports and files for solid minerals and geothermal resources leases.
- 1217, subparts E, F, and G, which pertain to audits and inspections of coal, other solid minerals, and geothermal resources leases.
- 1218, subparts E and F, which govern the payment of royalties, rentals, bonuses and other monies due for solid minerals and geothermal resource production.

All data reported is subject to subsequent audit and adjustment.

A lessee uses the following forms for solid minerals production, sales, royalty reporting, and allowances:

*(i) ONRR–4292, Coal Washing Allowance Report:* A lessee of any Indian lease producing coal must submit this form to claim a coal washing allowance.

*(ii) ONRR–4293, Coal Transportation Allowance:* A lessee of any Indian lease producing coal must submit this form to claim a coal transportation allowance.

*(iii) ONRR–4430, Solid Minerals Production and Royalty Report:* A Federal or Indian lessee must submit this form to report royalties, certain rents, and other lease-related transactions on solid mineral leases.

*(iv) ONRR–4440, Solid Mineral Sales:* A lessee files this form for all coal and other solid minerals produced from Federal and Indian leases and for any remote storage site which the lessee sells Federal or Indian solid minerals.

*Title of Collection:* Solid Minerals and Geothermal Collections—30 CFR parts 1202, 1206, 1210, 1212, 1217, and 1218.

*OMB Control Number:* 1012–0010.

*Form Numbers:* ONRR–4292, ONRR–4293, ONRR–4430, and ONRR–4440.

*Type of Review:* Renewal of a currently approved collection.

*Respondents/Affected Public:* Businesses.

*Total Estimated Number of Annual Respondents:* 100 reporters.

*Total Estimated Number of Annual Responses:* 9,716.

*Total Estimated Number of Annual Burden Hours:* 4,385 hours.

*Estimated Completion Time per Response:* The estimated average completion time is 27.07 minutes per response. The average completion time is calculated by first multiplying the estimated annual burden hours (4,385) by 60 minutes to obtain the total annual burden minutes (263,100). Then the total annual burden minutes (263,100) is divided by the estimated annual responses (9,716). While the burden hours increased from the last ICR renewal (87 FR 56974, September 16, 2022) this is not due to any additional collection requirements from industry. Because ONRR received 1,375 more annual responses than expected, the associated burden hours also increased.

*Respondent's Obligation:* The records maintenance and the filing of forms ONRR–4430 and ONRR–4440 are

mandatory. The filing of forms ONRR–4292 and ONRR–4293, and the submission of solid minerals and geothermal resource information that do not have an ONRR form, are required to obtain or retain a benefit.

*Frequency of Collection:* Monthly, annually, and on occasion.

*Estimated Annual Non-Hour Cost Burden:* ONRR has identified no ''non-hour'' cost burden associated with the collection of information.

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the PRA (44 U.S.C. 3501 *et seq.*).

**Howard Cantor,**

*Director, Office of Natural Resources Revenue.*

[FR Doc. 2025–06322 Filed 4–11–25; 8:45 am]

**BILLING CODE 4335–30–P**

## INTERNATIONAL TRADE COMMISSION

**[Investigation Nos. 701–TA–721 and 731–TA–1689 (Final)]**

### Alkyl Phosphate Esters From China; Cancellation of Hearing for Antidumping and Countervailing Duty Investigations

**AGENCY:** United States International Trade Commission.

**ACTION:** Notice.

**DATES:** April 8, 2025.

**FOR FURTHER INFORMATION CONTACT:** Celia Feldpausch (202) 205–2387 and Laurel Schwartz (202) 205–2398, Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its internet server (*https://www.usitc.gov*). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.*

**SUPPLEMENTARY INFORMATION:** On December 4, 2024, the Commission established a schedule for the final phase of antidumping and countervailing duty investigations (89 FR 103877, December 19, 2024). On April 4, 2025, counsel for ICL–IP America, Inc. (''ICL'') filed a request to appear at the hearing. No other parties submitted a request to appear at the hearing. On April 7, 2025, counsel for ICL withdrew its request to appear at the hearing. Counsel also indicated that they would respond to any written questions from the Commission, as appropriate, in posthearing briefs. Consequently, the public hearing in connection with these investigations, scheduled to begin at 9:30 a.m. on Thursday, April 10, 2025, is cancelled. Parties to these investigations should respond to any written questions posed by the Commission in their posthearing briefs, which are due to be filed on April 17, 2025.

For further information concerning these investigations see the Commission's notice cited above and the Commission's Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

*Authority:* These investigations are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.21 of the Commission's rules.

By order of the Commission.

Issued: April 8, 2025.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2025–06267 Filed 4–11–25; 8:45 am]

**BILLING CODE 7020–02–P**

## INTERNATIONAL TRADE COMMISSION

**[Investigation No. 337–TA–1407]**

### Certain Eye Cosmetics and Packaging Therefor; Notice of Commission Final Determination; Issuance of a Limited Exclusion Order; Termination of Investigation

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission (''Commission'') has determined to issue a limited exclusion order (''LEO'') barring entry of certain eye cosmetics and packaging therefor that are imported by or on behalf of the following respondents previously found in default: Kaibeauty of Taipei City, Taiwan; I'll Global Co., Ltd of Seoul, South Korea; Hikari Laboratories, Ltd. of Bnei Atarot, Israel; and Kelz Beauty of Budapest, Hungary (collectively, ''the Defaulting Respondents''). The investigation is terminated.

**FOR FURTHER INFORMATION CONTACT:** B. Rashmi Borah, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–2518. Copies of non-confidential documents filed in connection with the investigation may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov*. For help accessing EDIS, please email *EDIS3Help@usitc.gov*. General information concerning the Commission may also be obtained by accessing its internet server at *https://www.usitc.gov*. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

**SUPPLEMENTARY INFORMATION:** On July 16, 2024, the Commission instituted the present investigation based on a complaint, as supplemented, filed by Amarte USA Holdings, Inc. of Redding, California (''Complainant''), alleging violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (''section 337''), due to the importation into the United States, sale for importation, or sale in the United States after importation of certain eye cosmetics and packaging thereof that allegedly infringe U.S. Trademark Registration No. 4,328,655 (''the Asserted Trademark''), as well as unfair competition and false advertising, the threat or effect of which is to destroy or substantially injure an industry in the United States. 89 FR 57942–43 (July 16, 2024). The complaint alleges that a domestic industry exists. The notice of investigation names, in addition to the Defaulting Respondents, the following respondents: Bourne & Morgan Ltd. of London, United Kingdom (''Bourne & Morgan''); Iman Cosmetics of London, United Kingdom (''Iman Cosmetics''); MZ Skin Ltd. of Hertfordshire, United Kingdom (''MZ Skin''); Strip Lashed of South Yorkshire, United Kingdom (''Strip Lashed''); and Unilever PLC of Merseyside, United Kingdom, Unilever United States, Inc. of Englewood Cliffs, New Jersey, and Carver Korea Co., Ltd. of Seoul, South Korea (collectively, ''Unilever''). The Office of Unfair Import Investigations (''OUII'') is also named as a party to the investigation.

The Commission partially terminated the investigation as to the non-defaulting respondents based on settlement agreements, consent orders, or withdrawal of the complaint. *See* Order No. 9 (Sept. 6, 2024), *unreviewed by* Comm'n Notice (Oct. 7, 2024)

(terminating Unilever based on settlement); Order No. 10 (Sept. 10. 2024), *unreviewed by* Comm'n Notice (Oct. 8, 2024) (terminating Strip Lashed based on a consent order); Order No. 14 (Oct. 15, 2024), *unreviewed by* Comm'n Notice (Nov. 1, 2024) (terminating MZ Skin based on settlement); Order No. 15 (Nov. 1, 2024), *unreviewed by* Comm'n Notice (Nov. 22, 2024) (terminating Iman Cosmetics based on withdrawal of the complaint); Order No. 17 (Dec. 23, 2024), *unreviewed by* Comm'n Notice (Jan. 14, 2025) (terminating Bourne & Morgan based on a consent order). Accordingly, only the Defaulting Respondents remain in the investigation.

On January 31, 2025, the Commission found the Defaulting Respondents in default pursuant to Commission Rule 210.16. Order No. 19 (Jan. 7, 2025), *unreviewed by* Comm'n Notice (Jan. 31, 2025).

On January 26, 2025, Complainant filed a declaration under Commission Rule 210.16 (19 CFR 210.16) requesting the immediate entry of limited exclusion orders against the Defaulting Respondents. EDIS Doc. ID. 841793 (Jan. 26, 2025). Complainant indicated pursuant to 19 CFR 210.16(c)(2) that it is not seeking a general exclusion order. *Id.* No response to Complainant's declaration was received.

On February 20, 2025, the Commission issued a notice requesting written submissions on remedy, the public interest and bonding from the parties and from any other interested third party or government agencies. *See* 90 FR 10640–41 (Feb. 25, 2025) (''Remedy Notice''). On March 6, 2025, Complainant and OUII filed written submissions in response to the Commission's Remedy Notice. On March 13, 2025, OUII filed a reply to Complainant's submission. No other responses were submitted in response to the Remedy Notice.

When the conditions in section 337(g)(1)(A)–(E) (19 U.S.C. 1337(g)(1)(A)–(E)) have been satisfied, section 337(g)(1) and Commission Rule 210.16(c) (19 CFR 210.16(c)) direct the Commission, upon request, to issue a limited exclusion order or a cease and desist order or both against a respondent found in default, based on the allegations regarding a violation of section 337 in the Complaint, which are presumed to be true, unless after consideration of the public interest factors in section 337(g)(1), it finds that such relief should not issue.

Having examined the record of this investigation, including the parties' submissions in response to the Remedy Notice, the Commission has determined pursuant to section 337(g)(1) (19 U.S.C. 1337(g)(1)) that the appropriate remedy in this investigation is an LEO prohibiting the unlicensed entry of certain eye cosmetics and packaging therefor that infringe Complainant's Asserted Trademark, or constitute unfair competition under 15 U.S.C. 1125(a), the threat or effect of which is to destroy or substantially injure an industry in the United States and that are imported by or on behalf of the Defaulting Respondents. The Commission has determined that the public interest factors enumerated in section 337(g)(1) do not preclude the issuance of the LEO. Although Complainant requested the Commission to issue cease and desist orders (''CDOs'') directed to the Defaulting Respondents, the Commission has determined not to issue CDOs because of the lack of evidence or allegations that the Defaulting Respondents maintain commercially significant inventories and/or engage in significant commercial operations in the United States.

Chair Karpel agrees that section 337(g)(1) is the appropriate authority for issuance of relief in this investigation, but disagrees with the determination not to issue the CDOs requested by Complainant. Specifically, Chair Karpel supports issuance of both the requested LEO and the requested CDOs against the Defaulting Respondents because the criteria for issuance of such relief under section 337(g)(1)(A)–(E) are met as to these respondents. (19 U.S.C. 1337(g)(1)(A)–(E); *see* Order No. 19 (Jan. 7, 2025), *unreviewed by* Comm'n Notice (Jan. 31, 2025). Here, in addition to an exclusion order, Amarte has requested CDOs as to these Defaulting Respondents in its remedy submissions before the Commission. Given that sections 337(g)(1)(A)–(E) are satisfied, in Chair Karpel's view, the statute directs the Commission to issue the requested CDOs, subject to consideration of the public interest. Chair Karpel further finds that the public interest factors enumerated in section 337(g)(1) do not preclude the issuance of the CDOs directed to the Defaulting Respondents. Accordingly, Chair Karpel supports issuance of the CDOs, in addition to the issuance of the LEO discussed above, under section 337(g)(1).

The Commission has further determined that the bond during the period of Presidential review pursuant to section 337(j) (19 U.S.C. 1337(j)) shall be in the amount of 100 percent of the entered value of the imported articles that are subject to the LEO. The investigation is terminated.

The Commission vote for this determination took place on April 9, 2025.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: April 9, 2025.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2025–06335 Filed 4–11–25; 8:45 am]

**BILLING CODE 7020–02–P**

## INTERNATIONAL TRADE COMMISSION

**[Investigation No. 337–TA–1381]**

## Certain Disposable Vaporizer Devices and Components and Packaging Thereof; Notice of a Commission Determination Not To Review Initial Determination Terminating the Investigation; Termination of Investigation

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (''ID'') (Order No. 58) issued by the chief administrative law judge (''CALJ'') granting a motion filed by complainants R.J. Reynolds Tobacco Company and R.J. Reynolds Vapor Company (''RJR'') to terminate the investigation in its entirety based on withdrawal of the complaint. The investigation is terminated.

**FOR FURTHER INFORMATION CONTACT:** Paul Lall, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–2043. 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, telephone (202) 205–1810.

**SUPPLEMENTARY INFORMATION:** On December 15, 2023, the Commission

instituted this investigation based on a complaint filed on behalf of RJR. 88 FR 88111–12 (Dec. 15, 2023). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (''Section 337''), based upon the importation into the United States, the sale for importation, or sale within the United States after importation of certain disposable vaporizer devices and components and packaging thereof by reason false advertising, false designation of origin, and unfair competition, the threat or effect of which is to destroy or substantially injure an industry in the United States. The Commission's notice of investigation (''NOI'') named the following respondents: Flawless Vape Shop Inc. and Flawless Vape Wholesale & Distribution Inc., both of Anaheim, CA (collectively, the ''Flawless Vape respondents''); Affiliated Imports, LLC of Pflugerville, TX; American Vape Company, LLC a/k/a American Vapor Company, LLC of Pflugerville, TX; Breeze Smoke, LLC of West Bloomfield, MI; Dongguan (Shenzhen) Shikai Technology Co., Ltd. of Shenzhen, China; EVO Brands, LLC of Wilmington, DE; Guangdong Qisitech Co., Ltd. of Dongguan City, China; iMiracle (Shenzhen) Technology Co. Ltd. of Shenzhen, China; Magellan Technology Inc. of Buffalo, NY; Pastel Cartel, LLC of Pflugerville, TX; Price Point Distributors Inc. d/b/a Prince Point NY of Farmingdale, NY; PVG2, LLC of Wilmington, DE; Shenzhen Daosen Vaping Technology Co., Ltd. of Shenzhen, China; Shenzhen Fumot Technology Co., Ltd. of Shenzhen, China; Shenzhen Funyin Electronic Co., Ltd. of Shenzhen, China; Shenzhen Han Technology Co., Ltd. of Shenzhen, China; Shenzhen Innokin Technology Co., Ltd. of Shenzhen, China; Shenzhen IVPS Technology Co., Ltd. of Shenzhen, China; Shenzhen Noriyang Technology Co., Ltd. of Shenzhen, China; Shenzhen Weiboli Technology Co. Ltd. of Shenzhen, China; SV3 LLC d/b/a Mi-One Brands of Phoenix, AZ; Thesy, LLC d/b/a Element Vape of El Monte, CA; Vapeonly Technology Co. Ltd. of Shenzhen, China; and VICA Trading Inc. d/b/a Vapesourcing of Tustin, CA. *Id.* The Office of Unfair Import Investigations (''OUII'') was also named as a party in this investigation. *Id.*

On May 13, 2024, the Commission granted RJR's motion to amend the complaint and NOI to correct the mailing address associated with the Flawless Vape respondents. *See* Order No. 19 (April 18, 2024), *unreviewed by* Comm'n Notice (May 13, 2024).

On June 13, 2024, the Commission granted RJR's motion to amend the complaint and NOI to add the following four entities as respondents in the investigation: (1) Capital Sales Company of Hazel Park, MI; (2) Ecto World, LLC d/b/a Demand Vape of Buffalo, NY; (3) Hong Kong IVPS International Ltd. of Wanchai, Hong Kong; and (4) KMT Services LLC d/b/a KMT Distribution of Hazel Park, MI. *See* Order No. 27 (May 20, 2024), *unreviewed by* Comm'n Notice (June 13, 2024).

On November 5, 2024, the Commission found the Flawless Vape respondents to be in default. *See* Order No. 42 (Oct. 7, 2024), *unreviewed by* Comm'n Notice (Nov. 5, 2024).

On January 10, 2025, RJR filed a motion to terminate this investigation based on a withdrawal of the complaint. ID at 1. On January 15, 2025, the respondents remaining in the investigation filed a response stating they do not oppose the motion to terminate but requested that the CALJ ''reconsider the ITC's law concerning terminations with prejudice or recommend that the Commission do so.'' *Id.* at 1–2. In the alternative, respondents requested ''that any termination be subject to'' certain conditions ''that may help to alleviate the extreme financial burdens'' they have faced and ''may face again.'' *Id.* at 2. On the same day, OUII filed a response stating that it supported RJR's motion to terminate. *Id.*

On January 17, 2025, the CALJ requested additional briefing to provide a more detailed explanation of the relevant authority governing respondents' request for termination with conditions. *Id.* (citing Order No. 57). On January 31, 2025, Respondents filed a supplemental brief requesting that the CALJ impose six conditions on RJR with respect to any future complaint filed by RJR: (1) any new investigation should be assigned to the CALJ; (2) the same staff from OUII should be assigned; (3) public interest should be delegated to the CALJ; (4) respondents' counsel should be allowed to retain all documents, including documents designated as confidential under the administrative protective order, for twelve months after termination; (5) any future complaint on substantially similar claims filed within twelve months should be confined to the issues in the pre-hearing briefs already filed; and (6) if a new complaint is filed within twelve months, the parties should be permitted to renew the same motions *in limine. Id.* at 2, 4. On February 14, 2025, both RJR and OUII filed supplemental briefs. *Id.* at 2.

On March 7, 2025, the CALJ issued the subject ID (Order No. 58) terminating the investigation without prejudice. The ID first finds that termination with prejudice is not permitted under Section 337(b)(1). *Id.* at 4 (citing *Certain Bar Clamps, Bar Clamp Pads, & Related Packaging, Display, & Other Materials,* Inv. No. 337–TA–429, Comm'n Op., 2001 WL 36114993, at *2 (Feb. 13, 2001)). The ID also rejects each of the six conditions respondents requested to be included with any termination order, finding, in particular, that the Commission can evaluate the merits of any future complaint when, and if, such a complaint is filed.

On March 14, 2025, Respondents filed a petition for review, requesting the same conditions for termination presented to the CALJ. On March 21, 2025, RJR and OUII each filed a response.

The Commission has determined not to review the subject ID (Order No. 58). In light of respondents' arguments before the CALJ, we note that it would be premature at this time for the Commission to decide the effect, if any, of this termination on a future complaint that might be filed. Accordingly, the Commission need not and does not now decide what action it may take, or what conditions may apply, should RJR file a complaint based on the same or similar alleged violations of section 337 by these respondents in the future. Nor does the Commission now decide whether and how, if a new investigation were instituted based on the same or similar allegations, the record from the instant investigation may be used in such future investigation. However, we note that ''during the investigation of any refiled complaint, the facts and circumstances may make it appropriate for the presiding ALJ or the Commission to adopt some or all of the record of the original investigation'' and ''the parties may not necessarily be forced to duplicate procedures and filings that occurred in the original investigation.'' *Certain Bar Clamps, Bar Clamp Pads, and Related Packaging, Display, and Other Materials,* Inv. No. 337–TA–429, Comm'n Op. at 7 (Feb. 13, 2001). Moreover, ''[t]he investigation of any refiled complaint could thus result in a determination of no violation of section 337 relief . . . owing at least in part to the complainant's conduct in withdrawing and then refiling its complaint.'' *Id.* at 8.

The investigation is terminated in its entirety.

The Commission vote for this determination took place on April 8, 2025.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: April 8, 2025.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2025–06273 Filed 4–11–25; 8:45 am]

**BILLING CODE 7020–02–P**

## INTERNATIONAL TRADE COMMISSION

**[Investigation No. 337–TA–1329]**

### Certain Audio Players and Components Thereof (I); Notice of Commission Determination To Review in Part an Initial Determination Granting Summary Determination of Invalidity and Terminating the Investigation for Good Cause; Termination of Investigation

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission (''Commission'') has determined to review in part an initial determination (''ID'') (Order No. 39) issued by the presiding administrative law judge (''ALJ'') granting respondent's motion for summary determination of invalidity of the asserted patent claims due to indefiniteness and also terminating the investigation for good cause. On review, the Commission vacates the ID's termination for good cause. The investigation is terminated with a finding of no violation of section 337 based on invalidity of the asserted patent claims.

**FOR FURTHER INFORMATION CONTACT:** Carl P. Bretscher, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–2382. 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 September 15, 2022, based on a complaint filed by Google LLC of Mountain View, California (''Google''). 87 FR 56702–703 (Sept. 15, 2022). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (''section 337''), in the importation into the United States, sale for importation, or sale in the United States after importation of certain audio players and components thereof by reason of infringement of certain asserted claims of U.S. Patent Nos. 7,705,565 (''the '565 patent''); 10,593,330 (''the '330 patent''); and 10,134,398 (''the '398 patent''). *Id.* The complaint further alleges that a domestic industry exists. *Id.* The Commission's notice of investigation names Sonos, Inc. of Santa Barbara, California (''Sonos'') as the respondent. *Id.* at 56703. The Office of Unfair Import Investigations was not named as a party to this investigation. *Id.*

On November 2, 2022, the Commission terminated the investigation with respect to the '565 patent. Order No. 7 (Oct. 18, 2022), *unreviewed by* Comm'n Notice (Nov. 2, 2022).

On November 30, 2022, the parties filed a joint claim construction chart, identifying the term ''low power mode'' among the terms in dispute. The parties filed their initial claim construction briefs on December 23, 2022, and their reply briefs on February 10, 2023. The ALJ held a *Markman* hearing on January 19, 2023.

On May 17, 2023, Sonos filed a motion for summary determination that the asserted claims of the '330 patent and the '398 patent are, *inter alia,* invalid as indefinite (''First MSD''). Google filed its opposition to Sonos's First MSD on May 30, 2023.

After the *Markman* hearing, the Commission granted the parties' multiple requests for extensions of time, in order to accommodate the Patent Trial and Appeal Board's (''PTAB'') *inter partes* review (''IPR'') of the patents at issue. On May 15, 2024, the PTAB issued two Final Written Decisions (''FWD''), concluding that all of the challenged claims of the asserted patents are unpatentable under 35 U.S.C. 318(a). *Sonos, Inc.* v. *Google LLC,* IPR2023–00119, Patent No. 10,593,30, Final Written Decision Determining All Challenged Claims Unpatentable (May 15, 2024); *Sonos, Inc.* v. *Google LLC,* IPR2023–00118, Patent No. 10,134,398, Final Written Decision Determining All Challenged Claims Unpatentable (May 15, 2024).

On July 31, 2024, Sonos filed its second motion for summary determination of invalidity (''Second MSD'') that the asserted patent claims are invalid as anticipated or obvious. Google filed its opposition to Sonos's Second MSD on August 20, 2024.

On February 4, 2025, the presiding ALJ issued an order (Order No. 35) inviting the parties to file a motion to terminate the investigation in view of the PTAB's two FWDs of invalidity. Order No. 35 (Feb. 4, 2025), *clarified in* Order No. 36 (Feb. 19, 2025).

On February 14, 2025, Sonos also moved to terminate the investigation in view of the PTAB's FWDs of invalidity. Google filed its opposition to Sonos's termination motion on February 28, 2025.

On March 7, 2025, the presiding ALJ issued a claim construction order (Order No. 37) finding that the claim term ''low power mode,'' which is used in both of the remaining patents, is indefinite, and the asserted patent claims are thus invalid. Order No. 37 (March 7, 2025).

On March 7, 2025, the ALJ issued an order (Order No. 38) denying Sonos' Second MSD because Sonos is estopped from asserting the same prior art in the present investigation that it asserted in the PTAB proceedings. Order No. 38 (March 7, 2025) (citing 35 U.S.C. 315(e)(2)).

On March 7, 2025, the ALJ also issued the subject ID (Order No. 39) granting Sonos's First MSD of invalidity because the claim term ''low power mode'' is indefinite. Order No. 39 (March 7, 2025) (citing Order No. 37, *supra*). The ALJ also granted Sonos's motion to terminate the investigation for ''good cause'' in view of the PTAB's two FWDs of invalidity. Sonos, the ALJ found, represented that there are no agreements, written or oral, express or implied, between the parties concerning the subject matter of the investigation.

No party filed a petition for review of the subject ID.

The Commission has determined to review Order No. 39 in part. Specifically, the Commission has determined not to review, and thus adopts, the ALJ's finding that the asserted claims of the '330 patent and '398 patent are invalid because the term ''low power mode'' is indefinite. Accordingly, the Commission finds there is no violation of section 337, per 19 U.S.C. 1337(a)(1)(B)(1) (requiring infringement of a valid claim for a finding of violation). The Commission, however, has determined *sua sponte* to review in part Order No. 39's termination of the investigation for

''good cause.'' The Commission finds that there is no basis in either Commission precedent or the Commission's rules to terminate an investigation based on a PTAB final written decision that may still be appealed. *See Certain Network Devices, Related Software and Components Thereof (II),* Inv. No. 337–TA–945, Comm'n Op. at 12 (Aug. 2017) (explaining that ''the law is clear that patent claims are valid until the PTO issues certificates cancelling those claims, which it cannot do until the exhaustion of any appeals . . . take[n] from the PTAB's final written decisions''). On review, the Commission has determined to vacate the ALJ's termination for ''good cause.''

The investigation is terminated based on the finding of no violation.

The Commission vote for this determination took place on April 8, 2025.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: April 8, 2025.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2025–06272 Filed 4–11–25; 8:45 am]

**BILLING CODE 7020–02–P**

## UNITED STATES DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

**[Docket No. 24–12]**

### Phong H. Tran, M.D.; Decision and Order

*Correction*

In Notice document 2025–05526 beginning on page 14385 in the issue of Tuesday, April 1, 2025, make the following correction:

On page 14385, in the third column, on the 30th line from the top, replace ''[insert date thirty days from the date of publication in the **Federal Register**]'' with ''May 1, 2025.''

[FR Doc. C1–2025–05526 Filed 4–11–25; 8:45 am]

**BILLING CODE 0099–10–D**

## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

### Eagle Pharmacy; Decision and Order

On June 2, 2023, the Drug Enforcement Administration (DEA or Government) issued an Order to Show Cause (OSC) to Eagle Pharmacy of Houston, Texas (Registrant). Request for Final Agency Action (RFAA), Exhibit (RFAAX) 2, at 1, 9. The OSC proposed the revocation of Registrant's DEA registration, No. FE4992257, alleging that Registrant's continued registration is inconsistent with the public interest. *Id.* at 1 (citing 21 U.S.C. 823(g)(1), 824(a)(4)).

Specifically, the OSC alleges that ''[Registrant] repeatedly filled prescriptions for Schedule II through V controlled substances that contained multiple red flags indicative of diversion and/or abuse without addressing or resolving those red flags, and [that Registrant's decision] to fill those prescriptions despite unresolved red flags, . . . [violated] federal and Texas law, including 21 CFR 1306.04(a) [and] 1306.06; and Tex. Health & Safety Code § 481.074(a).'' RFAAX 2, at 4.

The OSC notified Registrant of its right to file with DEA a written request for hearing within 30 days after the date of receipt of the OSC. RFAAX 2, at 8 (citing 21 CFR 1301.43(a)). The OSC also notified Registrant that if it failed to file such a request, it would be deemed to have waived its right to a hearing and be in default. *Id.* (citing 21 CFR 1301.43(c)(1)). The OSC further notified Registrant that ''[a] default, unless excused, shall be deemed to constitute a waiver of the [Registrant's] right to a hearing and an admission of the factual allegations of the [OSC].'' *Id.* (citing 21 CFR 1301.43(e)).

Here, the OSC was served on Registrant and its counsel on June 5, 2023. RFAAX 7. On August 2, 2023, 58 days after service of the OSC, Registrant submitted to the DEA Office of Administrative Law Judges (OALJ) a Request for Hearing, a Motion of Leave to File Late Answer, and an Answer to Show Cause Order (Answer). RFAAX 3–5. On August 3, 2023, a DEA Administrative Law Judge (ALJ) issued an Order Terminating Proceedings (Order), finding that Registrant was in default because Registrant had failed to timely request a hearing and had failed to timely show good cause to excuse the default. RFAAX 6. The ALJ's Order explained that ''because [Registrant] filed its [hearing request] more than 45 days after receiving the OSC, . . . [Registrant] can only be excused from the default by the Office of the Administrator.'' *Id.* at 3 (citing 21 CFR 1301.43(c)(1)). To date, Registrant has not filed a motion to excuse the default with the Office of the Administrator. 21 CFR 1301.43(c)(1). Accordingly, Registrant remains in default.

''In the event that a registrant . . . is deemed to be in default . . . DEA may then file a request for final agency action with the Administrator, along with a record to support its request. In such circumstances, the Administrator may enter a default final order pursuant to [21 CFR] § 1316.67.'' 21 CFR 1301.43(f)(1). Here, the Government has requested final agency action based on Registrant's default pursuant to 21 CFR 1301.43(c), (f), because Registrant has not timely requested a hearing, nor filed a motion with the Administrator seeking to excuse the default. *See also id.* § 1316.67.

#### I. Applicable Law

As already discussed, the OSC alleges that Registrant violated multiple provisions of the Controlled Substances Act (CSA) and its implementing regulations. As the Supreme Court stated in *Gonzales* v. *Raich,* ''the main objectives of the CSA were to conquer drug abuse and to control the legitimate and illegitimate traffic in controlled substances. . . . To effectuate these goals, Congress devised a closed regulatory system making it unlawful to . . . dispense[ ] or possess any controlled substance except in a manner authorized by the CSA.'' 545 U.S. 1, at 12–13 (2005). In maintaining this closed regulatory system, ''[t]he CSA and its implementing regulations set forth strict requirements regarding registration, . . . drug security, and recordkeeping.'' *Id.* at 14.

The OSC's allegations concern the CSA's ''statutory and regulatory provisions . . . mandating . . . compliance with . . . prescription requirements'' and, therefore, go to the heart of the CSA's ''closed regulatory system'' specifically designed ''to conquer drug abuse and to control the legitimate and illegitimate traffic in controlled substances,'' and ''to prevent the diversion of drugs from legitimate to illicit channels.'' *Id.* at 12–14, 27.

*The Allegation That Registrant Filled Prescriptions Without Addressing or Resolving Red Flags of Abuse and/or Diversion*

According to the CSA's implementing regulations, a lawful prescription for controlled substances is one that is ''issued for a legitimate medical purpose by an individual practitioner acting in the usual course of his professional

practice.'' 21 CFR 1306.04(a); *see Gonzales* v. *Oregon,* 546 U.S. 243, 274 (2006); *United States* v. *Hayes,* 595 F.2d 258 (5th Cir. 1979), *rehearing den.,* 598 F.2d 620 (5th Cir. 1979), *cert. denied,* 444 U.S. 866 (1979); RFAAX 2, at 1–2. Although ''[t]he responsibility for the proper prescribing and dispensing of controlled substances is upon the prescribing practitioner . . . a corresponding responsibility rests with the pharmacist who fills the prescription.'' 21 CFR 1306.04(a); *United States* v. *Moore,* 423 U.S. 122, 136 n.12 (1975); *United States* v. *Armstrong,* 550 F.3d 382, 387 n.6 (5th Cir. 2008); RFAAX 2, at 1–2. The corresponding responsibility requires ''pharmacists to identify and resolve suspicions that a prescription is illegitimate . . . before 'knowingly filling such a purported prescription.' '' *Trinity Pharmacy II,* 83 FR 7304, 7331 (2018); RFAAX 2, at 2; *see also Suntree Pharmacy and Suntree Medical Equipment, LLC* v. *Drug Enf't Agency,* 2022 WL 444,357, *6 (11th Cir.) (upholding the Agency's revocation order, which was ''[b]ased on [the] finding that Suntree violated its corresponding responsibility by filling prescriptions for controlled substances without resolving obvious red flags that the prescriptions lacked a legitimate medical purpose''). A registrant pharmacy ''fail[s] to comply with its corresponding responsibility not to fill prescriptions written for illegitimate purposes'' when it fails to ''tak[e] and document[ ] steps to resolve . . . red flags or refus[e] to fill prescriptions with unresolvable red flags.'' *Pharmacy Doctors Enterprises Inc., d.b.a. Zion Clinic Pharmacy,* 789 F. App'x 724, 731 (11th Cir. 2020). DEA regulations further require that a ''prescription for a controlled substance may only be filled by a pharmacist, acting in the usual course of his [or her] professional practice.'' 21 CFR 1306.06; RFAAX 2, at 1–2.

Texas regulations have a similar requirement that pharmacists ensure that controlled substance prescriptions are ''issued for a legitimate medical purpose by a practitioner in the course of medical practice.'' 22 Tex. Admin. Code section 291.29(b); RFAAX 2, at 2; *see also* Tex. Health & Safety Code sections 481.074(a), 481.128(a)(1). If the pharmacist observes any problem that raises doubts about the legitimacy of a prescription, the pharmacist must ''verify the order with the practitioner prior to dispensing.'' *Id.* section 291.29(a); RFAAX 2, at 2.

Texas regulations set forth various ''red flag factors'' that a pharmacist must consider in preventing the non-therapeutic dispensing of controlled substances. 22 Tex. Admin. Code section 291.29(f); RFAAX 2, at 3–4. Pharmacists should consider these red flags ''by evaluating the totality of the circumstances rather than any single factor.'' 22 Tex. Admin. Code section 291.29(f). These red flags include instances where:

(f)(1) ''the pharmacy dispenses a reasonably discernible pattern of substantially identical prescriptions for the same controlled substances . . . ,''

(f)(3) ''prescriptions by a prescriber presented to the pharmacy are routinely for controlled substances commonly known to be abused drugs, including opioids, benzodiazepines, muscle relaxants, psychostimulants, and/or cough syrups containing codeine, or any combination of these drugs,''

(f)(5) ''prescriptions for controlled substances are commonly for the highest strength of the drug and/or for large quantities . . . , indicating a lack of individual drug therapy in prescriptions issued by the practitioner,''

(f)(6) ''dangerous drugs or over-the-counter products . . . are consistently added by the prescriber to prescriptions for controlled substances presented to the pharmacy, indicating a lack of individual drug therapy in prescriptions issued by the practitioner,''

(f)(10) ''the Texas Prescription Monitoring Program indicates the person presenting the prescriptions is obtaining similar drugs from multiple practitioners, and/or that the persons [sic] is being dispensed similar drugs at multiple pharmacies,''

(f)(12) ''persons consistently pay for controlled substance prescriptions with cash or cash equivalents more often than through insurance.''

RFAAX 2, at 3–8. In addition to evaluating these red flag factors, a Texas pharmacist may not fill a prescription when a pharmacist has reason to believe that a prescription is inaccurate, inauthentic, or not issued for a legitimate medical purpose. *See* 22 Tex. Admin. Code section 291.29(a), (b).

Texas regulations further require pharmacists to ''review the patient's medication record'' to ensure the ''therapeutic appropriateness'' of the prescription, and if a problem is observed, the pharmacist must ''avoid or resolve the problem including consultation with the prescribing practitioner.'' 22 Tex. Admin. Code sections 291.33(c)(2)(A)(i)–(ii); RFAAX 2, at 3. A pharmacist must resolve all problems raised by a prescription before dispensing it and must document how the problem was resolved. *Id.* section 291.33(c)(2)(A)(iv); RFAAX 2, at 3; *see also* section 291.33(c)(2)(C) (outlining the information that such documentation must include).

## II. Findings of Fact

*The Allegation That Registrant Filled Prescriptions Without Addressing or Resolving Red Flags of Abuse and/or Diversion*

The Agency finds that, in light of Registrant's default, the factual allegations in the OSC are deemed admitted. 21 CFR 1301.43(e). Accordingly, Registrant is deemed to have admitted and the Agency finds that from August 7, 2020 to December 6, 2022, Registrant filled numerous controlled substance prescriptions without resolving red flags of abuse and diversion raised by those prescriptions. RFAAX 2, at 2–8. Registrant is further deemed to have admitted and the Agency finds that from August 7, 2020 to December 6, 2022, Registrant repeatedly filled prescriptions outside the usual course of professional pharmacy practice in Texas and beneath the standard of care in Texas. *Id.* at 1, 4.

A. Pattern Prescribing, Substances of Abuse, and Strength and Quantity

As discussed above, *see supra* Section I, Texas regulations identify the following prescribing patterns as red flag factors: ''[T]he pharmacy dispenses a reasonably discernible pattern of substantially identical prescriptions for the same controlled substances . . . .''; ''[P]rescriptions . . . are routinely for controlled substances commonly known to be abused drugs . . . .''; and ''[P]rescriptions for controlled substances are commonly for the highest strength of the drug and/or for large quantities . . . .'' 22 Tex. Admin. Code sections 291.29(f)(1), (3), (5); RFAAX 2, at 4–5.

Registrant is deemed to have admitted and the Agency finds that Registrant filled a total of 359 prescriptions that raised the red flags of pattern prescribing, prescriptions for controlled substances commonly known to be abused, and prescriptions for controlled substances in their highest strengths and/or in large quantities. RFAAX 2, at 4–7. Specifically, among these prescriptions, from September 2020 to August 2022 Registrant filled 127 prescriptions for hydrocodone [1] 10 mg and 122 prescriptions for carisoprodol [2] 350 mg issued by Dr. J.R. to 11 individuals. *Id.* at 5–6. The hydrocodone prescriptions ranged from 100 to 110 tablets each and the

[1] Hydrocodone is a schedule II opioid. 21 CFR 1308.12(b)(1)(vi).

[2] Carisoprodol is a schedule IV depressant. 21 CFR 1308.14(c)(7).

carisoprodol prescriptions ranged from 30 to 66 tablets each. *Id.*

Additionally, from August 2020 to January 2023 Registrant filled six prescriptions for hydrocodone 10 mg and 90 prescriptions for oxycodone [3] 30 mg issued by Dr. B.R. to five individuals. *Id.* at 6. The hydrocodone prescriptions were for 110 tablets each and the oxycodone prescriptions ranged from 100 to 110 tablets each. *Id.* Finally, from May 2022 to December 2022 Registrant filled 14 prescriptions for oxycodone 30 mg issued by Dr. R.V. to four individuals. *Id.* at 6–7. These prescriptions ranged from 100 to 110 tablets each. *Id.*

Accordingly, the Agency finds substantial record evidence that Registrant filled 359 prescriptions without first resolving the red flags of pattern prescribing, prescriptions for controlled substances commonly known to be abused, and prescriptions for controlled substances in their highest strengths and/or in large quantities. *Id.* at 4, 8.

B. Lack of Individualized Therapy

Texas regulations identify the following prescribing pattern as a red flag factor: ''[D]angerous drugs or over-the-counter products [OTC] . . . are consistently added by the prescriber to prescriptions for controlled substances presented to the pharmacy, indicating a lack of individual drug therapy . . . .'' 22 Tex. Admin. Code section 291.29(f)(6); RFAAX 2, at 7. Registrant is deemed to have admitted that from August 2020 to December 2022 Registrant filled numerous prescriptions that combined dangerous drugs and OTC products for 16 individuals. RFAAX 2, at 7. Respondent admits that these prescriptions raise a red flag for a lack of individualized therapy, and further admits that the prescriptions were dispensed without documentation or resolution of that red flag. RFAAX 2, at 7.

Accordingly, the Agency finds substantial record evidence that Registrant filled numerous prescriptions without first resolving the red flag of lack of individualized therapy. *Id.* at 4, 7–8.

C. Long Distances

Registrant is deemed to have admitted and the Agency finds that individuals who travel long distances to obtain controlled substances is a well-known red flag of abuse or diversion. RFAAX 2, at 7. Registrant is deemed to have admitted that on three separate occasions in April 2022, June 2022, and July 2022, Registrant filled three prescriptions for hydrocodone 10 mg and three prescriptions for carisoprodol 350 mg for an individual who traveled 201 miles one-way to visit the pharmacy. *Id.*

Accordingly, the Agency finds substantial record evidence that Registrant filled six prescriptions without resolving the red flag of individuals traveling long distances. *Id.* at 4, 7–8.

D. Cash Payments

Texas regulations identify the following prescribing pattern as a red flag factor: ''[P]ersons consistently pay for controlled substance prescriptions with cash or cash equivalents more often than through insurance.'' 22 Tex. Admin. Code section 291.29(f)(12); RFAAX 2, at 7–8. Registrant is deemed to have admitted that all but three of the above-mentioned prescriptions were paid for in cash. RFAAX 2, at 4–8. In addition, Registrant is deemed to have admitted that Registrant filled these prescriptions without first identifying and resolving the red flag of cash payments, which is a common red flag because it allows a patient to avoid the scrutiny associated with the use of insurance. *Id.* at 7–8.

Accordingly, the Agency finds substantial record evidence that Registrant filled controlled substance prescriptions without first resolving the red flag arising from cash payments.

E. Expert Review

DEA retained an independent pharmacy expert who concluded that the above prescription data presented multiple red flags that were highly indicative of abuse and diversion. *Id.* at 8. The expert further concluded, and Registrant admits that, ''[t]hese red flags were not properly documented or resolved by a pharmacist acting in the usual course of professional practice prior to dispensing, and, therefore, each prescription was filled outside the standard of care of pharmacy practice in Texas.'' *Id.*

Accordingly, the Agency finds substantial record evidence that Registrant dispensed each of the above-referenced prescriptions without first resolving the red flags of pattern prescribing, prescriptions for controlled substances commonly known to be abused, prescriptions for controlled substances in their highest strengths and/or in large quantities, lack of individualized therapy, individuals traveling long distances, and/or individuals paying with cash or cash equivalents. The Agency finds substantial record evidence that Registrant's dispensing of these prescriptions was outside the usual course of professional practice and beneath the standard of care in Texas.

## III. Discussion

### *A. The Five Public Interest Factors*

Under Section 304 of the CSA, ''[a] registration . . . to . . . distribute[ ] or dispense a controlled substance . . . may be suspended or revoked by the Attorney General upon a finding that the registrant . . . has committed such acts as would render his registration under . . . [21 U.S.C. 823] inconsistent with the public interest as determined by such section.'' 21 U.S.C. 824(a)(4). In the case of a ''practitioner,'' which is defined in 21 U.S.C. 802(21) to include a ''pharmacy,'' Congress directed the Attorney General to consider five factors in making the public interest determination. 21 U.S.C. 823(g)(1)(A–E).[4] The five factors are considered in the disjunctive. *Gonzales* v. *Oregon,* 546 U.S. at 292–93 (2006) (Scalia, J., dissenting) (''It is well established that these factors are to be considered in the disjunctive,'' citing *In re Arora,* 60 FR 4447, 4448 (1995)); *Robert A. Leslie, M.D.,* 68 FR 15227, 15230 (2003). Each factor is weighed on a case-by-case basis. *Morall* v. *Drug Enf't Admin.,* 412 F.3d 165, 173–74 (D.C. Cir. 2005). Any one factor, or combination of factors, may be decisive. *Penick Corp.* v. *Drug Enf't Admin.,* 491 F.3d 483, 490 (D.C. Cir. 2007); *Morall,* 412 F.3d. at n.2; *David H. Gillis, M.D.,* 58 FR 37507, 37508 (1993).

In this matter, while all of the 21 U.S.C. 823(g)(1) factors have been considered, the Agency finds that the Government's evidence in support of its *prima facie* case is confined to Factors B and D. *See* RFAAX 1, at 6. Moreover, the Government has the burden of proof in this proceeding. 21 CFR 1301.44.

Here, the Agency finds that the Government's evidence satisfies its *prima facie* burden of showing that Registrant's continued registration would be ''inconsistent with the public interest.'' 21 U.S.C. 823(g)(1).

[3] Oxycodone is a schedule II opioid. 21 CFR 1308.12(b)(1)(xiv).

[4] The five factors of 21 U.S.C. 823(g)(1)(A–E) are: (a) The recommendation of the appropriate State licensing board or professional disciplinary authority. (b) The [registrant's] experience in dispensing, or conducting research with respect to controlled substances. (c) The [registrant's] conviction record under Federal or State laws relating to the manufacture, distribution, or dispensing of controlled substances. (d) Compliance with applicable State, Federal, or local laws relating to controlled substances. (e) Such other conduct which may threaten the public health and safety.

*B. Factors B and D*

Evidence is considered under Public Interest Factors B and D when it reflects compliance or non-compliance with federal and local laws related to controlled substances and experience dispensing controlled substances. 21 U.S.C. 823(g)(1)(B) and (D); *see also Kareem Hubbard, M.D.,* 87 FR 21156, 21162 (2022).

Here, as found above, Registrant is deemed to have admitted and the Agency finds that Registrant repeatedly filled prescriptions for controlled substances that contained red flags of abuse and/or diversion without addressing or resolving those red flags. RFAAX 2, at 4–8. Registrant has further admitted and the Agency finds that all of the above-referenced prescriptions were filled outside the usual course of professional practice and beneath the standard of care in Texas. *Id.* As such, the Agency finds substantial record evidence that Registrant violated 21 CFR 1306.04, 1306.06, Texas Health & Safety Code section 481.074, and 22 Texas Administrative Code sections 291.29, 291.33.

The Agency further finds that Factors B and D weigh in favor of revoking Registrant's registration as continued registration would be inconsistent with the public interest in balancing the factors of 21 U.S.C. 823(g)(1). Accordingly, the Agency finds that the Government established a *prima facie* case, that Registrant did not rebut that *prima facie* case, and that there is substantial record evidence supporting the revocation of Registrant's registration. 21 U.S.C. 823(g)(1).

**III. Sanction**

Where, as here, the Government has met its prima facie burden of showing that Registrant's registration is inconsistent with the public interest due to its numerous violations pertaining to controlled substances, the burden shifts to Registrant to show why it can be entrusted with a registration. *Morall,* 412 F.3d. at 174; *Jones Total Health Care Pharmacy,* 881 F.3d 823, 830 (11th Cir. 2018); *Garrett Howard Smith, M.D.,* 83 FR 18882 (2018). The issue of trust is necessarily a fact-dependent determination based on the circumstances presented by the individual registrant. *Jeffrey Stein, M.D.,* 84 FR 46968, 46972 (2019); *see also Jones Total Health Care Pharmacy,* 881 F.3d at 833. Moreover, as past performance is the best predictor of future performance, DEA Administrators have required that a registrant who has committed acts inconsistent with the public interest must accept responsibility for those acts and demonstrate that it will not engage in future misconduct. *Jones Total Health Care Pharmacy,* 881 F.3d at 833. A registrant's acceptance of responsibility must be unequivocal. *Id.* at 830–31. In addition, a registrant's candor during the investigation and hearing has been an important factor in determining acceptance of responsibility and the appropriate sanction. *Id.* Further, DEA Administrators have found that the egregiousness and extent of the misconduct are significant factors in determining the appropriate sanction. *Id.* at 834 and n.4. DEA Administrators have also considered the need to deter similar acts by the specific registrant and by the community of registrants. *Jeffrey Stein, M.D.,* 84 FR 46972–73.

Here, Registrant did not timely request a hearing and was deemed to be in default. 21 CFR 1301.43(c)(1), (e), (f)(1); RFAAX 6, at 2. To date, Registrant has not filed a motion with the Office of the Administrator to excuse the default. 21 CFR 1301.43(c)(1). The only submission that addresses the topic of mitigating evidence is Registrant's untimely Answer, which primarily denies the Government's allegations. RFAAX 4. As such, the record does not contain any evidence from Registrant demonstrating future compliance with the CSA, trustworthiness regarding the responsibilities of holding a DEA registration, acceptance of responsibility, or remedial measures.

Accordingly, the Agency will order the revocation of Registrant's registration.

**Order**

Pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 824(a), I hereby revoke DEA Certificate of Registration No. FE4992257 issued to Eagle Pharmacy. Further, pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 823(g)(1), I hereby deny any pending applications of Eagle Pharmacy to renew or modify this registration, as well as any other pending application of Eagle Pharmacy for additional registration in Texas. This Order is effective May 14, 2025.

**Signing Authority**

This document of the Drug Enforcement Administration was signed on April 8, 2025, by Acting Administrator Derek Maltz. That document with the original signature and date is maintained by DEA. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DEA Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of DEA. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

**Heather Achbach,**

*Federal Register Liaison Officer, Drug Enforcement Administration.*

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**BILLING CODE 4410–09–P**

## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

### Mariste Pharmacy; Decision and Order

On May 20, 2024, the Drug Enforcement Administration (DEA or Government) issued an Order to Show Cause and Immediate Suspension of Registration (OSC/ISO) to Mariste Pharmacy (Registrant) of Richmond, Texas. Request for Final Agency Action (RFAA), Exhibit (RFAAX) 1, at 1. The OSC/ISO informed Registrant of the immediate suspension of its DEA Certificate of Registration, Control No. FM2279431, pursuant to 21 U.S.C. 824(d), alleging that Registrant's continued registration constitutes '' 'an imminent danger to the public health or safety.' '' *Id.* (quoting 21 U.S.C. 824(d)). The OSC/ISO also proposed the revocation of Registrant's registration, alleging that Registrant's continued registration is inconsistent with the public interest. *Id.* (citing 21 U.S.C. 823(g)(1), 824(a)(4)).

Specifically, the OSC/ISO alleged that Registrant ''repeatedly filled Schedule II–V controlled substance prescriptions that contained red flags indicative of diversion and/or abuse, without appropriately addressing or resolving those red flags, . . . [in] violation of both federal and Texas law, including 21 CFR 1306.04(a) and 1306.06; and Texas Health & Safety Code Ann. § 481.074(a).'' RFAAX 1, at 5. The OSC/ISO also alleged that Registrant ''had numerous record keeping violations and improperly stored controlled substances at a non-registered location,'' in violation of 21 CFR 1304.11(a)–(c) and 1304.21(a), (d). *Id.* at 5–6.

The OSC/ISO notified Registrant of its right to file with DEA a written request for hearing within 30 days after the date of receipt of the OSC/ISO. *Id.* at 10–11 (citing 21 CFR 1301.43(a)). The OSC/ISO also notified Registrant that if it failed to file such a request, it would be deemed to have waived its right to a hearing and be in default. *Id.* (citing 21 CFR 1301.43(c), (d), (e)).

To date, Registrant has not filed a hearing request with the OALJ Hearing Clerk,[1] has not provided good cause for its failure to timely request a hearing, and has not filed a motion to excuse the default with the Office of the Administrator.[2] 21 CFR 1301.43(c)(1). Accordingly, the Agency finds that Registrant is in default.

''A default, unless excused, shall be deemed to constitute a waiver of the [registrant's] right to a hearing and an admission of the factual allegations of the [OSC/ISO].'' 21 CFR 1301.43(e). Further, ''[i]n the event that a registrant . . . is deemed to be in default . . . DEA may then file a request for final agency action with the Administrator, along with a record to support its request. In such circumstances, the Administrator may enter a default final order pursuant to [21 CFR] § 1316.67.'' *Id.* § 1301.43(f)(1). Here, the Government has requested final agency action based on Registrant's default pursuant to 21 CFR 1301.43(c), (f), 1301.46. RFAA, at 3; *see also* 21 CFR 1316.67.

## I. Applicable Law

As already discussed, the OSC/ISO alleges that Registrant violated multiple provisions of the Controlled Substances Act (CSA) and its implementing regulations. As the Supreme Court stated in *Gonzales* v. *Raich,* ''the main objectives of the CSA were to conquer drug abuse and to control the legitimate and illegitimate traffic in controlled substances. . . . To effectuate these goals, Congress devised a closed regulatory system making it unlawful to . . . dispense[ ] or possess any controlled substance except in a manner authorized by the CSA.'' 545 U.S. 1, at 12–13 (2005). In maintaining this closed regulatory system, ''[t]he CSA and its implementing regulations set forth strict requirements regarding registration, . . . drug security, and recordkeeping.'' *Id.* at 14.

The OSC/ISO's allegations concern the CSA's ''statutory and regulatory provisions . . . mandating . . . compliance with . . . security controls to guard against diversion, recordkeeping and reporting obligations, and prescription requirements'' and, therefore, go to the heart of the CSA's ''closed regulatory system'' specifically designed ''to conquer drug abuse and to control the legitimate and illegitimate traffic in controlled substances,'' and ''to prevent the diversion of drugs from legitimate to illicit channels.'' *Id.* at 12–14, 27.

*The Allegation That Registrant Filled Prescriptions Without Addressing or Resolving Red Flags of Abuse and/or Diversion*

According to the CSA's implementing regulations, a lawful prescription for controlled substances is one that is ''issued for a legitimate medical purpose by an individual practitioner acting in the usual course of his professional practice.'' 21 CFR 1306.04(a); *see Gonzales* v. *Oregon,* 546 U.S. 243, 274 (2006), *United States* v. *Hayes,* 595 F.2d 258 (5th Cir. 1979), *rehearing den.,* 598 F.2d 620 (5th Cir. 1979), *cert. denied,* 444 U.S. 866 (1979); RFAAX 1, at 2. Although ''[t]he responsibility for the proper prescribing and dispensing of controlled substances is upon the prescribing practitioner . . . a corresponding responsibility rests with the pharmacist who fills the prescription.'' 21 CFR 1306.04(a); *United States* v. *Moore,* 423 U.S. 122, 136 n.12 (1975); *United States* v. *Armstrong,* 550 F.3d 382, 387 n.6 (5th Cir. 2008); RFAAX 1, at 2. The corresponding responsibility requires ''pharmacists to identify and resolve suspicions that a prescription is illegitimate . . . before 'knowingly filling such a purported prescription.' '' *Trinity Pharmacy II,* 83 FR 7304, 7331 (2018); *see also Suntree Pharmacy and Suntree Medical Equipment, LLC* v. *Drug Enf't Agency,* 2022 WL 444,357, *6 (11th Cir.) (upholding the Agency's revocation order, which was ''[b]ased on [the] finding that Suntree violated its corresponding responsibility by filling prescriptions for controlled substances without resolving obvious red flags that the prescriptions lacked a legitimate medical purpose''); RFAAX 1, at 2. A respondent pharmacy ''fail[s] to comply with its corresponding responsibility not to fill prescriptions written for illegitimate purposes'' when it fails to ''tak[e] and document[ ] steps to resolve . . . red flags or refus[e] to fill prescriptions with unresolvable red flags.'' *Pharmacy Doctors Enterprises Inc., d.b.a. Zion Clinic Pharmacy,* 789 F. App'x 724, 731 (11th Cir. 2020). DEA regulations further require that a ''prescription for a controlled substance may only be filled by a pharmacist, acting in the usual course of his [or her] professional practice.'' 21 CFR 1306.06; RFAAX 1, at 2.

As for state law, Texas regulations have a similar requirement that pharmacists ensure that controlled substance prescriptions are ''issued for a legitimate medical purpose by a practitioner in the course of medical practice.'' 22 Tex. Admin. Code section 291.29(b); *see also* Tex. Health & Safety Code sections 481.074(a), 481.128(a)(1); RFAAX 1, at 3. Texas regulations also specify that ''[a] pharmacist may not dispense . . . a controlled substance . . . except under a valid prescription and in the course of professional practice.'' Tex. Health & Safety Code section 481.074(a); RFAAX 1, at 3.

Texas regulations set forth various ''red flag factors'' that a pharmacist must consider in preventing the non-therapeutic dispensing of controlled substances. 22 Tex. Admin. Code section 291.29(f); RFAAX 1, at 4. Pharmacists should consider these red flags ''by evaluating the totality of the circumstances rather than any single factor.'' 22 Tex. Admin. Code section 291.29(f). These red flags include instances where: (f)(11) multiple persons with the same address present substantially similar controlled substance prescriptions from the same practitioner; and (f)(12) persons consistently pay for controlled substance prescriptions with cash or cash equivalents more often than through insurance. RFAAX 1, at 4. Texas regulations also identify ''the geographical distance between the practitioner and the patient'' as a ''reason[ ] to suspect that a prescription may have been authorized in the absence of a valid patient-practitioner relationship or in violation of the practitioner's standard of practice.'' 22 Tex. Admin. Code section 291.29(c)(4); RFAAX 1, at 8. Further, under Texas regulations, ''[a] pharmacist shall not dispense a prescription drug if the pharmacist knows or should know the prescription drug order is fraudulent or forged.'' 22 Tex. Admin. Code section 291.29(f). Texas regulations further require pharmacists to ''review the patient's medication record'' to ensure the ''therapeutic appropriateness'' of the prescription, and if a problem is observed, the pharmacist must ''avoid or resolve the problem including consultation with the prescribing practitioner.'' 22 Tex. Admin. Code sections 291.33(c)(2)(A)(i)–(ii); RFAAX 1, at 3. A pharmacist must resolve all problems raised by a prescription before dispensing it and must document how the problem was resolved. 22 Tex. Admin. Code section 291.33(c)(2)(A)(iv);

[1] According to the Government's representations in the RFAA, Registrant filed a letter on June 19, 2024, in which it ''admitted, denied and/or further expounded on the allegations charged in the [OSC/ISO].'' RFAA, at 2. The Government represented that ''absent in this letter was a request for hearing'' and that ''DEA has not received any other correspondence from Registrant, or any attorney acting on her behalf, concerning the [OSC/ISO].'' *Id.*

[2] A party found in default may file a motion showing good cause to set aside the default no later than 30 days from the date of issuance of a final order. 21 CFR 1301.43(f)(3). Such motion must be filed with the Office of the Administrator, Drug Enforcement Administration, at *dea.addo.attorneys@dea.gov.*

*see also id.* section 291.33(c)(2)(C) (outlining the information that such documentation must include); RFAAX 1, at 3–4.

*The Allegation That Registrant Failed to Adequately Maintain Complete and Accurate Records*

Federal law also imposes recordkeeping and security requirements on pharmacies. For example, the CSA requires pharmacies to keep accurate and timely records of inventory and dispensing. 21 CFR 1304.11(a)–(c); RFAAX 1, at 5. This includes conducting and maintaining an ''initial inventory . . . of all stocks of controlled substances on hand on the date [the pharmacy] first engages in the . . . dispensing of controlled substances,'' as well as conducting and maintaining a ''biennial inventory . . . of all stocks of controlled substances on hand.'' 21 CFR 1304.11(a)–(c); RFAAX 1, at 5. Pharmacies must retain these inventories ''for at least 2 years from the date of such inventory or records, for inspection and copying.'' 21 CFR 1304.04; RFAAX 1, at 3. The CSA also requires pharmacies to ''maintain, on a current basis, a complete and accurate record of each substance . . . received,'' and the pharmacy must ''record[ ] . . . the date on which the controlled substances are actually received.'' 21 CFR 1304.21(a); RFAAX 1, at 3.

## II. Findings of Fact

*The Allegation That Registrant Filled Prescriptions Without Addressing or Resolving Red Flags of Abuse and/or Diversion*

The Agency finds that, in light of Registrant's default, the factual allegations in the OSC/ISO are deemed admitted.[3] 21 CFR 1301.43(e). Accordingly, Registrant is deemed to have admitted and the Agency finds that Registrant repeatedly dispensed prescriptions in violation of the minimum practice standards that govern pharmacy practice in Texas. RFAAX 1, at 6–9. Specifically, from at least February 2021 through March 2024, Registrant repeatedly filled controlled substance prescriptions that contained multiple red flags of abuse and/or diversion without addressing or resolving the red flags. *Id.*

*Cash Payments*

As discussed above, *see supra* Section I, Texas regulations identify the following prescribing pattern as a red flag factor: ''[P]ersons consistently pay for controlled substance prescriptions with cash or cash equivalents more often than through insurance.'' 22 Tex. Admin. Code section 291.29(f)(12); RFAAX 1, at 6. Registrant is deemed to have admitted that it failed to identify and resolve the red flag of cash payments. RFAAX 1, at 6. Specifically, between February 2021 and March 2024, Registrant filled 1,273 prescriptions for oxycodone 30 mg (a Schedule II opioid), and approximately 1,272 of those prescriptions were paid for in cash or cash equivalents. *Id.*

Accordingly, the Agency finds substantial record evidence that Registrant filled approximately 1,272 controlled substance prescriptions without first resolving the red flag arising from cash payments.

*Shared Addresses*

Texas regulations identify the following prescribing pattern as a red flag factor: ''[M]ultiple persons with the same address present substantially similar controlled substance prescriptions from the same practitioner.'' 22 Tex. Admin. Code section 291.29(f)(11); RFAAX 1, at 7. Registrant is deemed to have admitted that it failed to identify and resolve the red flag of multiple persons with the same address presenting the same prescriptions from the same practitioner. RFAAX 1, at 7–8. Specifically, between February 2021 and August 2023, Registrant filled controlled substance prescriptions for two groups of patients who shared the same address[4] and presented prescriptions for the same controlled substance (oxycodone 30 mg) from the same practitioner (Dr. V.M.). *Id.* at 8.[5]

Accordingly, the Agency finds substantial record evidence that Registrant filled numerous controlled substance prescriptions without first resolving the red flag of shared addresses.

*Long Distances*

Texas regulations identify ''the geographical distance between the practitioner and the patient'' as a ''reason[ ] to suspect that a prescription may have been authorized in the absence of a valid patient-practitioner relationship or in violation of the practitioner's standard of practice.'' 22 Tex. Admin. Code section 291.29(c)(4); RFAAX 1, at 8. Registrant is deemed to have admitted that it repeatedly filled prescriptions without identifying and resolving the red flag of patients traveling long distances to obtain controlled substance prescriptions. RFAAX 1, at 8–9. Specifically, Registrant is deemed to have admitted that between February 2021 and June 2022, it filled numerous prescriptions for four individuals (A.S.W., De.D.G., J.G., and C.R.) who traveled more than 45 miles one way to obtain their controlled substance prescriptions, and for three individuals (D.A., F.G., and R.D.) who traveled more than 70 miles one way to obtain their prescriptions. *Id.* at 9.

Accordingly, the Agency finds substantial record evidence that Registrant filled numerous controlled substance prescriptions without first resolving the red flag arising from long distances traveled.[6]

[3] The Agency need not adjudicate the criminal violations alleged in the instant OSC/ISO. *Ruan* v. *United States,* 142 S. Ct. 2,370 (2022) (decided in the context of criminal proceedings).

[4] These patients included T.C., R.L.C., and T.G., who shared the same address, and H.E., Z.J., and Di.P. who shared the same address.

[5] The OSC/ISO contains additional allegations of patients with a shared address presenting prescriptions for the same controlled substance from the same prescriber. RFAAX 1, at 7–8. However, each of these allegations identifies multiple prescribers and multiple patients, and it is unclear which prescribers issued prescriptions to which patients. Thus, it is not clear from substantial record evidence or an admission that patients sharing the same address were receiving the same controlled substance from the same prescriber. Accordingly, the remaining allegations regarding the red flag of pattern prescribing are not sustained. The Agency finds that the founded allegations in this decision are more than sufficient to support the Government's requested sanction of revocation under these circumstances.

[6] The OSC/ISO additionally alleged that Registrant filled numerous prescriptions for controlled substances for certain patients that were issued by practitioners engaging in ''pattern prescribing.'' RFAAX 1, 6–7. For example, the OSC/ISO alleges, and it is therefore admitted, that ''Between February 1, 2021, and until at least March 6, 2024, the Pharmacy filled prescriptions for Patients V.R., B.A.C., R.B., V.S., R.J.H., B.R., L.K., K.K., C.D.G., R.F., H.W, and De.G. who presented prescriptions for oxycodone 30 mg from multiple practitioners, in violation of Texas law.'' *Id.* at 7. The OSC/ISO implies that this conduct violates 22 Texas Administrative Code section 291.29(f)(10), which identifies as a potential red flag factor that ''the Texas Prescription Monitoring Program indicates the person presenting the prescriptions is obtaining similar drugs from multiple practitioners.'' It is not clear from substantial record evidence or an admission whether each of the 12 patients listed was receiving prescriptions from multiple practitioners, or if there were multiple prescribers who issued prescriptions to this group of 12 patients. Accordingly, this allegation is not sustained.

The OSC/ISO also alleged, and it is therefore admitted, that ''Between February 1, 2021, and until at least March 6, 2024, the Pharmacy filled oxycodone 30 mg prescriptions for Patients B.A.C., D.Y., K.M.K., Z.J., S.D.W., R.B., V.R., and H.W. which were for only the highest strength and in high quantities, in violation of Texas law.'' RFAAX 1, at 6–7. The OSC/ISO implies that this conduct violates 22 Texas Administrative Code section 291.29(f)(5), which identifies as a potential red flag factor that ''prescriptions for controlled substances are commonly for the highest strength of the drug and/or for large quantities (*e.g.,* monthly supply), indicating a lack of individual drug therapy in prescriptions issued by the practitioner.'' *Id.* at 7.

Continued

*Expert Review*

DEA retained an independent pharmacy expert who concluded that the above prescription data presented multiple red flags that were highly indicative of abuse and diversion. *Id.* The expert further concluded, and Registrant admits that, ''[t]hese red flags were not adequately resolved by a pharmacist acting in the usual course of professional practice prior to dispensing, and therefore, each prescription was filled outside the standard of care of pharmacy practice in Texas.'' *Id.* Registrant further admitted that none of the above-referenced controlled substance prescriptions was filled for a legitimate medical purpose. *Id.*

Accordingly, the Agency finds substantial record evidence that Registrant dispensed the above-referenced prescriptions without first resolving the red flags of cash payments, long distances, and/or shared addresses, and that Registrant's dispensing of these prescriptions was outside the usual course of professional practice. Additionally, the Agency finds substantial record evidence that none of the above-referenced controlled substance prescriptions was filled for a legitimate medical purpose.

*The Allegation That Registrant Failed to Adequately Maintain Complete and Accurate Records*

Registrant is deemed to have admitted that it failed to adequately maintain an initial inventory and a biennial inventory, which prevented DEA from conducting an audit. RFAAX 1, at 5. Accordingly, the Agency finds substantial evidence that Registrant failed to adequately maintain an initial and biennial inventory.

Further, Registrant is deemed to have admitted that between February 2021 and February 2023, it failed to adequately maintain complete and accurate continuing records regarding its inventory of controlled substances. *Id.* at 6. Specifically, Registrant admits that it failed to adequately maintain a record of the receipt of controlled substances, and that it was unable to provide DEA with even the most basic required documentation concerning its on-hand controlled substance inventory. *Id.*

Accordingly, the Agency finds substantial evidence that Registrant failed to maintain a complete and accurate record of each substance received.[7]

## I. Discussion

*A. The Five Public Interest Factors*

Under Section 304 of the CSA, ''[a] registration . . . to . . . distribute[ ] or dispense a controlled substance . . . may be suspended or revoked by the Attorney General upon a finding that the registrant . . . has committed such acts as would render his registration under . . . [21 U.S.C. 823] inconsistent with the public interest as determined by such section.'' 21 U.S.C. 824(a)(4). In the case of a ''practitioner,'' which is defined in 21 U.S.C. 802(21) to include a ''pharmacy,'' Congress directed the Attorney General to consider five factors in making the public interest determination. 21 U.S.C. 823(g)(1)(A–E).[8] The five factors are considered in the disjunctive. *Gonzales* v. *Oregon,* 546 U.S. at 292–93 (2006) (Scalia, J., dissenting) (''It is well established that these factors are to be considered in the disjunctive,'' citing *In re Arora,* 60 FR 4447, 4448 (1995)); *Robert A. Leslie, M.D.,* 68 FR 15227, 15230 (2003). Each factor is weighed on a case-by-case basis. *Morall* v. *Drug Enf't Admin.,* 412 F.3d 165, 173–74 (D.C. Cir. 2005). Any one factor, or combination of factors, may be decisive. *Penick Corp.* v. *Drug Enf't Admin.,* 491 F.3d 483, 490 (D.C. Cir. 2007); *Morall,* 412 F.3d. at n.2; *David H. Gillis, M.D.,* 58 FR 37507, 37508 (1993).

In this matter, while all of the 21 U.S.C. 823(g)(1) factors have been considered, the Agency finds that the Government's evidence in support of its *prima facie* case is confined to Factors B and D. *See* RFAAX 1, at 6. Moreover, the Government has the burden of proof in this proceeding. 21 CFR 1301.44.

Here, the Agency finds that the Government's evidence satisfies its *prima facie* burden of showing that Registrant's continued registration would be ''inconsistent with the public interest.'' 21 U.S.C. 823(g)(1).

*B. Allegation That Registrant's Registration Is Inconsistent With the Public Interest*

Factors B and/or D—Registrant's Experience in Dispensing Controlled Substances and Compliance With Applicable Laws Related to Controlled Substances

Evidence is considered under Public Interest Factors B and D when it reflects compliance or non-compliance with federal and local laws related to controlled substances and experience dispensing controlled substances. 21 U.S.C. 823(g)(1)(B) and (D); *see also Kareem Hubbard, M.D.,* 87 FR 21156, 21162 (2022).

Here, as found above, Registrant is deemed to have admitted and the Agency finds that Registrant repeatedly filled prescriptions for controlled substances that contained red flags of abuse and/or diversion without addressing or resolving those red flags. RFAAX 1, at 5–9. Registrant has further admitted and the Agency finds that none of the above-referenced controlled substance prescriptions were filled for a legitimate medical purpose in the usual course of professional practice. *Id.* As such, the Agency finds substantial record evidence that Registrant violated 21 CFR 1306.04, 1306.06, Texas Health & Safety Code section 481.074, and 22 Texas Administrative Code sections 291.29, 291.33.

Additionally, as found above, Registrant is deemed to have admitted and the Agency finds that Registrant failed to maintain an initial and biennial inventory. As such, the Agency finds substantial record evidence that Registrant violated 21 CFR 1304.11(a)–(c) and 1304.04.[9] Finally, Registrant has

It is not clear from substantial record evidence or an admission that any of these patients shared the same practitioner. Accordingly, this allegation is not sustained. The Agency finds that the founded allegations in this decision are more than sufficient to support the Government's requested sanction of revocation under these circumstances.

[7] The OSC/ISO additionally alleged, and it is therefore admitted, that ''on or about February 14, 2023, [Registrant's] owner was discovered to be storing large amounts of controlled substances at a personal residence that is not a registered location,'' and that ''DEA discovered that the controlled substances were being transported back and forth between the registered pharmacy location and the unregistered personal residence.'' RFAAX 1, at 6. The OSC/ISO implies that this conduct violates 21 CFR 1301.75(b), which states that ''Controlled substances listed in Schedules II, III, IV, and V shall be stored in a securely locked, substantially constructed cabinet.'' It is not clear from substantial record evidence or an admission that Registrant's transporting of controlled substances means that Registrant was not storing controlled substances in a ''securely locked, substantially constructed cabinet.'' Further, 21 CFR 1301.75(b) does not state that controlled substances must be stored at a ''registered location,'' and the OSC/ISO does not identify additional statutory support for this requirement. Accordingly, this allegation regarding the failure to adequately store controlled substances is not sustained. The Agency finds that the founded allegations in this decision are more than sufficient to support the Government's requested sanction of revocation under these circumstances.

[8] The five factors of 21 U.S.C. 823(g)(1)(A–E) are: (a) The recommendation of the appropriate State licensing board or professional disciplinary authority. (b) The applicant's experience in dispensing, or conducting research with respect to controlled substances. (c) The applicant's conviction record under Federal or State laws relating to the manufacture, distribution, or dispensing of controlled substances. (d) Compliance with applicable State, Federal, or local laws relating to controlled substances. (e) Such other conduct which may threaten the public health and safety.

[9] The OSC/ISO alleges that Registrant's failure to maintain an initial and biennial inventory and its failure to maintain records of receipt of controlled substances also violated 22 Texas Administrative Code section 291.75(a)(l), (c)(4)–(5). RFAAX 1, at 5.

admitted and the Agency finds that it failed to maintain complete and accurate records of each controlled substance received. As such, the Agency finds substantial record evidence that Registrant violated 21 CFR 1304.21(a).

The Agency further finds that Factors B and D weigh in favor of denial of Registrant's application and that Registrant's registration would be inconsistent with the public interest in balancing the factors of 21 U.S.C. 823(g)(1). Accordingly, the Agency finds that the Government established a *prima facie* case, that Registrant did not rebut that *prima facie* case, and that there is substantial record evidence supporting the revocation of Registrant's registration. 21 U.S.C. 823(g)(1).

**II. Sanction**

Where, as here, the Government has met its prima facie burden of showing that Registrant's registration is inconsistent with the public interest due to its numerous violations pertaining to controlled substances, the burden shifts to Registrant to show why it can be entrusted with a registration. *Morall,* 412 F.3d. at 174; *Jones Total Health Care Pharmacy,* 881 F.3d 823, 830 (11th Cir. 2018); *Garrett Howard Smith, M.D.,* 83 FR 18882 (2018). The issue of trust is necessarily a fact-dependent determination based on the circumstances presented by the individual registrant. *Jeffrey Stein, M.D.,* 84 FR 46968, 46972 (2019); *see also Jones Total Health Care Pharmacy,* 881 F.3d at 833. Moreover, as past performance is the best predictor of future performance, DEA Administrators have required that a registrant who has committed acts inconsistent with the public interest must accept responsibility for those acts and demonstrate that it will not engage in future misconduct. *Jones Total Health Care Pharmacy,* 881 F.3d at 833. A registrant's acceptance of responsibility must be unequivocal. *Id.* at 830–31. In addition, a registrant's candor during the investigation and hearing has been an important factor in determining acceptance of responsibility and the appropriate sanction. *Id.* Further, DEA Administrators have found that the egregiousness and extent of the misconduct are significant factors in determining the appropriate sanction. *Id.* at 834 and n.4. DEA Administrators have also considered the need to deter similar acts by the specific registrant and by the community of registrants. *Jeffrey Stein, M.D.,* 84 FR 46972–73.

Here, Registrant did not timely or properly request a hearing and was deemed to be in default. 21 CFR 1301.43(c)(1), (e), (f)(1); RFAA, at 1–9. To date, Registrant has not filed a motion with the Office of the Administrator to excuse the default. 21 CFR 1301.43(c)(1). Registrant has thus failed to answer the allegations contained in the OSC and has not otherwise availed itself of the opportunity to refute the Government's case. As such, Registrant has made no representations as to its future compliance with the CSA nor made any demonstration that it can be entrusted with registration. Moreover, the evidence presented by the Government shows that Registrant violated the CSA, further indicating that Registrant cannot be entrusted.

Accordingly, the Agency will order the revocation of Registrant's application.

**Order**

Pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 824(a), I hereby revoke DEA Certificate of Registration No. FM2279431 issued to Mariste Pharmacy. Further, pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 823(g)(1), I hereby deny any pending applications of Mariste Pharmacy to renew or modify this registration, as well as any other pending application of Mariste Pharmacy for additional registration in Texas. This Order is effective May 14, 2025.

**Signing Authority**

This document of the Drug Enforcement Administration was signed on April 8, 2025, by Acting Administrator Derek Maltz. That document with the original signature and date is maintained by DEA. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DEA Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of DEA. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

**Heather Achbach,**

*Federal Register Liaison Officer, Drug Enforcement Administration.*

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**BILLING CODE 4410–09–P**

However, the OSC/ISO does not contain sufficient factual or legal analysis to enable to Agency to assess the relevance or applicability of these statutes. Section (a)(1)(A) pertains to institutional pharmacies, and the OSC/ISO does not allege that Registrant is an institutional pharmacy. Section (c)(4) outlines requirements for patient records of Schedule II controlled substances to be maintained separately from patient records of controlled substances in other schedules, and it outlines additional requirements related to distribution records and institutional pharmacies. Finally, Section (c)(5) pertains to floor stock records.

## DEPARTMENT OF LABOR

### Office of Disability Employment Policy

**[OMB Control No. 1230–0014]**

### Proposed Extension of Information Collection: Retaining Employment and Talent After Injury/Illness Network (RETAIN) Demonstration Projects and Evaluation

**AGENCY:** Office of Disability Employment Policy, United States Department of Labor.

**ACTION:** Notice of information collections and request for comments.

**SUMMARY:** The Department of Labor (DOL) Office of Disability Employment Policy is soliciting comments regarding this ODEP-sponsored information collection for the Retaining Employment and Talent After Injury/Illness Network (RETAIN) Demonstration Projects and Evaluation. As part of its continuing effort to reduce paperwork and respondent burden, DOL conducts a pre-clearance request for comment to provide the general public and Federal agencies with an opportunity to comment on proposed collections of information in accordance with the Paperwork Reduction Act of 1995. This request helps to ensure that: requested data can be provided in the desired format; reporting burden (time and financial resources) is minimized; collection instruments are clearly understood; and the impact of collection requirements on respondents can be properly assessed.

**DATES:** Comments pertaining to this information collection are due on or before June 13, 2025.

**ADDRESSES:** You may submit comments as follows. Please note that late, untimely filed comments will not be considered.

*Electronic Submission:* Submit electronic comments in the following way:

*Federal eRulemaking Portal: https://www.regulations.gov.* Follow the online instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket, with no changes. Because your comment will be made public, you

are responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as your or anyone else's Social Security number or confidential business information.

- If your comment includes confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission.

*Written/Paper Submissions:* Submit written/paper submissions in the following way:

- *Mail/Hand Delivery:* Mail or visit DOL, 200 Constitution Ave. NW, Room S–5315, Washington, DC 20210.
- DOL–ODEP will post your comment as well as any attachments, except for information submitted and marked as confidential, in the docket at *https://www.regulations.gov.*

**FOR FURTHER INFORMATION CONTACT:** David Rosenblum by telephone at 202–693–7840 (this is not a toll-free number) or by email at *DOL_PRA_PUBLIC@dol.gov.*

**SUPPLEMENTARY INFORMATION:**

## I. Background

In FY 2018, the Department of Labor and the Social Security Administration launched a collaboration to develop and test promising stay-at-work/return-to-work (SAW/RTW) early intervention strategies and evaluate outcomes for individuals who are experiencing work disability.[1] Each year, millions of American workers leave the workforce after experiencing an injury or illness, and hundreds of thousands of these workers go on to receive state or federal disability benefits. The socio-economic impacts of these injuries and illnesses on individuals, employers, and all levels of government can be significant and long-lasting. SAW/RTW programs succeed by returning injured workers to productive work as soon as medically possible by providing interim part-time or light duty work and accommodations, as necessary.

The RETAIN Demonstration Projects are modeled after promising programs currently operating in Washington State, including the Centers of Occupational Health and Education (COHE), the Early Return to Work (ERTW), and the Stay at Work programs. While these programs operate within the state's workers' compensation system and are available only to individuals experiencing work-related injuries or illnesses, the RETAIN Demonstration Projects provide opportunities to improve SAW/RTW outcomes for individuals with both occupational and non-occupational injuries and illnesses.

The primary goals of the RETAIN Demonstration Projects are:

1. To increase employment retention and labor force participation of individuals who acquire, and/or are at risk of developing, work disabilities; and

2. To reduce long-term work disability among project participants, including the need for federal disability benefits (*i.e.,* Social Security Disability Insurance [SSDI] and Supplemental Security Income [SSI]).

During FY 2018, eight states received funding through cooperative agreements to create systems changes by developing and implementing partnerships and strategies to test the effects of the provision of comprehensive, coordinated health and employment-related services and supports to injured or ill workers who have acquired, or are at risk of developing, a work disability. In Phase 1, these grantees completed start-up activities and launched a small pilot. In FY 2021, five of these grantees (Kansas, Kentucky, Minnesota, Ohio, and Vermont) were competitively awarded Phase 2 funding for a performance period of four years (2021–2024), enabling them to expand and scale up their pilot to full implementation. This performance period has been extended to 2025 for all five grantees and subsequently to 2026 for four grantees, as they continue sustainability activities.

The purpose of the RETAIN employee participant information collection is to understand and assess RETAIN program start-up, pilot projects, and full implementation. Two baseline forms are required to be completed for each participant enrolling in RETAIN, whether in the treatment group or in the control group. The first form is completed by the enrollees themselves, while the second form is completed by a combination of the healthcare provider and Return-to-Work Coordinator, based on information provided by the enrollee. This information collection was approved by OMB in May 2019 with an expiration date of May 31, 2022, and it was subsequently approved by OMB on June 1, 2022 for an extension with an expiration date of June 30, 2025. An extension is requested for another year, to last through the end of Phase 2 for all grantees.

This information collection is subject to the Paperwork Reduction Act (PRA). A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. *See* 5 CFR 1320.5(a) and 1320.6.

The DOL seeks PRA authorization for this information collection for one (1) year. OMB authorization for an Information Collection Review cannot be for more than three (3) years without renewal. The DOL notes that currently approved information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review.

## II. Desired Focus of Comments

DOL is soliciting comments concerning the proposed information collection related to Retaining Employment and Talent After Injury/Illness Network (RETAIN) Demonstration Projects and Evaluation. DOL is particularly interested in comments that:

- Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information has practical utility;
- Evaluate the accuracy of DOL's estimate of the burden related to the information collection, including the validity of the methodology and assumptions used in the estimate;
- Suggest methods to enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the information collection on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Background documents related to this information collection request are available at *https://regulations.gov* and at DOL located at 200 Constitution Ave. NW, Room S–5315, Washington, DC 20210. Questions about the information collection requirements may be directed to the person listed in the **FOR FURTHER INFORMATION** section of this notice.

[1] For the purposes of RETAIN, the term ''work disability'' is defined as an illness, injury, or medical condition that has the potential to inhibit or prevent continued employment or labor force participation, and ''federal disability benefits'' refers specifically to the Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) programs. See *https://www.ssa.gov/disability/* for more information on SSDI and SSI.

**III. Current Actions**

This information collection request concerns the Retaining Employment and Talent After Injury/Illness Network (RETAIN) Demonstration Projects and Evaluation. DOL–ODEP has included the number of respondents, responses, burden hours, and burden costs supporting this information collection request below.

*Type of Review:* Extension.

*Agency:* DOL–ODEP.

*OMB Control Number:* 1230–0014.

*Affected Public:* Individuals or Households.

*Number of Respondents:* 1,920.

*Number of Responses:* 1,920.

*Annual Burden Hours:* 640 hours.

*Estimated Time per Response:* 20 minutes.

*Total Estimated Annual Other Costs Burden:* $0.

Comments submitted in response to this notice will be summarized in the request for Office of Management and Budget approval of the proposed information collection request; they will become a matter of public record and will be available at *https://www.reginfo.gov*.

(Authority: 44 U.S.C. 3506(c)(2)(A))

Dated: March 28, 2025.

**Jennifer Sheehy,**

*Deputy Assistant Secretary, Office of Disability Employment Policy.*

[FR Doc. 2025–06262 Filed 4–11–25; 8:45 am]

**BILLING CODE 4510–FK–P**

## DEPARTMENT OF LABOR

### Agency Information Collection Activities; Submission for OMB Review; Comment Request; Settlement Agreements Between a Plan and a Party in Interest

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** The Department of Labor (DOL) is submitting this Employee Benefits Security Administration (EBSA)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

**DATES:** The OMB will consider all written comments that the agency receives on or before May 14, 2025.

**ADDRESSES:** Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain*. Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

**FOR FURTHER INFORMATION CONTACT:** Michael Howell by telephone at 202–693–6782, or by email at *DOL_PRA_PUBLIC@dol.gov*.

**SUPPLEMENTARY INFORMATION:** This information collection request relates to two prohibited transaction class exemptions (PTEs) that the Department has granted, both of which involve settlement agreements. These two exemptions are described below.

PTE 94–71 exempts from certain restrictions of ERISA and certain taxes imposed by the Code, a transaction or activity that is authorized, prior to the execution of the transaction or activity, by a settlement agreement, to which the Department is a party, resulting from an investigation of an employee benefit plan conducted by the Department. The following information collections are among the conditions for the exemption: (1) A party engaging in a settlement agreement arising out of a Department investigation must provide written notice to the affected participants and beneficiaries of the plan at least 30 days prior to entry into the settlement agreement. The notice must contain an objective description of the transaction or activity, the approximate date on which the transaction will occur, the address of the regional or district office of the Department that negotiated the settlement agreement, and a statement informing participants and beneficiaries of their right to forward their comments to such office. (2) A copy of the notice and a description of the method by which it will be distributed must be approved in advance by the regional or district office of the Department which negotiated the settlement.

PTE 2003–39 exempts from certain restrictions of ERISA and certain taxes imposed by the Code, transactions arising out of the settlement of litigation that involve: the release by the plan or a plan fiduciary of legal claims against parties in interest in exchange for payment given by or on behalf of the party in interest to the plan; an extension of credit by a plan to a party interest in connection with a settlement; and the plan's acquisition, holding, and disposition of employer securities received in settlement of litigation. The relief is granted provided certain conditions are met, such as the requirement of an independent fiduciary who has no relationship to, or interest in, any parties in the litigation to authorize the settlement and the settlement terms of the agreement and any extension of credit are reasonable and no less favorable than comparable arm's length agreement. The other conditions include the following information collections: (1) The terms of the settlement must be specifically described in a written agreement or consent decree. (2) The fiduciary acting on behalf of the plan must acknowledge in writing that the person is a fiduciary with respect to the settlement of the litigation. (3) The plan fiduciary must maintain records of the transaction for six years and must disclose the records on request to the Department and other interested persons. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on July 9, 2024 (89 FR 56416).

*Comments are invited on:* (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. *See* 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

*Agency:* DOL–EBSA.

*Title of Collection:* Settlement Agreements Between a Plan and a Party in Interest.

*OMB Control Number:* 1210–0091.

*Affected Public:* Private sector, Businesses or other for-profits, Not-for-profit institutions.

*Total Estimated Number of Respondents:* 3.

*Total Estimated Number of Responses:* 567.

*Total Estimated Annual Time Burden:* 5 hours.

*Total Estimated Annual Other Costs Burden:* $17.

(Authority: 44 U.S.C. 3507(a)(1)(D))

**Michael Howell,**

*Senior Paperwork Reduction Act Analyst.*

[FR Doc. 2025–06266 Filed 4–11–25; 8:45 am]

**BILLING CODE 4510–29–P**

## DEPARTMENT OF LABOR

### Agency Information Collection Activities; Submission for OMB Review; Comment Request; Occupational Code Assignment

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** The Department of Labor (DOL) is submitting this Employment and Training Administration (ETA)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

**DATES:** The OMB will consider all written comments that the agency receives on or before May 14, 2025.

**ADDRESSES:** Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

**FOR FURTHER INFORMATION CONTACT:** Michael Howell by telephone at 202–693–6782, or by email at *DOL_PRA_PUBLIC@dol.gov.*

**SUPPLEMENTARY INFORMATION:** The Form ETA 741, the Occupational Code Assignment (OCA), is necessary to help occupational information users relate an occupational specialty or job title to an occupational code and title within the framework of the O*NET–SOC (Occupational Information Network–Standard Occupational Classification) based system. It helps provide occupational codes for jobs where duties have changed to the extent that the published information is no longer appropriate, or the user is unable to classify the job on their own. The Occupational Code Assignment helps users obtain an O*NET–SOC code which allows for compatibility and standardization in the area of occupational coding. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on October 24, 2024 (89 FR 84934).

*Comments are invited on:* (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. *See* 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

*Agency:* DOL–ETA.

*Title of Collection:* Occupational Code Assignment.

*OMB Control Number:* 1205–0137.

*Affected Public:* State Workforce Agencies.

*Total Estimated Number of Respondents:* 60.

*Total Estimated Number of Responses:* 60.

*Total Estimated Annual Time Burden:* 36 hours.

*Total Estimated Annual Other Costs Burden:* $0.

(Authority: 44 U.S.C. 3507(a)(1)(D))

**Michael Howell,**

*Senior Paperwork Reduction Act Analyst.*

[FR Doc. 2025–06263 Filed 4–11–25; 8:45 am]

**BILLING CODE 4510–FN–P**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

**[Docket No. OSHA–2012–0004]**

### Cadmium in Construction Standard; Extension of the Office of Management and Budget's (OMB) Approval of Information Collection (Paperwork) Requirements

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Request for public comments.

**SUMMARY:** OSHA solicits public comments concerning its proposal to extend the Office of Management and Budget (OMB) approval of the information collection requirements specified in its Cadmium in Construction Standard.

**DATES:** Comments must be submitted (postmarked, sent, or received) by June 13, 2025.

**ADDRESSES:**

*Electronically:* You may submit comments and attachments electronically at *https://www.regulations.gov,* which is the Federal eRulemaking Portal. Follow the instructions online for submitting comments.

*Docket:* To read or download comments or other material in the docket, go to *https://www.regulations.gov*. Documents in the docket are listed in the *https://www.regulations.gov* index; however, some information (*e.g.,* copyrighted material) is not publicly available to read or download through the websites. All submissions, including copyrighted material, are available for inspection through the OSHA Docket Office. Contact the OSHA Docket Office at (202) 693–2350 (TTY (877) 889–5627) for assistance in locating docket submissions.

*Instructions:* All submissions must include the agency name and OSHA docket number (OSHA–2012–0004) for the Information Collection Request (ICR). OSHA will place all comments, including any personal information, in the public docket, which may be made available online. Therefore, OSHA cautions interested parties about submitting personal information such as social security numbers and birthdates.

For further information on submitting comments, see the ''Public Participation'' heading in the section of this notice titled **SUPPLEMENTARY INFORMATION**.

**FOR FURTHER INFORMATION CONTACT:** Seleda Perryman, Directorate of

Standards and Guidance, OSHA, U.S. Department of Labor; telephone (202) 693–2222.

**SUPPLEMENTARY INFORMATION:**

## I. Background

The Department of Labor, as part of the continuing effort to reduce paperwork and respondent (*i.e.,* employer) burden, conducts a preclearance consultation program to provide the public with an opportunity to comment on proposed and continuing information collection requirements in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3506(c)(2)(A)). This program ensures that information is in the desired format, reporting burden (time and costs) is minimal, collection instruments are clearly understood, and OSHA's estimate of the information collection burden is accurate. The Occupational Safety and Health Act of 1970 (OSH Act) (29 U.S.C. 651 *et seq.*) authorizes information collection by employers as necessary or appropriate for enforcement of the OSH Act or for developing information regarding the causes and prevention of occupational injuries, illnesses, and accidents (29 U.S.C. 657). The OSH Act also requires that OSHA obtain such information with a minimum burden upon employers, especially those operating small businesses, and to reduce to the maximum extent feasible unnecessary duplication of efforts in obtaining said information (29 U.S.C. 657).

The Cadmium in Construction Standard requires initial and periodic exposure monitoring and measurements, medical surveillance by physicians through biological monitoring and examinations, and recordkeeping and notification obligations. These requirements help protect workers from the adverse health effects that may result from their occupational involvement with Cadmium, and provide access to these records by OSHA, the National Institute for Occupational Safety and Health (NIOSH), the affected workers, and designated representatives. The major information collection requirements of this standard include the following elements of the Standard.

## II. Special Issues for Comment

OSHA has a particular interest in comments on the following issues:

- Whether the proposed information collection requirements are necessary for the proper performance of the agency's functions to protect workers, including whether the information is useful;
- The accuracy of OSHA's estimate of the burden (time and costs) of the information collection requirements, including the validity of the methodology and assumptions used;
- The quality, utility, and clarity of the information collected; and
- Ways to minimize the burden on employers who must comply; for example, by using automated or other technological information, and transmission techniques.

## III. Proposed Actions

OSHA is requesting that OMB extend the approval of the information collection requirements contained in the Cadmium in Construction Standard. The agency is requesting an increase in the burden hour estimate by 218 hours (from 50,226 hours to 50,444 hours) due to a computational error discovered in the last ICR. OSHA is requesting to retain the same capital cost for operation and maintenance of $2,082,199. OSHA will summarize the comments submitted in response to this notice and will include this summary in the request to OMB to extend the approval of the information collection requirements.

*Type of Review:* Extension of a currently approved data collection.

*Title:* Cadmium in Construction Standard.

*OMB Control Number:* 1218–0186.

*Affected Public:* Business or other for-profits; Federal Government; State, Local, or Tribal Government.

*Number of Respondents:* 10,000.

*Number of Responses:* 335,082.

*Frequency of Responses:* On occasion.

*Average Time per Response:* Varies.

*Estimated Total Burden Hours:* 50,444.

*Estimated Cost (Operation and Maintenance):* $2,082,199.

## IV. Public Participation—Submission of Comments on This Notice and Internet Access to Comments and Submissions

You may submit comments in response to this document as follows: (1) electronically at *https://www.regulations.gov,* which is the Federal eRulemaking Portal; or (2) by facsimile (fax), if your comments, including attachments, are not longer than 10 pages you may fax them to the OSHA Docket Office at 202–693–1648. All comments, attachments, and other material must identify the agency name and the OSHA docket number for the ICR (OSHA–2012–0004). You may supplement electronic submission by uploading document files electronically.

Comments and submissions are posted without change at *https://www.regulations.gov*. Therefore, OSHA cautions commenters about submitting personal information such as social security numbers and dates of birth. Although all submissions are listed in the *https://www.regulations.gov* index, some information (*e.g.,* copyrighted material) is not publicly available to read or download from this website. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. Information on using the *https://www.regulations.gov* website to submit comments and access the docket is available at the website's ''User Tips'' link. Contact the OSHA Docket Office at (202) 693–2350, (TTY (877) 889–5627) for information about materials not available from the website, and for assistance in using the internet to locate docket submissions.

## V. Authority and Signature

Scott C. Ketcham, Deputy Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44 U.S.C. 3506 *et seq.*) and Secretary of Labor's Order No. 8–2020 (85 FR 58393).

Signed at Washington, DC, on March 25, 2025.

**Scott C. Ketcham,**

*Deputy Assistant Secretary of Labor for Occupational Safety and Health.*

[FR Doc. 2025–06264 Filed 4–11–25; 8:45 am]

**BILLING CODE 4510–26–P**

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## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

**[Docket No. OSHA–2012–0013]**

### Lead in General Industry Standard; Extension of the Office of Management and Budget's (OMB) Approval of Information Collection (Paperwork) Requirements

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Request for public comments.

**SUMMARY:** OSHA solicits public comments concerning the proposal to extend the Office of Management and Budget's (OMB) approval of the information collection requirements specified in the Lead in General Industry Standard.

**DATES:** Comments must be submitted (postmarked, sent, or received) by June 13, 2025.

**ADDRESSES:**

*Electronically:* You may submit comments and attachments

electronically at *https://www.regulations.gov,* which is the Federal eRulemaking Portal. Follow the instructions online for submitting comments.

*Docket:* To read or download comments or other material in the docket, go to *https://www.regulations.gov*. Documents in the docket are listed in the *https://www.regulations.gov* index; however, some information (*e.g.,* copyrighted material) is not publicly available to read or download through the websites. All submissions, including copyrighted material, are available for inspection through the OSHA Docket Office. Contact the OSHA Docket Office at (202) 693–2350 (TTY (877) 889–5627) for assistance in locating docket submissions.

*Instructions:* All submissions must include the agency name and OSHA docket number (OSHA–2012–0013) for the Information Collection Request. OSHA will place all comments, including any personal information, in the public docket, which may be made available online. Therefore, OSHA cautions interested parties about submitting personal information such as social security numbers and birthdates.

For further information on submitting comments, see the ''Public Participation'' heading in the section of this notice titled **SUPPLEMENTARY INFORMATION**.

**FOR FURTHER INFORMATION CONTACT:** Seleda Perryman, Directorate of Standards and Guidance, OSHA, U.S. Department of Labor; telephone (202) 693–2222.

**SUPPLEMENTARY INFORMATION:**

## I. Background

The Department of Labor, as part of the continuing effort to reduce paperwork and respondent (*i.e.,* employer) burden, conducts a preclearance consultation program to provide the public with an opportunity to comment on proposed and continuing information collection requirements in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3506(c)(2)(A)). This program ensures that information is in the desired format, reporting burden (time and costs) is minimal, the collection instruments are clearly understood, and OSHA's estimate of the information collection burden is accurate. The Occupational Safety and Health Act of 1970 (OSH Act) (29 U.S.C. 651 *et seq.*) authorizes information collection by employers as necessary or appropriate for enforcement of the OSH Act or for developing information regarding the causes and prevention of occupational injuries, illnesses, and accidents (29 U.S.C. 657). The OSH Act also requires that OSHA obtain such information with minimum burden upon employers, especially those operating small businesses, and to reduce to the maximum extent feasible unnecessary duplication of effort in obtaining information (29 U.S.C. 657).

The following sections describe who uses the information collected under each requirement, as well as how they use it. The purpose of these requirements is to provide protection for workers from the adverse health effects associated with exposure to Lead. In this regard, the Lead in General Industry Standard requires: monitoring workers' exposure to lead, medical surveillance by physicians through biological monitoring and examinations, and recordkeeping and notification obligations.

## II. Special Issues for Comment

OSHA has a particular interest in comments on the following issues:

- Whether the proposed information collection requirements are necessary for the proper performance of the agency's functions to protect workers, including whether the information is useful;
- The accuracy of OSHA's estimate of the burden (time and costs) of the information collection requirements, including the validity of the methodology and assumptions used;
- The quality, utility, and clarity of the information collected; and
- Ways to minimize the burden on employers who must comply; for example, by using automated or other technological information, and transmission techniques.

## III. Proposed Actions

OSHA is requesting that OMB extend the approval of the information collection requirements contained in the Lead in General Industry Standard. The agency is requesting an adjusted increase in burden hours, from 1,134,438 hours to 1,250,537 hours, a difference of 116,099 hours. The adjustment increase is due to an increase in the number of employers (56,906 to 60,569 employers) and an increase in the number of exposed workers (346,894 to 366,629 exposed workers), based on updated data. Also, due to the increase in the estimated number of initial exposure monitoring, initial medical examinations, as well as increased costs to perform biological monitoring and medical examinations under the standard, there is an increase in total operation and maintenance costs of $51,775,260 (from $145,080,120 to $196,201,192).

OSHA will summarize the comments submitted in response to this notice and will include this summary in the request to OMB to extend the approval of the information collection requirements.

*Type of Review:* Extension of a currently approved collection.

*Title:* Lead in General Industry Standard.

*OMB Control Number:* 1218–0092.

*Affected Public:* Business or other for-profits.

*Number of Respondents:* 60,569.

*Number of Responses:* 4,042,988.

*Frequency of Responses:* On occasion.

*Average Time per Response:* Varies.

*Estimated Total Burden Hours:* 1,250,537.

*Estimated Cost (Operation and Maintenance):* $196,201,192.

## IV. Public Participation—Submission of Comments on This Notice and Internet Access to Comments and Submissions

You may submit comments in response to this document as follows: (1) electronically at *https://www.regulations.gov,* which is the Federal eRulemaking Portal; or (2) by facsimile (fax), if your comments, including attachments, are not longer than 10 pages you may fax them to the OSHA Docket Office at (202) 693–1648. All comments, attachments, and other material must identify the agency name and the OSHA docket number for the ICR (OSHA–2012–0013). You may supplement electronic submission by uploading document files electronically.

Comments and submissions are posted without change at *https://www.regulations.gov*. Therefore, OSHA cautions commenters about submitting personal information such as social security numbers and dates of birth. Although all submissions are listed in the *https://www.regulations.gov* index, some information (*e.g.,* copyrighted material) is not publicly available to read or download from this website. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. Information on using the *https://www.regulations.gov* website to submit comments and access the docket is available at the website's ''User Tips'' link.

Contact the OSHA Docket Office at (202) 693–2350, (TTY (877) 889–5627) for information about materials not available from the website, and for assistance in using the internet to locate docket submissions.

## V. Authority and Signature

Scott C. Ketcham, Deputy Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44 U.S.C. 3506 *et seq.*) and Secretary of Labor's Order No. 8–2020 (85 FR 58393).

Signed at Washington, DC, on March 25, 2025.

**Scott C. Ketcham,**

*Deputy Assistant Secretary of Labor for Occupational Safety and Health.*

[FR Doc. 2025–06265 Filed 4–11–25; 8:45 am]

**BILLING CODE 4510–26–P**

## POSTAL REGULATORY COMMISSION

**[Docket Nos. MC2025–1299 and K2025–1297; MC2025–1300 and K2025–1298; MC2025–1301 and K2025–1299; MC2025–1302 and K2025–1300]**

### 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:* April 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:**

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### 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). 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).:* MC2025–1299 and K2025–1297; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 1359 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* April 8, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Arif Hafiz; *Comments Due:* April 16, 2025.

2. *Docket No(s).:* MC2025–1300 and K2025–1298; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 696 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* April 8, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Arif Hafiz; *Comments Due:* April 16, 2025.

3. *Docket No(s).:* MC2025–1301 and K2025–1299; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 1360 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* April 8, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Evan Wise; *Comments Due:* April 16, 2025.

4. *Docket No(s).:* MC2025–1302 and K2025–1300; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 697 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* April 8, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Annette Morin; *Comments Due:* April 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. 2025–06299 Filed 4–11–25; 8:45 am]

**BILLING CODE 7710–FW–P**

## POSTAL REGULATORY COMMISSION

**[Docket Nos. MC2025–1295 and K2025–1294; MC2025–1296 and K2025–1295; MC2025–1297 and K2025–1296]**

### New Postal Products

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** The Commission is noticing a recent Postal Service filing for the

[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).

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:* April 15, 2025.

**ADDRESSES:** Submit comments electronically via the Commission's Filing Online system at *https://www.prc.gov.* Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

**FOR FURTHER INFORMATION CONTACT:** David A. Trissell, General Counsel, at 202–789–6820.

**SUPPLEMENTARY INFORMATION:**

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## I. Introduction

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 (*https://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). 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).:* MC2025–1295 and K2025–1294; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 694 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* April 7, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Evan Wise; *Comments Due:* April 15, 2025.

2. *Docket No(s).:* MC2025–1296 and K2025–1295; *Filing Title:* USPS Request to Add Priority Mail Express International, Priority Mail International & First-Class Package International Service Contract 65 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* April 7, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Maxine Bradley; *Comments Due:* April 15, 2025.

3. *Docket No(s).:* MC2025–1297 and K2025–1296; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 695 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* April 7, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Maxine Bradley; *Comments Due:* April 15, 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. 2025–06293 Filed 4–11–25; 8:45 am]

**BILLING CODE 7710–FW–P**

[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).

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## POSTAL SERVICE

### Product Change—Priority Mail Express, Priority Mail, and USPS Ground Advantage® Negotiated Service Agreement

**AGENCY:** Postal Service™.

**ACTION:** Notice.

**SUMMARY:** The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

**DATES:** *Date of required notice:* April 14, 2025.

**FOR FURTHER INFORMATION CONTACT:** Sean C. Robinson, 1–202–268–8405.

**SUPPLEMENTARY INFORMATION:** The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on September 16, 2024, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage® Contract 344 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2024–690, CP2024–699.

**Sean C. Robinson,**

*Attorney, Corporate and Postal Business Law.*

[FR Doc. 2025–06339 Filed 4–11–25; 8:45 am]

**BILLING CODE 7710–12–P**

## SECURITIES AND EXCHANGE COMMISSION

**[Release No. 34–102787; File No. SR–LTSE–2025–06]**

## Self-Regulatory Organizations; Long-Term Stock Exchange, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Extend the Duration of Complimentary Capital Market Solutions Under LTSE Rule 14.602 to a Four-Year Term

April 8, 2025.

Pursuant to Section 19(b)(1) [1] of the Securities Exchange Act of 1934 (''Act'') [2] and Rule 19b–4 thereunder,[3] notice is hereby given that on April 1, 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 extend the period that newly listed Companies and currently listed Companies may receive the complimentary Capital Markets Solutions under LTSE Rule 14.602 for an additional one year, for a four-year term.

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 of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The 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

In March 2022, LTSE began offering complimentary Capital Markets Solutions to newly listed and currently listed Companies following the Commission's approval of relevant amendments to Rule 14.602.[4] Based on LTSE's experience with offering Capital Markets Solutions, as well as in response to changes in the competitive landscape and market conditions, the Exchange then proposed to extend from one year, to a three-year term, the period that newly listed Companies and currently listed Companies may receive the complimentary Capital Markets Solutions under LTSE Rule 14.602.[5] The Exchange now proposes to extend these Capital Markets Solutions for an additional one year, for a four-year term. This proposed change impacts solely the duration for which Capital Markets Solutions are to be provided to listed Companies and does not otherwise impact the nature or substance of the offerings under LTSE Rule 14.602.

Current Rule 14.602(b)(2)(A) provides that within 90 days of listing on the Exchange, a Company has the option to request and commence receiving the Capital Markets Solutions on a complimentary basis for a three-year term. As is the case in the current rule text, the three-year term will begin from the date of first use of the Capital Markets Solutions by the newly-listed Company, subject to the 90-day period from the date of listing to request and begin receiving the service. The only proposed change in Rule 14.602(b)(2)(A) is changing the duration of the period during which a Company may receive the Capital Markets Solutions on a complimentary basis from three years to four years.

The Exchange is proposing a related change to Rule 14.602(b)(2)(B), providing a currently listed Company that has already commenced receiving the services as of the effective date of filing SR–LTSE–2025–06, the option to request to continue receiving such services on a complimentary basis for an additional one-year term. This one-year term will begin from the three-year anniversary of the date the Company initially commenced receiving the Capital Markets Solutions. The Exchange believes extending the period for Companies to receive Capital Markets Solutions on a complimentary basis aligns with LTSE's objective of supporting long-term value creation for listed Companies and their investors. Additionally, by offering such services on a complimentary basis for a longer term—*i.e.,* four years—LTSE is able to enhance the value Companies receive by listing on the Exchange. However, no Company is required to use these services as a condition of initial or continued listing. All such services are optional for listed Companies and they may choose to cease receiving services at any point during the proposed four-year period. If a Company chooses to discontinue the services, there would be no effect on the Company's continued listing on the Exchange. LTSE notes that extending the term of these complimentary services will have no impact on the resources available for its regulatory programs. LTSE also represents that no confidential trading or regulatory information generated or received by the Exchange will be shared with LTSE Services or leveraged for the provision of its products and services.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the provisions of Section 6 of the Act,[6] in general, and furthers the objectives of Section 6(b)(5) of the Act,[7] in particular, in that it is designed to provide for the equitable allocation of reasonable dues, fees, and other charges among the Exchange's members and issuers and other persons using its facilities. The Exchange also believes that the proposed rule change is consistent with Section 6(b)(5) of the Act [8] in that it is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange believes that it is fair and reasonable to offer products and services to companies. The Exchange faces competition from NYSE and Nasdaq as a new entrant into the exchange listing market as both offer complimentary services to newly and currently listed companies in order to attract and retain listings.[9] Similarly,

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] *See* Securities Exchange Act Release No. 94465 (March 18, 2022), 87 FR 16800 (March 24, 2022) File No. SR–LTSE–2021–08.

[5] *See* Securities Exchange Act Release No. 94465 (April 21, 2023), 88 FR 25718 (April 27, 2023) File No. SR–LTSE–2023–02.

[6] 15 U.S.C. 78f.

[7] 15 U.S.C. 78f(b)(5).

[8] 15 U.S.C. 78f(b)(5).

[9] *See* Securities Exchange Act Release No. 90955 (January 19, 2021), 86 FR 7155, 7157 (January 26, 2021) (noting that ''Nasdaq faces competition in the market for listing services, and competes, in part, by offering valuable services to companies. Nasdaq

Continued

the Exchange believes that offering such products and services to newly and currently listed Companies would enhance the value proposition for listing, allow the Exchange to more effectively attract companies to list on the Exchange and retain its current listings. Equally important, LTSE believes that the Capital Markets Services will support Companies in identifying investors who are aligned with their long-term business, vision and policies.

The Exchange also believes that to the extent the Exchange's listing program is successful, it will provide a competitive alternative, which will thereby benefit companies and investors, and remove impediments to and perfect the mechanism of a free and open market and a national market system, consistent with the protection of investors and the public interest. Other exchanges also acknowledge the competition in the market for listing services and they compete, in part, by offering products and services to companies. Like other exchanges, LTSE also believes that it is fair and reasonable to offer complimentary services to attract new listings and retain current listings as part of this competition.[10] For example, Nasdaq, through its affiliate Nasdaq Corporate Solutions, LLC, or a selected third-party, offers an ''Eligible New Listing'' or ''Eligible Switch'' access to complimentary services for at least three years.[11] Similarly, NYSE offers complimentary services to ''Eligible New Listings'' and ''Eligible Transfer Companies'' for a period of 48 calendar months.[12] As noted above, the proposed rule change would provide all current and newly LTSE-listed Companies with the Capital Markets Solutions for four years.

LTSE believes extending the term that all newly listed and currently listed Companies receive Capital Markets Solutions on a complimentary basis is consistent with just and equitable principles of trade and the protection of investors and the public interest because it has the potential to enhance current and newly listed companies' engagement and alignment with shareholders for the purpose of long-term value creation. These services are also a reflection of the Exchange's differentiated listing standards, which are explicitly designed to promote long-term focus and value creation,[13] and are central to LTSE's mission of reducing short-termism in the capital markets.[14] Additionally, LTSE is not differentiating the complimentary services offered among listed Companies based on the number of shares outstanding or market capitalization; the Capital Markets Solutions are made available to all listed Companies for the same period of time.

Finally, the Exchange believes it is reasonable to balance its need to remain competitive with other listing venues, while at the same time ensuring adequate revenue to meet its regulatory responsibilities. The Exchange notes that no Company will be required to pay higher fees because of this proposal, and it represents that providing the proposed services will have no impact on the resources available for its regulatory programs.

*B. Self-Regulatory Organization's Statement on Burden on Competition*

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. To the contrary, and as discussed in the Statutory Basis section, LTSE believes that the proposed rule change will enhance competition by facilitating LTSE's listing program which will allow the Exchange to provide companies with another listing option, thereby promoting intermarket competition between exchanges in furtherance of the principles of Section 11A(a)(1) of the Act[15] in that it is designed to promote fair competition between exchange markets by offering a new listing market. As noted above, LTSE faces competition in the market for listing services, and aims to compete by offering valuable services to listed Companies. The proposed rule change reflects that competition, but does not impose any burden on the competition with other exchanges. Other exchanges also offer similar services to companies for similar time frames as this proposed rule change,[16] thereby increasing competition to the benefit of those companies and their stakeholders. Moreover, as a dual listing venue, LTSE expects to face competition from existing exchanges because companies have a choice to list their securities solely on a primary listing venue. Consequently, the degree to which LTSE's products and services could impose any burden on intermarket competition is extremely limited, and LTSE does not believe that such offerings would impose any burden on competing venues that is not necessary or appropriate in furtherance of the purposes of the Act.

LTSE also does not believe that the proposed rule change will result in any burden on intramarket competition since all currently listed Companies will be able to receive the Capital Markets Services for the proposed four-year term. Moreover, the extension of these complimentary services to four years does not remove the requirement under the existing rule that a Company requesting such services must do so within 90 days of listing on the Exchange. Consequently, LTSE does not believe that the proposal will impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act.

*C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others*

The Exchange neither solicited nor received comments on the proposed rule change.

## III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act[17] and Rule 19b–4(f)(6) thereunder.[18] Because the proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative prior to 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if

believes that it is reasonable to offer complimentary services to attract and retain listings as part of this competition''). *See also* Securities Exchange Act Release No. 93865 (December 23, 2021), 86 FR 74115, 74118 (December 29, 2021) (noting that, ''The NYSE faces competition in the market for listing services, and competes, in part, by offering valuable services to companies. The Exchange believes that it is reasonable to offer complimentary services to attract and retain listings as part of this competition.'').

[10] *Id.*

[11] *See* Nasdaq Listing Rule IM–5900–7(c) and (d). *See also* Securities Exchange Act Release No. 91318 (March 12, 2021), 86 FR 14774 (March 18, 2021) (order approving proposed Nasdaq rule change to modify and expand the package of complimentary services provided to Eligible Companies under IM–5900–7).

[12] *See* NYSE Listed Company Manual Section 907; *see also* Securities Exchange Act Release No. 94222 (February 10, 2022), 87 FR 8886 (February 16, 2022) (order approving proposed rule change to amend Section 907 of the Listed Company Manual regarding products and services being offered to eligible companies).

[13] *See* Policies and Principles noted in LTSE Rule 14.425.

[14] *See* Securities Exchange Act Release No. 86327 (July 8, 2019), 84 FR 33293 (July 12, 2019) File No. SR–LTSE–2019–01 (notice of filing of proposed rule change to adopt LTSE Rule 14.425).

[15] 15 U.S.C. 78k–1(a)(1).

[16] *See* Nasdaq Listing Rule IM–5900–7 and NYSE Listed Company Manual Section 907. *See also* supra notes 11 and 12.

[17] 15 U.S.C. 78s(b)(3)(A).

[18] 17 CFR 240.19b–4(f)(6).

consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act [19] and Rule 19b–4(f)(6) thereunder.[20]

A proposed rule change filed pursuant to Rule 19b–4(f)(6) [21] normally does not become operative for 30 days after the date of its filing. However, pursuant to Rule 19b–4(f)(6)(iii),[22] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has requested that the Commission waive the 30-day operative delay so that the proposal may become operative immediately upon filing. The Exchange asserts that waiver of the operative delay would be consistent with the protection of investors and the public interest because it would allow the Exchange to immediately extend the term of services being provided to currently listed Companies and permit uninterrupted continuation of services. In addition, the Exchange states that extending the period for Companies to receive Capital Markets Solutions on a complimentary basis aligns with its objective of supporting long-term value creation for listed Companies and their investors. For these reasons, and because the proposal raises no novel legal or regulatory issues, the Commission believes that waiver of the 30-day operative delay is consistent with the protection of investors and the public interest. Accordingly, the Commission hereby waives the 30-day operative delay and designates the proposed rule change operative upon filing.[23]

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B) [24] of the Act to determine whether the proposed rule change should be approved or disapproved.

## IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

*Electronic Comments*

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–LTSE–2025–06 on the subject line.

*Paper Comments*

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–LTSE–2025–06. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–LTSE–2025–06 and should be submitted on or before May 5, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[25]

**Sherry R. Haywood,**

*Assistant Secretary.*

[FR Doc. 2025–06253 Filed 4–11–25; 8:45 am]

**BILLING CODE 8011–01–P**

[19] 15 U.S.C. 78s(b)(3)(A).

[20] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[21] 17 CFR 240.19b–4(f)(6).

[22] 17 CFR 240.19b–4(f)(6)(iii).

[23] For purposes only of waiving the 30-day operative delay, the Commission has also considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[24] 15 U.S.C. 78s(b)(2)(B).

[25] 17 CFR 200.30–3(a)(12), (59).

## SECURITIES AND EXCHANGE COMMISSION

**[Investment Company Act Release No. 35530; File No. 812–15715]**

## Blue Owl Capital Corporation, et al.

April 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. The requested order includes streamlined terms and conditions as compared to past comparable orders.

**APPLICANTS:** Blue Owl Capital Corporation; Blue Owl Capital Corporation II; Blue Owl Credit Income Corp.; Blue Owl Technology Finance Corp.; Blue Owl Technology Income Corp.; Blue Owl Alternative Credit Fund; Blue Owl Credit Advisors LLC; Blue Owl Diversified Credit Advisors LLC; Blue Owl Technology Credit Advisors LLC; Blue Owl Technology Credit Advisors II LLC; Blue Owl Credit Private Fund Advisors LLC; Blue Owl Strategic Equity Advisors LLC; Blue Owl Strategic Equity Partners Advisors LLC; Blue Owl Alternative Credit Advisors LLC; Blue Owl Alternative Credit Advisors II LLC; certain of their wholly-owned subsidiaries as described in Schedule A to the Application; and certain of their affiliated entities as described in Schedule B to the Application.

**FILING DATES:** The application was filed on March 7, 2025, and amended on March 28, 2025, April 3, 2025, and April 9, 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 May 5, 2025, and should be accompanied by proof of service on the Applicants, in the form of an affidavit or, for lawyers, a certificate of service. Pursuant to rule 0–5 under the Act, hearing requests should state the nature of the writer's interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by emailing the Commission's Secretary at *Secretarys-Office@sec.gov*.

**ADDRESSES:** The Commission: *Secretarys-Office@sec.gov*. Applicants: Neena Reddy, Blue Owl Capital Corporation, *neena.reddy@blueowl.com* and Anne G. Oberndorf, Esq., Eversheds Sutherland (US) LLP, *anneoberndorf@eversheds-sutherland.com*.

**FOR FURTHER INFORMATION CONTACT:** Adam Large, Senior Special Counsel, Stephan N. Packs, 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' Third Amended and Restated Application, dated April 9, 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 *www.sec.gov/edgar/searchedgar/companysearch*. 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. 2025–06333 Filed 4–11–25; 8:45 am]

**BILLING CODE 8011–01–P**

## SECURITIES AND EXCHANGE COMMISSION

**[Release No. 34–102788; File No. SR–MIAX–2025–16]**

## Self-Regulatory Organizations; Miami International Securities Exchange, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Exchange Rule 1808, Trading Sessions

April 8, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 27, 2025, Miami International Securities Exchange, LLC (''MIAX'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') a proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

### I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Exchange Rule 1808, Trading Sessions, subparagraph (g), Pricing When Primary Market Does Not Open, to now use the last reported sale price of the security from the previous trading day for purposes of calculating the current index value at expiration of Exchange listed index options on days when the primary market for the underlying security does not open.

The text of the proposed rule change is available on the Exchange's website at *https://www.miaxglobal.com/markets/us-options/all-options-exchanges/rule-filings,* at MIAX's principal office, and at the Commission's Public Reference Room.

### II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

*A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change*

1. Purpose

The Exchange proposes to amend Exchange Rule 1808(g) regarding determination of the price of component securities for purposes of calculating the current index value at expiration of Exchange listed index options on days when the primary market for the underlying security does not open. At the time of this filing, the proposed rule change would apply to only to A.M.-settled index options.[3]

Currently, Exchange Rule 1808(g) provides that when the primary market for a security underlying the current index value of an index option does not open for trading on a given day, the price of that security shall be determined, for purposes of calculating the current index value at expiration, based on the opening price of that security on the next day that its primary market is open for trading.[4]

The Exchange now proposes to delete from the rule the language providing for determination of the price of the component security, for purposes of calculating the current index value at expiration, based on the opening price of that security on the next day that its primary market is open for trading. The Exchange proposes to amend Exchange Rule 1808(g) so that it provides that

[3] On March 10, 2025, the Exchange filed SR–MIAX–2025–08 with the Securities and Exchange Commission (''Commission'') to, among other things, permit the listing and trading of cash-settled index options on the Bloomberg US Large Cap Price Return Index (''B500 Index''). *See* Securities Exchange Act Release No. 102580 (March 11, 2025), 90 FR 12411 (March 17, 2025)(SR–MIAX–2025–08)(Notice of Filing of a Proposed Rule Change by Miami International Securities Exchange, LLC To Amend Certain MIAX Options Exchange Rules To Permit the Listing and Trading of Cash-Settled Index Options on the Bloomberg US Large Cap Price Return Index (the ''B500 Index''). If the Commission approves SR–MIAX–2025–08, the Exchange will be permitted to, among other things, list and trade P.M.-settled index options on the B500 Index. *See id.* at proposed Interpretation and Policy .06 to Exchange Rule 1809. Currently, traditional index options expiring on the third Friday of the month are A.M.-settled, meaning that the index option's settlement value is calculated based upon opening prices of the index's component securities on the last day of trading in the component securities prior to expiration, normally on Friday morning. By contrast, the settlement of P.M.-settled index options (if the Exchange's proposed rules to list such index options are approved) will be based upon the closing index value, which will be determined from the last index value reported on a business day for the expiring P.M.-settled index option.

[4] Exchange Rule 1808(g) provides that this procedure is not to be used if the current index value at expiration is fixed in accordance with the Rules and By-Laws of the Options Clearing Corporation (''OCC'').

when the primary market for a security underlying the current index value of an index option does not open for trading on a given day, which is an expiration day, for the purposes of calculating the settlement price at expiration, the last reported sale price of the security from the previous trading day shall be used.[5] The Exchange notes that other options exchanges also use the last reported sale price of the security from the previous trading day for purposes of calculating the current index value at expiration of exchange listed index options on days when the primary market for the underlying security does not open.[6] The revised provision would provide Members [7] with the certainty of knowing the settlement value on the day on which the primary market fails to open. Additionally, the proposed rule change would eliminate the potential difficulties that could arise if the reporting authority for the index were unwilling or unable to calculate the settlement value using prices for the relevant security(ies) on the next day that its primary market is open for trading.[8]

The rule would continue to provide that this procedure shall not be used if the current index value at expiration is fixed in accordance with OCC rules and by-laws. This language recognizes that OCC is authorized under its rules and by-laws to take certain actions relating to settlement in the event of the unavailability or inaccuracy of the current underlying interest value.[9] The Exchange proposes to retain this language in recognition of OCC's authority to establish settlement prices and procedures in certain circumstances where normal settlement procedures cannot be followed due unforeseen events, such as the unanticipated closure of a primary market for a component security on a day on which it would normally be open for trading. The Exchange would thus retain the last sentence of Rule 1808(g) which will make clear that the new procedure would not apply in the event that OCC exercises its authority to determine settlement prices. Rather, the proposed rule change would apply only when a primary market does not open and OCC elects not to exercise its authority to intervene and take action to establish a settlement price.

The Exchange notes that Exchange Rule 1808(g) as proposed to be amended by this filing, is incorporated by reference into the rulebooks of the Exchange's affiliates, MIAX PEARL, LLC (''MIAX Pearl''), MIAX Emerald, LLC (''MIAX Emerald''), and MIAX Sapphire, LLC (''MIAX Sapphire''). As such, the amendment to Exchange Rule 1808(g) proposed herein will also apply to MIAX Pearl, MIAX Emerald, and MIAX Sapphire members.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the ''Act'') and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[10] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5) [11] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

The Exchange believes that the proposed change is designed to remove impediments to and perfect the mechanism of a free and open market and a national market system because it would provide Members with the certainty of knowing the settlement value on the day on which the primary market fails to open, and eliminate the potential difficulties that could arise if the reporting authority for the index were unwilling or unable to calculate the settlement value using prices for the relevant security(ies) on the next day that its primary market is open for trading.

It would also acknowledge clearly, however, that OCC may, under its rules and by-laws, establish settlement prices for expiring index options that may differ from the settlement prices that would otherwise be provided for in Exchange rules, thereby protecting investors and the public interest by reducing potential for confusion in that regard.

*B. Self-Regulatory Organization's Statement on Burden on Competition*

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

Intra-Market Competition

This proposal does not create an unnecessary or inappropriate intra-market burden on competition because the proposed change will apply uniformly to all Members. Further, the proposed change is not designed to address any competitive issues.

Inter-Market Competition

The Exchange believes that this proposal does not create an unnecessary or inappropriate inter-market burden on competition. On the contrary, the Exchange believes that the proposed rule change will benefit investors, market participants, and the marketplace in general by providing Members with the certainty of knowing the settlement price on the day on which the primary market fails to open, eliminating the potential difficulties that could arise if the reporting authority for the index were unwilling or unable to calculate the settlement value using prices for the relevant security(ies) on the next day that its primary market is open for trading, and retaining the existing provision stating that the Exchange will defer to OCC in

[5] Exchange Rule 1808(g) would continue to apply to A.M.-settled index options and, if approved, P.M.-settled index options.

[6] *See e.g.* Nasdaq ISE, LLC (''ISE'') Rules, ISE Options 4A, Section 4(b), Pricing When Primary Market Does Not Open, *available at https://listingcenter.nasdaq.com/rulebook/ise/rules/ISE%20Options%204A* (last visited March 14, 2025); *see also* Nasdaq Stock Market LLC (''Nasdaq'') Rules, Nasdaq Options 4A, Section 11(g), Pricing When Primary Market Does Not Open, *available at https://listingcenter.nasdaq.com/rulebook/nasdaq/rules/Nasdaq%20Options%204A* (last visited March 14, 2025); *see also* Nasdaq PHLX, LLC (''PHLX'') Rules, PHLX Options 4A, Section 4(b), Pricing When Primary Market Does Not Open, *available at https://listingcenter.nasdaq.com/rulebook/phlx/rules/Phlx%20Options%204A* (last visited March 14, 2025).

[7] The term ''Member'' means an individual or organization approved to exercise the trading rights associated with a Trading Permit. Members are deemed ''members'' under the Exchange Act. *See* Exchange Rule 100.

[8] *See* Securities Exchange Act Release No. 102580 (March 11, 2025) (not yet published in the **Federal Register**) (Bloomberg Index Services Limited is the reporting authority for the B500 Index).

[9] *See* OCC By-Laws Article XVII, Section 4(a), which provides in relevant part that if OCC shall determine that the primary market(s) (as determined by the Corporation) for one or more index components did not open or remain open for trading (or that any such components did not open or remain open for trading on such market(s)) on a trading day at or before the time when the current index value for that trading day would ordinarily be determined, or that a current index value or other value or price to be used as, or to determine, the exercise settlement amount (a ''required value'') for a trading day is otherwise unreported, inaccurate, unreliable, unavailable or inappropriate for purposes of calculating the exercise settlement amount, then, in addition to any other actions that OCC may be entitled to take under the By-Laws and Rules, OCC shall be empowered to do any or all of the following with respect to any series of options on such index, including fixing the exercise settlement amount.

[10] 15 U.S.C. 78f(b).

[11] 15 U.S.C. 78f(b)(5).

the determination of settlement prices when and if OCC exercises its authority under its own settlement price procedures in accordance with its rules and by-laws. The Exchange believes this proposal does not impose any burden on inter-market competition because this is not a competitive proposal as other options exchanges also use the last reported sale price of the security from the previous trading day for purposes of calculating the current index value at expiration of exchange listed index options on days when the primary market for the underlying security does not open.[12]

*C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others*

Written comments were neither solicited nor received.

**III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action**

Pursuant to Section 19(b)(3)(A) of the Act[13] and Rule 19b–4(f)(6)[14] thereunder, the Exchange has designated this proposal as one that effects a change that: (i) does not significantly affect the protection of investors or the public interest; (ii) does not impose any significant burden on competition; and (iii) by its terms, does not become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest.

A proposed rule change filed under Rule 19b–4(f)(6)[15] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[16] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative upon filing. In the filing, the Exchange stated that other options exchanges similarly use the last reported sale price of the security from the previous trading day for purposes of calculating the current index value at expiration of exchange listed index options on days when the primary market for the underlying security does not open.[17] The Exchange also highlighted that the change will allow investors the certainty of knowing the settlement price on the day on which the primary market of an underlying component fails to open, and would mitigate against issues that could arise if the reporting authority for the index were unwilling or unable to calculate the settlement value using prices for the relevant security(ies) on the next day that its primary market is open for trading. The proposed modification to Rule 1808(g) does not raise any novel issues and provides clarity to market participants regarding determination of the price of component securities for purposes of calculating the current index value at expiration of Exchange listed index options on days when the primary market for the underlying security does not open, and therefore, waiver of the 30-day operative delay is consistent with the protection of investors and the public interest. Accordingly, the Commission hereby waives the operative delay and designates the proposal operative upon filing.[18]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

**IV. Solicitation of Comments**

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

*Electronic Comments*

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–MIAX–2025–16 on the subject line.

*Paper Comments*

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–MIAX–2025–16. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–MIAX–2025–16 and should be submitted on or before May 5, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[19]

**Sherry R. Haywood,**

*Assistant Secretary.*

[FR Doc. 2025–06254 Filed 4–11–25; 8:45 am]

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[12] *See supra* note 6.

[13] 15 U.S.C. 78s(b)(3)(A).

[14] 17 CFR 240.19b–4(f)(6).

[15] 17 CFR 240.19b–4(f)(6).

[16] 17 CFR 240.19b–4(f)(6)(iii).

[17] *See supra* note 6.

[18] For purposes only of waiving the 30-day operative delay, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[19] 17 CFR 200.30–3(a)(12).

## SECURITIES AND EXCHANGE COMMISSION

**[Release No. 34–102789; File No. SR–MEMX–2025–09]**

## Self-Regulatory Organizations; MEMX LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Exchange's Equities Fee Schedule Concerning Additive Rebates

April 8, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2]

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

notice is hereby given that on April 4, 2025, MEMX LLC (''MEMX'' or the ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

**I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change**

The Exchange is filing with the Commission a proposed rule change to amend the Exchange's fee schedule applicable to Members [3] (the ''Fee Schedule'') pursuant to Exchange Rules 15.1(a) and (c). As is further described below, the Exchange proposes to adopt a new Tape C Quoting Tier that provides an additive rebate for executions of orders in Tape C securities priced at or above $1.00 per share that add displayed liquidity to the Exchange, and reorganize the Fee Schedule to present each additive rebate into a single pricing table. The Exchange proposes to implement the changes to the Fee Schedule pursuant to this proposal immediately. The text of the proposed rule change is provided in Exhibit 5.

**II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change**

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

*A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change*

1. Purpose

The purpose of the proposed rule change is to amend the Fee Schedule to: (1) adopt a new Tape C Quoting Tier that provides an additive rebate for executions of orders in Tape C securities [4] priced at or above $1.00 per share that add displayed liquidity to the Exchange (such orders, ''Added Displayed Volume''), and (2) re-organize the Fee Schedule to include all of the Exchange's additive rebates into a single table and make relevant corresponding updates to the ''Notes'' sections of the Fee Schedule; as further described below.[5]

The Exchange first notes that it operates in a highly competitive market in which market participants can readily direct order flow to competing venues if they deem fee levels at a particular venue to be excessive or incentives to be insufficient. More specifically, the Exchange is only one of 18 registered equities exchanges, as well as a number of alternative trading systems and other off-exchange venues, to which market participants may direct their order flow. Based on publicly available information, no single registered equities exchange currently has more than approximately 15.1% of the total market share of executed volume of equities trading.[6] Thus, in such a low-concentrated and highly competitive market, no single equities exchange possesses significant pricing power in the execution of order flow, and the Exchange currently represents approximately 1.9% of the overall market share.[7] The Exchange in particular operates a ''Maker-Taker'' model whereby it provides rebates to Members that add liquidity to the Exchange and charges fees to Members that remove liquidity from the Exchange. The Fee Schedule sets forth the standard rebates and fees applied per share for orders that add and remove liquidity, respectively. Additionally, in response to the competitive environment, the Exchange also offers tiered pricing, which provides Members with opportunities to qualify for higher rebates or lower fees where certain volume criteria and thresholds are met. Tiered pricing provides an incremental incentive for Members to strive for higher tier levels, which provides increasingly higher benefits or discounts for satisfying increasingly more stringent criteria.

Adoption of Tape C Quoting Tier

The Exchange proposes to adopt a new tier applicable to Member participation in Tape C securities, referred to by the Exchange as the Tape C Quoting Tier, in which the Exchange will provide an additive rebate for executions of Added Displayed Volume (excluding Retail Orders) in Tape C securities (such orders, ''Tape C Volume'') for Members that qualify for the Tier by meeting certain quoting requirements in Tape C securities. Under the proposed Tape C Quoting Tier, the Exchange will provide an additive rebate of $0.0002 per share for executions of Tape C Volume for a Member that qualifies for the Tape C Quoting Tier by achieving an NBBO Time [8] of at least 50% in an average of at least 500 Tape C securities per trading day during the month. The $0.0002 per share additive rebate will be provided in addition to the rebate that is otherwise applicable to each of a qualifying Members' orders that constitutes Tape C Volume (including a rebate provided under another pricing tier/incentive).[9] The Exchange notes that the additive rebate will not apply to executions of orders in Tape C securities priced below $1.00 per share.

The Exchange also proposes to exclude Tape C securities that have a closing price less than $1.00 per share from its calculation of a Member's NBBO Time in said security on that trading day, and it will include this in a note under the Additive Rebates pricing table on the Fee Schedule.[10]

[3] *See* Exchange Rule 1.5(p).

[4] Tape C securities are those that are listed on Nasdaq.

[5] The Exchange initially filed the proposed Fee Schedule changes on March 31, 2025 (SR–MEMX–2025–08). On April 4, 2025, the Exchange withdrew that filing and submitted this proposal.

[6] Market share percentage calculated as of March 26, 2025. The Exchange receives and processes data made available through consolidated data feeds (*i.e.,* CTS and UTDF).

[7] *Id.*

[8] The term ''NBBO Time'' is currently defined on the Fee Schedule as the aggregate of the percentage of time during regular trading hours during which one of a Members' market participant identifier (''MPIDs'') has a displayed order of at least one round lot at the national best bid or the national best offer.

[9] The proposed pricing for the Tape C Quoting Tier is referred to by the Exchange on the Fee Schedule under the new description ''Tape C Quoting Tier'' with a Fee Code of ''c'' to be appended to the otherwise applicable Fee Code assigned by the Exchange on the monthly invoices for qualifying executions.

[10] The Exchange emphasizes that apart from this exclusion that is applicable only to the Tape C Quoting Tier, the otherwise existing definitions related to calculating the quoting requirement shall continue to apply. Specifically, as noted in the Definitions section under the Transaction Fees Pricing Table: *On a daily basis, MEMX will determine the number of securities in which each of a Member's MPIDs meets the quoting requirement for that day. MEMX will aggregate the number of securities in which each of a Member's MPIDs meets the quoting requirement to determine the number of securities in which such Member meets the quoting requirement for that day, provided that a single security in which more than one of such Member's MPIDs meets the quoting requirement for that day will only be counted once for this purpose. The quoting requirement with respect to a security must be met by a single MPID and MEMX will not aggregate the NBBO Time across all of a Member's MPIDs to determine if the quoting requirement has been met.*

*In order to determine whether a Member meets the applicable securities requirements during a month, the average number of securities in which*

Continued

The proposed Tape C Quoting Tier is designed to encourage Members, through the provision of an additive rebate for executions of Tape C Volume, to promote price discovery and market quality by quoting at the NBBO for a significant portion of each day in Tape C securities, thereby benefitting the Exchange and investors by providing improved trading conditions for all market participants through narrower bid-ask spreads and increased depth of liquidity available at the NBBO in these securities. The Exchange notes that the proposed Tape C Quoting Tier is comparable to other quoting-based incentives and discounts, which have been widely adopted by exchanges (including the Exchange), including similar pricing incentives applicable to a specific set of securities.[11]

New Additive Rebates Table

The proposed Tape C Quoting Tier will become the fourth additive rebate currently offered to Members on the Exchange. The current additive rebates include an NBBO Setter Tier, a Tape A Quoting Tier, and a Tape B Volume Tier. Given the similarities between these Tiers, the Exchange believes the presentation of these additive rebates in a single table would be more efficient and easier for Members to read. As such, the Exchange is proposing to re-organize the placement of these existing Tiers within the Fee Schedule by deleting them from their current locations and placing them in a table under the heading ''Additive Rebates'' along with the newly proposed Tape C Quoting Tier. In making this non-substantive change, the Exchange will consolidate and/or re-state the footnotes which previously followed each of the NBBO Setter Tier, Tape A Quoting Tier, and Tape B Volume Tier pricing tables as new footnotes under the Additive Rebates table. Specifically, the Exchange proposes to delete the ''NBBO Setter Tier'' table, the ''Tape A Quoting Tier'' table, and the ''Tape B Volume Tier'' table along with the accompanying footnote beneath each such table. The Exchange proposes to create the ''Additive Rebates'' table with rows corresponding to each of the NBBO Setter Tier, the Tape A Quoting Tier, the Tape B Volume Tier, and the new Tape C Quoting Tier. The Exchange does not propose any changes to the additive rebate amount or required criteria for the previously existing NBBO Setter Tier, the Tape A Quoting Tier, nor the Tape B Volume Tier. Further, the Exchange proposes new footnotes to the ''Additive Rebates'' table which consolidate or re-state the footnotes previously listed under the former ''NBBO Setter Tier'' table, the ''Tape A Quoting Tier'' table, and the ''Tape B Volume Tier'' table and which provide information regarding the new Tape C Quoting Tier.

Lastly, the Exchange is proposing to delete ''Tape A Quoting Tier'' from the second Note under the Transaction Fees pricing table and replace it with ''Additive Rebates'' to cover all current and future Additive Rebates to which that note applies.[12]

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the provisions of Section 6 of the Act,[13] in general, and with Sections 6(b)(4) and 6(b)(5) of the Act,[14] in particular, in that it provides for the equitable allocation of reasonable dues, fees and other charges among its Members and other persons using its facilities and is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

As discussed above, the Exchange operates in a highly fragmented and competitive market in which market participants can readily direct order flow to competing venues if they deem fee levels at a particular venue to be excessive or incentives to be insufficient, and the Exchange represents only a small percentage of the overall market. The Commission and the courts have repeatedly expressed their preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. In Regulation NMS, the Commission highlighted the importance of market forces in determining prices and SRO revenues and also recognized that current regulation of the market system ''has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies.'' [15]

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 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 the proposal reflects a reasonable and competitive pricing structure designed to incentivize market participants to direct their order flow to the Exchange, to enhance market quality in both a broad manner and in a targeted manner with respect to Tape C securities, which the Exchange believes would promote price discovery and enhance liquidity and market quality on the Exchange to the benefit of all Members and market participants.

The Exchange believes that the proposed change to adopt the Tape C Quoting Tier that would provide an additive rebate for executions Tape C Volume is reasonable because, as described above, such change is designed to encourage Members to increase their order flow, including in the form of displayed, NBBO-setting orders under the required criteria, as applicable, to the Exchange, which the Exchange believes would promote price discovery, enhance liquidity and market quality, and contribute to a more robust and well balanced market ecosystem on the Exchange to the benefit of all Members and market participants. In addition, the Exchange believes that it is reasonable and consistent with an equitable allocation of fees to pay a higher rebate for executions of Tape C Volume to Members that qualify for the Tape C Quoting Tier because of the additional commitment to market

*such Member meets the quoting requirement per trading day during the month will be calculated by summing the number of securities in which each of such Member's MPIDs met the quoting requirement for each trading day during the month then dividing the resulting sum by the total number of trading days in the month.*

*With prior notice to the Exchange, a Member may aggregate the quoting activity (but not the NBBO Time) of its MPIDs, consistent with the above, with that of the MPIDs of other Members that control, are controlled by, or are under common control with such Member (as evidenced on such Member's Form BD).*

[11] *See, e.g.,* Securities Exchange Act Release No. 77846 (May 17, 2016) 81 FR 32356 (May 23, 2016) (SR–BatsBZX–2016–18) (Notice of filing and immediate effectiveness of a proposed rule change to Rules 15.1(a) and (c) in order to implement a Tape B Quoting Tier).

[12] Specifically, this note indicates that the Exchange excludes (1) any trading day that the Exchange's system experiences a disruption that lasts for more than 60 minutes during regular trading hours; (2) the day that Russell Investments reconstitutes its family of indexes (*i.e.,* the last Friday in June); (3) any day that the MSCI Equities Indexes are rebalanced (*i.e.,* on a quarterly basis); (4) any day that the S&P 400, S&P 500, and S&P 600 Indexes are rebalanced (*i.e.,* on a quarterly basis); and (5) any day with a scheduled early market close from its calculation of ADAV, ADV, TCV, and for purposes of determining qualification of the Displayed Liquidity Incentive and, as proposed, the Additive Rebates.

[13] 15 U.S.C. 78f.

[14] 15 U.S.C. 78f(b)(4) and (5).

[15] Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496, 37499 (June 29, 2005).

quality reflected in the associated quoting requirements.

The Exchange notes that volume and quoting-based incentives (such as tiers) have been widely adopted by exchanges, including the Exchange, and are reasonable, equitable and not unfairly discriminatory because they are open to all members on an equal basis and provide additional benefits that are reasonably related to the value to an exchange's market quality associated with higher levels of market activity, such as higher levels of liquidity provision and/or growth patterns, and the introduction of higher volumes of orders into the price and volume discovery process. Furthermore, as noted above, the proposed Tape C Quoting Tier is similar in structure and purpose to pricing programs in place at other exchanges that are designed to enhance market quality.[16] Specifically, these programs provide a higher and/or additive rebate for executions of a certain subset of securities (*i.e.,* Tape A, B, or C) that achieve minimum quoting standards, including minimum quoting at the NBBO in a large number of securities, generally, or certain designated securities, in particular.

The Exchange also believes that its reorganization of the Fee Schedule to include the NBBO Setter Tier, Tape A Quoting Tier, and Tape B Volume Tier in a single ''Additive Rebates'' table along with the newly proposed Tape C Quoting Tier is reasonable, equitable and non-discriminatory because combining these tiers into a single location provides a more concise presentation of the information therein and serves to make the Fee Schedule as clear and as easily understandable as possible with respect to the requirements of the each of these Additive Rebates.

For the reasons discussed above, the Exchange submits that the proposal satisfies the requirements of Sections 6(b)(4) and 6(b)(5) of the Act[17] in that it provides for the equitable allocation of reasonable dues, fees and other charges among its Members and other persons using its facilities and is not designed to unfairly discriminate between customers, issuers, brokers, or dealers. As described more fully below in the Exchange's statement regarding the burden on competition, the Exchange believes that its transaction pricing is subject to significant competitive forces, and that the proposed additive rebate described herein is appropriate to address such forces.

*B. Self-Regulatory Organization's Statement on Burden on Competition*

The Exchange does not believe that the proposal will result in any burden on competition that is 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 in a large number of securities, generally, and in Tape C securities in particular, and to incentivize market participants to direct additional order flow to the Exchange, thereby enhancing liquidity and market quality on the Exchange to the benefit of all Members and market participants. 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 adopting Regulation NMS of fostering competition among orders, which promotes ''more efficient pricing of individual stocks for all types of orders, large and small.''[18]

Intramarket Competition

As discussed above, the Exchange believes that the proposal would incentivize Members to promote price discovery and market quality by quoting at the NBBO for a significant portion of each day in Tape C securities, thereby contributing to a deeper and more liquid market to the benefit of all market participants and enhancing the attractiveness of the Exchange as a trading venue, which the Exchange believes, in turn, would continue to encourage market participants to direct additional order flow to the Exchange. The opportunity to qualify for the Tape C Quoting Tier and thus receive the corresponding additive rebate for executions of Tape C Volume would be available to all Members that meet the associated criteria for the Tape C Quoting Tier in any month. The Exchange believes that the proposed criteria for the Tape C Quoting Tier is attainable for several Members that actively quote on exchanges. As such, the Exchange believes the proposed changes would not impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act.

Intermarket Competition

As noted above, the Exchange operates in a highly competitive market in which market participants can readily direct order flow to competing venues if they deem fee levels at a particular venue to be excessive or incentives to be insufficient. Members have numerous alternative venues that they may participate on and direct their order flow to, including 17 other equities exchanges and numerous alternative trading systems and other off-exchange venues. As noted above, no single registered equities exchange currently has more than approximately 15.1% of the total market share of executed volume of equities trading. Thus, in such a low-concentrated and highly competitive market, no single equities exchange possesses significant pricing power in the execution of order flow. Moreover, 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 to 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, including with respect to executions of Added Displayed Volume, and market participants can readily choose to send their orders to other exchange and off-exchange venues if they deem fee levels at those other venues to be more favorable. As described above, the proposed change is a competitive proposal through which the Exchange is seeking to encourage additional order flow and quoting activity on the Exchange and to promote market quality through pricing incentives that are comparable to incentives in place at other exchanges.[19] Accordingly, the Exchange believes the proposal would not burden, but rather promote, intermarket competition by enabling it to better compete with other exchanges that offer similar incentives to market participants that enhance market quality and/or achieve certain quoting requirements.

Additionally, the Commission has repeatedly expressed its preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. Specifically, in Regulation NMS, the Commission highlighted the importance of market forces in determining prices and SRO revenues and, also, recognized that current

[16] *See supra* note 11.

[17] 15 U.S.C. 78f(b)(4) and (5).

[18] *See supra* note 15.

[19] *See supra* note 11.

regulation of the market system ''has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies.'' [20] The fact that this market is competitive has also long been recognized by the courts. In *NetCoalition* v. *SEC,* the D.C. Circuit stated as follows: ''[n]o one disputes that competition for order flow is 'fierce.' . . . As the SEC explained, '[i]n the U.S. national market system, buyers and sellers of securities, and the broker-dealers that act as their order-routing agents, have a wide range of choices of where to route orders for execution'; [and] 'no exchange can afford to take its market share percentages for granted' because 'no exchange possesses a monopoly, regulatory or otherwise, in the execution of order flow from broker dealers' . . . .''.[21] Accordingly, the Exchange does not believe its proposed pricing changes impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

*C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others*

The Exchange neither solicited nor received 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 Act [22] and Rule 19b–4(f)(2) [23] thereunder.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule change should be approved or disapproved.

## IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

*Electronic Comments*

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–MEMX–2025–09 on the subject line.

*Paper Comments*

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–MEMX–2025–09. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–MEMX–2025–09 and should be submitted on or before May 5, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[24]

**Sherry R. Haywood,**

*Assistant Secretary.*

[FR Doc. 2025–06255 Filed 4–11–25; 8:45 am]

**BILLING CODE 8011–01–P**

[20] *See supra* note 15.

[21] *NetCoalition* v. *SEC,* 615 F.3d 525, 539 (D.C. Cir. 2010) (quoting Securities Exchange Act Release No. 59039 (December 2, 2008), 73 FR 74770, 74782–83 (December 9, 2008) (SR–NYSE–2006–21)).

[22] 15 U.S.C. 78s(b)(3)(A)(ii).

[23] 17 CFR 240.19b–4(f)(2).

[24] 17 CFR 200.30–3(a)(12).

## SECURITIES AND EXCHANGE COMMISSION

**[Release No. 34–102786; File No. SR–NYSEARCA–2025–28]**

## Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Reflect an Amendment to the Application and Exemptive Order Governing the Fidelity Women's Leadership ETF and Fidelity Sustainability U.S. Equity ETF

April 8, 2025.

Pursuant to Section 19(b)(1) [1] of the Securities Exchange Act of 1934 (''Act'') [2] and Rule 19b–4 thereunder,[3] notice is hereby given that, on April 4, 2025, NYSE Arca, Inc. (''NYSE Arca'' or the ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

## I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to reflect an amendment to the Application and Exemptive Order governing the Fidelity Women's Leadership ETF and Fidelity Sustainability U.S. Equity ETF that are listed and traded on the Exchange under NYSE Arca Rule 8.601–E. The proposed rule change is available on the Exchange's website at *www.nyse.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

## II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

*A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change*

1. Purpose

The Exchange adopted NYSE Arca Rule 8.601–E for the purpose of permitting the listing and trading, or trading pursuant to unlisted trading privileges (''UTP''), of Active Proxy Portfolio Shares, which are securities issued by an actively managed open-end investment management company.[4] Commentary .01 to Rule 8.601–E requires the Exchange to file separate proposals under Section 19(b) of the Act before listing and trading any series of Active Proxy Portfolio Shares on the Exchange. Pursuant to this provision, the Exchange submitted a proposal to list and trade shares (''Shares'') of Active Proxy Portfolio Shares of the Fidelity Women's Leadership ETF and Fidelity Sustainability U.S. Equity ETF [5] (each, a ''Fund'' and, together, the ''Funds'') on the Exchange under NYSE Arca Rule 8.601–E. The Exchange proposes to reflect an amendment to the Prior Application and Prior Exemptive Order (as defined below) governing the listing and trading of the Funds, as follows.

Fidelity Covington Trust, Fidelity Management & Research Company LLC, and Fidelity Distributors Company LLC (the ''Applicants'') [6] filed an amended and restated application for an order under Section 6(c) of the 1940 Act for exemptions from various provisions of the 1940 Act and rules thereunder (the ''Prior Application'').[7] On December 10, 2019, the Commission issued an order, as subsequently amended on August 5, 2021 (the ''Prior Exemptive Order''), under the 1940 Act granting the exemptions requested in the Prior Application.[8] The Prior Application and Prior Exemptive Order are applicable to the Funds.

Under the Prior Exemptive Order, the Funds are required to daily publish a basket of securities and cash that, while different from the Fund's portfolio, is designed to closely track its daily performance (''Tracking Basket''). Further, under the Prior Exemptive Order, a Fund is permitted to invest only in certain enumerated instruments (''Prior Order Investments'').[9] As set forth in the Notice, investments made by the Fidelity Women's Leadership ETF and Fidelity Sustainability U.S. Equity ETF will comply with the conditions set forth in the Prior Exemptive Order.[10]

On July 30, 2024, as amended on November 22, 2024, January 16, 2025 and February 24, 2025, the Applicants sought to amend the Prior Exemptive Order (the ''Updated Application'') to permit a Fund to invest in securities and instruments in addition to Prior Order Investments, including but not limited to fixed income securities, foreign investments that do not trade contemporaneously with Shares, and derivatives (''Amended Order Investments'').[11] As proposed, each Fund's portfolio would be invested in two sleeves. A Fund will invest the first sleeve solely in Prior Order investments for which the Fund will disclose a Tracking Basket designed to track closely the daily performance of the sleeve (the ''Semi-Transparent Sleeve''). A Fund will invest the second sleeve solely in Amended Order Investments and will publicly disclose all such investments daily in accordance with the requirements of rule 6c–11(c) under the 1940 Act (the ''Fully-Transparent Sleeve''). Applicants represented that the Funds do not intend to use Amended Order Investments to hedge or otherwise offset exposure to Prior Order Investments.[12]

On March 31, 2025, the Commission issued an amended exemptive order (the ''Amended Exemptive Order'') that, among other things, requires each Fund, to the extent it invests in Amended Order Investments, to publish a new Tracking Basket that consists of two distinct portions: (1) a first portion corresponding to the Semi-Transparent Sleeve; and (2) a second portion corresponding to the Fully-Transparent

[4] *See* Securities Exchange Act Release No. 89185 (June 29, 2020), 85 FR 40328 (July 6, 2020) (SR–NYSEArca–2019–95). Rule 8.601–E(c)(1) provides that ''[t]he term ''Active Proxy Portfolio Share'' means a security that (a) is issued by a investment company registered under the Investment Company Act of 1940 (''Investment Company'') organized as an openend management investment company that invests in a portfolio of securities selected by the Investment Company's investment adviser consistent with the Investment Company's investment objectives and policies; (b) is issued in a specified minimum number of shares, or multiples thereof, in return for a deposit by the purchaser of the Proxy Portfolio or Custom Basket, as applicable, and/or cash with a value equal to the next determined net asset value (''NAV''); (c) when aggregated in the same specified minimum number of Active Proxy Portfolio Shares, or multiples thereof, may be redeemed at a holder's request in return for the Proxy Portfolio or Custom Basket, as applicable, and/or cash to the holder by the issuer with a value equal to the next determined NAV; and (d) the portfolio holdings for which are disclosed within at least 60 days following the end of every fiscal quarter.'' Rule 8.601–E(c)(2) provides that ''[t]he term ''Actual Portfolio'' means the identities and quantities of the securities and other assets held by the Investment Company that shall form the basis for the Investment Company's calculation of NAV at the end of the business day.'' Rule 8.601–E(c)(3) provides that ''[t]he term ''Proxy Portfolio'' means a specified portfolio of securities, other financial instruments and/or cash designed to track closely the daily performance of the Actual Portfolio of a series of Active Proxy Portfolio Shares as provided in the exemptive relief pursuant to the Investment Company Act of 1940 applicable to such series.''

[5] On April 14, 2021, the Commission published the notice of filing and immediate effectiveness relating to the listing and trading of shares of the Fidelity Women's Leadership ETF and Fidelity Sustainability U.S. Equity ETF. *See* Securities Exchange Act Release No. 91514 (April 8, 2021), 86 FR 19657 (April 14, 2021) (SR–NYSEArca–2021–23) (''Notice'').

[6] The original applicants were Fidelity Beach Street Trust, Fidelity Management & Research Company, FMR Co., Inc., and Fidelity Distributors Corporation. On January 1, 2020, each of FMR Co., Inc. and certain other Fidelity investment adviser entities merged with and into Fidelity Management & Research Company. Thereafter, Fidelity Management & Research Company redomiciled as a Delaware limited liability company and was renamed Fidelity Management & Research Company LLC. FMR Co., Inc. no longer exists and is thus no longer an applicant. On January 1, 2020, Fidelity Distributors Corporation merged with and into Fidelity Investments Institutional Services Company, Inc. (''FIISC''). FIISC thereafter redomiciled as a Delaware limited liability company and was renamed Fidelity Distributors Company LLC. Fidelity Distributors Corporation also no longer exists and is no longer an applicant. Finally, the Funds have since been registered with the Commission as series of Fidelity Covington Trust. Fidelity Beach Street Trust has agreed to be removed as an applicant from the Application.

[7] *See* File No. 812–14364, dated November 8, 2019.

[8] *See* Investment Company Act Release No. 33712 (December 10, 2019); Investment Company Act Release No. 34350 (August 5, 2021).

[9] Pursuant to the Prior Application and Prior Exemptive Order, the permissible investments for the Funds include only the following instruments: ETFs, exchange-traded notes, exchange-traded common stocks, common stocks listed on a foreign exchange that trade on such exchange contemporaneously with the Shares (''foreign common stocks''), exchange-traded preferred stocks, exchange-traded American Depositary Receipts, exchange-traded real estate investment trusts, exchange-traded commodity pools, exchange-traded metals trusts, exchange-traded currency trusts, and exchange-traded futures that trade contemporaneously with the Shares, as well as cash and cash equivalents, *i.e.,* short-term U.S. Treasury securities, government money market funds, and repurchase agreements. With the exception of foreign common stocks and cash and cash equivalents, all holdings of the Funds will be listed on a U.S. national securities exchange. The Funds will not short positions, will not borrow for investment purposes, and will not purchase any securities that are illiquid investments at the time of purchase. *See* Notice, 86 FR at 19659, n. 12.

[10] *See* Notice, 86 FR at 19659, n. 12 & 13.

[11] *See* File No. 812–15606, dated February 24, 2025. The Funds sought the same investment flexibility to choose its investments as ETFs relying on Rule 6c–11 under the Act (''Rule 6c–11'') subject to the same portfolio holdings disclosure requirements as Rule 6c–11 ETFs with respect to Amended Order Investments. *See id.* The Funds are not able to operate in reliance on Rule 6c–11 under the Amended Order because they do not and will not disclose all of their portfolio holdings daily as required by the rule. *See id.,* n.7. *See also* Rule 6c–11(c)(1)(i) (requiring an ETF to disclose prominently on its website, publicly available and free of charge, the portfolio holdings that will form the basis for the Fund's calculation of per share NAV).

[12] *See id.*

Sleeve that fully discloses all Amended Order Investments in a manner consistent with Rule 6c–11(c)(1). Under the Amended Exemptive Order, the ratio of the Fully-Transparent Sleeve portion of the Tracking Basket to the total Tracking Basket will correspond to the ratio of the Amended Order Investments to the ETF's aggregate portfolio holdings. The ratio of the Semi-Transparent portion of the Tracking Basket to the total Tracking Basket will correspond to the ratio of all investments other than Amended Order Investments to the ETF's aggregate portfolio holdings.[13] All Amended Order Investments held by a Fund will be included in the Fund's Tracking Basket in their actual weights (*i.e.,* they will be fully disclosed).[14]

Except for the change noted above, all other representations made in the respective rule filings remain unchanged and will continue to constitute continuing listing requirements for the Funds. The Funds will also continue to comply with the requirements of Rule 8.601–E.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,[15] in general, and furthers the objectives of Section 6(b)(5) of the Act,[16] in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.[17]

The proposed rule change is designed to perfect the mechanism of a free and open market and, in general, to protect investors and the public interest. The proposed revision is intended to ensure that each of the Funds will comply with the Updated Application and the Amended Exemptive Order that permits the Funds to expand the universe of instruments in which each Fund is permitted to invest. The proposed rule change would permit the Funds to operate consistent with this updated conditions in the Updated Application and the Amended Exemptive Order. Except for the changes noted above, all other representations made in the respective rule filings remain unchanged and as noted, will continue to constitute continuing listing requirements for the Funds.

*B. Self-Regulatory Organization's Statement on Burden on Competition*

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purpose of the Act. As noted, the purpose of the filing is to reflect an amendment to the Prior Exemptive Order governing the listing and trading of these Funds. To the extent that the proposed rule change would continue to permit listing and trading of another type of actively-managed ETF that has characteristics different from existing actively-managed and index ETFs, the Exchange believes that the proposal would benefit investors by continuing to promote competition among various ETF products.

*C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others*

No written comments were solicited or received with respect to the proposed rule change.

## III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act[18] and Rule 19b–4(f)(6) thereunder.[19] Because the proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative prior to 30 days from the date on which it was filed, or such shorter time as the Commission may designate, the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act and Rule 19b–4(f)(6)(iii) thereunder. In addition, the Exchange provided the Commission with written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of the filing.[20]

A proposed rule change filed under Rule 19b–4(f)(6)[21] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[22] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposal may become operative immediately upon filing. The Exchange states that the Funds are currently listed and traded on the Exchange, and that the proposed rule change clarifies that the Funds will comply with the conditions set forth in the Updated Application and the Amended Exemptive Order to the extent that a Fund invests in Amended Order Investments. The Exchange also states that the Funds will continue to comply with the requirements of Rule 8.601–E, and that it believes that the proposed rule change raises no novel regulatory issue. Based on the foregoing, the Commission believes that waiver of the 30-day operative delay for this proposed rule change is consistent with the protection of investors and the public interest. Accordingly, the Commission hereby waives the 30-day operative delay and designates the proposed rule change operative upon filing.[23]

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B)[24] of the Act to determine whether the proposed rule change should be approved or disapproved.

## IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

*Electronic Comments*

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include file number SR–NYSEARCA–2025–28 on the subject line.

[13] *See* Investment Company Act Release No. 812–15606 (March 31, 2025).

[14] *See id.*

[15] 15 U.S.C. 78f(b).

[16] 15 U.S.C. 78f(b)(5).

[17] The Exchange represents that, for initial and continued listing, the Fund will be in compliance with Rule 10A–3 under the Act, as provided by NYSE Arca Rule 5.3–E.

[18] 15 U.S.C. 78s(b)(3)(A)(iii).

[19] 17 CFR 240.19b–4(f)(6).

[20] 17 CFR 240.19b–4(f)(6)(iii).

[21] 17 CFR 240.19b–4(f)(6).

[22] 17 CFR 240.19b–4(f)(6)(iii).

[23] For purposes only of waiving the 30-day operative delay, the Commission has considered the proposed rule change's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[24] 15 U.S.C. 78s(b)(2)(B).

*Paper Comments*

• Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–NYSEARCA–2025–28. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–NYSEARCA–2025–28 and should be submitted on or before May 5, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[25]

**Sherry R. Haywood,**

*Assistant Secretary.*

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**BILLING CODE 8011–01–P**

[25] 17 CFR 200.30–3(a)(12), (59).

## SECURITIES AND EXCHANGE COMMISSION

**[Release No. 34–102783; File No. SR–MIAX–2025–13]**

## Self-Regulatory Organizations; Miami International Securities Exchange, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Fee Schedule To Provide Temporary Discounts to Current Subscribers to the MIAX Options Liquidity Taker Event Reports

April 8, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 25, 2025, Miami International Securities Exchange, LLC (''MIAX'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') a proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

### I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange is filing a proposal to amend the MIAX Options Exchange Fee Schedule (the ''Fee Schedule'') to provide temporary discounts to current (described below) monthly and annual subscribers to the Liquidity Taker Event Report—Simple Orders, Liquidity Taker Event Report—Complex Orders, and Liquidity Taker Event Report—Resting Simple Orders.[3]

The text of the proposed rule change is available on the Exchange's website at *https://www.miaxglobal.com/markets/us-options/all-options-exchanges/rule-filings,* at MIAX's principal office, and at the Commission's Public Reference Room.

### II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

*A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change*

1. Purpose

The Exchange proposes to amend Section 7, Reports, of the Fee Schedule to provide temporary discounts to current monthly and annual subscribers to the Liquidity Taker Event Report—Simple Orders (the ''Simple Order Report''), Liquidity Taker Event Report—Complex Orders (the ''Complex Order Report''), and Liquidity Taker Event Report—Resting Simple Orders (the ''Resting Simple Order Report'').[4]

In general, each of the Reports is a daily report that provides a Member[5] (''Recipient Member'') with its liquidity response time details for executions and contra-side responses of an order (or Complex Order,[6] as the case may be) resting on the Simple Order Book (or Strategy Book, as the case may be),[7] where that Recipient Member attempted to execute against such resting order[8] within a certain timeframe.[9]

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Exchange Rule 531(a)–(c) for complete descriptions of each of the Liquidity Taker Event Reports.

[4] *See* Fee Schedule, Section 7). The Simple Order Report, Complex Order Report and Resting Simple Order Report are collectively referred to herein as the ''Reports.''

[5] The term ''Member'' means an individual or organization approved to exercise the trading rights associated with a Trading Permit. Members are deemed ''members'' under the Exchange Act. *See* Exchange Rule 100.

[6] In sum, a ''Complex Order'' is ''any order involving the concurrent purchase and/or sale of two or more different options in the same underlying security (the 'legs' or 'components' of the complex order), for the same account, in a conforming or non-conforming ratio. . . .'' *See* Exchange Rule 518(a).

[7] The ''Simple Order Book'' is the Exchange's regular electronic book of orders and quotes. *See* Exchange Rule 518(a)(15). The ''Strategy Book'' is the Exchange's electronic book of complex orders and complex quotes. *See* Exchange Rule 518(a)(17). The Strategy Book is organized by Complex Strategy in that individual orders for a defined Complex Strategy are organized together in a book that is separate from the orders for a different Complex Strategy. The term ''Complex Strategy'' means ''a particular combination of components and their ratios to one another. New complex strategies can be created as the result of the receipt of a complex order or by the Exchange for a complex strategy that is not currently in the System.'' *See* Exchange Rule 518(a)(6).

[8] Only displayed orders are included in the Reports. The Exchange notes that it does not currently offer any non-displayed orders types on its options trading platform.

[9] A complete description of each of the Reports can be found in the prior rule filings to adopt the Reports. *See* Securities Exchange Act Release Nos. 92081 (June 1, 2021), 86 FR 30344 (June 7, 2021) (SR–MIAX–2021–21) (Notice of Filing and

Continued

Specifically, depending on the Report, it includes data for executions and contra-side responses that occurred within either 200 or 400 microseconds of the time a resting order was received by the Exchange.[10] The content of each of the Reports is specific to the Recipient Member and each of the Reports does not include any information related to any Member other than the Recipient Member. Each of the Reports is available for purchase by Exchange Members on a voluntary basis.

Members may purchase each of the Reports on a monthly or annual (12-month) basis. The Exchange assesses fees of $4,000 per month and $24,000 per year for a 12-month subscription for each of the Simple Order Report and Complex Order Report. The Exchange assesses fees of $2,000 per month and $12,000 per year for a 12-month subscription for the Resting Simple Order Report. The Exchange also offers a discounted fee of $40,000 per year for Members that purchase annual subscriptions to both the Simple Order Report and Complex Order Report.

In April 2025, the Exchange plans to perform necessary system upgrades and maintenance that could impact the timeframes (*i.e.,* 200 or 400 microseconds) within which each Report includes data for executions and contra-side responses that occurred within either 200 or 400 microseconds of the time a resting order was received by the Exchange. Specifically, the Exchange will upgrade the 10 gigabit (''G'') ultra-low latency (''ULL'') extranet switches and related network analytics infrastructure.[11] This could potentially impact the quality of data included in each Report.

In an abundance of caution and to provide just customer service, the Exchange proposes to provide existing subscribers to each of the Reports discounted pricing for the month of April 2025 to accommodate Members that receive Reports that may be impacted by the necessary system upgrades and maintenance that is to occur in April 2025. Specifically, subscribers with an active subscription as of March 31, 2025 to the Simple Order Report, Complex Order Report, and/or Resting Simple Order Report will receive the below discounts for the month of April 2025 only. Monthly subscribers would receive 50% off the applicable monthly fee for the April 2025 subscription. 12-month subscribers would receive an additional month at the end of existing 12-month subscription for no additional charge. The above discounts would be available to active subscribers for April 2025 only. The Exchange anticipates that each of the Reports' timeframes that may be impacted by the necessary system upgrades and maintenance would normalize by May 2025 when the upgrades are complete.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,[12] in general, and furthers the objectives of Section 6(b)(5) of the Act,[13] in particular, in that it is not designed to permit unfair discrimination among customers, brokers, or dealers. The Exchange also believes that its proposal is consistent with Section 6(b)(4) of the Act[14] because it represents an equitable allocation of reasonable dues, fees and other charges among market participants using any facility or system which the Exchange operates or controls.

The Exchange believes that the proposed discounts for the Reports are equitable because the discounts are being provided to existing subscribers whose Reports may be affected by the upgrade of the 10G ULL extranet switches and related network analytics infrastructure planned for April 2025.[15] The Exchange proposes the discounts to provide just customer service and in an abundance of caution in case subscribers find the data in the April 2025 Reports to be impacted by the planned necessary upgrades.

The proposed discount is also not unfairly discriminatory because limiting it to existing subscribers is to ensure that those who receive the Reports pursuant to a monthly or annual subscription receive a discount to accommodate any potential disruptions. New subscribers that seek to subscribe to the Reports in April 2025 are free to wait until May 2025 to avoid the potential impact, as the Reports are purchased on a voluntary basis. The Exchange anticipates that the Reports' timeframes that may be impacted by the necessary system upgrades and maintenance would normalize by May 2025 when the upgrades are complete and the discounts would have expired.

*B. Self-Regulatory Organization's Statement on Burden on Competition*

The Exchange does not believe that the proposed rule changes will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

Intra-Market Competition

The Exchange believes that the proposed changes would not impose any unnecessary or inappropriate burden on intra-market competition because the proposed changes are to ensure that those who receive the Reports pursuant to a monthly or annual subscription receive a discount to accommodate any potential disruptions, provide just customer service, and in an abundance of caution should an existing subscriber's Reports be affected by the upgrade to the 10G ULL extranet switches and related network analytics infrastructure.

Inter-Market Competition

The Exchange believes that the proposed changes would not impose any unnecessary or inappropriate burden on inter-market competition because competitors are free to modify their own fees in response and the Exchange believes that the degree to which fee changes in this market may impose any burden on competition is extremely limited. As noted above, the purchase of the Reports is entirely optional and is not necessary for trading purposes. Additionally, the Exchange believes that the proposed changes would not impose any burden on inter-market competition because the Exchange operates in a highly competitive environment, and its ability to price the Reports is constrained by competition among exchanges that offer similar data products to their customers, which the Exchange must consider in its pricing discipline in order to compete for the subscribers to the Reports.

Immediate Effectiveness of a Proposed Rule Change to Amend Rule 531, Reports and Market Data Products, to Adopt the Liquidity Taker Event Report); 94135 (February 2, 2022), 87 FR 7217 (February 8, 2022) (SR–MIAX–2022–06) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change to Amend Rule 531 to Provide for the New Liquidity Taker Event Report—Complex Orders); 96839 (February 8, 2023), 88 FR 9550 (February 14, 2023) (SR–MIAX–2023–02) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change to Amend Rule 531 to Provide for the New Liquidity Taker Event Report—Resting Simple Orders).

[10] *Id.*

[11] *See* MIAX Options Exchange—Planned network refresh for the 10G ULL extranet, dated November 7, 2024, *available at* MIAX Options Exchange—Planned network refresh for the 10G ULL extranet | MIAX; MIAX Options Exchange—Updated target dates and parallel duration period for planned network refresh for the 10G ULL Extranet, dated December 13, 2024, *available at* MIAX Options Exchange—Updated target dates and parallel duration period for planned network refresh for the 10G ULL Extranet | MIAX; *and* MIAX Options Exchange—Reminder: Network Refresh for the 10G ULL Extranet, dated March 5, 2025, *available at* MIAX Options Exchange—Reminder: Network Refresh for the 10G ULL Extranet | MIAX.

[12] 15 U.S.C. 78f(b).

[13] 15 U.S.C. 78f(b)(5).

[14] 15 U.S.C. 78f(b)(4).

[15] *See supra* note 11.

Providing the proposed discounts is not only to provide just customer services, but also to ensure that the Exchange's pricing is equitable and competitive.

*C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others*

Written comments were neither solicited nor received.

**III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action**

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act,[16] and Rule 19b–4(f)(2)[17] thereunder. At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

**IV. Solicitation of Comments**

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

*Electronic Comments*

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include file number SR–MIAX–2025–13 on the subject line.

*Paper Comments*

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–MIAX–2025–13. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–MIAX–2025–13 and should be submitted on or before May 5, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[18]

**Sherry R. Haywood,**

*Assistant Secretary.*

[FR Doc. 2025–06251 Filed 4–11–25; 8:45 am]

**BILLING CODE 8011–01–P**

[16] 15 U.S.C. 78s(b)(3)(A)(ii).

[17] 17 CFR 240.19b–4(f)(2).

[18] 17 CFR 200.30–3(a)(12).

## SECURITIES AND EXCHANGE COMMISSION

**[Investment Company Act Release No. 35525; File No. 812–15712]**

## BlackRock Growth Equity Fund LP, et al.

April 8, 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. The requested order includes streamlined terms and conditions as compared to past comparable orders.

**APPLICANTS:** BlackRock Credit Strategies Fund, CREDX Subsidiary, LLC, BlackRock Direct Lending Corp., BlackRock Private Credit Fund, BDEBT Subsidiary LLC, BlackRock Private Credit Fund Leverage I, LLC, BlackRock Private Investments Fund, BPIF Subsidiary, LLC, Cayman Private Investments Fund, Ltd., BlackRock TCP Capital Corp., Special Value Continuation Partners LLC, TCPC Funding I, LLC, TCPC Funding II, LLC, TCPC SBIC, LP, TCPC SBIC GP, LLC, BCIC Merger Sub, LLC, BlackRock Capital Investment Advisors, LLC, Tennenbaum Capital Partners, LLC, SVOF/MM, LLC, and certain of their affiliated entities as described in Appendix A to the application.

**FILING DATES:** The application was filed on March 4, 2025, and amended on March 20, 2025, April 3, 2025, and April 8, 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 May 5, 2025, and should be accompanied by proof of service on the Applicants, in the form of an affidavit or, for lawyers, a certificate of service. Pursuant to rule 0–5 under the Act, hearing requests should state the nature of the writer's interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by emailing the Commission's Secretary at *Secretarys-Office@sec.gov*.

**ADDRESSES:** The Commission: *Secretarys-Office@sec.gov*. Applicants: Diana Huffman, General Counsel, BlackRock Private Credit Fund, 50 Hudson Yards, New York, New York 10001, *GroupBCIALCSupport@blackrock.com*; Laurence D. Paredes, Managing Director, BlackRock Capital Investment Advisors, LLC, 50 Hudson Yards, New York, New York 1000; Erik Cuellar, Director, Tennenbaum Capital Partners, LLC, 2951 28th Street, Suite 1000, Santa Monica, California 90405; Ryan P. Brizek, Simpson Thacher &

Bartlett LLP, 900 G Street, NW, Washington, DC 20001; Michael Hoffman, Skadden, Arps, Slate, Meagher & Flom LLP, One Manhattan West, New York, New York 10019; and Margery K. Neale, Esq., Willkie Farr & Gallagher LLP, 787 Seventh Avenue, New York, New York 10019.

**FOR FURTHER INFORMATION CONTACT:** Adam Large, Senior Special Counsel, Jill Ehrlich, 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' third amended application, dated April 8, 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. 2025–06250 Filed 4–11–25; 8:45 am]

**BILLING CODE 8011–01–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

**[Docket Number FRA–2010–0058]**

### Canadian Pacific Railway's Request To Amend Its Positive Train Control System

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Notice of availability and request for comments.

**SUMMARY:** This document provides the public with notice that, on March 27, 2025, Canadian Pacific Railway (CP) submitted a request for amendment (RFA) to its FRA-certified positive train control (PTC) system to temporarily disable the system for a period not to exceed three hours in order to increase the capacity of its PTC system in preparation for consolidation. As this RFA may involve a request for FRA's approval of proposed material modifications to an FRA-certified PTC system, FRA is publishing this notice and inviting public comment on CP's RFA to its PTC system.

**DATES:** FRA will consider comments received by May 5, 2025. FRA may consider comments received after that date to the extent practicable and without delaying implementation of valuable or necessary modifications to a PTC system.

**ADDRESSES:**

*Comments:* Comments may be submitted by going to *https://www.regulations.gov* and following the online instructions for submitting comments.

*Instructions:* All submissions must include the agency name and the applicable docket number. The relevant PTC docket number for this host railroad is Docket No. FRA–2010–0058. For convenience, all active PTC dockets are hyperlinked on FRA's website at *https://railroads.dot.gov/research-development/program-areas/train-control/ptc/railroads-ptc-dockets*. All comments received will be posted without change to *https://www.regulations.gov;* this includes any personal information.

**FOR FURTHER INFORMATION CONTACT:** Gabe Neal, Staff Director, Signal, Train Control, and Crossings Division, telephone: 816–516–7168, email: *Gabe.Neal@dot.gov*.

**SUPPLEMENTARY INFORMATION:** In general, title 49 United States Code (U.S.C.) section 20157(h) requires FRA to certify that a host railroad's PTC system complies with title 49 Code of Federal Regulations (CFR) part 236, subpart I, before the technology may be operated in revenue service. Before making certain changes to an FRA-certified PTC system or the associated FRA-approved PTC Safety Plan (PTCSP), a host railroad must submit, and obtain FRA's approval of, an RFA to its PTC system or PTCSP under 49 CFR 236.1021.

Under 49 CFR 236.1021(e), FRA's regulations provide that FRA will publish a notice in the **Federal Register** and invite public comment in accordance with 49 CFR part 211, if an RFA includes a request for approval of a material modification of a signal or train control system. Accordingly, this notice informs the public that, on March 27, 2025, CP submitted an RFA to its PTCSP for its Interoperable Electronic Train Management System, which seeks FRA's approval for a temporary outage to increase the capacity of its PTC system and conduct a corresponding Back Office Server update. That RFA is available in Docket No. FRA–2010–0058.

Interested parties are invited to comment on CP's RFA by submitting written comments or data. During FRA's review of CP's RFA, FRA will consider any comments or data submitted within the timeline specified in this notice and to the extent practicable, without delaying implementation of valuable or necessary modifications to a PTC system. *See* 49 CFR 236.1021; *see also* 49 CFR 236.1011(e). Under 49 CFR 236.1021, FRA maintains the authority to approve, approve with conditions, or deny a railroad's RFA at FRA's sole discretion.

**Privacy Act Notice**

In accordance with 49 CFR 211.3, FRA solicits comments from the public to better inform its decisions. DOT posts these comments, without edit, including any personal information the commenter provides, to *https://www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *https://www.transportation.gov/privacy*. See *https://www.regulations.gov/privacy-notice* for the privacy notice of *regulations.gov*. To facilitate comment tracking, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. If you wish to provide comments containing proprietary or confidential information, please contact FRA for alternate submission instructions.

Issued in Washington, DC.

**Carolyn R. Hayward-Williams,**

*Director, Office of Railroad Systems and Technology.*

[FR Doc. 2025–06326 Filed 4–11–25; 8:45 am]

**BILLING CODE 4910–06–P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

**[Docket No. NHTSA–2025–0013; Notice 1]**

### Evenflo Company, Inc., Receipt of Petition for Decision of Inconsequential Noncompliance

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Receipt of petition.

**SUMMARY:** Evenflo Company, Inc. (Evenflo) has determined that certain Evenflo All4One child restraint systems do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 213, *Child Restraint Systems.* Evenflo filed a noncompliance report dated January 27, 2025, and subsequently petitioned NHTSA (the ''Agency'') on February 14, 2025, for a decision that

the subject noncompliance is inconsequential as it relates to motor vehicle safety. This document announces receipt of Evenflo's petition.

**DATES:** Send comments on or before May 14, 2025.

**ADDRESSES:** Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited in the title of this notice and may be submitted by any of the following methods:

- *Mail:* Send comments by mail addressed to the 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 comments by hand to the U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except for Federal Holidays.
- *Electronically:* Submit comments electronically by logging onto the Federal Docket Management System (FDMS) website at *https://www.regulations.gov/.* Follow the online instructions for submitting comments.
- Comments may also be faxed to (202) 493–2251.

Comments must be written in the English language, and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that comments you have submitted by mail were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to *https://www.regulations.gov,* including any personal information provided.

All comments and supporting materials received before the close of business on the closing date indicated above will be filed in the docket and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the fullest extent possible.

When the petition is granted or denied, notice of the decision will also be published in the **Federal Register** pursuant to the authority indicated at the end of this notice.

All comments, background documentation, and supporting materials submitted to the docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the internet at *https://www.regulations.gov* by following the online instructions for accessing the dockets. The docket ID number for this petition is shown in the heading of this notice.

DOT's complete Privacy Act Statement is available for review in a **Federal Register** notice published on April 11, 2000 (65 FR 19477–78).

**FOR FURTHER INFORMATION CONTACT:** Corey Barlet, General Engineer, NHTSA, Office of Vehicle Safety Compliance, (202) 366–1119.

**SUPPLEMENTARY INFORMATION:**

*I. Overview:* Evenflo determined that certain Evenflo All4One child restraint systems do not fully comply with paragraph S5.1.1(b)(1) of FMVSS No. 213, *Child Restraint Systems* (49 CFR 571.213).

Evenflo filed a noncompliance report dated January 27, 2025, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports.* Evenflo petitioned NHTSA on February 14, 2025, for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential as it relates to motor vehicle safety, pursuant to 49 U.S.C. 30118(d) and 30120(h) and 49 CFR part 556, *Exemption for Inconsequential Defect or Noncompliance.*

This notice of receipt of Evenflo's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or another exercise of judgment concerning the merits of the petition.

*II. Child Restraint Systems Involved:* Evenflo reported that approximately 67,416 Evenflo All4One, manufactured between December 1, 2021, and June 30, 2023, do not meet the requirements of FMVSS No. 213.

*III. Relevant FMVSS Requirements:* Paragraph S5.1.1(b)(1) of FMVSS No. 213 includes the requirements relevant to this petition. Paragraph S5.1.1(b)(1) requires that all adjustable child restraint systems must remain in the same position after testing (in accordance with paragraph S6.1 of FMVSS No. 213) that they were set before testing, unless the child restraint system meets conditions specified in S5.1.1(b)(2).

*IV. Noncompliance:* Evenflo explains that some Evenflo All4One child restraint systems undergoing testing have changed position during testing.

*V. Summary of Evenflo's Petition:* The following views and arguments presented in this section, ''V. Summary of Evenflo's Petition,'' are the views and arguments provided by Evenflo. They have not been evaluated by the Agency and do not reflect the views of the Agency. Evenflo describes the subject noncompliance and contends that the noncompliance is inconsequential as it relates to motor vehicle safety.

Evenflo prefaces its argument by citing previously granted petitions for inconsequential noncompliance that it believes are relevant to its own petition. Evenflo first quotes NHTSA's decision on a petition by Gillig, LLC, describing NHTSA's procedures when considering petitions: ''(i)n determining inconsequentiality of a noncompliance, NHTSA focuses on the safety risk to individuals who experience the type of event against which the recall would otherwise protect.'' (*see* Gillig, LLC, Grant of Petition for Decision of Inconsequential Noncompliance, 90 FR 735, January 6, 2025).

Evenflo then cites two granted petitions for inconsequential noncompliance to show that NHTSA grants petitions when the manufacturer can show that there are no additional risks of injury caused by the noncompliance (*see* General Motors, Grant of Petition for Decision of Inconsequential Noncompliance, 78 FR 35355, June 12, 2013; *see also* Osram Sylvania, Grant of Petition for Decision of Inconsequential Noncompliance, 78 FR 46000, July 30, 2013).

Evenflo believes that the precedent of these decisions supports Evenflo's petition for the subject noncompliance. Evenflo states that the subject noncompliant child restraint systems still meet the intended purpose of paragraph S5.1.1(b)(1) of FMVSS No. 213 as they do not expose occupants to a greater risk of injury than a compliant child restraint system. Evenflo cites a 1996 letter from the NHTSA Chief Council to C. Scott Talbot, Esq. of Howrey & Simon that stated that the purpose of paragraph S.5.1.1(b)(1) is to (1) ''prevent a child's fingers or limbs from being caught in shifting parts of the restraint'' and (2) prevent the occupant from sliding from under the lap belt during a crash (also known as ''submarining'').

Evenflo claims that the risk for children to have their fingers or limbs crushed is negated because all shifting parts of the child restraint systems are located outside and below the seat structure and are inaccessible to the child occupant. Evenflo states that the child has no risk of submarining because the change in recline adjustment only occurred during testing a rear facing test, where submarining is

impossible. Furthermore, Evenflo states that the seats come equipped with a 5-point harness, which functioned as intended during testing, preventing movement of the child relative to the seating surface.

Additionally, Evenflo recognizes that NHTSA does not consider the absence of complaints or injuries to be relevant when considering the inconsequentiality of a noncompliance, however, Evenflo notes that it has not found any reports or complaints of a child's fingers or limbs being caught in the shifting parts of the subject child restraint systems, nor have there been any reports of submarining caused by the child restraint system's noncompliance with paragraph S5.1.1(b)(1) of FMVSS No. 213.

Evenflo concludes by stating its belief that the subject noncompliance is inconsequential as it relates to motor vehicle safety and its petition to be exempted from providing notification of the noncompliance, as required by 49 U.S.C. 30118, and a remedy for the noncompliance, as required by 49 U.S.C. 30120, should be granted.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, any decision on this petition only applies to the subject child restraint systems that Evenflo no longer controlled at the time it determined that the noncompliance existed. However, any decision on this petition does not relieve child restraint system distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant child restraint systems under their control after Evenflo notified them that the subject noncompliance existed.

(Authority: 49 U.S.C. 30118, 30120: delegations of authority at 49 CFR 1.95 and 501.8)

**Eileen Sullivan,**

*Associate Administrator for Enforcement.*

[FR Doc. 2025–06248 Filed 4–11–25; 8:45 am]

**BILLING CODE 4910–59–P**

## DEPARTMENT OF THE TREASURY

### Bureau of the Fiscal Service

### Proposed Collection of Information: Disposition of Treasury Securities Belonging to a Decedent's Estate Being Settled Without Administration

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995. Currently the Bureau of the Fiscal Service within the Department of the Treasury is soliciting comments concerning the Disposition of Treasury Securities Belonging to a Decedent's Estate Being Settled Without Administration.

**DATES:** Written comments should be received on or before June 13, 2025 to be assured of consideration.

**ADDRESSES:** Direct all written comments and requests for additional information to Bureau of the Fiscal Service, Bruce A. Sharp, Room #4006–A, P.O. Box 1328, Parkersburg, WV 26106–1328, or *bruce.sharp@fiscal.treasury.gov.*

**SUPPLEMENTARY INFORMATION:**

*Title:* Disposition of Treasury Securities Belonging to a Decedent's Estate Being Settled Without Administration.

*OMB Number:* 1530–0055.

*Form Number:* FS Form 5336.

*Abstract:* The information is collected from a voluntary representative of a decedent's estate to support a request for disposition of United States Treasury Securities and/or related payments in the event that the estate is not being administered.

*Current Actions:* Extension of a currently approved collection.

*Type of Review:* Regular.

*Affected Public:* Individuals or Households.

*Estimated Number of Respondents:* 25,350.

*Estimated Time per Respondent:* 30 minutes.

*Estimated Total Annual Burden Hours:* 12,675.

*Request for Comments:* Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: 1. Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; 2. the accuracy of the agency's estimate of the burden of the collection of information; 3. ways to enhance the quality, utility, and clarity of the information to be collected; 4. ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and 5. estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Dated: April 8, 2025.

**Bruce A. Sharp,**

*Bureau PRA Clearance Officer.*

[FR Doc. 2025–06258 Filed 4–11–25; 8:45 am]

**BILLING CODE 4810–AS–P**

## DEPARTMENT OF THE TREASURY

### Bureau of the Fiscal Service

### Proposed Collection of Information: Trace Request for Electronic Funds Transfer (EFT) Payment; and Trace Request Direct Deposit

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995. Currently the Bureau of the Fiscal Service within the Department of the Treasury is soliciting comments concerning the Trace Request for Electronic Funds Transfer (EFT) Payment; and Trace Request Direct Deposit.

**DATES:** Written comments should be received on or before June 13, 2025 to be assured of consideration.

**ADDRESSES:** Direct all written comments and requests for additional information to Bureau of the Fiscal Service, Bruce A. Sharp, Room #4006–A, P.O. Box 1328, Parkersburg, WV 26106–1328, or *bruce.sharp@fiscal.treasury.gov.*

**SUPPLEMENTARY INFORMATION:**

*Title:* Trace Request for Electronic Funds Transfer (EFT) Payment; and Trace Request Direct Deposit.

*OMB Number:* 1530–0002.

*Form Number:* FS Form 150.1 and FS Form 150.2.

*Abstract:* These forms are used to notify the financial organization that a customer (beneficiary) has claimed non-receipt of credit for a payment. The forms are designed to help the financial organization locate any problems and to keep the customer (beneficiary) informed of any action taken.

*Current Actions:* Extension of a currently approved collection.

*Type of Review:* Regular.

*Affected Public:* Business or other for-profit.

*Estimated Number of Respondents:* 120,000.

*Estimated Time per Respondent:* 8 minutes.

*Estimated Total Annual Burden Hours:* 16,000.

*Request for Comments:* Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: 1. Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; 2. the accuracy of the agency's estimate of the burden of the collection of information; 3. ways to enhance the quality, utility, and clarity of the information to be collected; 4. ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and 5. estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Dated: April 8, 2025.

**Bruce A. Sharp,**

*Bureau PRA Clearance Officer.*

[FR Doc. 2025–06257 Filed 4–11–25; 8:45 am]

**BILLING CODE 4810–AS–P**

## DEPARTMENT OF THE TREASURY

### Bureau of the Fiscal Service

### Proposed Collection of Information: Voucher for Payment of Awards

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995. Currently, the Bureau of the Fiscal Service within the Department of the Treasury is soliciting comments concerning the Voucher for Payment of Awards.

**DATES:** Written comments should be received on or before June 13, 2025 to be assured of consideration.

**ADDRESSES:** Direct all written comments and requests for additional information to Bureau of the Fiscal Service, Bruce A. Sharp, Room #4006–A, P.O. Box 1328, Parkersburg, WV 26106–1328, or *bruce.sharp@fiscal.treasury.gov.*

**SUPPLEMENTARY INFORMATION:**

*Title:* Voucher for Payment of Awards.

*OMB Number:* 1530–0012.

*Form Number:* FS Form 5135.

*Abstract:* Award certificates to the Department of the Treasury are paid annually as funds are received from foreign governments. Vouchers are mailed to award holders showing payments due. Award holders sign vouchers certifying that he/she is entitled to payment. Executed vouchers are used as a basis for payment.

*Current Actions:* Extension of a currently approved collection.

*Type of Review:* Regular.

*Affected Public:* Individuals and estates with a very small percentage of respondents coming from a business.

*Estimated Number of Respondents:* 1,400.

*Estimated Time per Respondent:* 30 minutes.

*Estimated Total Annual Burden Hours:* 700.

*Request for Comments:* Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: 1. Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; 2. the accuracy of the agency's estimate of the burden of the collection of information; 3. ways to enhance the quality, utility, and clarity of the information to be collected; 4. ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and 5. estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Dated: April 8, 2025.

**Bruce A. Sharp,**

*Bureau PRA Clearance Officer.*

[FR Doc. 2025–06256 Filed 4–11–25; 8:45 am]

**BILLING CODE 4810–AS–P**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

### Agency Collection Activities; Requesting Comments Forms 5310, Application for Determination for Terminating Plan; and Form 6088, Distributable Benefits From Employee Pension Benefit Plans

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Internal Revenue Service, as part of its continuing effort to reduce paperwork and respondent burden, invites the public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995. The IRS is soliciting comments concerning Form 5310 is used to request an IRS determination letter about the plan's qualification status qualified or nonqualified under Code section 401(a). Any plan sponsor or administrator of any pension, profit-sharing, or other deferred compensation plan (other than a multi-employer plan covered under Pension Benefit Guaranty Corporation insurance) may use this form. Form 6088 is used to show the amounts of distributable benefits to participants in the plan.

**DATES:** Written comments should be received on or before June 13, 2025 to be assured of consideration.

**ADDRESSES:** Direct all written comments to Andres Garcia, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or by email to *pra.comments@irs.gov.* Include OMB Control No. 1545–0202 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, at Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or through the internet at *marcus.w.mccrary@irs.gov.*

**SUPPLEMENTARY INFORMATION:** The IRS is currently seeking comments concerning the following information collection tools, reporting, and record-keeping requirements:

*Title:* Application for Determination for Terminating Plan and Distributable Benefits from Employee Pension Benefit Plans.

*OMB Control Number:* 1545–0202.

*Form Number:* Form 5310 and Form 6608.

*Abstract:* Employers who have qualified deferred compensation plans can take an income tax deduction for contributions to their plans. Form 5310 is used to request an IRS determination letter about the plan's qualification status (qualified or non-qualified) under Internal Revenue Code sections 401(a) or 403(a) of a pension. Form 6088 is used by the IRS to analyst an application for a determination letter on the qualification of the plan upon termination.

*Current Actions:* There is no change to the previously approved information collection.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Businesses and other for-profit organizations.

*Estimated Number of Responses:* 1,244.

*Estimated Time per Response:* 105 hours, 14 minutes.

*Estimated Total Annual Burden Hours:* 82,231.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

*Request for Comments:* Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (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.

Approved: April 8, 2025.

**Marcus W. McCrary,**

*Tax Analyst.*

[FR Doc. 2025–06249 Filed 4–11–25; 8:45 am]

**BILLING CODE 4830–01–P**

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**Federal Register**

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**Last List March 20, 2025**

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