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Proclamation 10938 of May 12, 2025

The President

Peace Officers Memorial Day and Police Week, 2025

By the President of the United States of America

A Proclamation

On Peace Officers Memorial Day and during Police Week, we honor our brave officers who serve on the front lines to protect our families, safeguard our communities, and shoulder a burden of responsibility that most Americans cannot fathom. This week and always, we honor the courageous men and women serving in law enforcement and memorialize those who sacrificed their lives defending the thin blue line.

A nation in chaos ceases to be a citadel of liberty. Tragically, the previous administration allowed lawlessness to permeate our country, making it harder for our law enforcement officers to do their jobs. Their reckless, soft-on-crime policies emboldened criminals and thugs; wreaked havoc on the sanctity of our homes, businesses, and public spaces; instilled fear; and jeopardized public trust.

As your 47th President, I am fulfilling my promise to make America safe again by reclaiming sovereignty on the border and restoring the rule of law in communities nationwide. We will utilize every available means to equip and train law enforcement, retain qualified officers, and recruit on the basis of meritocracy.

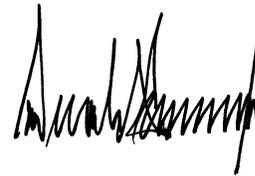
The oath to serve and protect comes with extraordinary risk and sacrifice, and we are indebted to those who choose this righteous profession. That is why I have asked the Congress to codify my Executive Order mandating the death penalty for the murder of a police officer—sending an unequivocal message that barbaric acts of violence and blatant disregard for the lives of our Nation’s heroes will not be tolerated—and to pass a crime bill with enhanced protections for police officers.

I stand in steadfast solidarity with those who defend our freedoms and the families who love and support them. We pray for those who grieve the fallen and pledge that their lives, legacies, and sacrifices will forever be remembered by our grateful Nation.

By a joint resolution approved October 1, 1962, as amended (Public Law 87–726, 76 Stat. 676), and by Public Law 105–225 (36 U.S.C. 136–137), the President has been authorized and requested to designate May 15 of each year as “Peace Officers Memorial Day” and the week in which it falls as “Police Week.”

NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States of America, do hereby proclaim May 15, 2025, as Peace Officers Memorial Day and May 11 through May 17, 2025, as Police Week. I call upon all Americans to observe this week with appropriate ceremonies and activities. I also call on the Governors of the States and Territories and officials of other areas subject to the jurisdiction of the United States to direct that the flag be flown at half-staff on Peace Officers Memorial Day.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of May, in the year of our Lord two thousand twenty-five, and of the Independence of the United States of America the two hundred and forty-ninth.

A handwritten signature in black ink, appearing to be a stylized name with a prominent initial 'A' and several loops.

Rules and Regulations

Federal Register

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Wednesday, May 21, 2025

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

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

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 185

RIN 3206–AO79

Program Fraud Civil Remedies: Civil Monetary Penalty Inflation Adjustment

AGENCY: Office of Personnel Management (OPM).

ACTION: Final rule.

SUMMARY: This rule adjusts the level of civil monetary penalties contained in U.S. Office of Personnel Management regulations implementing the Program Fraud Civil Remedies Act of 1986, in accordance with the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 and Office of Management and Budget guidance.

DATES: *Effective date:* May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Valerie Dew, Office of the General Counsel, Office of Personnel Management, 1900 E St NW, Washington, DC 20415, *Valerie.Dew@opm.gov*, (202) 606–1700.

SUPPLEMENTARY INFORMATION:

I. Background

On November 2, 2015, the President signed into law the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (sec. 701 of

Pub. L. 114–74, 28 U.S.C. 2461 note) (“the 2015 Act”). The 2015 Act required agencies to: (1) adjust the level of civil monetary penalties with an initial “catch-up” adjustment through an interim final rule, and (2) make subsequent annual adjustments for inflation not later than January 15 of each year. The purpose of these adjustments is to maintain the deterrent effect of civil penalties. Since the passage of the 2015 Act, OPM has updated the agency’s monetary penalties found in 5 CFR part 185 that implement the Program Fraud Civil Remedies Act of 1986.

This rule takes into account adjustments for the year 2025 based on inflation since the last adjustment. These calculations were made based on guidance contained in Office of Management and Budget Memorandum M–25–02:

CFR citation	Description of the penalty	2024 Inflation adjustment	2025 Inflation adjustment
5 CFR 185.103(a)	Civil Penalty for False Claims	\$13,946	\$14,308
5 CFR 185.103(f)(2)	Civil Penalty for False Statements	13,946	14,308

This final rule is being issued without prior public notice or opportunity for public comments and is effective upon publication in the **Federal Register**. The 2015 Act required the agency to adjust penalties initially through an interim final rulemaking, which did not require the agency to complete a notice and comment process prior to promulgating the interim final rule. The amendments also explicitly required the agency to make subsequent annual adjustments notwithstanding 5 U.S.C. 553 (the section of the Administrative Procedure Act that normally requires agencies to engage in notice and comment and to delay the effective date). The formula used for adjusting the amount of a civil penalty is given by statute, with no discretion provided to OPM regarding the computation of the adjustments. OPM is charged only with performing ministerial computations to determine the amount of adjustment to the civil penalties due to increases in the Consumer Price Index for all Urban Consumers (CPI–U).

II. Calculation of Adjustment

The Office of Management and Budget (OMB) issues guidance annually on

calculating adjustments. Under this guidance, OPM has calculated the annual adjustment to the penalties in 5 CFR part 185 that implement the Program Fraud Civil Remedies Act of 1986. A civil monetary penalty is any assessment with a dollar amount that is levied for a violation of a Federal civil statute or regulation and is assessed or enforceable through a civil action in Federal court or an administrative proceeding. A civil monetary penalty does not include a penalty levied for violation of a criminal statute or fees for services, licenses, permits, or other regulatory review.

The Office of Management and Budget Memorandum M–25–02 stated that the cost-of-living multiplier for calculating adjustments in 2025 was 1.02598. This multiplier is to be applied to the current level of civil monetary penalties for agencies (*i.e.*, the penalty amount the agency updated and published for 2024). Under 5 CFR 185.103, when OPM’s 2024 penalties of \$13,946 are multiplied by 1.02598 and rounded to the nearest dollar, the resulting penalty amounts are each \$14,308.

III. Procedural Requirements

Regulatory Review

OPM has examined the impact of this rule as required by Executive Orders 12866, 13563, and 14094, which direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). OMB has determined that this rule is not a “significant regulatory action” under section 3(f) of Executive Order 12866, as amended by Executive Order 14094. This rule is not an E.O. 14192 regulatory action because this rule is not significant under E.O. 12866.

Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) as amended by the Small Business Regulatory Enforcement Fairness Act (5 U.S.C. 804(2)) requires an agency to prepare a regulatory flexibility analysis for rules unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. The RFA

applies only to rules for which an agency is required to first publish a proposed rule. See 5 U.S.C. 603(a) and 604(a). The Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 requires agencies to adjust civil penalties annually. No discretion is allowed. Thus, the Director of OPM certifies that the RFA does not apply to this final rule.

Unfunded Mandate Reform Act of 1995

Section 202 of the Unfunded Mandates Reform Act of 1995 (UMRA) requires that agencies assess anticipated costs and benefits before issuing any rule that would impose spending costs on State, local, or Tribal governments in the aggregate, or on the private sector, in any 1 year of \$100 million in 1995 dollars, updated annually for inflation. That threshold is currently approximately \$183 million. This regulation will not result in the expenditure by State, local, or Tribal governments, in the aggregate, or by the private sector, in excess of the threshold. Thus, no written assessment of unfunded mandates is required.

E.O. 13132, Federalism

This rule does not have federalism implications. The rule does not have substantial direct effects on the States, on the relationship between the Federal Government and the States, or on the distribution of power and responsibilities among the various levels of government.

E.O. 12988, Civil Justice Reform

This rule complies with the requirements of E.O. 12988. Specifically, this rule:
 (a) Does not unduly burden the judicial system.
 (b) Meets the criteria of section 3(a) requiring that all regulations be reviewed to eliminate errors and ambiguity and be written to minimize litigation; and
 (c) Meets the criteria of section 3(b)(2) requiring that all regulations be written in clear language and contain clear legal standards.

Paperwork Reduction Act

This document does not contain information collection requirements subject to the Paperwork Reduction Act of 1995, as amended (44 U.S.C. 3501–3521).

List of Subjects in 5 CFR Part 185

Administrative practice and procedure, Claims, Fraud, Penalties. Office of Personnel Management.

Jerson Matias,
Federal Register Liaison.

Accordingly, for the reasons set forth in the preamble, OPM amends 5 CFR part 185 as follows:

PART 185—PROGRAM FRAUD CIVIL REMEDIES

- 1. The authority citation for part 185 continues to read:

Authority: 28 U.S.C. 2461 note; 31 U.S.C. 3801–3812.

§ 185.103 [Amended]

- 2. In § 185.103, amend paragraphs (a) introductory text and (f)(2) by removing “\$13,946” and adding “\$14,308” in its place.

[FR Doc. 2025–09081 Filed 5–20–25; 8:45 am]

BILLING CODE 6325–48–P

DEPARTMENT OF HOMELAND SECURITY

Office of the Secretary

6 CFR Part 37

Transportation Security Administration

49 CFR Chapter XII

Terminology Relating to Sex; Technical Amendments

AGENCY: Transportation Security Administration, DHS.

ACTION: Final rule; technical amendments.

SUMMARY: This document makes nomenclature changes to sections of the Code of Federal Regulations (CFR) administered by the Transportation Security Administration (TSA). This action is necessary to conform with the Executive order of January 20, 2025 (Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government).

DATES: This rule is effective as of May 21, 2025.

FOR FURTHER INFORMATION CONTACT: John “Neal” Latta, Assistant Administrator, Enrollment Services and Vetting Programs; Transportation Security Administration; telephone: (571) 227–4995; email: *SecureFlightRuleChanges@tsa.dhs.gov*.

SUPPLEMENTARY INFORMATION: You can find an electronic copy of this rule using the internet by accessing the Government Publishing Office’s web page at <https://www.govinfo.gov/app/collection/FR> to view the daily published **Federal Register** edition or by accessing the Office of the Federal Register’s web page at <https://www.federalregister.gov>. Copies are also available by contacting the individual identified in the **FOR FURTHER INFORMATION CONTACT** section.

Discussion of the Rule

This final rule makes technical amendments to certain sections of the CFR. Section 3(c) of Executive Order 14168 of January 20, 2025 (Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government), requires Federal agencies to use the term “sex” and not “gender” in all applicable agency policies and documents. In compliance with this section of the Executive order, this technical amendment replaces the term “gender” with “sex” wherever it appears in TSA’s regulations.

Table 1 identifies the context for each change in 6 CFR part 37

TABLE 1—REVISIONS TO 6 CFR PART 37

Section	Description of regulatory requirement	Specific terminology change
37.17(c)	Information that must appear on the surface of a REAL ID driver’s license or identification card to be accepted by Federal agencies.	Section 37.17(c) will be revised as follows: “Sex, as determined by the State.”
37.17(m)	Printed information on REAL ID driver’s licenses and identification cards.	“The , , , sex . . . on the face of the card must be in Latin alpha-numeric characters. . . .”
37.19(e)	Machine-readable technology minimum data elements	“Sex.”

Table 2 identifies the context for each change in 49 CFR part 1500.

TABLE 2—REVISIONS TO 49 CFR PART 1500

Section	Description of regulatory requirement	Specific terminology change
1500.5(a)	General statement on rules of construction for TSA's regulations.	Section 1500.5(a)(3) will be revised as follows: "Words importing the masculine sex include the feminine."

Table 3 identifies the context for each change in 49 CFR part 1540.

TABLE 3—REVISIONS TO 49 CFR PART 1540

1540.107(b)	Information that must be submitted for flight reservations.	Section 1540.107(b) will be revised as follows: "An individual must provide his or her full name, as defined in § 1560.3 of this chapter, date of birth, and sex when—"
1540.203(c)	Categories of information that must be submitted by aircraft operators for security threat assessments.	Section 1540.203(c)(5) will be revised as follows: "Sex."

Table 4 identifies the context for each change in 49 CFR part 1560.

TABLE 4—REVISIONS TO 49 CFR PART 1560

1560.3	Definitions of <i>passport information</i> applicable to the Secure Flight program.	Definition in Section 1560.3 will be revised as follows: " <i>Passport information</i> . . . (4) Sex. Definition in Section 1560.3 will be revised as follows: <i>Secure Flight Passenger Data</i> or (<i>SFPD</i>) . . . (3) Sex. "
1560.101(a)(1)	Information to be requested from passengers by aircraft operators for purposes of Secure Flight Program.	Section 1560.101(a)(1) will be revised as follows: "Each covered aircraft operator must request the full . . . sex . . . For reservations made 72 hours prior to the scheduled time of departure . . . sex . . . For an individual that makes a reservation for a covered flight within 72 . . . sex . . ."
1560.101(a)(3)	Information to be requested from passengers by aircraft operators for purposes of Secure Flight Program.	Section 1560.101(a)(3) will be revised as follows: "Each covered aircraft operator . . . sex."

Table 5 identifies the context for each change in 49 CFR part 1572.

TABLE 5—REVISIONS TO 49 CFR PART 1572

1572.9(a)	Categories of information that must be submitted for a Hazardous Materials Endorsement (HME) security threat assessment.	Section 1572.9(a)(4) will be revised as follows: "Sex."
1572.17(a)	Categories of information that must be submitted for a Transportation Worker Identification Credential (TWIC) security threat assessment.	Section 1572.17(a)(4) will be revised as follows: "Sex."

These technical revisions are limited to changing the term in TSA's regulations to comply with section 3(c) of the Executive order. TSA is continuing to assess its need for, and use of, information that identifies sex. Specific use cases will be addressed

separately from the technical amendments in this rulemaking.

The Administrative Procedure Act (APA) (5 U.S.C. 553(B)(3)(b)) provides that when an agency for good cause finds that notice and public procedure are impracticable, unnecessary, or

contrary to the public interest, an agency may issue a rule without providing notice and an opportunity for public comment. TSA has determined that there is good cause for making this technical amendment final without prior proposal and opportunity for

comment because the revisions are not substantive and will have no impact on the regulatory requirements in the affected parts. TSA has determined that public comment on such administrative changes is unnecessary and that there is good cause under the APA for proceeding with a final rule.

TSA has also determined that this rule is exempt from the notice and comment requirement under the APA because it is a rule of agency organization, procedure, or practice. (See 5 U.S.C. 553(b)(A)) Because the rule is simply an administrative change that replaces terminology without altering the rights or interests of parties, it has no substantive effect on the regulatory requirements and places no stamp of approval or disapproval on any type of behavior. Accordingly, TSA is issuing this rule in its final form as a procedural rule.

Further, because a notice of proposed rulemaking and opportunity for public comment are not required for this rule under the APA or any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are not applicable. Accordingly, this rule is issued in final form.

Before a rule can take effect, the Congressional Review Act (CRA), as codified at 5 U.S.C. 801–808, requires Federal agencies to submit the rule and a report to Congress and the Comptroller General indicating whether it is a major rule. Under 5 U.S.C. 804(3)(C), rules of agency organization, procedure, or practice that do not substantially affect the rights or obligations of non-agency parties are not considered rules for the purposes of the CRA. This technical amendment is a rule of agency organization, procedure, or practice that will not substantially affect the rights or obligations of non-agency parties. Thus, TSA is not required to submit the rule for review under the CRA.

List of Subjects

6 CFR Part 37

Classified information, Freedom of information, Licensing and registration, Motor vehicle safety, Motor vehicles, Personally-identifiable information, Privacy, Reporting and recordkeeping requirements, Security measures.

49 CFR Part 1500

Air carriers, Air transportation, Aircraft, Airports, Buses, Hazardous materials transportation, Law enforcement officers, Maritime carriers, Mass transportation, Railroad safety, Railroads, Reporting and recordkeeping requirements, Security measures, Transportation, Vessels.

49 CFR Part 1540

Air carriers, Airports, Aviation safety, Law enforcement officers, Reporting and recordkeeping requirements, Security measures.

49 CFR Part 1560

Air transportation, Law enforcement officers, Reporting and recordkeeping requirements, Security measures.

49 CFR Part 1572

Crime, Explosives, Hazardous materials transportation, Motor carriers, Railroads, Reporting and recordkeeping requirements, Security measures.

The Amendments

For the reasons stated in the preamble, the Transportation Security Administration amends chapter I of title 6, and chapter XII of title 49, Code of Federal Regulations, as follows:

PART 37—REAL ID DRIVER'S LICENSES AND IDENTIFICATION CARDS

■ 1. The authority citation for part 37 continues to read as follows:

Authority: 49 U.S.C. 30301 note; 6 U.S.C. 111, 112.

§ 37.17 [Amended]

■ 2. In § 37.17:

- a. Amend paragraph (c) by removing the word “Gender” and adding, in its place, “Sex” and
- b. Amend paragraph (m) by removing the word “gender” and adding, in its place, “sex”.

§ 37.19 [Amended]

■ 3. In § 37.19, amend paragraph (e) by removing the word “Gender” and adding, in its place, “Sex”.

PART 1500—APPLICABILITY, TERMS, AND ABBREVIATIONS

■ 4. The authority citation for part 1500 continues to read as follows:

Authority: 49 U.S.C. 114, 5103, 40113, 44901–44907, 44913–44914, 44916–44918, 44935–44936, 44939, 44942, 46105; Pub. L. 110–53 (121 Stat. 266, Aug. 3, 2007) secs. 1408 (6 U.S.C. 1137), 1501 (6 U.S.C. 1151), 1517 (6 U.S.C. 1167), and 1534 (6 U.S.C. 1184).

§ 1500.5 [Amended]

■ 5. In § 1500.5, amend paragraph (a)(3) by removing the word “gender” and adding, in its place, “sex”.

PART 1540—CIVIL AVIATION SECURITY: GENERAL RULES

■ 6. The authority citation for part 1540 continues to read as follows:

Authority: 49 U.S.C. 114, 5103, 40113, 44901–44907, 44913–44914, 44916–44918, 44925, 44935–44936, 44942, 46105.

§ 1540.107 [Amended]

■ 7. In § 1540.107, amend paragraph (b) by removing the word “gender” and adding, in its place, “sex”.

§ 1540.203 [Amended]

■ 8. In § 1540.203, amend paragraph (c)(5) by removing the word “Gender” and adding, in its place, “Sex”.

PART 1560—SECURE FLIGHT PROGRAM

■ 9. The authority citation for part 1560 continues to read as follows:

Authority: 49 U.S.C. 114, 40113, 44901, 44902, 44903.

§ 1560.3 [Amended]

■ 10. In § 1560.3, amend this section by removing the word “gender” wherever it appears and adding, in its place, “sex”.

§ 1560.101 [Amended]

■ 11. In § 1560.101, amend paragraphs (a)(1) and (3) by removing the word “gender” wherever it appears and adding, in its place, “sex”.

PART 1572—CREDENTIALING AND SECURITY THREAT ASSESSMENTS

■ 12. The authority citation for part 1572 continues to read as follows:

Authority: 46 U.S.C. 70105; 49 U.S.C. 114, 5103a, 40113, and 46105; 18 U.S.C. 842, 845; 6 U.S.C. 469.

§ 1572.9 [Amended]

■ 13. In § 1572.9, amend paragraph (a)(4) by removing the word “Gender” and adding, in its place, “Sex”.

§ 1572.17 [Amended]

■ 14. In § 1572.17, amend paragraph (a)(4) by removing the word “Gender” and adding, in its place, “Sex”.

Dated: May 13, 2025.

Ha Nguyen McNeill,

Acting Administrator, Transportation Security Administration.

[FR Doc. 2025–08920 Filed 5–20–25; 8:45 am]

BILLING CODE 9110–05–P

CONSUMER FINANCIAL PROTECTION BUREAU**12 CFR Part 1082**

[Docket No. CFPB–2025–0016]

RIN 3170–AB43

Rescission of State Official Notification Rules**AGENCY:** Consumer Financial Protection Bureau.**ACTION:** Direct final rule; request for comments.

SUMMARY: This direct final rule rescinds the Consumer Financial Protection Bureau's (Bureau's) procedures by which a State official must notify the Bureau when the official takes an action to enforce the Consumer Financial Protection Act.

DATES: The final rule is effective July 21, 2025, unless significant adverse comments are received by June 20, 2025. For additional information, see the **SUPPLEMENTARY INFORMATION** below.

ADDRESSES: You may submit responsive information and other comments, identified by Docket No. CFPB–2025–0016, by any of the following methods:

- *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments. A brief summary of this document will be available at <https://www.regulations.gov/docket/CFPB-2025-0016>.

- *Email: 2025-DFR-State-Rescission@cfpb.gov.* Include Docket No. CFPB–2025–0016 in the subject line of the message.

- *Mail/Hand Delivery/Courier:* Comment Intake—Rescission of State Official Notification Rules, c/o Legal Division Docket Manager, Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552.

Instructions: The Bureau encourages the early submission of comments. All submissions should include the agency name and docket number. Because paper mail is subject to delay, commenters are encouraged to submit comments electronically. In general, all comments received will be posted without change to <https://www.regulations.gov>. All submissions, including attachments and other supporting materials, will become part of the public record and subject to public disclosure. Proprietary information or sensitive personal information, such as account numbers or Social Security numbers, or names of other individuals, should not be included. Submissions will not be

edited to remove any identifying or contact information.

FOR FURTHER INFORMATION CONTACT:

George Karithanom, Regulatory Implementation and Guidance Program Analyst, Office of Regulations, at 202–435–7700. If you require this document in an alternative electronic format, please contact CFPB_Accessibility@cfpb.gov.

SUPPLEMENTARY INFORMATION:**I. Direct Final Rulemaking Procedure**

This is a direct final rulemaking. A significant adverse comment is one that opposes the rule and raises, alone or in combination with other comments, a sufficiently serious issue under each of the independent grounds provided to support the rule that additional consideration and a substantive response are required. If significant adverse comments are received, notice will be published in the **Federal Register** before the effective date either withdrawing the rule or issuing a new final rule that responds to significant adverse comments and carries a new effective date.

II. Background

Section 1042(b) of the Consumer Financial Protection Act of 2010 (CFPA) requires States to notify the Bureau and “the prudential regulators,” see 12 U.S.C. 5481(24), before “initiating any action in a court or other administrative or regulatory proceeding against any covered person as authorized by subsection (a) [of section 1042] to enforce any provision” of the CFPA. See 12 U.S.C. 5552(b)(1)(A). By statute, such notice is required to be “timely” in the ordinary course or “immediately upon instituting the action or proceeding” in the case of an emergency. 12 U.S.C. 5552(b)(1)(B). And the CFPA requires that the notice contain “a copy of the complete complaint to be filed” and a written description of “such action or proceeding,” 12 U.S.C. 5552(b)(1)(A), as well as a description of the identity of the parties, the alleged facts underlying the proceeding, and “whether there may be a need to coordinate the prosecution of the proceeding so as not to interfere with any action, including any rulemaking, undertaken by the Bureau, a prudential regulator, or another Federal agency.” 12 U.S.C. 5552(b)(1)(C). On June 29, 2012, the Bureau issued regulations, codified at 12 CFR 1082.1, regarding States’ obligations to notify the Bureau and prudential regulators of actions covered by section 1042.

III. Analysis

Pursuant to the Bureau’s policy of eliminating unnecessary regulatory burdens and rescinding rules that are not necessary to effectuate Congress’s statutes, the Bureau is rescinding the regulations related to state notification codified at 12 CFR 1082.1. The regulations at 12 CFR 1082.1, with only minor tweaks that are not necessary to provide the Bureau or the prudential regulators adequate notice of State actions, merely restate the notification requirements codified in section 1042(b). As such, the notification regulations are unnecessary and should be eliminated from the Code of Federal Regulations. Where Congress’s statutes are sufficiently clear and prescriptive, regulations do little more than increase costs and cause confusion, and so are unnecessary.

IV. Legal Authority

Section 1042(c) of the CFPA, 12 U.S.C. 5552(c).

V. Section 1022 Analysis

In developing this rule, the Bureau has considered the potential benefits, costs, and impacts as required by section 1022(b)(2)(A) of the CFPA, 12 U.S.C. 5512(b)(2)(A). This rule will reduce regulatory burdens on State Officials and does not impose any obligations on consumers or have any direct impact on their access to consumer financial products or services. Further, it has no unique impact on insured depository institutions or insured credit unions with less than \$10 billion in assets, as described in section 1026(a) of the CFPA. Finally, it does not have any unique impact on rural consumers.

VI. Procedural Matters**A. Regulatory Flexibility Act**

The Regulatory Flexibility Act generally requires an agency to conduct an initial regulatory flexibility analysis (IRFA) and a final regulatory flexibility analysis of any rule subject to notice-and-comment rulemaking requirements unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities (SISNOSE). The Bureau is also subject to specific additional procedures under the RFA involving convening a panel to consult with small business representatives before proposing a rule for which an IRFA is required.

This rule’s only effect is to clarify State Officials’ statutory obligations, see 12 U.S.C. 552(b). It has no effect on small entities of any kind.

Accordingly, the Director hereby certifies that this rule does not have a significant economic impact on a substantial number of small entities. Thus, neither an IRFA nor a small business review panel is required.

B. Paperwork Reduction Act

This rule is deregulatory and will eliminate the more substantial information-collection requirements imposed by the regulations codified at 12 CFR 1082.1. It does not impose any additional collection requirements.

List of Subjects in 12 CFR Part 1082

Banks, Banking, Consumer protection, Credit unions, Law enforcement, National banks, Savings associations, State and local governments.

PART 1882—[REMOVED AND RESERVED]

■ For the reasons set forth above, under the authority of 12 U.S.C. 5552(c), the Bureau is removing and reserving 12 CFR part 1082.

Russell Vought,

Acting Director, Consumer Financial Protection Bureau.

[FR Doc. 2025-08640 Filed 5-20-25; 8:45 am]

BILLING CODE 4810-AM-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2024-2348; Airspace Docket No. 23-AAL-53]

RIN 2120-AA66

Revocation of Alaskan Very High Frequency Omnidirectional Range Federal Airway V-414 and Amendment of United States Area Navigation Routes T-248 and T-250 in Alaska

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action revokes Alaskan Very High Frequency Omnidirectional Range (VOR) Federal Airway V-414 and amends United States Area Navigation (RNAV) Routes T-248 and T-250 in Alaska. These actions are due to the decommissioning of the Nondirectional Radio Beacon (NDB) portion of the Gambell NDB/distance measuring equipment (DME) in Alaska.

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

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

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

History

The FAA published a notice of proposed rulemaking for Docket No. FAA-2024-2348 in the **Federal Register** (89 FR 81406; October 8, 2024), proposing to revoke Alaskan VOR Federal Airway V-414 and amend RNAV Routes T-248 and T-250 in Alaska. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. No comments were received.

Differences From the NPRM

The NPRM proposed to replace the Gambell NDB/DME with a new

waypoint (WP) FOXNO. After the publication of the NPRM, the FAA decided to retain the DME portion of the Gambell NDB/DME and continue with the decommissioning of the NDB. With the retention of the DME portion of the Gambell NDB/DME, the FOXNO WP will no longer be utilized by RNAV Routes T-248 or T-250. This action updates the route descriptions for T-248 and T-250 in accordance with that change.

Incorporation by Reference

Alaskan VOR Federal Airways are published in paragraph 6010(b) and United States RNAV Routes are published in paragraph 6011 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document 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

This action amends 14 CFR part 71 by revoking Alaskan Very High Frequency Omnidirectional Range (VOR) Federal Airway V-414 and amending RNAV Routes T-248 and T-250 in Alaska. These proposed actions are due to the decommissioning of the NDB portion of the Gambell NDB/DME in Alaska.

V-414: Prior to this final rule, V-414 extended between the Gambell, AK, NDB/DME and the Kukuliak, AK, VOR/DME. This rule revokes V-414 in its entirety.

T-248: Prior to this final rule, T-248 extended between the Gambell, AK, NDB/DME and the Emmonak, AK, VOR/DME. This rule amends T-248 by replacing the Gambell NDB/DME with the Gambell, AK, DME. As amended, T-248 would extend between the Gambell DME and the Emmonak VOR/DME.

T-250: Prior to this final rule, T-250 extended between the Kukuliak, AK, VOR/DME and the Bethel, AK, Very High Frequency Omnidirectional Range/Tactical Air Navigation (VORTAC). This rule extends the route westward by adding the Gambell, AK, DME to the route description. As amended, T-250 would extend between the Gambell DME and the Bethel VORTAC.

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 of revoking Alaskan VOR Federal Airway V-414 and amending RNAV Routes T-248 and T-250 in Alaska qualifies for categorical exclusion under the National Environmental Policy Act (42 U.S.C. 4321, et seq.), and in accordance with FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 5-6.5a, which

categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points); and paragraph 5-6.5k, which categorically excludes from further environmental impact review the publication of existing air traffic control procedures that do not essentially change existing tracks, create new tracks, change altitude, or change concentration of aircraft on these tracks. As such, this action is not expected to result in any potentially significant environmental impacts. In accordance with FAA Order 1050.1F, paragraph 5-2 regarding Extraordinary Circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis. The FAA has determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact study.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

T-248 Gambell, AK (GAM) to Emmonak, AK (ENM) [Amended]

Table with 3 columns: Location, Code, and Coordinates. Rows include Gambell, AK (GAM) DME, QAYAQ, AK WP, and Emmonak, AK (ENM) VOR/DME.

* * * * *

T-250 Gambell, AK (GAM) to Bethel, AK (BET) [Amended]

Table with 3 columns: Location, Code, and Coordinates. Rows include Gambell, AK (GAM) DME, Kukuliak, AK (ULL) VOR/DME, QAYAQ, AK WP, BANAT, AK WP, and Bethel, AK (BET) VORTAC.

* * * * *

Issued in Washington, DC, on May 15, 2025.

Brian Eric Konie, Manager (A), Rules and Regulations Group. [FR Doc. 2025-09019 Filed 5-20-25; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF JUSTICE

Parole Commission

28 CFR Part 2

[Docket No. USPC-2025-001]

Paroling, Recommitting, and Supervising Federal Prisoners: Prisoners Serving Sentences Under the United States and District of Columbia Codes

AGENCY: United States Parole Commission, Justice.

ACTION: Final rule.

SUMMARY: The U.S. Parole Commission is adopting a final rule to remove and

The Amendment

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

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

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

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

§ 71.1 [Amended]

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

Paragraph 6010(b) Alaskan VOR Federal Airways.

* * * * *

V-414 [Removed]

* * * * *

Paragraph 6011 United States Area Navigation Routes.

* * * * *

reserve a procedural rule which concerns prisoners serving any combination of U.S. and D.C. Code sentences that have been aggregated by the U.S. Bureau of Prisons ("mixed code" offenders) and considered for parole on the basis of a single parole eligibility and mandatory release date on the aggregate sentence.

DATES: This regulation is effective May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Helen Krapels, General Counsel, U.S. Parole Commission, 90 K Street NE, Third Floor, Washington, DC 20530, telephone (202) 346-7031. Questions about this publication are welcome, but

inquiries concerning individual cases cannot be answered over the telephone.

SUPPLEMENTARY INFORMATION: 28 CFR 2.65 pertains to the procedure for considering “mixed code” cases, *i.e.*, offenders serving D.C. Code and U.S. Code sentences that the U.S. Bureau of Prisons has aggregated into one sentence. As a result of the D.C. Circuit Court’s ruling in *Ford v. Massarone*, 902 F.3d 309 (D.C. Cir. 2018), and the limited number of cases that this regulation would apply to, the U.S. Parole Commission has decided to remove 28 CFR 2.65. In *Ford*, the D.C. Circuit Court of Appeals found that the prisoner with an aggregate federal and District of Columbia sentence was entitled to have his initial D.C. parole hearing on the date he had served his minimum D.C. sentence, rather than shortly before his subsequent projected federal parole date, even though the prisoner would need to remain in prison on his federal sentence until his federal parole date. By removing 28 CFR 2.65, the U.S. Parole Commission will schedule “mixed code” prisoners for their initial parole hearing based on the parole eligibility date of their aggregate sentence as calculated by the Bureau of Prisons. The U.S. Parole Commission will evaluate whether the prisoner should be paroled under both federal and D.C. code parole statutes and regulations. To address any remaining “mixed code” prisoners, detailed guidance will be provided to agency staff as to the procedures noted in *Ford v. Massarone*.

Because this is a procedural rule, the matter was voted on *seriatim*.

Executive Orders 12866, 13563 and 14219

This regulation has been drafted and reviewed in accordance with Executive Order 12866, “Regulation Planning and Review,” section 1(b), Principles of Regulation; Executive Order 13565, “Improving Regulation and Regulatory Review,” section 1(b), General Principles of Regulation; and Executive Order 14219, “Ensuring Lawful Governance and Implementing the President’s ‘Department of Government Efficiency’ Deregulatory Initiative.” The Commission has determined that this rule is not a “significant regulatory action” under Executive Order 12866, section 3(f), Regulatory Planning and Review, and accordingly this rule has not been reviewed by the Office of Management and Budget.

Executive Order 13132

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. Under Executive Order 13132, this rule does not have sufficient federalism implications requiring a Federalism Assessment.

Regulatory Flexibility Act

This rule will not have a significant economic impact upon a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 605(b).

Unfunded Mandates Reform Act of 1995

This rule will not cause State, local, or tribal governments, or the private sector, to spend \$100,000,000 or more in any one year, and it will not significantly or uniquely affect small governments. No action under the Unfunded Mandates Reform Act of 1995 is necessary.

Small Business Regulatory Enforcement Fairness Act of 1996 (Subtitle E—Congressional Review Act)

This rule is not a “major rule” as defined by Section 804 of the Small Business Regulatory Enforcement Fairness Act of 1996 Subtitle E—Congressional Review Act, now codified at 5 U.S.C. 804(2). The rule will not result in an annual effect on the economy of \$100,000,000 or more; a major increase in costs or prices; or significant adverse effects on the ability of United States-based companies to compete with foreign-based companies. Moreover, this is a rule of agency practice or procedure that does not substantially affect the rights or obligations of non-agency parties, and does not come within the meaning of the term “rule” as used in Section 804(3)(C), now codified at 5 U.S.C. 804(3)(C). Therefore, the reporting requirement of 5 U.S.C. 801 does not apply.

List of Subjects in 28 CFR Part 2

Administrative practice and procedure, Prisoners, Probation and parole.

The Final Rule

Accordingly, the U.S. Parole Commission is amending 28 CFR part 2 to read as follows:

PART 2—PAROLE, RELEASE, SUPERVISION AND RECOMMITMENT OF PRISONERS, YOUTH OFFENDERS, AND JUVENILE DELINQUENTS

■ 1. The authority citation for part 2 continues to read as follows:

Authority: 18 U.S.C. 4203(a)(1) and 4204(a)(6).

§ 2.65 [Removed and Reserved]

■ 2. Remove and reserve § 2.65.

* * * * *

Patricia K. Cushwa,

Chairman (Acting), U.S. Parole Commission.

[FR Doc. 2025–09140 Filed 5–20–25; 8:45 am]

BILLING CODE 4410–31–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2024–0407]

Drawbridge Operation Regulation; Manitowoc River, Manitowoc, WI

AGENCY: Coast Guard, DHS.

ACTION: Temporary Interim Rule; request for comments.

SUMMARY: The Coast Guard is issuing a temporary interim rule from the operating schedule that governs the Eighth Street Bridge, mile 0.29 and the Tenth Street Bridge, mile 0.43, over the Manitowoc River, in the town of Manitowoc, Wisconsin. The City of Manitowoc has requested a full review of the current bridge regulations to alleviate vehicle congestion in downtown Manitowoc. The Coast Guard is seeking comments from the public regarding this deviation and specifically on whether we should make this drawbridge operation schedule permanent.

DATES: Effective May 22, 2025, 33 CFR 117.1089(a) is stayed until November 30, 2025. The revision of 33 CFR 117.1089(b) in this rule is also effective from May 22, 2025, until November 30, 2025.

Comments and related material must reach the Coast Guard on or before July 31, 2025.

ADDRESSES: You may submit comments and view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>. Type the docket number (USCG–2024–0407) in the “SEARCH” box and click “SEARCH”. In the Document Type column, select “Supporting & Related Material.”

FOR FURTHER INFORMATION CONTACT: If you have questions on this test deviation, call or email Mr. Lee D. Soule, Bridge Management Specialist, Ninth Coast Guard District; telephone 216–902–6085, email Lee.D.Soule@uscg.mil.

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

CFR	Code of Federal Regulations
DHS	Department of Homeland Security
FR	Federal Register
IGLD85	International Great Lakes Datum of 1985
LWD	Low Water Datum based on IGLD85
NPRM	Notice of proposed rulemaking
Pub. L.	Public Law
SNPRM	Supplemental notice of proposed rulemaking
S.S.	Steam Powered Ship
§	Section
U.S.C.	United States Code
WISDOT	Wisconsin Department of Transportation

II. Background Information and Regulatory History

The Manitowoc River is 35.8 miles long and flows into Lake Michigan at the town of Manitowoc, Wisconsin. Large commercial vessels, along with powered and unpowered recreational vessels, use the navigable portion of the river that extends from the mouth of the river to the head of navigation at mile 2.33. There are two movable bridges over the river.

The Eighth Street Bridge, mile 0.29 is a double leaf bascule bridge that provides a horizontal clearance of 120 feet and a vertical clearance of 12 feet above LWD in the closed position and an unlimited clearance in the open position.

The Tenth Street Bridge, mile 0.43, is a double leaf bascule bridge that provides a horizontal clearance of 120 feet and a vertical clearance of 14 feet above LWD in the closed position and an unlimited clearance in the open position.

Both bridges over the Manitowoc River have operated under a special regulation (33 CFR 117.1089) since 1920, with the last modernization to the regulation occurring in 1955. Since the last review, there have been several important changes to commerce on the river. Specifically, the Wisconsin Central Railroad Bascule Bridge and the Wisconsin Central Railroad Swing Bridge that previously crossed the river have been removed in their entirety. Additionally, the three ferries operated by railroad companies have stopped servicing Manitowoc, Wisconsin.

The Coast Guard is issuing this temporary interim rule without prior notice and opportunity to comment pursuant to authority under 5 U.S.C. 553(b). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are “impracticable, unnecessary, or contrary

to the public interest.” Under 5 U.S.C. 553(b), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking with respect to this rule because it is contrary to the public interest to delay the issuance of the rule and the beneficial impacts it provides to the local community and users of the waterway. The bridge is currently only required to remain closed to navigation for short 10-minute periods during commuting hours causing high vehicle congestion. This temporary operating schedule adjusts the designated drawbridge opening times to assist with vehicle congestion. We lack sufficient time to issue a proposed rule and consider comments prior to needing to begin the temporary deviation to the operating schedule.

Also, under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of this rule would be impracticable because action is needed to respond to change in drawbridge schedule starting on May 22, 2025. The Coast Guard is soliciting comments on this temporary interim rule. If the Coast Guard determines that changes to the temporary interim rule are necessary, we will publish a temporary final rule or other appropriate document. If the Coast Guard determines that no changes are necessary to the schedule provided in this rule, we may finalize the operating schedule as permanent upon completion of the approved deviation.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 33 U.S.C. 499.

Public concern that vehicles unloaded from the ferry, the S.S. Badger, brought to downtown Manitowoc from Ludington, Michigan were causing vehicle traffic congestion at the Eighth Street Bridge, mile 0.29 and the Tenth Street Bridge, mile 0.43, prompted the City of Manitowoc, Wisconsin, to request special bridge hours when the S.S. Badger unloads vehicles. After a formal inquiry into the operations of the S.S. Badger, it was determined that their slow loading and offloading process did not cause vehicle congestion to downtown Manitowoc.

Thus, to improve the flow of vehicles across the city, WisDOT, in cooperation with the City of Manitowoc, completed studies to make roadway improvements. The studies indicated that a combined 20,600 vehicles cross over the Eighth Street Bridge, mile 0.29 and the Tenth Street Bridge, mile 0.43, daily. Proposed solutions to traffic congestion include instituting one-way traffic on each

bridge to facilitate efficient traffic flows. To further ease vehicle congestion, the state of Wisconsin has designed a roundabout to the north and south of the bridges to alleviate vehicles sitting at traffic lights or stop signs. This will help create a better flow of vehicles rather than several small surges of vehicles trying to cross the bridges.

In order to try to minimize traffic congestion in downtown Manitowoc and to meet the reasonable needs of navigation, the Coast Guard will be authorizing a TIR for the Eighth Street Bridge, mile 0.29 and the Tenth Street Bridge, mile 0.43, to allow the public to test the proposed regulation and comment on its effectiveness.

After reviewing drawtender logs for each of the two bridges, we discovered each bridge opens over 500 times annually, and most openings occur between May and October of each year. Of the total openings, approximately 237 openings were done to accommodate recreational vessels, and 263 openings were done to accommodate commercial vessels. This data provides a roughly equal balance of openings between the primary vessel types (recreational and commercial).

Currently, the regulations provide that, from April 1 through October 31, the bridges provide two 10-minute periods (6:50 a.m. to 7 a.m., and 7:50 a.m. to 8 a.m.) and two 15-minute periods (11:55 a.m. to 12:10 p.m., and 12:45 p.m. to 1 p.m.) each day, during which the bridge need not open, to alleviate vehicle congestion at the bridges. The regulations also include a 6-hour advance notice required for openings during a 6-hour period between 10:30 p.m. to 4:30 a.m. The current regulation was drafted by the railroads and approved by the United States Department of War one hundred and four years ago. The regulation was groundbreaking when it was first conceived, but by modern standards, operations of the bridge are cumbersome, as the existing regulation does not account for the increase in population. It is also outdated by the loss of the original railroads. Four short periods to allow vehicles to cross the bridges is an antiquated process that does not meet the current need of land transportation. We reviewed the hourly vehicular traffic logs from the city and discovered each bridge handles over 10,500 cars daily with three hours that peak for vehicle crossings. The three periods are in the morning while people are traveling to work, mid-day when people are traveling for lunch, and evening when people tend to leave work for home. The vehicle counts provided by the city show 1610 vehicles on

average cross the bridges in the morning rush hour from 7 a.m. to 8 a.m., 2370 vehicles cross the bridge a from 11 a.m. to noon, and 2855 vehicles cross the bridges from 4 p.m. to 5 p.m. These three rush-hours combined for both bridges would facilitate 6835 vehicles throughout downtown.

IV. Discussion of the Rule

Under the new regulation, the times the bridges remain closed to alleviate motor vehicle traffic congestion will be scheduled for three separate hour-long periods during the morning (7 a.m. to 8 a.m.), midday (11 a.m. to noon), and evening (4 p.m. to 5 p.m.) rush-hours when traffic is the busiest. If the bridges remain open during these times, based on the rush hour traffic patterns, the roads will become more congested, making it difficult for vehicles to travel efficiently. As more drivers learn of these mandated periods where the bridge is not required to open, we speculate more drivers will adjust their schedules to cross the bridges during these times.

Furthermore, the old regulation requires special sound signals to request openings for each bridge. This is an antiquated system long overtaken by the utility and popularity of VHF-FM Marine Radios and cellular telephones (utilized in most vessel calls to the bridges when requesting openings). By removing these specialized series of horn blasts in the new regulation, we will simplify the process and make the rule easier to understand and remember.

Weekend and holiday tourism patterns diverge heavily from weekday patterns. As a result, on weekends and holidays, the bridges will open on signal during the day, but not during the evenings. This change will avoid impeding trade or travel levels typically associated with these traditional non-working days.

The current regulation allows for a deviation for six hours in the evening from the general requirement in 33 CFR 117.7(a) to man the drawbridge with drawtenders (10:30 p.m. to 4:30 a.m.) and requires mariners to provide six hours advance notice when requesting bridge openings. The current regulation is generally unaccommodating to mariners and creates a potential safety risk to mariners seeking safe harbor from storms. It requires a 6-hour notice for an opening, but the closure itself is 6-hours in duration. As a result, ships traveling to Manitowoc or leaving port who are running a little late from loading or unloading cargo may need to wait until morning for the bridge to open. To better accommodate vessels which may require an opening, we are

adjusting the evening and morning hours by 30 minutes (10 p.m. to 4 a.m.) and are also reducing the advance notice to 2 hours, instead of 6 hours, based on times when vessels seldom request openings.

The current regulation lists winter hours starting on November 1 and ending on March 31. Drawtender logs show the bridges open an average of 75 times during the month of November. Moving the winter hours to begin on December 1 would relieve the mariners from the burden of the advance notice requirements in November and would allow the city to have a drawtender on duty during the busy November months, without recalling personnel to operate the bridges. Therefore, the new regulation includes a provision changing the beginning of the winter hours to December 1.

We are considering making this temporary interim rule's regulation for the drawbridge operation permanent and request public comment on that path.

On April 30, 2024, we emailed a draft copy of the proposed temporary rule to the City of Manitowoc, Lake Carriers Association, Rand Logistics Incorporated, and Chamber of Marine Commerce for initial comments prior to publishing the test deviation on www.regulations.gov. We did not receive any negative comments, but we did receive one supporting comment by phone from a commercial mariner.

We view public participation as essential to effective rulemaking and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. Your comments will help us determine if this operating schedule should become the new permanent operating schedule.

We encourage you to submit comments through the Federal Decision-Making Portal at <https://www.regulations.gov>. To do so, go to <https://www.regulations.gov>, type USCG-2024-0407 in the search box and click "Search." Next, look for this document in the Search Results column, and click on it. Then click on the Comment option. If your material cannot be submitted using <https://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

V. Regulatory Analyses

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

A. Regulatory Planning and Review

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. This rule has not been designated a "significant regulatory action," under section 3(f) of Executive Order 12866. Accordingly, it has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on the ability that vessels can still transit the bridge given advanced notice.

B. Impact on Small Entities

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

While some owners or operators of vessels intending to transit the bridge may be small entities, for the reasons stated in section V.A above, this rule will not have a significant economic impact on any vessel owner or operator.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Enforcement Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by

employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

C. Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

D. Federalism and Indian Tribal Government

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

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

E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

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

the human environment. This rule promulgates the operating regulations or procedures for drawbridges and is categorically excluded from further review, under paragraph L49, of Department of Homeland Security Management Directive 023–01, Rev. 1, Table 1 and Chapter 3, Table 3–1 of the U.S. Coast Guard Environmental Planning Implementation Procedures.

Neither a Record of Environmental Consideration nor a Memorandum for the Record are required for this rule.

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

■ 1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 33 CFR 1.05–1; Department of Homeland Security Delegation No. 0170.1. Revision No. 01.3

■ 2. Amend § 117.1089 by staying paragraph (a) and revising paragraph (b) to read as follows:

§ 117.1089 Maniwoc River

* * * * *

(b) The draws of the Eighth Street Bridge, mile 0.29 and the Tenth Street Bridge, mile 0.43, over the Maniwoc River at Maniwoc, shall open on signal except that:

(1) From April 1 through November 30, Monday through Friday, the bridges need not open from 7 a.m. to 8 a.m., and 11 a.m. to 12 p.m., and again from 4 p.m. to 5 p.m., except federal holidays. From 10 p.m. to 4 a.m., the bridges will open on signal if provided a 2-hour advance notice of arrival.

(2) From December 1 through March 31 the draws shall open on signal if at least a 12-hour advance notice is given.

Dated: May 15, 2025.

Jonathan Hickey,

Rear Admiral, U.S. Coast Guard, Commander, Ninth Coast Guard District.

[FR Doc. 2025–09136 Filed 5–20–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 635

[Docket No. 220919–0193; RTID 0648–XE757]

Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; Closure of the Angling Category Southern New England Area Trophy Fishery for 2025

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS closes the Angling category southern New England area fishery for large medium and giant (“trophy” (*i.e.*, measuring 73 inches (185 centimeters (cm)) curved fork length or greater)) Atlantic bluefin tuna (BFT). The southern New England area trophy fishery is defined as south of 42° N lat. and north of 39°18’ N lat. This action applies to Highly Migratory Species (HMS) Angling and HMS Charter/Headboat permitted vessels when fishing recreationally.

DATES: Effective 11:30 p.m., local time, May 16, 2025, through December 31, 2025.

FOR FURTHER INFORMATION CONTACT:

Aiman Raza, aiman.raza@noaa.gov, or Larry Redd, Jr., larry.redd@noaa.gov, by email, or by phone at 301–427–8503.

SUPPLEMENTARY INFORMATION: Atlantic BFT fisheries are managed under the 2006 Consolidated Highly Migratory Species Fishery Management Plan (HMS FMP) and its amendments, pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act; 16 U.S.C. 1801 *et seq.*) and consistent with the Atlantic Tunas Convention Act (ATCA; 16 U.S.C. 971 *et seq.*). ATCA is the implementing statute for binding recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT). The HMS FMP and its amendments are implemented by regulations at 50 CFR part 635. Section 635.27(a) divides the U.S. BFT quota, established by ICCAT and as implemented by the United States among the various domestic fishing categories, per the allocations established in the HMS FMP and its amendments. NMFS is required under the Magnuson-Stevens Act at 16 U.S.C. 1854(g)(1)(D) to provide U.S. fishing vessels with a reasonable opportunity to harvest quotas under relevant

international fishery agreements such as the ICCAT Convention, which is implemented domestically pursuant to ATCA.

Under § 635.28(a)(1), NMFS files a closure notice with the Office of the Federal Register for publication when a BFT quota (or subquota) is reached or is projected to be reached. Retaining, possessing, or landing BFT under that quota category is prohibited on and after the effective date and time of a closure notice for that category, for the remainder of the fishing year, until the opening of the subsequent quota period or until such date as specified.

Every year, the BFT fishing year starts on January 1 and ends on December 31. The Angling category opens on January 1 and continues through December 31 or until the applicable quota or subquota is reached or projected to be reached, whichever comes first. As described in § 635.27(a), the current baseline U.S. BFT quota is 1,316.14 metric tons (mt) (not including the 25 mt ICCAT allocated to the United States to account for bycatch of BFT in pelagic longline fisheries in the Northeast Distant Gear Restricted Area per § 635.27(a)(3)). The Angling category baseline quota is 297.4 mt, of which 9.2 mt (3.1 percent of the annual Angling category quota) is sub-allocated for the harvest of large medium and giant (trophy) BFT by vessels fishing under the Angling category quota, with 2.3 mt (25 percent of the annual large medium and giant BFT Angling category quota) allocated for each of the four areas delineated at § 635.27(a)(2)(iii), including the area that is south of 42° N lat. and north of 39°18' N lat. (the southern New England area). Trophy BFT measure 73 inches (185 cm) curved fork length or greater. This closure action applies to the southern New England area.

Angling Category Trophy Bluefin Tuna Southern New England Area Fishery Closure

Based on landings data from the NMFS Automated Catch Reporting System, as well as average catch rates and anticipated fishing conditions, NMFS has determined the Angling category southern New England area trophy BFT subquota of 2.3 mt is projected to be reached and exceeded shortly. Therefore, retaining, possessing, or landing large medium or giant (*i.e.*, measuring 73 inches (185 cm) curved fork length or greater) BFT south of 42° N lat. and north of 39°18' N lat by persons aboard HMS Angling and HMS Charter/Headboat permitted vessels (when fishing recreationally) must cease at 11:30 p.m. local time on May 16, 2025. This closure will remain effective

through December 31, 2025. This action applies to HMS Angling and HMS Charter/Headboat permitted vessels when fishing recreationally for BFT, and is taken consistent with the regulations at § 635.28(a)(1). This action is intended to prevent overharvest of the Angling category southern New England area trophy BFT subquota.

If needed to ensure available quotas or subquotas are not exceeded or to enhance fishing opportunities, subsequent Angling category adjustments or closures will be published in the **Federal Register** per §§ 635.27(a)(7) and 635.28(a)(1). Information regarding the Angling category fishery for Atlantic tunas, including daily retention limits for BFT measuring 27 inches (68.5 cm) to less than 73 inches (185 cm), and any further Angling category adjustments, is available at <https://hmspermits.noaa.gov>. During a closure, fishermen aboard HMS Angling and HMS Charter/Headboat permitted vessels when fishing recreationally may continue to catch and release (or tag and release) BFT of all sizes, subject to the requirements of the catch-and-release and tag-and-release programs at § 635.26. All BFT that are released must be handled in a manner that will maximize survival, and without removing the fish from the water, consistent with requirements at § 635.21(a)(1). For additional information on safe handling, see the "Careful Catch and Release" brochure available at <https://www.fisheries.noaa.gov/resource/outreach-and-education/careful-catch-and-release-brochure/>.

Monitoring and Reporting

NMFS will continue to monitor the BFT fisheries closely. Per § 635.5(c)(1), HMS Angling and HMS Charter/Headboat permitted vessel owners are required to report the catch of all BFT retained or discarded dead, within 24 hours of the landing(s) or end of each trip, by accessing <https://hmspermits.noaa.gov>, using the HMS Catch Reporting app, or calling (888) 872-8862 (Monday through Friday from 8 a.m. until 4:30 p.m.).

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act (16 U.S.C. 1855(d)) and regulations at 50 CFR part 635, and this action is exempt from review under Executive Order 12866.

The Assistant Administrator for NMFS (AA) finds that pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice of, and an

opportunity for public comment on, this action because it is impracticable and contrary to the public interest for the following reasons. Specifically, the regulations implementing the HMS FMP and its amendments provide for inseason retention limit adjustments and fishery closures to respond to the unpredictable nature of BFT availability on the fishing grounds, the migratory nature of this species, and the regional variations in the BFT fishery. Providing for prior notice and opportunity to comment is impracticable and contrary to the public interest as this fishery is currently underway and, based on the most recent landings information, the Angling category southern New England area trophy BFT fishery subquota is projected to be reached and exceeded shortly. Delaying this action could result in excessive trophy BFT landings that may result in future potential quota reductions for the Angling category, depending on the magnitude of a potential Angling category overharvest. NMFS must close the southern New England area trophy BFT fishery before additional landings of these sizes of BFT occur. Taking this action does not raise conservation and management concerns, and would support effective management of the BFT fishery. NMFS notes that the public had an opportunity to comment on the underlying rulemakings that established the U.S. BFT quota and the inseason adjustment criteria.

For all of the above reasons, the AA also finds that pursuant to 5 U.S.C. 553(d), there is good cause to waive the 30-day delay in effectiveness.

Authority: 16 U.S.C. 971 *et seq.* and 1801 *et seq.*

Dated: May 15, 2025.

Kelly Denit,

*Director, Office of Sustainable Fisheries,
National Marine Fisheries Service.*

[FR Doc. 2025-09075 Filed 5-16-25; 4:15 pm]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 679****[Docket No. 250312–0036; RTID 0648–XE884]****Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area****AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.**ACTION:** Temporary rule; modification of a closure.**SUMMARY:** NMFS is opening directed fishing for Pacific ocean perch (POP) in the Bering Sea subarea of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to fully use the 2025 total allowable catch of POP specified for the Bering Sea subarea of the BSAI.**DATES:** Effective 1200 hours, Alaska local time (A.l.t.), May 19, 2025, through 2400 hours, A.l.t., December 31, 2025. Comments must be received at the following address no later than 4:30 p.m., A.l.t., June 5, 2025.**ADDRESSES:** You may submit comments on this document, identified by NOAA–NMFS–2024–0116, by any of the following methods:

- *Electronic Submission:* Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to <https://www.regulations.gov> and enter NOAA–NMFS–2024–0116 in the Search box. Click on the “Comment” icon, complete the required fields, and enter or attach your comments.

- *Mail:* Submit written comments to Gretchen Harrington, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region NMFS. Mail comments to P.O. Box 21668, Juneau, AK 99802–1668.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of

the comment period may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on <https://www.regulations.gov> without change. All personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter “NA” in the required fields if you wish to remain anonymous).

FOR FURTHER INFORMATION CONTACT: Steve Whitney, 907–206–6783.**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the BSAI exclusive economic zone according to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP) prepared and recommended by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

NMFS closed directed fishing for POP in the Bering Sea subarea of the BSAI under § 679.20(d)(1)(iii) in the final 2025 and 2026 harvest specifications for groundfish in the BSAI (90 FR 12640, March 18, 2025).

NMFS has determined that as of May 14, 2025, approximately 5,500 metric tons of POP remain in the directed fishing allowance. Therefore, in accordance with § 679.25(a)(1)(i), (a)(2)(i)(C), and (a)(2)(iii)(D), and to fully utilize the 2025 total allowable catch of POP in the Bering Sea subarea of the BSAI, NMFS is terminating the previous closure and is opening directed fishing for POP in Bering Sea subarea of the BSAI, effective 1200 hours, A.l.t., May 19, 2025, through 2400 hours, A.l.t., December 31, 2025. This will provide harvest opportunities for and enhance the socioeconomic well-being of harvesters dependent on POP in this area.

The Administrator, Alaska Region considered the following factors in reaching this decision: (1) the current catch of POP in the BSAI; and (2) the harvest capacity and stated intent of future harvesting patterns of vessels participating in this fishery.

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR part 679, which was issued pursuant to section 304(b) of the Magnuson-Stevens Act, and is exempt from review under Executive Order 12866.

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment would be impracticable and contrary to the public interest, as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the opening of directed fishing for POP in the Bering Sea subarea of the BSAI. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data on POP only became available as of May 14, 2025.

The Assistant Administrator for Fisheries, NOAA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

Without this inseason adjustment, NMFS could not allow the directed fishery for POP in the Bering Sea subarea of the BSAI to be harvested in an expedient manner. Under § 679.25(c)(2), interested persons are invited to submit written comments on this action to the above address until June 5, 2025.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: May 16, 2025.

Kelly Denit,*Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 2025–09165 Filed 5–19–25; 4:15 pm]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register

Vol. 90, No. 97

Wednesday, May 21, 2025

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

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2025-0911; Project Identifier MCAI-2025-00119-T]

RIN 2120-AA64

Airworthiness Directives; Airbus Canada Limited Partnership (Type Certificate Previously Held by C Series Aircraft Limited Partnership (CSALP); Bombardier, Inc.) Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for certain Airbus Canada Limited Partnership Model BD-500-1A10 and BD-500-1A11 airplanes. This proposed AD was prompted by reports that the interface pin of the secondary load path in the upper gimbal of the horizontal stabilizer trim actuator (HSTA) was incorrectly installed. This proposed AD would require a detailed visual inspection of the interface pin of the HSTA to determine if the interface pin is incorrectly installed, and applicable on-condition actions as specified in a Transport Canada AD, which is proposed for incorporation by reference (IBR). The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by July 7, 2025.

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

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

- *Fax:* 202-493-2251.

- *Mail:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room

W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

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

AD Docket: You may examine the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2025-0911; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For Transport Canada material identified in this AD, contact Transport Canada, Transport Canada National Aircraft Certification, 159 Cleopatra Drive, Nepean, Ontario K1A 0N5, Canada; telephone 888-663-3639; email TC.AirworthinessDirectives-Consignesdenavigabilite.TC@tc.gc.ca; website at tc.canada.ca/en/aviation. It is also available at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2025-0911.

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

FOR FURTHER INFORMATION CONTACT: Camille Seay, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 817-222-5149; email: camille.l.seay@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include “Docket No. FAA-2025-0911; Project Identifier MCAI-2025-00119-T” at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR

11.35, the FAA will post all comments received, without change, to [regulations.gov](https://www.regulations.gov), including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this NPRM.

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as “PROPIN.” The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Camille Seay, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 817-222-5149; email: camille.l.seay@faa.gov. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

Transport Canada, which is the aviation authority for Canada, has issued Transport Canada AD CF-2025-07, dated January 27, 2025 (Transport Canada AD CF-2025-07) (also referred to as the MCAI), to correct an unsafe condition for certain Airbus Canada Limited Partnership Model BD-500-1A10 and BD-500-1A11 airplanes. The MCAI states a production quality escape was discovered, where the interface pin of the secondary load path in the upper gimbal of the HSTA was incorrectly installed. This condition, if not corrected, could compromise the secondary load path in the upper gimbal of the HSTA and cause a mechanical disconnect of the horizontal stabilizer leading to a loss of control of the airplane.

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

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2025–0911.

Material Incorporated by Reference Under 1 CFR Part 51

Transport Canada AD CF–2025–07 specifies procedures for a detailed visual inspection of the interface pin of the secondary load path in the upper gimbal of the HSTA to determine if the interface pin is incorrectly installed, and applicable on-condition actions including modification of an incorrectly installed interface pin. This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the ADDRESSES section.

FAA’s Determination

This product has been approved by the aviation authority of another country and is approved for operation in the United States. Pursuant to the FAA’s

bilateral agreement with this State of Design Authority, it has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA is issuing this NPRM after determining that the unsafe condition described previously is likely to exist or develop in other products of the same type design.

Proposed AD Requirements in This NPRM

This proposed AD would require accomplishing the actions specified in Transport Canada AD CF–2025–07 described previously, except for any differences identified as exceptions in the regulatory text of this proposed AD.

Explanation of Required Compliance Information

In the FAA’s ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some civil aviation authority (CAA) ADs as the primary source of

information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, the FAA proposes to incorporate Transport Canada AD CF–2025–07 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with Transport Canada AD CF–2025–07 in its entirety through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Material required by Transport Canada AD CF–2025–07 for compliance will be available at *regulations.gov* under Docket No. FAA–2025–0911 after the FAA final rule is published.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 90 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
1 work-hour × \$85 per hour = \$85	\$0	\$85	\$7,650

The FAA estimates the following costs to do any necessary on-condition action that would be required based on

the results of any required actions. The FAA has no way of determining the

number of aircraft that might need this on-condition action:

ESTIMATED COSTS OF ON-CONDITION ACTIONS

Labor cost	Parts cost	Cost per product
5 work-hours × \$85 per hour = \$425	\$49,370	\$49,795

The FAA has included all known costs in its cost estimate. According to the manufacturer, however, some or all of the costs of this proposed AD may be covered under warranty, thereby reducing the cost impact on affected operators.

Authority for This Rulemaking

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

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

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

Regulatory Findings

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

Airbus Canada Limited Partnership (Type Certificate Previously Held by C Series Aircraft Limited Partnership (CSALP); Bombardier, Inc.): Docket No. FAA–2025–0911; Project Identifier MCAI–2025–00119–T.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by July 7, 2025.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Airbus Canada Limited Partnership (Type Certificate previously held by C Series Aircraft Limited Partnership (CSALP); Bombardier, Inc.) Model BD–500–1A10 and BD–500–1A11 airplanes, certificated in any category, as identified in Transport Canada AD CF–2025–07, dated January 27, 2025 (Transport Canada AD CF–2025–07).

(d) Subject

Air Transport Association (ATA) of America Code 27, Flight controls.

(e) Unsafe Condition

This AD was prompted by reports that the interface pin of the secondary load path in the upper gimbal of the horizontal stabilizer trim actuator (HSTA) was incorrectly installed. The FAA is issuing this AD to ensure the interface pin of the HSTA is installed correctly. The unsafe condition, if not addressed, could result in a mechanical disconnect of the horizontal stabilizer leading to a loss of control of the airplane.

(f) Compliance

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

(g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, Transport Canada AD CF–2025–07.

(h) Exception to Transport Canada AD CF–2025–07

(1) Where Transport Canada AD CF–2025–07 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where Transport Canada AD CF–2025–07 refers to hours air time, this AD requires using flight hours.

(i) Special Flight Permit

Special flight permits, as described in 14 CFR 21.197 and 21.199, are not allowed.

(j) Additional AD Provisions

The following provisions also apply to this AD:

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

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

(k) Additional Information

For more information about this AD, contact Camille Seay, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 817–222–5149; email: camille.l.seay@faa.gov.

(l) Material Incorporated by Reference

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

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

(i) Transport Canada AD CF–2025–07, dated January 27, 2025.

(ii) [Reserved]

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

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

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

Issued on May 15, 2025.

Peter A. White,

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

[FR Doc. 2025–09080 Filed 5–20–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–0912; Project Identifier MCAI–2024–00571–T]

RIN 2120–AA64

Airworthiness Directives; Airbus SAS Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for all Airbus SAS Model A350–941 and A350–1041 airplanes. This proposed AD was prompted by reports of mechanical noises originating from the nose landing gear (NLG) shock absorber during ground maneuvers. This proposed AD would require repetitive inspections (*i.e.*, steering checks) of the NLG shock absorber and applicable on-condition actions and limit the installation of affected parts under certain conditions. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by July 7, 2025.

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

- *Federal eRulemaking Portal:* Go to regulations.gov. Follow the instructions for submitting comments.

- *Fax:* 202–493–2251.

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

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

AD Docket: You may examine the AD docket at regulations.gov under Docket No. FAA–2025–0912; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the mandatory

continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For European Union Aviation Safety Agency (EASA) material identified in this proposed AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email ADs@easa.europa.eu; website easa.europa.eu. You may find this material on the EASA website at ad.easa.europa.eu. It is also available at regulations.gov under Docket No. FAA-2025-0912.

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

FOR FURTHER INFORMATION CONTACT:

Stefanie Roesli, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206-231-3964; email: stefanie.n.roesli@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include “Docket No. FAA-2025-0912; Project Identifier MCAI-2024-00571-T” at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

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

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated

as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as “PROPIN.” The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Stefanie Roesli, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206-231-3964; email: stefanie.n.roesli@faa.gov. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2025-0093, dated April 24, 2025 (EASA AD 2025-0093) (also referred to as “the MCAI”), to correct an unsafe condition for all Airbus SAS Model A350-941 and A350-1041 airplanes. The MCAI reports instances of mechanical noises originating from the NLG shock absorber during ground maneuvers. Further analysis traced these noises to higher than expected friction between the lower bearing carrier (LBC) and the main fitting of the sliding tube. This friction may cause deformation of the LBC’s anti-rotation tabs, leading to relative movement between the LBC and the main fitting. As a result, wear on the corrosion protection coating of the main fitting may occur due to subsequent movement of the retainer ring positioned between these components, which could lead to corrosion of the NLG main fitting.

The FAA is issuing this AD to address higher than expected friction on the NLG shock absorber LBC, which could result in deformation of the LBC’s anti-rotation tabs and consequent corrosion of the NLG main fitting. The unsafe condition, if not addressed, could lead to structural failure of the NLG, which may result in damage to the airplane and injury to occupants.

You may examine the MCAI in the AD docket at regulations.gov under Docket No. FAA-2025-0912.

Material Incorporated by Reference Under 1 CFR Part 51

EASA AD 2025-0093 specifies procedures for repetitive inspections (*i.e.*, steering checks) for relative movement between the LBC and the main fitting and applicable on-condition actions. The on-condition actions

include activating the secondary seal, inspecting and applying torque to the nose landing gear seal changeover valve, inspecting the ring groove for corrosion, and repairing any corrosion. EASA AD 2025-0093 also requires reporting the results of each check where a discrepancy was identified to the manufacturer and limits the installation of affected parts, for airplanes with an affected part installed, unless the steering check has been completed. For airplanes that do not have an affected part installed, EASA AD 2025-0093 prohibits installing an affected part. This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA’s Determination

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

Proposed AD Requirements in This NPRM

This proposed AD would require accomplishing the actions specified in EASA AD 2025-0093 described previously, except for any differences identified as exceptions in the regulatory text of this proposed AD.

Explanation of Required Compliance Information

In the FAA’s ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some civil aviation authority (CAA) ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, the FAA proposes to incorporate EASA AD 2025-0093 by reference in the FAA final rule. This proposed AD would require compliance with EASA AD 2025-0093 in its entirety through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Material required by EASA AD 2025-0093 for compliance will be available at regulations.gov under Docket No. FAA-2025-0912 after the FAA final rule is published.

Interim Action

The FAA considers that this proposed AD would be an interim action. The manufacturer is analyzing the inspection results to assist in their ongoing investigation and help

determine if further corrective actions are needed. If final action is later identified, the FAA might consider further rulemaking then.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 33 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspection	Up to 4 work-hours × \$85 per hour = \$340 per inspection cycle.	\$0	Up to \$340 per inspection cycle.	Up to \$11,220 per inspection cycle.

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

ESTIMATED COSTS OF ON-CONDITION ACTIONS

Action	Labor cost	Parts cost	Cost per product
Corrective actions	Up to 11 work-hours × \$85 per hour = \$935	Up to \$2,000	Up to \$2,935.
Reporting	1 work-hour × \$85 per hour = \$85	\$0	\$85.

Paperwork Reduction Act

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

Authority for This Rulemaking

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

The FAA is issuing this rulemaking under the authority described in

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

Regulatory Findings

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

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

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

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

Airbus SAS: Docket No. FAA–2025–0912; Project Identifier MCAI–2024–00571–T.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by July 7, 2025.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all Airbus SAS Model A350–941 and A350–1041 airplanes, certificated in any category.

(d) Subject

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

(e) Unsafe Condition

This AD was prompted by reports of higher than expected friction on the nose landing gear (NLG) shock absorber lower bearing carrier (LBC), which could result in deformation of the LBC’s anti-rotation tabs and consequent corrosion of the NLG main fitting. The unsafe condition, if not addressed, could lead to structural failure of

the NLG, which could result in damage to the airplane and injury to occupants.

(f) Compliance

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

(g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, EASA AD 2025–0093, dated April 24, 2025 (EASA AD 2025–0093).

(h) Exceptions to EASA AD 2025–0093

(1) Where EASA AD 2025–0093 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where EASA AD 2025–0093 refers to October 4, 2024 (the effective date of EASA AD 2024–0188), this AD requires using the effective date of this AD.

(3) Where paragraph (2) of EASA AD 2025–0093 specifies “within the compliance time(s) specified therein”, this AD requires replacing that text with “before further flight”.

(4) This AD does not adopt the “Remarks” section of EASA AD 2025–0093.

(i) Additional AD Provisions

The following provisions also apply to this AD:

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

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

(3) *Required for Compliance (RC)*: Except as required by paragraph (i)(2) of this AD, if any material referenced in EASA AD 2025–0093 contains paragraphs that are labeled as RC, the instructions in RC paragraphs, including subparagraphs under an RC paragraph, must be done to comply with this AD; any paragraphs, including subparagraphs under those paragraphs, that are not identified as RC are recommended. The instructions in paragraphs, including subparagraphs under those paragraphs, not identified as RC may be deviated from using accepted methods in accordance with the operator’s maintenance or inspection program without obtaining approval of an AMOC, provided the instructions identified

as RC can be done and the airplane can be put back in an airworthy condition. Any substitutions or changes to instructions identified as RC require approval of an AMOC.

(j) Additional Information

For more information about this AD, contact Stefanie Roesli, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206–231–3964; email: stefanie.n.roesli@faa.gov.

(k) Material Incorporated by Reference

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

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

(i) European Union Aviation Safety Agency (EASA) AD 2025–0093, dated April 24, 2025.

(ii) [Reserved]

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

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

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

Issued on May 16, 2025.

Peter A. White,
Deputy Director, Integrated Certificate Management Division, Aircraft Certification Service.

[FR Doc. 2025–09129 Filed 5–20–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket Number USCG–2025–0023]

RIN 1625–AA08

Special Local Regulation; Duluth Harbor, Duluth, MN

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is proposing to establish a temporary special local regulation for designated areas of the Duluth Harbor entrance to Superior Bay

on Lake Superior during the Festival of Sail 2025 event in Duluth, MN. This action is necessary to provide for the safety of life on these navigable waters around the port of Duluth, MN during a sail festival with tall ships beginning on July 10, 2025, and ending the evening of July 13, 2025. This proposed rulemaking would prohibit persons and vessels from being in the designated areas unless authorized by the Captain of the Port Duluth or a designated representative. We invite your comments on this proposed rulemaking. **DATES:** Comments and related material must be received by the Coast Guard on or before June 5, 2025.

ADDRESSES: You may submit comments identified by docket number USCG–2025–0023 using the Federal Decision-Making Portal at <https://www.regulations.gov>. See the “Public Participation and Request for Comments” portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments. This notice of proposed rulemaking with its plain-language, 100-word-or-less proposed rule summary will be available in this same docket.

FOR FURTHER INFORMATION CONTACT: If you have questions about this proposed rulemaking, call or email Lieutenant Zachary Fedak, Waterways Management, Marine Safety Unit Duluth, U.S. Coast Guard telephone 218–725–3818, email Zachary.A.Fedak@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

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

II. Background, Purpose, and Legal Basis

On June 27, 2024, an organization notified the Coast Guard that it will be conducting a Festival of Sail event in Duluth, MN from July 10–July 13, 2025. Hazards from spectator vessels and the limited maneuverability of the sailing vessels exist. The Captain of the Port Duluth (COTP) has determined that potential hazards associated with the parade of sail would be a safety concern for anyone within the route of the parade.

The purpose of this rulemaking is to ensure the safety of vessels and the navigable waters within the parade route before, during, and after the scheduled event, as well as within a more constrained designated area for the duration of the multi-day event and

around each vessel. The Coast Guard is proposing this rulemaking under authority in 46 U.S.C. 70041.

III. Discussion of Proposed Rule

The COTP is proposing to establish a temporary special local regulation from 9 a.m. on July 10, 2025 through 9 p.m. on July 13, 2025.

The temporary special local regulation will cover all navigable waters encompassed within the staging area and parade route from 9 a.m. to 2 p.m. on July 10, 2025. This will include all waters of Lake Superior and Duluth Harbor bounded by Rice's Point to the west and Duluth to the north, and then within the following boundaries: beginning at position 46°46'48.36" N, 092°05'16.44" W; then across Duluth Harbor and turning north to the Duluth Lift Bridge; then out the Duluth Harbor Entrance; then northwest back to the north Duluth Entrance Light, through the canal, then along Minnesota Point; then entering and encompassing the Minnesota Slip; then back out the slip; and then back to the starting point. Additionally, the special local regulation will cover all waters in which the tall ships will be moored from 9 a.m. on July 10, 2025 through 9 p.m. on July 13, 2025. The zone will cover all waters encompassed by a projection extending out southeast from the dock wall along Harbor Drive and southwest from S Lake Avenue. The regulatory text below provides exact coordinates for the zones. No vessel or person who is not approved prior to the event would be permitted to enter the established zones without obtaining permission from the COTP or a designated representative. The duration of the zones is intended to ensure the safety of vessels and these navigable waters before, during, and after the Parade of Sail on July 10, 2025 until the conclusion of the Festival of Sail on July 13, 2025.

The regulatory text we are proposing appears at the end of this document.

IV. Regulatory Analyses

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

A. Regulatory Planning and Review

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. This NPRM has not been designated a "significant regulatory action" under

section 3(f) of Executive Order 12866. Accordingly, the NPRM has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on the availability of the Superior Harbor entrance as an alternate entry into Superior Bay, the limited size and short time frame of the special local regulation, and the estimated number of spectator vessels around the Duluth Harbor entrance for the event. The Coast Guard will issue a Broadcast Notice to Mariners via VHF-FM marine channel 16 about the zone, and the rule would allow vessels to seek permission to enter the zone.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on a substantial number of small entities.

While some owners or operators of vessels intending to transit the safety zone may be small entities, for the reasons stated in section IV.A above, this proposed rule would not have a significant economic impact on any vessel owner or operator.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this proposed rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule. If the proposed rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section. The Coast Guard will not retaliate against small entities that question or complain about this proposed rule or any policy or action of the Coast Guard.

C. Collection of Information

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

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132 (Federalism), if it has a substantial direct effect on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this proposed rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this proposed rule does not have tribal implications under Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments) because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. If you believe this proposed rule has implications for federalism or Indian tribes, please call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this proposed rule would not result in such an expenditure, we do discuss the potential effects of this proposed rule elsewhere in this preamble.

F. Environment

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

the human environment. This proposed rule involves a special local regulation prohibiting entry within certain zones from 9 a.m. on July 10, 2025, through 9 p.m. on July 13, 2025. Normally such actions are categorically excluded from further review under paragraph L60(a) and L61 of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A preliminary Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

V. Public Participation and Request for Comments

We view public participation as essential to effective rulemaking and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

Submitting comments. We encourage you to submit comments through the Federal Decision-Making Portal at <https://www.regulations.gov>. To do so, go to <https://www.regulations.gov>, type USCG–2025–0023 in the search box and click “Search.” Next, look for this document in the Search Results column, and click on it. Then click on the Comment option. If you cannot submit your material by using <https://www.regulations.gov>, call or email the person in the **FOR FURTHER INFORMATION CONTACT** section of this proposed rule for alternate instructions.

Viewing material in docket. To view documents mentioned in this proposed rule as being available in the docket, find the docket as described in the previous paragraph, and then select “Supporting & Related Material” in the Document Type column. Public comments will also be placed in our online docket and can be viewed by following instructions on the <https://www.regulations.gov> Frequently Asked Questions web page. Also, if you click on the Dockets tab and then the proposed rule, you should see a “Subscribe” option for email alerts. The option will notify you when comments are posted, or a final rule is published.

We review all comments received, but we will only post comments that address the topic of the proposed rule.

We may choose not to post off-topic, inappropriate, or duplicate comments that we receive.

Personal information. We accept anonymous comments. Comments we post to <https://www.regulations.gov> will include any personal information you have provided. For more about privacy and submissions to the docket in response to this document, see DHS’s eRulemaking System of Records notice (85 FR 14226, March 11, 2020).

List of Subjects in 33 CFR Part 100

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

For the reasons discussed in the preamble, the Coast Guard is proposing to amend 33 CFR part 100 as follows:

PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

■ 1. The authority citation for part 100 continues to read as follows:

Authority: 46 U.S.C. 70041; 33 CFR 1.05–1.

■ 2. Add § 100.T09–0023 to read as follows:

§ 100.T09–0023 Special Local Regulations; Festival of Sail Duluth 2025 Parade of Sail, Duluth, MN.

(a) *Regulated areas.* The following regulated areas are established as a special local regulation. All geographic coordinates are North American Datum of 1983 (NAD 83).

(1) *The Parade of Sail Area.* All waters of Lake Superior and Duluth Harbor bounded by Rice’s Point to the west and Duluth to the north, within the following boundaries: beginning at position 46°46′48.36″ N, 092°05′16.44″ W, across Duluth Harbor to 46°47′02.76″ N, 092°05′17.88″ W, turning north toward the Duluth Lift Bridge to 46°47′19.32″ N, 092°04′04.80″ W, to 46°46′50.88″ N, 092°05′17.88″ W, out the Duluth Harbor Entrance at 46°46′45.12″ N, 092°05′35.16″ W, then northwest to 46°46′45.12″ N, 092°05′39.84″ W, back to the north Duluth Entrance Light at 46°47′01.32″ N, 092°05′51.00″ W, through the canal at 46°47′00.60″ N, 092°05′52.08″ W, then along Minnesota Point at 46°46′51.60″ N, 092°05′46.32″ W, entering Minnesota Slip at 46°46′39.00″ N, 092°06′03.96″ W, encompassing the slip from 46°46′32.16″ N, 092°05′38.76″ W to 46°46′41.52″ N, 092°05′36.24″ W.

(2) *The Festival Grounds Area.* All waters of Duluth Harbor from starting point 46°46′52.02″ N, 092°05′43.98″ W to 46°46′46.98″ N, 092°05′40.98″ W along the shore; then in a straight line

through the water to 46°46′40.02″ N, 092°05′05.40″ W; then in a straight line through the water to the shore to 46°46′43.02″ N, 092°05′57.00″ W; then along the shore to 46°46′52.02″ N, 092°05′46.02″ W; then in a straight line through the water back to the starting point.

(b) *Definitions.* As used in this section—

Designated representative means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the Captain of the Port Duluth (COTP) in the enforcement of the regulations in this section.

Participant means all persons and vessels registered with the event sponsor as a participant in the Festival of Sail.

(c) *Regulations.* (1) All non-participants are prohibited from entering, transiting through, anchoring in, or remaining within the regulated area described in paragraph (a)(1) and (2) of this section unless authorized by the Captain of the Port (COTP) Duluth or their designated representative.

(2) To seek permission to enter, contact the COTP or the COTP’s representative by VHF radio on channel 16. Those in the regulated area must comply with all lawful orders or directions given to them by the COTP or the designated representative.

(3) The COTP will provide notice of the regulated area through advanced notice via Local Notice to Mariners and Broadcast Notice to Mariners. Notice will also be provided by on-scene designated representatives.

(4) Vessels and persons receiving COTP Duluth or on-scene representative authorization to enter the area of this special local regulation must do so in accordance with the following restrictions:

i. Vessels and persons must transit at a speed not to exceed six (6) knots or at no wake speed, whichever is less.

Vessels proceeding under sail will not be allowed in this Area unless also propelled by machinery, due to limited maneuvering ability around numerous other spectator craft viewing the Festival of Sail.

ii. Vessels and persons will not be permitted to impede the Parade of Sail area from 9 a.m. through 2 p.m. on July 10, 2025, once it has commenced, as the tall ships are extremely limited in their ability to maneuver.

(d) *Enforcement period.* The *Festival Grounds Area* will be enforced from 9 a.m. on July 10, 2025, through 9 p.m. on July 13, 2025. The *Parade of Sail Area*

will be enforced from 9 a.m. through 2 p.m. on July 10, 2025.

J.P. Botti,

Commander, U.S. Coast Guard, Captain of the Port Duluth.

[FR Doc. 2025-09149 Filed 5-20-25; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[USCG-2025-0120]

RIN 1625-AA00

Safety Zone; Kaneohe Bay, Oahu, HI

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is proposing to establish a temporary safety zone while the U.S. Navy Blue Angels Squadron conducts aerobatic performances over Kaneohe Bay, Oahu, Hawaii. This safety zone is necessary to protect watercrafts and the general public from hazards associated with the U.S. Navy Blue Angels aircraft performing low flying, high powered jet aerobatics over open water. This proposed rulemaking would prohibit persons and vessels from being in the safety zone unless authorized by the Captain of the Port (COTP) Sector Honolulu or a designated representative. We invite your comments on this proposed rulemaking.

DATES: Comments and related material must be received by the Coast Guard on or before June 20, 2025.

ADDRESSES: You may submit comments identified by docket number USCG-2025-0120 using the Federal Decision-Making Portal at <https://www.regulations.gov>. See the "Public Participation and Request for Comments" portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments. This notice of proposed rulemaking with its plain-language, 100-word-or-less proposed rule summary will be available in this same docket.

FOR FURTHER INFORMATION CONTACT: If you have questions about this proposed rulemaking, call or email Petty Officer Vivian S. Gonzalez, Waterway Management Division, U.S. Coast Guard; telephone 808-522-8264, email Vivian.S.Gonzalez@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations

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

II. Background, Purpose, and Legal Basis

On November 12, 2024, Marine Corps Base Hawaii (MCBH) 2025 Airshow coordinators notified the Coast Guard that it will be conducting an Air Show that includes an aerial performance "show box" extending beyond the Kaneohe Bay Naval Defensive Sea Area from 11 a.m. to 7 p.m. on August 8th, 9th, and 10th, 2025. Within this "show box," the U.S. Navy Blue Angels Squadron will conduct aerobatic performances, exhibiting their aircraft's maximum performance capabilities, over Kaneohe Bay, Oahu, Hawaii during a 3-day period. Hazards associated within this "show box" during the Squadron's high powered multiple jet aircraft performances include accidental discharge of jet fuel and falling debris. Kaneohe Bay normally experiences heavy waterway traffic during the weekends. The COTP has determined that potential hazards associated with the aerial performance would be a safety concern for anyone within the "show box" that extend beyond the Kaneohe Bay Naval Defensive Sea.

The purpose of this rulemaking is to ensure the safety of vessels and the navigable waters within the "show box" before, during, and after the scheduled event. The Coast Guard is proposing this rulemaking under authority in 46 U.S.C. 70034.

III. Discussion of Proposed Rule

The COTP is proposing to establish a safety zone from 11 a.m. to 7 p.m. on August 8 through August 10, 2025. The safety zone would cover all navigable waters within the following points 21°26.159' N, 157°47.312' W; then south to 21°25.890' N, 157°47.250' W; then northeast to 21°27.943' N, 157°44.953' W; then west to 21°28.016' N, 157°45.250' W; and returning southwest to the starting point to complete a rectangle. This safety zone would extend from the surface of the water to the ocean floor. The duration of the safety zone is intended to ensure the safety of vessels and these navigable waters before, during, and after the scheduled aerobatic performances. No vessel or person would be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative. Vessels requiring emergency transit through the zone may request permission by

contacting the on scene Patrol Commander on VHF channel 16 (156.800 MHz) or the Sector Honolulu Captain of the Port at telephone number 808-842-2600. The regulatory text we are proposing appears at the end of this document.

IV. Regulatory Analyses

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

A. Regulatory Planning and Review

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. This NPRM has not been designated a "significant regulatory action," under section 3(f) of Executive Order 12866. Accordingly, the NPRM has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based the size, location, and duration of the safety zone. Vessels will be able to safely transit around this safety zone which would impact a small designated area of Kaneohe Bay. Moreover, the Coast Guard would issue a Broadcast Notice to Mariners via VHF-FM marine channel 16 about the safety zone and the rule would allow vessels to seek permission to enter the zone.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601-612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on a substantial number of small entities.

Vessels will be allowed to transit in and around the temporary safety zones in Kaneohe Bay once permission to enter is granted. While some owners or operators of vessels intending to transit the safety zone may be small entities, for the reasons stated in section IV.A above, this proposed rule would not have a significant economic impact on any vessel owner or operator.

If you think that your business, organization, or governmental

jurisdiction qualifies as a small entity and that this proposed rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule. If the proposed rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section. The Coast Guard will not retaliate against small entities that question or complain about this proposed rule or any policy or action of the Coast Guard.

C. Collection of Information

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

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132 (Federalism), if it has a substantial direct effect on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this proposed rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this proposed rule does not have tribal implications under Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments) because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. If you believe this proposed rule has implications for federalism or Indian tribes, please call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions

that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this proposed rule would not result in such an expenditure, we do discuss the potential effects of this proposed rule elsewhere in this preamble.

F. Environment

We have analyzed this proposed rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have made a preliminary determination that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This proposed rule involves a safety zone that extends the Kaneohe Bay Naval Defensive Sea Area on both ends that would prevent vessels from entering the flight paths for the aerobatic performances. Normally such actions are categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A preliminary Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

V. Public Participation and Request for Comments

We view public participation as essential to effective rulemaking and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

Submitting comments. We encourage you to submit comments through the Federal Decision-Making Portal at <https://www.regulations.gov>. To do so, go to <https://www.regulations.gov>, type USCG–2025–0120 in the search box and click “Search.” Next, look for this document in the Search Results column, and click on it. Then click on the Comment option. If you cannot submit

your material by using <https://www.regulations.gov>, call or email the person in the **FOR FURTHER INFORMATION CONTACT** section of this proposed rule for alternate instructions.

Viewing material in docket. To view documents mentioned in this proposed rule as being available in the docket, find the docket as described in the previous paragraph, and then select “Supporting & Related Material” in the Document Type column. Public comments will also be placed in our online docket and can be viewed by following instructions on the <https://www.regulations.gov> Frequently Asked Questions web page. Also, if you click on the Dockets tab and then the proposed rule, you should see a “Subscribe” option for email alerts. The option will notify you when comments are posted, or a final rule is published.

We review all comments received, but we will only post comments that address the topic of the proposed rule. We may choose not to post off-topic, inappropriate, or duplicate comments that we receive.

Personal information. We accept anonymous comments. Comments we post to <https://www.regulations.gov> will include any personal information you have provided. For more about privacy and submissions to the docket in response to this document, see DHS’s eRulemaking System of Records notice (85 FR 14226, March 11, 2020).

List of Subjects in 33 CFR Part 165

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

For the reasons discussed in the preamble, the Coast Guard is proposing to amend 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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

Authority: 46 U.S.C. 70034, 70051, 70124; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.3.

- 2. Add § 165.T14–0120 to read as follows:

§ 165.T14–0120 Safety Zone; Kaneohe Bay, Oahu, HI.

(a) **Location.** The following area is a safety zone: All waters contained within an area composing of one box on Kaneohe Bay Naval Defensive Sea Area as established by Executive Order No. 8681 of February 14, 1941, in Kaneohe Bay, Oahu, Hawaii. This safety zone extends approximately 200 yards

northeast and 1,000 yards southwest of the Naval Defensive Sea Area and is bound by the following points: 21°26.159' N, 157°47.312' W; then south to 21°25.890' N, 157°47.250' W; then northeast to 21°27.943' N, 157°44.953' W; then west to 21°28.016' N, 157°45.250' W; and returning southwest to the starting point. This safety zone extends from the surface of the water to the ocean floor. These coordinates are based upon the National Oceanic and Atmospheric Administration Coast Survey, Pacific Ocean, Oahu, Hawaii, chart 19359 (NAD 83).

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

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

(2) To seek permission to enter, contact the COTP or the COTP's representative on VHF channel 16 (156.800 MHz) or the Sector Honolulu Captain of the Port at telephone number 808-842-2600. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Enforcement periods.* This section will be subject to enforcement from 11 a.m. to 7 p.m. on August 8 through 10, 2025.

Dated: May 12, 2025.

A.L. Kirksey,

Captain, U.S. Coast Guard, Captain of the Port Sector Honolulu.

[FR Doc. 2025-09092 Filed 5-20-25; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF EDUCATION

34 CFR Part 75

[Docket ID ED-2025-OS-0020]

Proposed Priorities and Definitions—Secretary's Supplemental Priorities and Definitions on Evidence-Based Literacy, Education Choice, and Returning Education to the States

AGENCY: U.S. Department of Education.

ACTION: Proposed priorities and definitions.

SUMMARY: The Secretary proposes three initial and urgent priorities and related

definitions for use in currently authorized discretionary grant programs or programs that may be authorized in the future. The Secretary may choose to use an entire priority for a grant program or a particular competition or use one or more of the priority's component parts. These priorities and definitions are intended to replace the Secretary's supplemental priorities published in the **Federal Register** on December 10, 2021 (86 FR 70612) and all other agency-wide supplemental priorities published prior to January 20, 2025. However, those priorities remain in effect for notices inviting applications (NIAs) published before the U.S. Department of Education (Department) finalizes the proposed priorities in this document.

DATES: We must receive your comments on or before June 20, 2025.

ADDRESSES: Comments must be submitted via the Federal eRulemaking Portal at *regulations.gov*. However, if you require an accommodation or cannot otherwise submit your comments via *regulations.gov*, please contact the program contact person listed under **FOR FURTHER INFORMATION CONTACT**. The Department will not accept comments by fax or by email, or comments submitted after the comment period closes. To ensure that the Department does not receive duplicate copies, please submit your comments only once. Additionally, please include the Docket ID at the top of your comments.

Federal eRulemaking Portal: Go to *www.Regulations.gov* to submit your comments electronically. Information on using *Regulations.gov*, including instructions for accessing agency documents, submitting comments, and viewing the docket, is available on the site under "FAQ."

Privacy Note: The Department's policy is to generally make all comments received from members of the public available for public viewing in their entirety on the Federal eRulemaking Portal at *Regulations.gov*. Therefore, commenters should be careful to include in their comments only information that they wish to make publicly available.

FOR FURTHER INFORMATION CONTACT: Zachary Rogers, U.S. Department of Education, 400 Maryland Avenue SW, Room 7W213, Washington, DC 20202-6450. Telephone: (202) 260-1144. Email: *SSP@ed.gov*.

If you are deaf, hard of hearing, or have a speech disability and wish to access telecommunications relay services, please dial 7-1-1.

SUPPLEMENTARY INFORMATION:

Invitation to Comment: We invite you to submit comments regarding the proposed priorities and definitions. Please submit your comments only once so that we do not receive duplicate copies. The Department will not accept comments submitted after the comment period closes.

We invite you to assist us in complying with the specific requirements of Executive Orders 12866, 13563, and 14192 and their overall requirement of reducing regulatory burden that might result from these proposed priorities and definitions. Please let us know of any further ways we could reduce potential costs or increase potential benefits while preserving the effective and efficient administration of the program.

For your comments to have maximum effect in developing the final priorities and definitions, we provide the following tips:

- Be concise but support your claims.
- Explain your views as clearly as possible and avoid using profanity.
- Refer to specific sections and subsections of the proposed priorities and definitions throughout your comments, particularly in any headings that are used to organize your submission.

- Arrange your comments in the same order as the proposed priorities and definitions.

- Explain why you agree or disagree with the proposed priorities or definitions and support these reasons with data-driven evidence, including the depth and breadth of your personal and professional experiences.

- Where you disagree with the proposed priorities or definitions, suggest alternatives, including revised priority or definition language, and your rationale for the alternative suggestion.

In instances where individual submissions appear to be duplicates or near duplicates of comments prepared as part of a writing campaign, the Department may choose to post to *Regulations.gov* one representative sample comment along with the total comment count for that campaign. The Department will consider these comments along with all other comments received. In instances where individual submissions are bundled together (submitted as a single document or packaged together), the Department will post all of the substantive comments included in the submissions along with the total comment count for that document or package to *Regulations.gov*. A well-supported comment is often more informative to the agency than multiple form letters.

Comments containing personal threats will not be posted to *Regulations.gov* and may be referred to the appropriate authorities.

During and after the comment period, you may inspect public comments about the proposed priorities and definitions by accessing *Regulations.gov*. To inspect comments in person, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

Assistance to Individuals with Disabilities in Reviewing the Rulemaking Record: On request, we will provide an appropriate accommodation or auxiliary aid to an individual with a disability who needs assistance to review the comments or other documents in the public rulemaking record for this document. If you want to schedule an appointment for this type of accommodation or auxiliary aid, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

Program Authority: 20 U.S.C. 1221e–3, 3474, 6301 *et seq.*, 5 U.S.C. 311 *et seq.*

Proposed Priorities: This document contains three proposed priorities.

Proposed Priority 1: Promoting Evidence-Based Literacy

Background: Recent test scores consistently reveal that American students are struggling to meet grade-level reading standards. The latest results from the National Assessment of Educational Progress (NAEP), which showed that 4th and 8th grade students are lagging far behind in literacy, highlight the urgent need to address this critical issue. Reading scores have reached historic lows, with the most notable drops observed among students in the bottom quartile of performers.¹ Despite billions of dollars in annual federal education funding, these scores show no signs of improvement, even with record investments in programs intended to enhance the educational experience of American students.

Federal education spending must now prioritize a vital and foundational goal: ensuring that every student in America becomes proficient in reading. Effective evidence-based literacy instruction should be supported by strong or moderate evidence that relates to explicit, systematic, and intentional instruction in phonological awareness, phonic decoding, vocabulary, language structure, reading fluency, and reading comprehension.

¹ National Center for Education Statistics (NCES) National Assessment of Educational Progress (NAEP). “Explore Results of the 2024 NAEP Reading Assessment.” https://www.nationsreportcard.gov/reports/reading/2024/g4_8/.

It is essential that taxpayer dollars focus on initiatives that directly benefit students through effective literacy instruction and ensure that educator pipelines at the postsecondary level keep evidence-based literacy at the forefront while preparing the educators of tomorrow. It is time for the United States to refocus its education investments on the most essential skill a student can acquire: literacy. The ability to read is the foundation for all learning, unlocking opportunities for academic, professional, and personal achievement and strengthening critical thinking skills essential to lifelong success.

Proposed Priority: Projects or proposals to do one or more of the following:

- (a) Advance, increase, or expand evidence-based literacy instruction (as defined in this notice), or
- (b) Focus on evidence-based literacy instruction (as defined in this notice).

Proposed Priority 2: Expanding Education Choice

Background: When our conventional public education system fails such a large segment of society, it hinders our national competitiveness and imperils families and communities. Education choice empowers parents and families to seek the best learning environment for their children, fostering innovation in education models that address the unique needs of students across the country. Education choice ensures that every child has the opportunity to access a high-quality education and pursue the American Dream, regardless of their zip code.

Education choice gives parents, who understand their children’s needs best, the ability to make informed decisions about their children’s education paths. For this reason, more than a dozen States have enacted universal K–12 scholarship programs,² allowing families—rather than the government—to choose the best educational setting for their children. These States have highlighted the most promising avenue for education reform: education choice for families and competition for residentially assigned, government-run public schools. Today, almost 22 million students can take advantage of alternatives to conventional public schools through education choice.³ The

² Stanford, L., M. Lieberman, & V.A. Ifatusin. (updated 2025). “Which States Have Private School Choice?” *EducationWeek*. <https://www.edweek.org/policy-politics/which-states-have-private-school-choice/2024/01>.

³ According to EdChoice, “Nearly 22 million students, or 40%, now have access to a private school choice program in their state.” Aldis, A.

growing body of rigorous research demonstrates that well-designed education-choice programs improve student achievement and cause nearby public schools to improve their performance.⁴

Education choice applies to all stages of learning, including postsecondary education. Ensuring that students at every age can pursue an education that aligns with their unique needs and career goals is crucial in the pursuit of educational freedom. This can be achieved through flexible options such as competency-based education that allows students to progress through learning at their own pace, short-term workforce-aligned programs or three-year or less degrees, and distance education. Access to education choice in the pursuit of higher education and career readiness is essential.

It is crucial that the Department prioritize the expansion and strengthening of education choice programs at every level. By doing so, we can ensure that all families, regardless of their background or location, have access to the educational opportunities that best serve their children’s unique needs.

Proposed Priority: Projects or proposals that will do one or more of the following:

(a) Increase access to public charter schools and other innovative school models, such as public laboratory schools, public microschools, course-based choice, or regional academies, which may include one or more of the following:

(i) Efforts to expand or replicate existing charter schools that have a record of improving students’ academic achievement or have a specific focus on one or more of the following:

- (1) Science, technology, engineering, and mathematics (STEM), including computer science,
- (2) Career and technical education,
- (3) Evidence-based literacy instruction,
- (4) Serving students with disabilities and special needs,
- (5) Patriotic education, or

(2024). “One Million Students in School Choice Programs, By the Numbers.” EdChoice. <https://www.edchoice.org/engage/one-million-students-in-school-choice-programs-by-the-numbers/>.

⁴ EdChoice (2024), *The 123s of School Choice: What the Research Says about Private School Choice Programs in America*, 2024 edition, retrieved from: <https://www.edchoice.org/wp-content/uploads/2024/06/2024-123s-of-School-Choice.pdf> and Raymond, M., Woodworth, J., Lee, W.F., and Bachofer, S. (2023.) “As a Matter of Fact: The National Charter School Study III 2023.” Center for Research on Education Outcomes. https://ncss3.stanford.edu/wp-content/uploads/2023/06/DECK_CREDO-Report-10-31-23.pdf.

(6) Classical education.

(ii) Multi-year plans to create new charter schools.

(iii) Providing Technical Assistance to new or existing charter schools related to authorization, operation, construction, or other relevant areas, including navigating State and local statutes and regulations.

(iv) Opening opportunities for new or existing charter schools to access resources that are currently only available to, or primarily accessed by, district schools in their area.

(b) Expand access to K–12 school options through open enrollment or course-based choice.

(c) Support dissemination of information for all education choice options for students, including private school enrollment, education savings accounts, tax credit scholarships, home-based learning and homeschooling, learning pods and co-ops, public charter schools, and district public schools through open enrollment or course-based choice.

(d) Support state or local development or implementation of education savings accounts.

(e) Support dissemination of information about education savings accounts.

(f) Support families in educating students through home-based education programs, which may include one or more of the following:

(i) Support for online learning communities, or

(ii) Assistance with understanding of State and local requirements for homeschooling.

(g) Provide or expand access to dual or concurrent enrollment programs (as defined in 20 U.S.C. 7801(15)) or early college high schools (as defined in 20 U.S.C. 7801(17)) or other programs where secondary school students begin earning credit toward a postsecondary degree or industry-recognized credential prior to high school graduation.

(h) Expand access to education services that accelerate learning such as high-impact tutoring.

(i) Expand access to military schools or academies.

(j) Expand access to one or more of the following at the high school or postsecondary level:

(i) Distance education,

(ii) Competency-based or skills-based education,

(iii) Pre-apprenticeships,

(iv) Apprenticeships,

(v) Work-based learning, or

(vi) Shortened time-to-degree models.

(k) Expand access to part-time coursework and career preparation.

(l) Expand access to programs or coursework that lead to in-demand, industry-recognized credentials.

Proposed Priority 3: Returning Education to the States

Background: The growth of federal education bureaucracy has created massive costs, but few educational benefits. Through this priority, the Secretary is empowering States and Tribes to take the lead in formulating, developing, and implementing policies that best serve students, families, and educators within their communities. As the Department transitions toward closure, it is more critical than ever for States to rise to the occasion and lead with urgency and vision.

Families deserve an education system that reflects the unique needs of the communities in which they live. One-size-fits-all mandates from the federal government create obstacles, limiting the ability of State, Tribal, local, and institutional leaders to make decisions in the best interest of their students and their workforce. Furthermore, centralized planning and oversight power at the federal level adds unnecessary layers of bureaucracy, siphoning resources away from the classrooms that need them most.

The 10th Amendment wisely reserved constitutional authority for education to the States in order to limit federal overreach. Education decisions should be made at the State level, where local needs, priorities, and circumstances can be fully understood and addressed. This priority is a critical step in achieving the broader goal of educational excellence for all students. States must be empowered to create opportunity through policies that are more responsive, effective, and aligned with the needs of their communities, in order to “empower States to take charge and advocate for and implement what is best for students, families, and educators in their communities.”⁵

Proposed Priority: Projects or proposals that will be carried out by one or more of the following:

(a) State educational agencies (as defined in 20 U.S.C. 7801(49)),

(b) Governors,

(c) State workforce development agencies or boards,

(d) State vocational rehabilitation agencies,

(e) State higher education agencies (as defined in 20 U.S.C. 1003(22)),

(f) Entities identified, designated, or endorsed by a Governor or chief State

⁵ <https://www.ed.gov/about/news/press-release/statement-president-trumps-executive-order-return-power-over-education-states-and-local-communities>.

education official for purposes of implementing the project or proposal,

(g) An Indian Tribe (as defined in 25 U.S.C. 5304(e)), Tribal organization (as defined in 25 U.S.C. 5304(l)), or Tribal educational agency (as defined in 20 U.S.C. 7452(b)(3)), or

(h) Consortia of the entities identified under this priority.

Types of Priorities

When inviting applications for a competition using one or more priorities, we designate the type of each priority as absolute, competitive preference, or invitational through a notice in the **Federal Register**. The effect of each type of priority follows:

Absolute priority: Under an absolute priority, we consider only applications that meet the priority (34 CFR 75.105(c)(3)).

Competitive preference priority: Under a competitive preference priority, we give competitive preference to an application by (1) awarding additional points, depending on the extent to which the application meets the priority (34 CFR 75.105(c)(2)(i)); or (2) selecting an application that meets the priority over an application of comparable merit that does not meet the priority (34 CFR 75.105(c)(2)(ii)).

Invitational priority: Under an invitational priority, we are particularly interested in applications that meet the priority. However, we do not give an application that meets the priority a preference over other applications (34 CFR 75.105(c)(1)).

Proposed Definitions

Background: The Secretary proposes the following definitions for use in any Department discretionary grant program in which the proposed priorities are used.

Computer science means the study of computers and algorithmic processes, including their principles, their hardware and software designs, theories, computational thinking, coding, analytics, applications, and Artificial Intelligence (AI).

Computer science often includes computer programming or coding as a tool to create software, including applications, games, websites, and tools to manage or manipulate data; or development and management of computer hardware and the other electronics related to sharing, securing, and using digital information. In addition to coding, the expanding field of computer science emphasizes computational thinking and interdisciplinary problem-solving to equip students with the skills and

abilities necessary to apply computation to the digital world.

Computer science does not involve using computers for everyday tasks, such as browsing the internet or using tools like word processors, spreadsheets, or presentation software. Instead, it focuses on creating and developing technology, not just utilizing it.

Evidence framework means an approach to providing a determination about whether an activity, strategy, or intervention meets each aspect of the definition of strong evidence or moderate evidence (as defined in 20 U.S.C. 7801(21)(A)(i)(I–II)), as applicable.

(a) An evidence framework must include each of the following:

(i) Whether a study is experimental, quasi-experimental, or neither;

(ii) Whether or not a study shows a positive, statistically significant effect on student outcomes or other relevant outcomes;

(iii) Whether or not a study uses outcome measures that demonstrate validity and reliability, that do not give an unfair advantage to participants in one condition over another, and that are measured consistently for the groups or participants that are being compared;

(iv) Whether or not a study design is otherwise of high quality, including whether it minimizes factors outside the intervention that could affect student or other relevant outcomes (confounds) and whether random assignment (if used) was done with integrity; and

(v) Whether or not study implementation and analysis is appropriate, including whether groups or participants being compared demonstrate baseline equivalence on key individual and other relevant characteristics, whether differences in baseline equivalence are statistically controlled, and by considering the impact on the validity of the study of any changes to the sample over time.

(b) An evidence framework may be implemented or verified by one or more of the following:

(i) An organization with relevant expertise that has demonstrated to the Department that it has a rigorous, transparent (*i.e.*, publicly accessible) process for determining each aspect identified in (a);

(ii) By peer reviewers with statistical expertise who apply an evidence framework consistent with each aspect identified in (a) in reviewing support for an applicant's assertion that relevant information is strong evidence or moderate evidence, as applicable; or

(iii) By the Department or peer reviewers with statistical expertise who

affirm an applicant's assertion that relevant information is strong evidence or moderate evidence because it is supported by studies included in the What Works Clearinghouse in one or more of:

(1) a practice guide;

(2) an intervention report; or

(3) an individual evaluation that is publicly validated as being aligned with strong evidence or moderate evidence, as applicable.

Evidence-based literacy instruction means literacy instruction that relates to explicit, systematic and intentional instruction in phonological awareness, phonic decoding, vocabulary, language structure, reading fluency, and reading comprehension; promotes knowledge-rich materials; and is backed by one or more of the following, as supported by an evidence framework (as defined in this notice):

(a) strong evidence, meaning an activity, strategy, or intervention that demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on at least one well-designed and well-implemented experimental study (strong evidence as defined in 20 U.S.C. 7801(21)(A)(i)(I)) or

(b) moderate evidence, meaning an activity, strategy, or intervention that demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on at least one well-designed and well-implemented quasi-experimental study (moderate evidence as defined in 20 U.S.C. 7801(21)(A)(i)(II)).

Note: In any discretionary grant program competition in which the definition of "evidence-based literacy instruction" is used as proposed, the Secretary may use the entire definition or one or more of the subparts of the definition that are most relevant for the grant program competition.

Experimental study means a study that is designed to compare outcomes between two groups (such as students) that are otherwise equivalent except for their assignment to either a treatment group receiving an activity, strategy, intervention, process, product, practice, or policy as compared with a control group that does not. Experimental studies can support claims of strong evidence. Randomized controlled trials and single-case design studies are specific types of experimental studies that meet this definition.

Quasi-experimental design study means a study using a design that attempts to approximate an experimental study by identifying a comparison group that is similar to the treatment group in important respects.

Cross-sectional group designs, comparative interrupted time series, difference-in-difference designs, and growth curve designs are specific types of quasi-experimental studies that meet this definition. This type of study can meet the definition of moderate evidence but not strong evidence.

Final Priorities and Definitions: The Department will announce the final priorities and definitions in a document in the **Federal Register**. We will determine the final priorities and definitions after considering responses to the proposed priorities and definitions and other information available to the Department. This document does not preclude us from proposing additional priorities, requirements, or definitions, subject to meeting applicable rulemaking requirements.

Note: This document does *not* solicit applications. In any year in which we choose to use any of the final priorities and definitions, we invite applications through a notice in the **Federal Register**.

Executive Orders 12866, 13563, and 14192

Regulatory Impact Analysis

Under Executive Order 12866, it must be determined whether this regulatory action is "significant" and, therefore, subject to the requirements of the Executive order and subject to review by the Office of Management and Budget (OMB). Section 3(f) of Executive Order 12866 defines a "significant regulatory action" as an action likely to result in a rule that may—

(1) Have an annual effect on the economy of \$100 million or more, or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or Tribal governments or communities;

(2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) Materially alter the budgetary impacts of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

This proposed regulatory action is not a significant regulatory action subject to review by OMB under section 3(f) of Executive Order 12866.

Since this regulatory action is not a significant regulatory action under section 3(f) of Executive Order 12866, it is not considered an "Executive Order 14192 regulatory action."

We have also reviewed this proposed regulatory action under Executive Order 13563, which supplements and explicitly reaffirms the principles, structures, and definitions governing regulatory review established in Executive Order 12866. To the extent permitted by law, Executive Order 13563 requires that an agency—

(1) Propose or adopt regulations only upon a reasoned determination that their benefits justify their costs (recognizing that some benefits and costs are difficult to quantify);

(2) Tailor its regulations to impose the least burden on society, consistent with obtaining regulatory objectives and taking into account—among other things and to the extent practicable—the costs of cumulative regulations;

(3) In choosing among alternative regulatory approaches, select those approaches that maximize net benefits;

(4) To the extent feasible, specify performance objectives, rather than the behavior or manner of compliance a regulated entity must adopt; and

(5) Identify and assess available alternatives to direct regulation, including economic incentives—such as user fees or marketable permits—to encourage the desired behavior, or provide information that enables the public to make choices.

Executive Order 13563 also requires an agency “to use the best available techniques to quantify anticipated present and future benefits and costs as accurately as possible.” The Office of Information and Regulatory Affairs of OMB has emphasized that these techniques may include “identifying changing future compliance costs that might result from technological innovation or anticipated behavioral changes.”

We are issuing the proposed priorities and definitions only on a reasoned determination that their benefits would justify their minimal costs. Based on the analysis that follows, the Department believes that this regulatory action is consistent with the principles in Executive Order 13563.

We also have determined that this regulatory action would not unduly interfere with State, local, and Tribal governments in the exercise of their governmental functions.

In accordance with these Executive orders, the Department has assessed the potential costs and benefits, both quantitative and qualitative, of this regulatory action. The potential costs are those resulting from statutory requirements and those we have determined are necessary for administering the Department’s programs and activities.

Discussion of Costs and Benefits

The proposed priorities would impose no or minimal costs on entities that receive discretionary grant award funds from the Department. Additionally, the benefits of implementing the proposed priorities outweigh any associated costs, to the extent these de minimis costs even exist, because these proposed priorities would result in higher quality grant application submissions that directly improve the educational outcomes of all students. These proposed priorities and definitions will result in significant benefit to the public by improving educational outcomes for all students and ultimately increase the future earnings potential of all students.⁶

Application submission and participation in competitive grant programs that might use these proposed priorities and definitions is voluntary. We believe, based on the Department’s administrative experience, that entities preparing an application would not need to expend more resources than they otherwise would have in the absence of these proposed priorities. Therefore, any potential costs to applicants would be de minimis. Because the costs of carrying out activities would be paid for with program funds, the costs of implementation would not be a burden for any eligible applicants that earn a grant award, including small entities. We invite the public to comment on this discussion of estimated costs and benefits. We are specifically interested in high quality comments supported with quantitative data.

Clarity of the Regulations

Executive Order 12866 and the Presidential memorandum “Plain Language in Government Writing” require each agency to write regulations that are easy to understand. The Secretary invites comments on how to make these proposed priorities and definitions, easier to understand, including answers to questions such as the following:

- Are the requirements in the proposed regulations clearly stated?
- Do the proposed regulations contain technical terms or other wording that interferes with their clarity?
- Does the format of the proposed regulations (grouping and order of sections, use of headings, paragraphing, etc.) aid or reduce their clarity?

⁶Earnings and unemployment rates by educational attainment, 2023. “Education pays”: U.S. Bureau of Labor Statistics (*bls.gov*).

• Would the proposed regulations be easier to understand if we divided them into more (but shorter) sections?

• Could the description of the proposed regulations in the **SUPPLEMENTARY INFORMATION** section of this preamble be more helpful in making the proposed regulations easier to understand? If so, how?

• What else could we do to make the proposed regulations easier to understand?

To send any comments that concern how the Department could make these proposed regulations easier to understand, see the instructions in the **ADDRESSES** section.

Intergovernmental Review: This action is subject to Executive Order 12372 and the regulations in 34 CFR part 79. One of the objectives of the Executive order is to foster an intergovernmental partnership and a strengthened federalism. The Executive order relies on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

This document provides early notification of our specific plans and actions for this program.

Regulatory Flexibility Act Certification

This section considers the effects that the final regulations may have on small entities in the educational sector as required by the Regulatory Flexibility Act (RFA), 5 U.S.C. 601 *et seq.* The purpose of the RFA is to establish as a principle of regulation that agencies should tailor regulatory and informational requirements to the size of entities, consistent with the objectives of a particular regulation and applicable statutes. The RFA generally requires an agency to prepare a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements under the Administrative Procedure Act or any other statute unless the agency certifies that the rule will not have a “significant impact on a substantial number of small entities.” The Secretary certifies that this proposed regulatory action would not have a substantial economic impact on a substantial number of small entities.

The U.S. Small Business Administration Size Standards define proprietary institutions as small businesses if they are independently owned and operated, are not dominant in their field of operation, and have total annual revenue below \$7,000,000. Nonprofit institutions are defined as small entities if they are independently owned and operated and not dominant in their field of operation. Public

institutions are defined as small organizations if they are operated by a government overseeing a population below 50,000.

Paperwork Reduction Act

The proposed priorities and definitions do not contain information collection requirements or affect the currently approved data collection.

Accessible Format: On request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**, individuals with disabilities can obtain this document in an accessible format. The Department will provide the requestor with an accessible format that may include Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, braille, large print, audiotape, compact disc, or another accessible format.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations at www.govinfo.gov. At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF, you must have Adobe Acrobat Reader, which is available free at the site. You may also access documents of the Department published in the **Federal Register** by using the article search feature at www.federalregister.gov. Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Linda McMahan,

Secretary of Education.

[FR Doc. 2025-09093 Filed 5-20-25; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

42 CFR Part 413

[CMS-1827-P]

RIN 0938-AV47

Medicare Program; Prospective Payment System and Consolidated Billing for Skilled Nursing Facilities; Updates to the Quality Reporting Program for Federal Fiscal Year 2026

Correction

In Proposed Rule document, 2025-06348, appearing on pages 18590 through 18626, in the issue of Wednesday April 30, 2025, make the following correction:

On page 18590, in the first column, in the **DATES:** section, the entry “June 30, 2025” should read “June 10, 2025”.

[FR Doc. C1-2025-06348 Filed 5-16-25; 4:15 pm]

BILLING CODE 0099-10-D

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

42 CFR Part 418

[CMS-1835-P]

RIN 0938-AV49

Medicare Program; FY 2026 Hospice Wage Index and Payment Rate Update and Hospice Quality Reporting Program Requirements

Correction

In Proposed Rule document, 2025-06317, appearing on pages 18568 through 18587, in the issue of Wednesday April 30, 2025, make the following correction:

On page 18568, in the first column, in the **DATES:** section, the entry “June 30, 2025” should read “June 10, 2025”.

[FR Doc. C1-2025-06317 Filed 5-16-25; 4:15 pm]

BILLING CODE 0099-10-D

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

49 CFR Parts 191, 192 and 195

[Docket No. PHMSA-2025-0019]

RIN 2137-AF44

Pipeline Safety: Repair Criteria for Hazardous Liquid and Gas Transmission Pipelines

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), Department of Transportation (DOT).

ACTION: Advance notice of proposed rulemaking (ANPRM).

SUMMARY: PHMSA is publishing this advance notice of proposed rulemaking to solicit stakeholder feedback on potential opportunities to improve the cost-effectiveness of its repair requirements for gas transmission and hazardous liquid or carbon dioxide pipelines. PHMSA also seeks stakeholder feedback on authorizing a risk-based approach for determining the inspection interval for in-service breakout tanks.

DATES: Comments on this ANPRM must be submitted by July 21, 2025. PHMSA will consider late-filed comments to the extent practicable, consistent with 49 CFR 190.323.

ADDRESSES: You may submit comments identified by the Docket Number using any of the following ways:

E-Gov Web: <https://www.regulations.gov>. This site allows the public to enter comments on any **Federal Register** notice issued by any agency. Follow the online instructions for submitting comments.

Mail: Docket Management System: U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.

Hand Delivery: DOT Docket Management System: West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590-0001, between 9:00 a.m. and 5:00 p.m. EST, Monday through Friday, except Federal holidays.

Fax: 202-493-2251.

Instructions: Please include the docket number PHMSA-2025-0019 at the beginning of your comments. If you submit your comments by mail, submit two copies. If you wish to receive confirmation that PHMSA received your comments, include a self-addressed stamped postcard. Internet users may submit comments at <https://www.regulations.gov>.

Note: Comments are posted without changes or edits to <https://www.regulations.gov>, including any personal information provided. There is a privacy statement published on <https://www.regulations.gov>.

Privacy Act Statement: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to inform its rulemaking process. 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.dot.gov/privacy>.

Confidential Business Information: Confidential Business Information (CBI) is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA, 5 U.S.C. 552), CBI is exempt from public disclosure. It is important that you clearly designate the comments submitted as CBI if: your comments responsive to this document contain commercial or financial information that is customarily treated as private; you actually treat such information as private; and your comment is relevant or responsive to this notice. Pursuant to 49 Code of Federal Regulations (CFR) 190.343, you may ask PHMSA to provide confidential treatment to the information you give to the agency by taking the following steps: (1) mark each page of the original document submission containing CBI as “Confidential”; (2) send PHMSA, along with the original document, a second copy of the original document with the CBI deleted; and (3) explain why the information that you are submitting is CBI. Submissions containing CBI should be sent to Sayler Palabrica, Office of Pipeline Safety (PHP-30), Pipeline and Hazardous Materials Safety Administration (PHMSA), 2nd Floor, 1200 New Jersey Avenue SE, Washington, DC 20590-0001, or by email at sayler.palabrica@dot.gov. Any materials PHMSA receives that is not specifically designated as CBI will be placed in the public docket.

Docket: For access to the docket to read background documents or comments received, go to <https://www.regulations.gov>. Follow the online instructions for accessing the docket. Alternatively, you may review the documents in person at the street address listed above.

FOR FURTHER INFORMATION CONTACT: Sayler Palabrica, Transportation Specialist, by telephone (202) 744-0825, or by email at sayler.palabrica@dot.gov.

I. Executive Summary

PHMSA is publishing this advance notice of proposed rulemaking (ANPRM) to solicit stakeholder feedback on potential opportunities to improve the cost-effectiveness of its repair requirements for gas transmission (49 CFR part 192) and hazardous liquid or carbon dioxide (49 CFR part 195) pipelines. Many of those requirements—particularly for hazardous liquid and carbon dioxide pipelines—have not been updated in over two decades, and others do not fully account for recent advancements in pipeline safety technology and best practices or the maturation of PHMSA’s regulatory regime. PHMSA is also seeking stakeholder feedback on authorizing risk-based inspection procedures for determining the inspection interval for in-service breakout tanks under part 195. Materials obtained from this ANPRM will inform a forthcoming notice of proposed rulemaking (NPRM) in this proceeding.

II. Background

PHMSA’s safety standards for gas transmission lines (49 CFR part 192) and hazardous liquid and carbon dioxide pipelines (49 CFR part 195) address the remediation of anomalies in two ways: (1) through a set of traditional, prescriptive remediation requirements in the operation and maintenance provisions that generally apply to all pipelines; and (2) through risk-based, integrity management (IM) requirements that apply to pipeline segments posing risks to “high consequence areas.”¹ This two-tiered regulatory approach—coupled with PHMSA’s efforts to enhance its requirements for the design, construction, testing, operation, and maintenance of gas transmission and hazardous liquid or carbon dioxide pipelines—has contributed to a positive safety trend since 2005: fewer incidents and accidents entailing significantly lower public safety consequences and property damage.²

Despite this strong safety record, PHMSA recognizes that some of its repair requirements have not been updated for decades, and that others may not account for the latest advances in pipeline safety technology and industry best practices. PHMSA also recognizes that its repair requirements

may need to be updated to align with the significant changes made to part 192 and part 195 in recent rulemaking proceedings.³ Existing repair requirements, therefore, may introduce barriers to development and deployment of innovative, safety-enhancing technology and industry practices by increasing costs and potential liability risks for first-movers. Similarly, the accretion of complex and potentially overlapping regulatory requirements over time could similarly stifle innovation and entail compliance costs without a corresponding safety benefit.

For example:

- The repair criteria and remediation timelines in part 195 for hazardous liquid and carbon dioxide pipelines have been relatively static for decades. PHMSA’s generally applicable repair requirements at § 195.401 have not been changed substantially since 1981,⁴ and the IM requirements for hazardous liquid and carbon dioxide pipelines at § 195.452 have not been updated substantially since their introduction in 2000.⁵ In the years since the adoption of each of those regulatory frameworks, PHMSA has completed over a dozen rulemakings imposing a variety of design, testing, operational, maintenance, and emergency response requirements intended to reduce the frequency and severity of accidents on hazardous liquid and carbon dioxide pipelines.

- PHMSA most recently addressed part 192 anomaly remediation requirements for gas transmission lines in its August 24, 2022 final rule (a rulemaking initiated following the 2010 incident near San Bruno, CA).⁶ That final rule updated repair criteria and remediation timelines for certain high-risk anomalies in HCAs in IM requirements in subpart O and adopted similar repair criteria (but longer remediation timelines) for anomalies discovered outside of HCAs in its

³ Listing in this ANPRM the large number of those rulemakings would be difficult; however, PHMSA maintains a comprehensive list of its rulemakings on its website. See PHMSA, “Notices and Rulemaking Documents,” <https://www.phmsa.dot.gov/regulations/federal-register-documents> (last visited Mar. 27, 2025).

⁴ Research and Special Programs Administration (RSPA), “Transportation of Liquids by Pipeline,” 46 FR 38357 (July 27, 1981).

⁵ RSPA, “Pipeline Safety: Pipeline Integrity Management in High Consequence Areas (Hazardous Liquid Operators with 500 or More Miles of Pipe),” 65 FR 75406 (Dec 1, 2000).

⁶ PHMSA, “Pipeline Safety: Safety of Gas Transmission Pipelines: Repair Criteria, Integrity Management Improvements, Cathodic Protection, Management of Change, and Other Related Amendments,” 87 FR 52224 (Aug 24, 2022).

¹ See §§ 192.903 (definition of high consequence areas, or HCAs, for gas transmission lines) and 195.450 (definition of HCAs for hazardous liquid and carbon dioxide pipelines)

² See PHMSA, “Pipeline Incident 20 Year Trends,” <https://www.phmsa.dot.gov/data-and-statistics/pipeline/pipeline-incident-20-year-trends> (last visited Mar. 26, 2025).

traditional, prescriptive requirements in subpart M.

- However, some of these amendments have been remanded to PHMSA for further consideration as a result of subsequent litigation.⁷ PHMSA has, in the ten years since the San Bruno incident, also adopted a variety of new requirements in other recent rulemaking proceedings to reduce the frequency and severity of incidents on gas transmission lines.⁸ PHMSA has not conducted a wholistic review of its repair criteria for gas transmission lines since making these changes.

In addition, PHMSA regulations at § 195.432 have for nearly four decades imposed a default annual inspection requirement for in-service breakout tanks associated with hazardous liquid pipelines.⁹ Though PHMSA has amended that provision to provide operators limited flexibility to employ alternative inspection intervals derived from consensus standards incorporated by reference in § 195.432, it has declined to abandon the default annual inspection requirement¹⁰ or authorize the use of risk based inspection procedures for establishing the inspection interval for in-service atmospheric and low-pressure steel above-ground breakout tanks in § 195.432(b).¹¹ An industry trade group has also criticized PHMSA's reluctance to embrace a risk-based approach to determining inspection intervals on in-service breakout tanks as a missed opportunity to reduce compliance burdens without diminishing safety.¹²

⁷ See *INGAA v. PHMSA*, 114 F.4th 744, 756 (D.C. Cir. 2024).

⁸ Those recent rulemakings adopted new requirements on the following topics: design features and operational practices to improve rupture response practices; detailed procedures for confirmation of maximum allowable operating pressures; operator qualifications and incident response; state damage prevention programs; pipeline control room management; and multiple updates to its part 192 regulations to reference new or more recent editions of consensus industry standards governing design, testing, operation, maintenance, and emergency response for gas transmission pipelines.

⁹ RSPA, "Transportation of Natural and Other Gas and Hazardous Liquids by Pipeline: Inspection and Test Intervals," 47 FR 46852 (Oct 21, 1982).

¹⁰ RSPA, "Pipeline Safety: Adoption of Consensus Standard for Breakout Tanks," 64 FR 15926, 15932 (Apr 2, 1999) (declining to adopt wholesale the risk-based approach to inspection interval determination set forth in several standards issued by the American Petroleum Institute).

¹¹ PHMSA, "Pipeline Safety: Periodic Updates of Regulatory References to Technical Standards and Miscellaneous Amendments," 80 FR 168, 171 (Jan 5, 2015).

¹² API "Supplemental Comments on Docket ID PHMSA-2011-0337; Pipeline Safety: Periodic Updates of Regulatory References to Technical Standards and Miscellaneous Amendments" (Apr. 30, 2014), available at: <https://www.regulations.gov/comment/PHMSA-2011-0337-0011>.

Review of PHMSA's repair criteria, timelines, and IM requirements (as well as inspection intervals for breakout tanks on hazardous liquid pipelines) is also consistent with stakeholder recommendations and Presidential mandates. Industry trade organizations have suggested in comments on recent NPRMs that PHMSA may not adequately account for the relationship of related requirements across different rulemaking proceedings.¹³ The National Transportation Safety Board (NTSB) has over the years similarly provided recommendations following incidents and accidents urging PHMSA to update its regulations to keep up with industry advancements and technological innovation.¹⁴ A review of PHMSA's repair criteria, remediation timelines, and IM requirements is also consistent with direction from President Trump, including Executive Order (E.O.) 14192, "Unleashing Prosperity Through Deregulation," calling on agencies to identify opportunities to alleviate unnecessary regulatory compliance burdens imposed on industry and the general public; E.O. 14154, "Unleashing American Energy," requiring agencies to reduce undue burdens on the identification, development, or use of domestic energy resources; and E.O. 14156, "Declaring a National Energy Emergency," promoting the integrity and expansion of U.S. energy infrastructure.¹⁵

To develop proposals responding to the above considerations, recommendations, and directives, PHMSA is soliciting stakeholder feedback on, among other things: (1) the topics listed in section III below; (2) potential amendments to its parts 192 and 195 repair criteria, remediation timelines, and IM requirements; (3) the appropriateness of those amendments for different types of gas transmission pipelines and hazardous liquid or carbon dioxide pipelines; (4) the incremental compliance costs and benefits (including benefits pertaining to avoided compliance costs, safety harms, and environmental harms)

¹³ See *INGAA*, Initial Comments on Gas Pipeline Leak Detection and Repair NPRM" at 2 (Aug. 16, 2023) (referencing PHMSA, "Final Rule—Pipeline Safety: Safety of Gas Transmission Pipelines: Repair Criteria, Integrity Management Improvements, Cathodic Protection, Management of Change, and Other Related Amendments," 87 FR 52224 (Aug 24, 2022) (RIN2 Final Rule).

¹⁴ See "PHMSA NTSB Recommendations," available at: [https://www.phmsa-dot.gov/phmsa-ntsb-recommendations/phmsa-ntsb-recommendations](https://www.phmsa.dot.gov/phmsa-ntsb-recommendations/phmsa-ntsb-recommendations) (last visited Mar. 27, 2025).

¹⁵ E.O. 14192, "Unleashing Prosperity Through Deregulation," 90 FR 9065 (Feb 6, 2025); E.O. 14152, "Unleashing American Energy," 90 FR 8353 (Jan. 29 2025); E.O. 14156, "Declaring a National Energy Emergency," 90 FR 8433 (Jan 29, 2025).

anticipated from those amendments; and (5) the technical feasibility, reasonableness, cost-effectiveness, and practicability of those potential amendments. PHMSA plans to hold a public meeting in the near future to supplement or to clarify the materials received in response to this ANPRM.

With respect to incremental cost and benefit information, PHMSA is seeking per-unit, aggregate, and programmatic (both one-time implementing and recurring) data. Explanation of the bases or methodologies employed in generating cost and benefit data, including data sources and calculations, is valuable so that PHMSA can explain the support for any estimates it is able to provide that accompany a proposed rule, and other commenters may weigh in on the validity and accuracy of the data. Please also identify the baseline (e.g., a particular edition of a consensus industry standard; widespread voluntary operator practice; or documentation of sample surveys and other operator level data or information) from which those incremental costs and benefits arise. When estimates are approximate or uncertain, consider using a range or specifying the distribution in other ways.

When responding to a specific question below please note the topic letter and question number in your comment. PHMSA will review and evaluate all comments received, as well as late-filed comments to the extent practicable.

III. Topics Under Consideration

A. General

1. Do the anomaly repair criteria, remediation timelines, and IM regulations for gas transmission pipelines (part 192, subparts M and O) and hazardous liquid and carbon dioxide pipelines (§§ 195.401 and 195.452(h)(4)) strike an appropriate balance between safety benefits and compliance costs? If not, should PHMSA consider amending any of those provisions? Please identify any specific regulatory amendments that merit reconsideration, as well as the technical, safety, and economic reasons supporting those recommended amendments.

2. Do anomaly repair criteria, remediation timelines, and IM regulations for gas transmission pipelines (part 192, subparts M and O) and hazardous liquid and carbon dioxide pipelines (§§ 195.401 and 195.452(h)(4)) accommodate innovative technologies and methods for the discovery, evaluation, and remediation of anomalies? Are there specific, innovative technologies and methods

with significant safety or cost-saving potential that are inhibited by regulations? Please identify any of those innovative technologies and methods, the categories of pipeline facilities (e.g., hazardous liquid transmission pipelines; gas transmission pipelines) that could employ them, the particular regulatory provisions inhibiting their use, and any anticipated compliance cost savings or safety benefits from use of those technologies and methods.

3. PHMSA's risk-based IM regulations for gas transmission pipelines (part 192, subpart O) and hazardous liquid and carbon dioxide pipelines (§ 195.452(h)(4)) include specific thresholds for particular anomaly types and mandated remediation timelines in a manner consistent with traditional, prescriptive regulatory frameworks. Does that incorporation of traditional, prescriptive elements within PHMSA's risk-based IM regulations yield safety benefits commensurate with the associated reduction in regulatory flexibility and increase in compliance costs to operators? Are there risks associated with prescribed repair conditions and remediation timelines, such as personnel safety and site environmental damage due to repair activity or lost product associated with maintenance-related blowdowns and evacuation? Should PHMSA consider amending any particular provisions in its IM regulations for gas transmission pipelines (part 192, subpart O) and hazardous liquid and carbon dioxide pipelines (§ 195.452) to strike a more appropriate balance between safety benefits and compliance costs? Please identify any specific regulatory amendments that merit consideration, as well as the technical, safety, and economic reasons supporting those recommended amendments.

4. Is it appropriate for repair timelines to begin on the date of "discovery" of anomalies on gas transmission (§§ 192.714(d) and 192.933(b)) and hazardous liquid and carbon dioxide pipelines (§§ 195.401(b)(1) and 195.452(h)(2))? How do operators of those pipelines determine the moment of discovery? Should PHMSA consider amending any particular regulatory provisions to improve the clarity or practical implementation of its regulations regarding when a remediation obligation attaches? Please provide the technical, safety, and economic justifications for any suggested revisions.

5. Are there any PHMSA interpretations addressing its anomaly repair criteria, remediation timelines, and IM regulations for gas transmission pipelines (part 192, subparts M and O)

and hazardous liquid or carbon dioxide pipelines (§§ 195.401 and 194.452(h)(4))¹⁶ impose unjustified compliance costs for different categories of pipeline facilities? If so, which categories of pipeline facilities, and what are those associated compliance costs? Are there any interpretations of PHMSA anomaly repair criteria, remediation timelines, and IM regulations that merit codification in parts 192 or 195 regulations? Please identify any specific regulatory amendments that merit consideration, as well as the technical, safety, and economic reasons supporting those recommended amendments.

6. Gas transmission, hazardous liquid, and carbon dioxide pipelines are not all identical and may merit distinguishable regulatory requirements regarding the discovery, evaluation, and remediation of anomalies. Are there substantive differences in the characteristics (e.g., pipeline capacity or size; physical processes) of and among the different categories of gas transmission and hazardous liquid or carbon pipelines justifying distinguishable anomaly repair and IM requirements? In light of those differences, what, if any, amendments to PHMSA parts 192 and 195 regulations governing anomaly repair criteria, remediation timelines, and IM would be appropriate, and what would be the avoided practicability challenges, compliance costs, or safety impacts from such amendments?

7. What types of temporary and permanent repair methods do operators of gas transmission, hazardous liquid, and carbon dioxide pipelines use to comply with PHMSA's anomaly repair criteria, remediation timelines, and IM requirements? What percentage of repairs are completed using each type of repair method and for which types of anomalies? Do operators employ consensus industry standards or recommended practices (e.g., the acceptable remediation methods listed in tables 451.6.2(b)–1 and 451.6.2(b)–2 of ASME B31.4–2006)¹⁷ when determining the appropriate repair method for different types of anomalies or categories of gas and hazardous liquid or carbon dioxide pipelines? What is the average cost of each of those repair methods as applied to different types of anomalies or categories of gas

transmission, hazardous liquid, or carbon dioxide pipelines?

8. What proportion of small businesses, small organizations, or small government jurisdictions, as defined in the Regulatory Flexibility Act (5 U.S.C. 6010 *et seq.*) and its implementing regulations, operate different categories of gas, hazardous liquid, and carbon dioxide pipelines subject to PHMSA anomaly repair criteria, remediation timelines, and IM requirements? Please provide information about the nature and types of activities of small businesses and other small entities operating in midstream gas, hazardous liquid, and carbon dioxide pipeline sectors. How should the agency ensure that any potential changes to the existing regulations would not disproportionately impact small businesses or other small entities in the sector? Are there alternative regulatory approaches the agency should consider that would achieve its regulatory objectives while minimizing any significant economic impact on small businesses or other small entities?

9. Do the annual, incident, and safety-related condition reports required by parts 191 and 195 regulations require the submission of remediation-related information with limited or no safety value for particular categories of gas transmission, hazardous liquid, and carbon dioxide pipelines? Is there information required in the reports that is duplicative with the information required to be submitted to other State or Federal regulatory authorities? What costs would be avoided by eliminating or revising any such reporting requirements?

10. Should PHMSA amend its regulations governing prioritization of anomaly remediation on gas transmission (§ 192.714) and hazardous liquid and carbon dioxide pipelines (§ 195.401(b)(3)) to align more closely with its statutory mandate at 49 U.S.C. 108(b) and 49 U.S.C. 60102(a)(1) to prioritize public safety and protection against risks to life and property above other important policy objectives within the scope of its regulatory authority?

B. Repair Criteria and Remediation Timelines for Part 195—Regulated Hazardous Liquid or Carbon Dioxide Pipelines

Section 195.401 requires repair within a "reasonable time" whenever an operator discovers anomalies on any hazardous liquid or carbon dioxide pipelines that could adversely affect safe operation. If an anomaly presents an "immediate hazard to persons or property," the operator may not operate the affected portion until the condition

¹⁶ PHMSA, "Letters of Interpretation," available at: <https://www.phmsa.dot.gov/regulations/title49/b/2/1> (last accessed Mar. 11, 2025).

¹⁷ ASME B31.4–2006, "Pipeline Transportation Systems for Liquid Hydrocarbons and Other Liquids" is incorporated by reference in § 195.3 for other purposes. These tables appear as tables 451.6.2.9–1 and 451.6.2.9–2 in ASME B31.4–2022.

has been corrected. Section 195.452(h) establishes remediation timelines for anomalies on HCA segments of hazardous liquid and carbon dioxide pipelines that must be repaired immediately, within 60-days, or within 180-days of discovery (remediation timelines), depending on the anomaly characteristics (repair criteria).

1. How do operators of different categories of hazardous liquid or carbon dioxide pipelines approach the discovery, evaluation, and remediation of anomalies on non-HCA segments in complying with repair requirements at § 195.401? Which elements, if any, do operators apply from the IM response criteria and remediation timelines at § 195.452(h) for anomalies discovered on non-HCA segments? Please describe typical costs associated with discovery, evaluation, and remediation of anomalies on non-HCA segments, with as much specificity by anomaly type as possible.

2. Are there alternatives or supplements to the anomaly repair criteria and remediation timelines that should be incorporated into PHMSA's IM regulations? Are there particular anomaly types whose risks justify existing repair criteria and remediation timelines, or even broader repair criteria and more aggressive timelines than specified in PHMSA regulations? Conversely, are there anomalies identified in PHMSA regulations whose lower risks justify different repair criteria or longer remediation timelines than specified in the regulations? Please identify any specific regulatory amendments that merit consideration, as well as the technical, safety, and economic reasons supporting those recommended amendments.

3. What methods do operators use to evaluate anomalies when material properties of a pipeline segment are unknown? What activities, if any, do operators perform to obtain unknown material property information for anomaly evaluation, and what incremental, per-unit costs are associated with those activities? Are there assumed or conservative values used when material properties are unknown, and what is the technical basis for those values (e.g., operator-specific experience, or consensus industry standards and recommended practices)? How has obtaining material property information affected the classification of anomalies compared with using assumed or conservative values?

4. Should PHMSA consider adopting predicted failure pressure-based criteria for evaluating anomalies on hazardous liquid and carbon dioxide pipelines

under part 195? If so, what is an appropriate method to predict failure pressure for different types of anomalies on different categories of hazardous liquid and carbon dioxide pipelines? Do hazardous liquid and carbon dioxide pipeline operators employ a predicted failure pressure-based response criterion for any anomalies on their facilities? Would such an approach be more appropriate for some types of anomalies (e.g., metal loss anomalies) than others? And would such a criterion be appropriate for all part 195-regulated hazardous liquid and carbon dioxide pipelines? What amendments to part 192 regulatory language would be necessary when applied to part 195-regulated hazardous liquid and carbon dioxide pipelines? Are the consensus industry standards referenced in part 192 regulations appropriate for calculating predicted failure pressure on hazardous liquid and carbon dioxide pipelines, and what alternatives may be appropriate to consider?¹⁸ Please provide the technical, safety, and economic reasons for any suggested regulatory amendments, noting in particular the potential compliance costs and implementation challenges associated with adopting a predicted failure pressure-based repair criterion.

5. Are repair criteria and remediation timelines for hazardous liquid and carbon dioxide pipelines appropriate for metal loss anomalies on a longitudinal seam for HCA and non-HCA segments? How do operators evaluate metal loss anomalies on a longitudinal seam? Are there innovative technologies or methods for improved evaluation of metal loss anomalies on a longitudinal seam that could justify amendments to the repair criteria for HCA segments at § 195.452? Please identify any specific regulatory amendments that merit reconsideration, as well as the technical, safety, and economic reasons supporting those recommended amendments.

6. Are repair criteria and remediation timelines for hazardous liquid and carbon dioxide pipelines appropriate for dents and mechanical damage anomalies on HCA and non-HCA segments? How do operators evaluate dent and mechanical damage anomalies? Are there innovative technologies or methods (e.g., engineering critical assessments, or ECAs) for improved evaluation of dents and mechanical damage anomalies that could justify adjustment of the repair

criteria for such anomalies? What ECA methodologies (e.g., API RP 1183¹⁹) or elements thereof, such as safety factors, and finite element analysis, would be appropriate for use? What elements and supportive records are necessary for an effective ECA of a dent or mechanical damage anomaly on a hazardous liquid or carbon dioxide pipeline? Are there circumstances (e.g., operating environments; physical characteristics of the commodity transported) where ECAs would be an inappropriate or challenging tool for evaluating dents and mechanical damage anomalies on different categories of hazardous liquid and carbon dioxide pipelines? Please provide the technical, safety, and economic reasons for any recommended amendments, noting in particular any potential program implementation costs and unit costs of each ECA conducted, avoided compliance costs due to deferred repair or for another reason, and implementation challenges.

7. Are repair criteria and remediation timelines for hazardous liquid and carbon dioxide pipelines appropriate for dents with metal loss or other interacting integrity threats on HCA and non-HCA segments? What technologies or methods could be used to evaluate dent anomalies with metal loss and other interacting threats? Are there any pertinent consensus industry standards or recommended practices that merit evaluation for incorporation by reference in PHMSA regulations? Please identify any specific regulatory amendments that merit consideration, as well as the technical, safety, and economic reasons supporting them.

C. Repair Criteria and Remediation Timelines for Part 192—Regulated Gas Transmission Pipelines

1. Are the regulatory requirements at § 192.712(c) governing performance of ECAs for dents and mechanical damage anomalies on gas transmission lines appropriate?²⁰ Is an ECA an appropriate means of evaluating dents and mechanical damage anomalies on pipelines in some scenarios but not others? Should PHMSA consider amending any elements of the ECA process prescribed at § 192.712(c) to

¹⁹ API, Recommended Practice 1183, "Assessment and Management of Dents in Pipelines," first edition (Nov. 2020) (including Errata 1 (Jan. 2021) and Addendum 1 (May 2024)) (API RP 1183).

²⁰ PHMSA notes that even as a reviewing court found that PHMSA had not provided adequate discussion of the compliance costs associated with a minimum dent safety factor set forth in ECA procedures at § 192.712(c), the court's decision did not address the safety benefits of PHMSA's choice of safety factor. See *Interstate Natural Gas Assn. v. PHMSA*, 114 F.4th 744, 752–753 (Aug. 16, 2024).

¹⁸ See AGA, Pipeline Research Committee Project, PR-3-805, "A Modified Criterion for Evaluating the Remaining Strength of Corroded Pipe" (Dec. 22, 1989); ASME/ANSI B31G-1991, "Manual for Determining the Remaining Strength of Corroded Pipelines" (2004).

strike a more appropriate balance between safety benefits and costs? Please identify any specific regulatory amendments that merit consideration, as well as the technical, safety, and economic reasons supporting those recommended amendments.

2. Should ECA methodologies or elements thereof within consensus industry standards and recommended practices (e.g., API RP 1183)²¹ inform the ECA requirements in § 192.712? Are the safety factors, required elements, and supporting records identified in consensus industry standards and recommended practices appropriate to use in evaluating dent and mechanical damage anomalies on gas transmission lines, or are alternative approaches advisable? Please identify any specific regulatory amendments that merit consideration, as well as the technical, safety, and economic reasons supporting those recommended amendments.

3. What were the incremental, per-unit costs and benefits associated with establishing an ECA program and subsequently conducting each ECA? Were there any cost savings associated with deferred remediation due to the ECA?

4. Are part 192 repair criteria, remediation timelines, and IM requirements for gas transmission pipelines appropriate for dents with metal loss or other interacting integrity threats? What technologies or methods could be used to evaluate dent anomalies with metal loss and other interacting threats? Are there any pertinent consensus industry standards or recommended practices that should be incorporated by reference in PHMSA regulations? Please identify any specific regulatory amendments that merit consideration, as well as the technical, safety, and economic reasons supporting those recommended amendments.

5. Are the re-assessment frequencies for anomalies on gas transmission pipelines (§ 192.712(h)) that have been evaluated using an ECA appropriate? Should PHMSA consider amending those re-assessment intervals to strike a more appropriate balance between safety benefits and costs?

D. In-Service Part 195 Regulated Hazardous Liquid Pipeline Breakout Tanks

1. How should part 195 regulations address the assessment of and remediation of anomalies on in-service breakout tanks? Would incorporating the risk-based inspection interval

provided for in consensus industry standards (e.g., the fifth edition of API Std 653) within PHMSA regulations be appropriate for some or all breakout tanks?²² Please identify any specific regulatory amendments that merit consideration, as well as the technical, safety, and economic reasons supporting those recommended amendments.

Issued in Washington, DC, on May 15, 2025, under the authority delegated in 49 CFR 1.97.

Benjamin D. Kochman,
Acting Administrator.

[FR Doc. 2025–09078 Filed 5–20–25; 8:45 am]

BILLING CODE 4910–60–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

[Docket No. FWS–R8–ES–2024–0207;
FXES1111090FEDR–256–FF09E21000]

RIN 1018–BI16

Endangered and Threatened Wildlife and Plants; Endangered Species Status for Fish Lake Valley Tui Chub

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), propose to list the Fish Lake Valley tui chub (*Siphateles obesus* ssp.), a fish found in Esmeralda County in southwestern Nevada, as an endangered species under the Endangered Species Act of 1973, as amended (Act). This determination also serves as our 12-month finding on a petition to list the Fish Lake Valley tui chub. After a review of the best scientific and commercial data available, we find that listing the Fish Lake Valley tui chub is warranted. If adopted as proposed, this rule would extend the Act's protections to the Fish Lake Valley tui chub.

DATES: We will accept comments received or postmarked on or before July 21, 2025. Comments submitted electronically using the Federal eRulemaking Portal (see **ADDRESSES**, below) must be received by 11:59 p.m. eastern time on the closing date. We must receive requests for a public hearing, in writing, at the address

²² API Standard 653, "Tank Inspection, Repair, Alteration, and Reconstruction," 5th edition, Nov. 2014 (including addendum 1 (Apr. 2018), addendum 2 (May 2020), addendum 3 (Nov. 2023), errata 1 (Mar. 2020), and errata 2 (Feb. 2025)), section 6.4.2.2.2, Subsequent Internal Inspection Interval.

shown in **FOR FURTHER INFORMATION CONTACT** by July 7, 2025.

ADDRESSES:

Comment submission: You may submit comments by one of the following methods:

(1) *Electronically:* Go to the Federal eRulemaking Portal: <https://www.regulations.gov>. In the Search box, enter FWS–R8–ES–2024–0207, which is the docket number for this rulemaking. Then, click on the Search button. On the resulting page, in the panel on the left side of the screen, under the Document Type heading, check the Proposed Rule box to locate this document. You may submit a comment by clicking on "Comment."

(2) *By hard copy:* Submit by U.S. mail to: Public Comments Processing, Attn: FWS–R8–ES–2024–0207, U.S. Fish and Wildlife Service, MS: PRB/3W, 5275 Leesburg Pike, Falls Church, VA 22041–3803.

We request that you send comments only by the methods described above. We will post all comments on <https://www.regulations.gov>. This generally means that we will post any personal information you provide us (see Information Requested, below, for more information).

Availability of supporting materials: Supporting materials, such as the species status assessment report, are available at <https://www.regulations.gov> at Docket No. FWS–R8–ES–2024–0207.

FOR FURTHER INFORMATION CONTACT: Justin Barrett, Acting Field Supervisor, U.S. Fish and Wildlife Service, Reno Fish and Wildlife Office, 1340 Financial Blvd., Suite 234, Reno, NV 89502; telephone 775–861–6338. 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. Please see Docket No. FWS–R8–ES–2024–0207 on <https://www.regulations.gov> for a document that summarizes this proposed rule.

SUPPLEMENTARY INFORMATION:

Executive Summary

Why we need to publish a rule. The Act (16 U.S.C. 1531 *et seq.*) defines a species as including any subspecies of fish or wildlife or plants, and any distinct population segment of any species of vertebrate fish or wildlife which interbreeds when mature. Under the Act, a species warrants listing if it

²¹ API, Recommended Practice 1183, "Assessment and Management of Pipeline Dents" (First edition 2020).

meets the definition of an endangered species (in danger of extinction throughout all or a significant portion of its range) or a threatened species (likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range). If we determine that a species warrants listing, we must list the species promptly. We have determined that the Fish Lake Valley tui chub meets the Act's definition of an endangered species; therefore, we are proposing to list it as such. Listing a species as an endangered or threatened species can be completed only by issuing a rule through the Administrative Procedure Act rulemaking process (5 U.S.C. 551 *et seq.*).

What this document does. We propose to list the Fish Lake Valley tui chub as an endangered species under the Act.

The basis for our action. Under the Act, we may determine that a species is an endangered or threatened species because of any of five factors: (A) The present or threatened destruction, modification, or curtailment of its habitat or range; (B) overutilization for commercial, recreational, scientific, or educational purposes; (C) disease or predation; (D) the inadequacy of existing regulatory mechanisms; or (E) other natural or manmade factors affecting its continued existence. We have determined that the Fish Lake Valley tui chub meets the Act's definition of an endangered species due to the following threats: the destruction and modification of its aquatic habitat caused by agricultural production or other land management practices (Factor A), effects of climate change on aquatic habitat availability (Factor A), and predation by and competition with invasive species (Factors C and E).

Information Requested

We intend that any final action resulting from this proposed rule will be based on the best scientific and commercial data available and be as accurate and as effective as possible. Therefore, we request comments or information from other governmental agencies, Native American Tribes, the scientific community, industry, or any other interested parties concerning this proposed rule. We particularly seek comments concerning:

(1) The Fish Lake Valley tui chub's biology, range, and population trends, including:

(a) Biological or ecological requirements of the Fish Lake Valley tui chub, including habitat requirements for feeding, breeding, and sheltering;

(b) Genetics and taxonomy;

(c) Historical and current range, including distribution patterns and the locations of any additional populations of this fish;

(d) Historical and current population levels, and current and projected trends; and

(e) Past and ongoing conservation measures for the Fish Lake Valley tui chub, its habitat, or both.

(2) Threats and conservation actions affecting the Fish Lake Valley tui chub, including:

(a) Factors that may be affecting the continued existence of the Fish Lake Valley tui chub, which may include habitat modification or destruction, overutilization, disease, predation, the inadequacy of existing regulatory mechanisms, or other natural or manmade factors;

(b) Biological, commercial trade, or other relevant data concerning any threats (or lack thereof) to the Fish Lake Valley tui chub; and

(c) Existing regulations or conservation actions that may be addressing threats to the Fish Lake Valley tui chub.

(3) Additional information concerning the historical and current status of the Fish Lake Valley tui chub.

Please include any supplemental information with your submission (such as scientific journal articles or other publications) to allow us to verify any scientific or commercial information you include.

Please note that submissions merely stating support for, or opposition to, the action under consideration without providing supporting information, although noted, do not provide substantial information necessary to support a determination. Section 4(b)(1)(A) of the Act directs that determinations as to whether any species is an endangered or a threatened species must be made solely on the basis of the best scientific and commercial data available.

You may submit your comments and materials concerning this proposed rule by one of the methods listed in **ADDRESSES**. We request that you send comments only by the methods described in **ADDRESSES**.

If you submit information via <https://www.regulations.gov>, your entire submission—including any personal identifying information—will be posted on the website. If your submission is made via a hardcopy that includes personal identifying information, you may request at the top of your document that we withhold this information from public review. However, we cannot guarantee that we will be able to do so.

We will post all hardcopy submissions on <https://www.regulations.gov>.

Comments and materials we receive, as well as supporting documentation we used in preparing this proposed rule, will be available for public inspection on <https://www.regulations.gov>.

Our final determination may differ from this proposal because we will consider all comments we receive during the comment period as well as any information that may become available after this proposal. Based on the new information we receive (and, if relevant, any comments on that new information), we may conclude that the Fish Lake Valley tui chub is threatened instead of endangered, or we may conclude that the Fish Lake Valley tui chub does not warrant listing as either an endangered species or a threatened species. In our final rule, we will clearly explain our rationale and the basis for our final decision, including why we made changes, if any, that differ from this proposal.

Public Hearing

Section 4(b)(5) of the Act provides for a public hearing on this proposal, if requested. Requests must be received by the date specified in **DATES**. Such requests must be sent to the address shown in **FOR FURTHER INFORMATION CONTACT**. We will schedule a public hearing on this proposal, if requested, and announce the date, time, and place of the hearing, as well as how to obtain reasonable accommodations, in the **Federal Register** and local newspapers at least 15 days before the hearing. We may hold the public hearing in person or virtually via webinar. We will announce any public hearing on our website, in addition to the **Federal Register**. The use of virtual public hearings is consistent with our regulations at 50 CFR 424.16(c)(3).

Previous Federal Actions

On March 23, 2021, we received a petition, dated March 9, 2021, from the Center for Biological Diversity (CBD) requesting that the Fish Lake Valley tui chub (*Siphateles bicolor* ssp. 4) be listed as an endangered or threatened species and critical habitat be designated under the Act. On August 23, 2022, we published a 90-day finding that the petition presented substantial scientific or commercial information indicating the petitioned action may be warranted (87 FR 51635). While the 2021 petition requested that the Service list the Fish Lake Valley tui chub as the taxonomic entity known as *S. bicolor* ssp. 4, our review of recent genetic analyses led to placing the Fish Lake Valley tui chub

within *S. obesus* ssp. instead (Campbell et al. 2024, p. 8).

Peer Review

A species status assessment (SSA) team prepared an SSA report for the Fish Lake Valley tui chub. The SSA team was composed of Service biologists, in consultation with other species experts. The SSA report represents a compilation of the best scientific and commercial data available concerning the status of the Fish Lake Valley tui chub, including the impacts of past, present, and future factors (both negative and beneficial) affecting the Fish Lake Valley tui chub.

In accordance with our joint policy on peer review published in the **Federal Register** on July 1, 1994 (59 FR 34270), and our August 22, 2016, memorandum updating and clarifying the role of peer review in listing and recovery actions under the Act (<https://www.fws.gov/sites/default/files/documents/peer-review-policy-directors-memo-2016-08-22.pdf>), we solicited independent scientific review of the information contained in the Fish Lake Valley tui chub SSA report. We sent the SSA report to four independent peer reviewers and received two responses. The peer reviews can be found at <https://www.regulations.gov> at Docket No. FWS-R8-ES-2024-0207. In preparing this proposed rule, we incorporated the results of these reviews, as appropriate, into the SSA report, which is the foundation for this proposed rule.

Summary of Peer Reviewer Comments

As discussed above in Peer Review, we received comments from two peer reviewers on the draft SSA report. We reviewed all comments we received from the peer reviewers for substantive issues and new information regarding the contents of the SSA report. The peer reviewers generally provided additional references, clarifications, and wording suggestions. We revised the updated SSA report based on the peer reviewers' comments, including adjusting our projections for the future scenarios, clarifying specific points where appropriate, and adding details and suggested references where needed. Peer reviewer comments are addressed in the following summary and were incorporated into the current SSA report (Service 2024, entire) as appropriate.

Comment 1: One peer reviewer recommended that we add specific quantitative data to describe the Fish Lake Valley tui chub's needs instead of using qualitative terms such as "adequate water quality" and "adequate population size." The reviewer

suggested using values obtained from the literature on similar subspecies or using the measurements taken at one of the extant sites as a baseline.

Our response: We revised the description of the Fish Lake Valley tui chub's needs to include more quantitative values where data were available for similar subspecies such as the Lahontan tui chub, Mohave tui chub, and Owens tui chub. To describe the ecological resources that each Fish Lake Valley tui chub life stage (egg, larva, juvenile, and adult) needs to breed, feed, and shelter, quantitative ranges were provided for suitable water temperature, dissolved oxygen, pH, and alkalinity.

Comment 2: One peer reviewer suggested that we change the temperature range for spawning preferences in the applicable table because the current conditions at the McNett spring system fall outside of that range.

Our response: We widened the range in the table to include the conditions at the McNett spring system based on similar natural history information found for other southwestern Great Basin tui chub subspecies.

Comment 3: One peer reviewer recommended that we add biological information from springsnails found in the McNett spring system. Because springsnails are highly sensitive to changes in environmental conditions, their presence is an indication that the natural conditions at the site have been constant.

Our response: We did not apply this change because the consistency of the natural, thermal conditions at the McNett spring system is explicitly described in the discussion of the Fish Lake Valley tui chub's current condition. The vulnerability of the tui chub's habitat is evident through the historical drying of habitat and the Fish Lake Valley tui chub's extirpation from five sites in Fish Lake Valley.

Comment 4: One peer reviewer suggested we revise the future conditions analysis to show that extirpation of both extant populations (*i.e.*, extinction of the Fish Lake Valley tui chub) is possible given that both populations are imminently at risk of catastrophic collapse.

Our response: We added clarifying language, such as "high risk of extirpation," to the overall assessment to clarify the Fish Lake Valley tui chub's future condition. We modified the lower plausible future scenario to include the risk of extinction. For decisions related to species classification under the Act, we use scenarios that include only

plausible future influences, not everything that is theoretically possible.

Plausible events are those that seem reasonable, have an appearance of truth or reason, and are credible or believable from the perspective of a rational impartial observer (O'Hagan 2019, entire). In an SSA, plausibility would be supported by literature regarding past trends or projections of influences, expert judgment, or other citable evidence and would be relevant, informative, and appropriate within the decision's context. Alternatively, possible refers to a proposition or event that is conceivable and is beyond what a rational impartial observer would consider credible, believable, or reasonable. Therefore, the possible includes lower probability events than the plausible. Future influences that are possible, but not plausible, are not included in the SSA status scenario analysis.

I. Proposed Listing Determination Background

A thorough review of the taxonomy, life history, and ecology of the Fish Lake Valley tui chub (*Siphateles obesus* ssp.) is presented in the SSA report (version 1.0; Service 2024, pp. 14–18).

The Fish Lake Valley tui chub is a small minnow native to the Fish Lake Valley basin, which spans the Nevada/California border. The tui chubs in Fish Lake Valley have all been found in Esmeralda County, Nevada, and are geographically isolated from other forms of tui chub. The Fish Lake Valley tui chub is considered a valid subspecies (Hubbs & Miller 1948, p. 44; 87 FR 51635, August 23, 2022; Campbell et al. 2024, p. 8). While the 2021 petition requested that the Service list the Fish Lake Valley tui chub as the taxonomic entity known as *S. bicolor* ssp. 4, recent genetic analyses have placed the Fish Lake Valley tui chub within *S. obesus* instead (Campbell et al. 2024, p. 8). Therefore, we refer to the Fish Lake Valley tui chub as *S. obesus* ssp. in this document and the SSA report (Service 2024, entire). This taxonomic change does not change our understanding of the subspecies' distribution or status.

Tui chubs are small minnows with 41 to 64 scales along the decurved lateral line (Moyle 2002, p. 122). Tui chubs have 8 to 24 gill rakers and rounded, short fins (Moyle 2002, p. 122). Coloration varies from silvery to dusky olive, brown, or brassy (Moyle 2002, p. 122). Length of tui chubs is variable, although adults in springs may only reach 4 to 5 inches (10 to 12 centimeters) (Moyle 2002, p. 122). Fish Lake Valley tui chubs from the

historical population at Fish Lake were measured at up to 8 inches (20 centimeters) (Hubbs 1934, unpaginated).

The Fish Lake Valley tui chub is a narrow endemic subspecies known from six historical sites within Fish Lake Valley (see figure 1 under *Current Condition*, below). Historical records of this tui chub are from lakes and small springs, including Fish Lake, Sand Spring, McNett spring system, Pothole Springs, an unnamed spring, and several valley channels flowing into Fish Lake (Nevada Department of Wildlife (NDOW) 1991, entire; Sada n.d., unpaginated). The Fish Lake Valley tui chub is currently extant in the McNett spring system, the only currently occupied site within the historical range. A second population has been introduced into Lida Pond outside of the subspecies' historical range.

The primary life stages for the Fish Lake Valley tui chub are egg, larva, juvenile, and adult. Few specifics are known about the life history of the Fish Lake Valley tui chub, and much of what we know regarding the subspecies' life history comes from studies of other tui chub subspecies. Females lay 6,100–68,900 eggs in gravel substrate or aquatic vegetation, and males fertilize them when water temperatures reach 55–72 degrees Fahrenheit (°F) (13–22 degrees Celsius (°C)). In warmer springs and ponds, this can be late February through August, but it primarily happens between April and July (Sigler and Sigler 1987, p. 169; Moyle 2002, p. 125; Vicker 1973, p. 11). Eggs hatch in 3 to 6 days (Moyle 2002, p. 125). After the eggs hatch, the fish are considered to be in the larval stage; this stage generally occurs between February and August, depending on the environmental conditions and timing of spawning. Occasionally male tui chubs sexually mature after 1 year, but most mature at 2 years, with females maturing between 2 and 3 years of age (Sigler and Sigler 1987, p. 169). In the spring when water temperatures warm, spawning occurs again, restarting the life cycle for the next generation of tui chubs. Tui chubs can live up to 35 years in large lakes, but in smaller ponds and springs, their observed maximum lifespan is 7 years (Moyle 2002, p. 125; Crain and Corcoran 2000, p. 149).

Regulatory and Analytical Framework

Regulatory Framework

Section 4 of the Act (16 U.S.C. 1533) and the implementing regulations in title 50 of the Code of Federal Regulations set forth the procedures for determining whether a species is an

endangered species or a threatened species, issuing protective regulations for threatened species, and designating critical habitat for endangered and threatened species.

The Act defines an “endangered species” as a species that is in danger of extinction throughout all or a significant portion of its range and a “threatened species” as a species that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

The Act requires that we determine whether any species is an endangered species or a threatened species because of any of the following factors:

- (A) The present or threatened destruction, modification, or curtailment of its habitat or range;
- (B) Overutilization for commercial, recreational, scientific, or educational purposes;
- (C) Disease or predation;
- (D) The inadequacy of existing regulatory mechanisms; or
- (E) Other natural or manmade factors affecting its continued existence.

These factors represent broad categories of natural or human-caused actions or conditions that could have an effect on a species' continued existence. In evaluating these actions and conditions, we look for those that may have a negative effect on individuals of the species, as well as other actions or conditions that may ameliorate any negative effects or may have positive effects.

We use the term “threat” to refer in general to actions or conditions that are known to or are reasonably likely to negatively affect individuals of a species. The term “threat” includes actions or conditions that have a direct impact on individuals (direct impacts), as well as those that affect individuals through alteration of their habitat or required resources (stressors). The term “threat” may encompass—either together or separately—the source of the action or condition or the action or condition itself.

However, the mere identification of any threat(s) does not necessarily mean that the species meets the statutory definition of an “endangered species” or a “threatened species.” In determining whether a species meets either definition, we must evaluate all identified threats by considering the species' expected response and the effects of the threats—in light of those actions and conditions that will ameliorate the threats—on an individual, population, and species level. We evaluate each threat and its expected effects on the species, then analyze the cumulative effect of all of

the threats on the species as a whole. We also consider the cumulative effect of the threats in light of those actions and conditions that will have positive effects on the species, such as any existing regulatory mechanisms or conservation efforts. The Secretary determines whether the species meets the definition of an “endangered species” or a “threatened species” only after conducting this cumulative analysis and describing the expected effect on the species.

The Act does not define the term “foreseeable future,” which appears in the statutory definition of “threatened species.” Our implementing regulations at 50 CFR 424.11(d) set forth a framework for evaluating the foreseeable future on a case-by-case basis which is further described in the 2009 Memorandum Opinion on the foreseeable future from the Department of the Interior, Office of the Solicitor (M–37021, January 16, 2009; “M–Opinion,” available online at <https://www.doi.gov/sites/doi.opengov.ibmcloud.com/files/uploads/M-37021.pdf>). The foreseeable future extends as far into the future as the U.S. Fish and Wildlife Service and National Marine Fisheries Service (hereafter, the Services) can make reasonably reliable predictions about the threats to the species and the species' responses to those threats. We need not identify the foreseeable future in terms of a specific period of time. We will describe the foreseeable future on a case-by-case basis, using the best scientific and commercial data available and taking into account considerations such as the species' life-history characteristics, threat projection timeframes, and environmental variability. In other words, the foreseeable future is the period of time over which we can make reasonably reliable predictions. “Reliable” does not mean “certain”; it means sufficient to provide a reasonable degree of confidence in the prediction, in light of the conservation purposes of the Act.

Analytical Framework

The SSA report documents the results of our comprehensive biological review of the best scientific and commercial data available regarding the status of the Fish Lake Valley tui chub, including an assessment of the potential threats to this subspecies. The SSA report does not represent our decision on whether the subspecies should be proposed for listing as an endangered or threatened species under the Act. However, it does provide the scientific basis that informs our regulatory decisions, which involve the further application of standards

within the Act and its implementing regulations and policies.

To assess the Fish Lake Valley tui chub’s viability, we used the three conservation biology principles of resiliency, redundancy, and representation (Shaffer and Stein 2000, pp. 306–310). Briefly, resiliency is the ability of the species to withstand environmental and demographic stochasticity (for example, wet or dry, warm or cold years); redundancy is the ability of the species to withstand catastrophic events (for example, droughts, large pollution events); and representation is the ability of the species to adapt to both near-term and long-term changes in its physical and biological environment (for example, climate conditions, pathogens). In general, species viability will increase with increases in resiliency, redundancy, and representation (Smith et al. 2018, p. 306). Using these principles, we identified the Fish Lake Valley tui chub’s ecological requirements for survival and reproduction at the individual, population, and subspecies levels, and described the beneficial and risk factors influencing the subspecies’ viability.

The SSA process can be categorized into three sequential stages. During the first stage, we evaluated the individual subspecies’ life-history needs. The next

stage involved an assessment of the historical and current condition of the subspecies’ demographics and habitat characteristics, including an explanation of how the subspecies arrived at its current condition. The final stage of the SSA involved making predictions about the subspecies’ future condition, including responses to positive and negative environmental and anthropogenic influences. Throughout all of these stages, we used the best scientific and commercial data available to characterize viability as the ability of the Fish Lake Valley tui chub to sustain populations in the wild over time, which we then used to inform our regulatory decision.

The following is a summary of the key results and conclusions from the SSA report; the full SSA report can be found at Docket No. FWS–R8–ES–2024–0207 on <https://www.regulations.gov>.

Summary of Biological Status and Threats

In this discussion, we review the biological condition of the subspecies and its resources, and the threats that influence the subspecies’ current and future condition, in order to assess the subspecies’ overall viability and the risks to that viability.

Subspecies Needs

To begin this assessment, we focus on the first conservation biology principle of resiliency. For Fish Lake Valley tui chub populations to have sufficient resiliency, the needs of individuals must be met at a large enough scale to address population-level and subspecies-level needs. The Fish Lake Valley tui chub needs sufficient (1) habitat quantity, (2) habitat quality, (3) population growth, and (4) population size to support sustainable populations in a highly variable and unpredictable environment. The individual needs of Fish Lake Valley tui chub are primarily a function of habitat condition and are summarized below in table 1. All Fish Lake Valley tui chub life stages require permanent water bodies with adequate water quality, and they feed on invertebrates and algae. Successful reproduction is dependent on suitable substrates of gravel or aquatic vegetation. Much of the data presented in table 1 is derived from studies of tui chub in general because there are few specific ecological resource needs data available specifically for the Fish Lake Valley tui chub. Therefore, where we do provide a range of values, the values were determined by studies conducted on similar subspecies; otherwise, the term “adequate” was used for resource needs that are uncertain.

TABLE 1—FISH LAKE VALLEY TUI CHUB’S INDIVIDUAL NEEDS
[Service 2024, p. 19]

Need	Function and description of the resource need
Water temperatures suitable for reproduction.	Eggs are laid when water temperatures reach 55–72 °F (13–22 °C), primarily between April and July. In warmer springs and ponds, it can be late February through August. Eggs hatch in 3 to 6 days, usually at temperatures between 66–68 °F (19–20 °C).
Adequate year-round water quality and flow.	Adequate year-round water quality (pH of 7.6–9.6 and dissolved solids <900 milligrams per liter (mg/L)) and flow are critical for survival of all life stages. Eggs require adequate dissolved oxygen (>4.5 mg/L). Water must be low velocity and must have sufficient quantity (at least about 1 meter deep year-round) and limited sedimentation.
Gravel or aquatic vegetation substrates.	Eggs are laid in gravel substrate or aquatic vegetation. Aquatic vegetation and/or gravel substrate is required for successful spawning.
Aquatic vegetation for shelter	Aquatic vegetation also forms the base of the food chain, supporting invertebrate survival. Larvae, juveniles, and adults require aquatic vegetation for shelter from predators. Aquatic vegetation also provides a cooler micro-environment when open water temperatures get too high.
Zooplankton, invertebrate larvae, detritus, and algae.	Larvae require zooplankton for food. Juveniles and adults require invertebrates, detritus, and algae for food.

Populations need an abundance of individuals within habitat patches of adequate area and quality to survive and reproduce despite disturbance. For the Fish Lake Valley tui chub, the abundance of individuals depends upon adequate surface water habitat. Having multiple populations increases the subspecies’ redundancy and helps mitigate impacts from localized threats. The Fish Lake Valley tui chub needs a sufficient quantity and quality of habitat

to sustain populations. The subspecies has historically inhabited a small area, making the amount of suitable habitat important for the resiliency of the subspecies. Quality of habitat depends upon the presence of suitable water temperature and chemical parameters (e.g., dissolved oxygen, pH), adequate food resources, and suitable spawning habitat, as well as the absence of nonnative and invasive species.

For the Fish Lake Valley tui chub to have high viability, the subspecies needs to maintain its representation (adaptive capacity) by having multiple, highly resilient populations (redundancy) to withstand catastrophic events. As a narrow endemic, the Fish Lake Valley tui chub inherently has low redundancy. However, it is still important to have multiple, highly resilient populations to help mitigate impacts from threats and stochastic

events. Having multiple populations also helps maintain genetic diversity and adaptive capacity.

Threats

We identified agricultural production, lithium mining, geothermal development, changes in habitat management, climate change, and invasive species as the primary threats currently affecting the Fish Lake Valley tui chub. The following discussion provides a summary of the threats and stressors that are affecting or may be affecting the current and future condition of the Fish Lake Valley tui chub throughout some or all of its range. A more detailed description may be found in the SSA report (Service 2024, pp. 25–36).

Agricultural Production

Agriculture has been a historically important component of the economy of Fish Lake Valley and continues to this day (Suverly 2001, unpaginated). The principal crop is alfalfa, comprising 58 percent of the total agricultural sales in Esmeralda County, with other hay products constituting another 2 percent (Suverly 2001, unpaginated). Alfalfa is a water-intensive crop, requiring 4.2 feet (1.3 meters) of water per year to be grown in the Fish Lake Valley (Huntington and Allen 2010, p. 252). Between 2008 and 2023, alfalfa crop cover in the Fish Lake Valley hydrologic basin increased nearly 250 percent from 4,509 acres (1,825 hectares) to 11,142 acres (4,509 hectares) (U.S. Department of Agriculture n.d., unpaginated).

Primarily due to groundwater pumping for agricultural use, groundwater levels in Fish Lake Valley have declined up to 2.0 feet (0.6 meter) per year resulting in over 75 feet (23 meters) of drawdown (Esmeralda County 2022, pp. 45, 51) from the late 1960s to about 2010 (Esmeralda County 2022, p. 51), which has significantly reduced Fish Lake Valley tui chub habitat throughout the subspecies' range (NDOW 1991, p. 1; Nevada Division of Natural Heritage (NDNH) 2020, unpaginated; Pedretti et al. 1985b, p. 7; Sada n.d., unpaginated). Groundwater has been pumped for decades for agricultural purposes on both sides of the Nevada/California border within the Fish Lake Valley hydrographic basin. Permitted allocations exceed available water resources, and actual groundwater withdrawals must be reduced within Nevada and California until groundwater withdrawals are sustainable (Esmeralda County 2022, p. 49). In 2023, the Nevada State Engineer's Office assessed the Fish Lake Valley groundwater basin to be

overappropriated by 150 to 250 percent of the perennial yield (Nevada Division of Water Resources 2023, p. 7). Ninety-nine percent of the groundwater resources pumped in Fish Lake Valley are devoted to irrigation of agricultural crops (Nevada Division of Water Resources 2019, p. 8). As agricultural production has increased in both the Nevada and California portions of Fish Lake Valley in recent decades, the groundwater level in the Fish Lake Valley basin has continued to decline from groundwater pumping that exceeds annual recharge (Department of Agriculture n.d. unpaginated; Nevada Division of Water Resources 2023, pp. 7–8; Esmeralda County 2022, pp. 49–50). This overdraft is causing the collapse of the aquifer and damaging the ability of the aquifer to store water in the future (Esmeralda County 2022, p. 49).

The drawdown of groundwater has direct negative effects on the habitat of the Fish Lake Valley tui chub. Surveyors routinely reported (1985, 1989, 1991, 1995, 2001, 2023) desiccation of known tui chub habitats in the central Fish Lake Valley in the late 20th century (NDOW 1991, p. 1; NDNH 2020, unpaginated; Pedretti 1985b, p. 7; Sada n.d., unpaginated; NDOW 2023, pp. 3–6). Fish Lake, the body of water for which the valley is named and that was historically occupied by the Fish Lake Valley tui chub, was affected by human modification of the springhead and reduced flows (NDOW 1991, p. 1). By 1995, a site visit revealed no fish were present as the lake had become too dry (NDNH 2020, unpaginated). Although the lakebed still holds ephemeral water following heavy rains or periods of snowmelt, groundwater levels dropped too low to provide consistent surface water coverage, and, as a result, the tui chubs at Fish Lake were extirpated. Other nearby springs formerly supporting tui chubs have also been affected by groundwater drawdown, with the Pothole Springs and the unnamed springs drying up between the mid-1980s and early 2000s (Pedretti et al. 1985b, p. 7; NDOW 1991, p. 1; Sada n.d. unpaginated).

Lithium Mining

The only currently active large-scale lithium mine in the United States is operating at Silver Peak in Clayton Valley, Nevada, approximately 30 miles (50 kilometers) east of Fish Lake Valley. The Clayton Valley groundwater basin has been permanently losing storage due to groundwater withdrawals for evaporative mineral concentration, the process that has commonly been used for lithium extraction in this area

(Esmeralda County 2012, p. 43; Pennington 2021, p. 2). Lithium mining operations have caused water levels in Clayton Valley to decline, with some wells drying completely (Pennington 2021, p. 2). Additional lithium claims have been proposed in Fish Lake Valley, Clayton Valley, and Columbus Salt Marsh (approximately 20 miles (30 kilometers) north of Fish Lake Valley), indicating that lithium mining operations are likely to expand in this area in the future.

Lithium claystone mining was recently permitted to proceed at Rhyolite Ridge, approximately 8 miles (13 kilometers) east of the Fish Lake Valley tui chub site at the McNett spring system (Ioneer 2024, pp. 1–72; Bureau of Land Management (BLM) 2024, entire). Claystone mining is an alternative method of extracting lithium through the excavation of ore and processing the ore with acid to leach out the lithium (Ioneer 2024, pp. 1–72). Lithium claystone mining is considered to be less water intensive than the traditional evaporative lithium brine extraction methods (Ioneer 2024, p. i). However, water is still necessary for production of the acid used in the processing facility, for construction of infrastructure, and for dust suppression (Ioneer 2024 pp. 1–72). The Rhyolite Ridge mine proposes to use approximately 4,032 acre-feet (over 4 million cubic meters) of water annually (Ioneer 2024, p. 33). Water necessary for mining operations could include pumping groundwater from Fish Lake Valley to the Rhyolite Ridge mine site (Ioneer 2024, p. 33). In 2023, mining companies began exploratory drilling for lithium resources at the Fish Lake Valley playa, 7 miles (11 kilometers) northeast of the McNett spring system, and seismic surveys have been conducted for lithium resources 2 miles (3 kilometers) east of the McNett spring system (Morella Corporation 2024, p. 8).

Lithium mining in the Fish Lake Valley area is likely to impact groundwater resources in Fish Lake Valley regardless of the type of mines developed in the area, as both lithium brine and claystone mining require substantial groundwater use (Pennington 2021, p. 2; Ioneer 2024, p. 33). In conjunction with continuing agricultural uses and potential geothermal development discussed below, water use for lithium mining will likely exacerbate the already overallocated Fish Lake Valley groundwater basin that supplies water for tui chub habitat in the McNett spring system.

Geothermal Development

Geothermal energy production has not yet occurred in Fish Lake Valley. However, there has been interest in geothermal development, with multiple active geothermal leases with exploratory wells being drilled in the valley near the tui chub population in the McNett spring system (BLM 2022a, p. 9). The Fish Lake Geothermal Project area is located 0.3 miles (0.5 kilometer) northwest of the McNett spring system, and the project is currently in the early permitting phase, with energy production possible within the next several years (BLM 2023, p. 9). The Lone Mountain Geothermal project area is located 4.1 miles (6.6 kilometers) northeast of the McNett spring system and is also in the early exploration and permitting phase (BLM 2022a, p. 9).

Prior to geothermal development of a particular area, the flow path of water beneath the land surface is usually not known with sufficient detail to understand and prevent surface impacts that may be caused by such development (Sorey 2000, p. 705). However, changes associated with surface expression of thermal waters from geothermal production have been commonly observed, including, but not limited to, changes in water temperature, flow, and water quality (Bonte et al. 2011, pp. 4–8; Chen et al. 2020, pp. 2–6; Kaya et al. 2011, pp. 55–64; Sorey 2000, entire), which could all be direct changes to the necessary parameters of the habitat needs of the Fish Lake Valley tui chub. Conversely, there have also been geothermal production plants that did not result in any measurable effects to surface water characteristics (Kaya et al. 2011, pp. 55–64; Sorey 2000, p. 706).

In an effort to minimize these changes in water temperature, quantity, and quality, and to maintain pressure of the geothermal reservoir, geothermal fluids may be reinjected into the ground to reheat the used fluids and maintain local geothermal reservoir pressure (U.S. Department of Energy n.d., entire). This practice entails much trial and error in an attempt to equilibrate subsurface reservoir pressure, and it can take several years to understand how a new geothermal field will react to production and reinjection wells (Kaya et al. 2011, pp. 55–64).

The aforementioned type of changes in surface-expressed water temperature and flow from geothermal production areas have been documented in several places in California and Nevada, including the Long Valley Caldera roughly 40 miles (64 kilometers) southwest of Fish Lake Valley (Sorey

2000, entire). For example, the geothermal water component in springs at Hot Creek Fish Hatchery has been reduced by 30 to 40 percent since 1990 (Sorey 2000, p. 706). Geothermal pumping between 1985 and 1998 at Casa Diablo Geothermal Plant, part of Ormat Technologies, Inc., Mammoth Geothermal Complex, resulted in flow ceasing at Colton Spring (1.2 miles (1.9 kilometers) east of Casa Diablo) and declines in water level at Hot Bubbling Pool (3.1 miles (5 kilometers) east of Casa Diablo) (Sorey 2000, p. 706). Similarly, a large geothermal power plant in Jersey Valley, Nevada, located approximately 170 miles (274 kilometers) north of Fish Lake Valley, caused the cessation of a thermal spring flow just 3 years after production began (BLM 2022b, p. 1).

It is also possible that geothermal energy production may have no discernible effect to the local spring systems as has been observed for some projects. For example, at the Casa Diablo Geothermal plant, the project-related decline in thermal component did not result in the lowering of temperature of the thermally influenced Hatchery Springs (2.5 miles (4 kilometers) east of Casa Diablo), probably due to the moderating influence of rock conductivity (Sorey 2000, p. 706). Additionally, the Casa Diablo plant did not produce any change in thermal water discharge of the Hot Creek Gorge, located 3 miles (4.8 kilometers) from the well field, from the period 1988–1998 (Sorey 2000, p. 706).

Preliminary geothermal well pumping tests for the Fish Lake Geothermal Project failed to detect a measurable response in water levels or spring flows within the McNett spring system (UES Consulting Services, Inc. 2024a, p. 16), although a numerical groundwater model predicted minimal project-related drawdown (UES Consulting Services, Inc. 2024b, p. 65). This may be due to the limitation of short-term (approximately 2 months) monitoring or the confounding effects of precipitation events during the testing period (UES Consulting Services, Inc. 2024a, p. 16). It may also be that the geothermal connection at McNett spring system is so diffuse that spring flows are not sensitive to pumping from the geothermal resource (UES Consulting Services, Inc. 2024b, p. 15).

The highly varied effects of geothermal energy production on thermal waters are likely going to depend on many factors including the unique hydrogeology of the project site and methodology used. Springs within the same proximate geographic area or wetland system may respond differently

to the geothermal plant, for example, depending on the relative contribution of geothermal fluids to the spring discharge. The hydraulic connection between geothermal reservoirs and shallow groundwater basins cannot be inferred based on distance alone but is rather determined by multiple and synergistic factors such as the presence of faults or fractures, the transmissivity of the underlying material, and other local surface water and/or groundwater extraction.

Despite the variation in potential impacts from geothermal projects on nearby spring systems, for the McNett spring system, the best available information suggests that nearby geothermal development will utilize the source of discharge at the spring. We infer this based on the recorded temperatures and geochemical analyses of the McNett spring system, which indicate that there is some level of geothermal input. During the winter months, water temperatures at the McNett spring system routinely register above the ambient air temperature. For example, in late March of 2021, the water temperature at the main pool was measured as 67 °F (19.3 °C) and the water temperature at an outflow well was 71 °F (21.68 °C) (NDOW 2021, p. 4). The ambient air temperature that day registered 56 °F (13.6 °C) (NDOW 2021, p. 7). Additionally, recent geochemical analysis of fluids from the McNett spring system suggests that the waters are between 7 to 11 percent geothermal in source (UES Consulting Services, Inc. 2024b, p. 144). This is an indication that the habitat within the McNett spring system is partially sustained by the geothermal reservoir.

Even if the springs are only partially supplied by the geothermal reservoir, changes in the pressure or flow paths of groundwater due to nearby geothermal production and injection wells may alter discharge, water temperature, and water quality of surface springs at the McNett spring system, as has been seen elsewhere in Nevada. While short-term flow tests did not detect a response to the spring flows at McNett for the Fish Lake Geothermal Project, longer term pumping associated with the future plant may produce an effect on water quality or spring flows. The combined geothermal pumping associated with two nearby geothermal plants (Fish Lake Geothermal and Lone Mountain) may increase the risk of habitat desiccation or deterioration over time such that the McNett Spring system may no longer support the Fish Lake Valley tui chub; however, there is significant uncertainty that geothermal development will

become a threat to the viability of the Fish Lake Valley tui chub.

Changes in Habitat Management

Historical and recent oversight and management practices at the McNett spring system have resulted in suitable conditions for the Fish Lake Valley tui chub at this one remaining historical site, evidenced by the persistence of a population maintaining around 2,000 individuals for approximately 20 years (NDOW 2002, p. 1; NDOW 2005, p. 1; NDOW 2021, p. 6). Most of the McNett spring system is privately owned and used for cattle grazing (Red Spring Allotment, under grazing permit NV00091). Cooperation between the landowner and NDOW has ensured accurate estimates of the tui chub's current population and the gathering of additional information about the life history of the fish.

Current levels of grazing may have contributed to the current availability of open water at the McNett spring system by preventing encroachment of aquatic vegetation (NDOW 2022, pp. 2–3). In contrast, Lida Pond, which is located on BLM land and falls within the Magruder Mountain Allotment (permit number NV00099), had recently been overutilized by trespass cattle, causing bank erosion and reduction of open water habitat, before the BLM became aware of and excluded the trespass cattle (Strother 2024, pers. comm.). An increase in grazing pressure may result in sedimentation and reduced water quality due to heavy livestock use, while a complete absence of grazing may cause an overgrowth of marshy vegetation at the expense of open water habitat used by the Fish Lake Valley tui chub.

Since the early 1990s, the springhead at McNett has been modified with dams and water control structures (NDOW 1991, p. 1). To date, these structures have likely improved Fish Lake Valley tui chub habitat at the site by deepening the main pool where the majority of the tui chubs live, although future property management may not have the same beneficial effects. In the past, and as recently as 1993, surveys by NDOW noted goldfish (*Carassius auratus*) in the McNett spring system (NDOW 1993, p. 1). In the early 20th century, other nonnative fish, including black bass (*Micropterus* spp.) and common carp (*Cyprinus carpio*), were also documented from the site (Hubbs 1934, unpaginated). The most recent NDOW survey data from 2021 did not indicate the presence of nonnative fish in the spring system (NDOW 2021, entire). A deeper pool may encourage property managers or trespassers to introduce

sportfish or aquarium fish for recreational or aesthetic purposes. The risk of the public introducing nonnative fish may also increase if public access to the McNett spring system is allowed in the future (see “Invasive Species,” below).

Because there are currently no formal agreements in place protecting the McNett spring system, uncertainty exists regarding the maintenance of habitat conditions conducive for the future persistence of Fish Lake Valley tui chub at this site.

Climate Change

Climate change has already impacted Fish Lake Valley and will continue to do so at an increasing rate in the future. In general, warmer temperatures and greater extremes in precipitation amounts are modeled for this region of the western United States (Marvel et al. 2023, pp. 11–20). Current climate change forecasts for the southwestern United States, including Nevada and California, predict warmer air temperatures, more intense precipitation events (both drought and flooding), and increased summer continental drying by the year 2100 (Intergovernmental Panel on Climate Change (IPCC) 2014, entire; Gonzalez et al. 2018, pp. 1109–1110; McAfee et al. 2021, entire; Frankson et al. 2022, entire; Runkle et al. 2022, entire; Marvel et al. 2023, pp. 11–20).

Average annual temperatures have increased almost 1.9 °F (1.1 °C) over the past decade compared to the preindustrial period of 1850–1899, and an increase of 3.6 to 6.7 °F (2.0 °C to 3.7 °C) is predicted to occur by the year 2100 (Garfin et al. 2014, p. 464; Arias et al. 2021, p. 60; Marvel et al. 2023, pp. 10, 29). Mean annual temperature within Fish Lake Valley is projected to increase between 5.7 and 10.3 °F (3.2 and 5.7 °C) by 2100 compared to the historical average, reflecting a pattern where the contiguous United States is warming faster than the global average (Marvel et al. 2023, p. 11). The models are projected under two different emission scenarios: a high emissions scenario in which greenhouse gas emissions continue to increase into the next century (representative concentration pathway (RCP) 8.5) and a low emission scenario in which greenhouse gas emissions stabilize by mid-century and then decline to levels seen in the 1990s by the end of the century (RCP4.5).

Increased temperature and more variable precipitation within the range of the Fish Lake Valley tui chub will place additional stress on groundwater resources and aquatic habitat

availability. The Fish Lake Valley tui chub now only occurs in sites that are completely dependent on spring outflows. Desert springs support relatively small aquatic systems, as surface flows are sustained by groundwater. The springs range widely in size, temperature, water chemistry, morphology, landscape setting, and persistence. Springs occur where subterranean water under pressure reaches the Earth's surface through fault zones, rock cracks, or orifices that occur when water creates a passage toward the surface. In general, springs are uniquely influenced by aquifer geology, morphology, discharge rates, and regional precipitation. Most valley aquifers in the Great Basin are recharged by springtime runoff during snowmelt from adjacent mountain ranges. Specifically, the White Mountains, which form the north and west boundary of Fish Lake Valley, provide the springtime runoff and recharge to the groundwater basin.

A spring's size is generally a function of discharge, which can be affected by precipitation and evapotranspiration. Also, springs can be characterized as an endpoint in a continuous spectrum of groundwater discharge processes (van der Kamp 1995, pp. 5–6), or points of focused groundwater discharge from groundwater flow systems. These flow systems transport groundwater from recharge areas to discharge areas under the influence of gravity. The rate of spring flow averaged over several years equals the average rate of recharge to the flow systems that feed the spring. The annual rate of groundwater recharge is always less than the annual precipitation and can be estimated on the basis of precipitation and evapotranspiration. Overall, any evapotranspiration loss results in reduced flow from springs, which is the principal reason many small springs dry up entirely during hot, dry weather.

Evapotranspiration is higher for alfalfa in warmer growing regions, meaning that climate change may result in increased groundwater use for continued alfalfa production in Fish Lake Valley in the future (Huntington and Allen 2010, p. 70). In recent decades, reductions in winter precipitation and snowpack have been observed, and this pattern is expected to continue (Garfin et al. 2014, p. 465; Marvel et al. 2023, pp. 11, 22). The frequency and intensity of these reductions have increased on a global scale, and climate change is projected to reduce surface and groundwater resources in most deserts, such as the Great Basin (Marvel et al. 2023, p. 25; IPCC 2014, pp. 14, 77).

Invasive Species

Aquatic invasive species have long been demonstrated to have a high impact on range-restricted desert fishes. Invasive species have been noted in the Fish Lake Valley for an extended period of time. Early settlers introduced common carp, bullhead catfish (*Ameiurus* spp.), black bass, and Sacramento perch (*Archoplites interruptus*) to Fish Lake and the McNett spring system in the late 19th century (Hubbs 1934, unpaginated). Goldfish and sunfish (*Lepomis* spp.) were introduced to Fish Lake Valley shortly thereafter (Sada 2024, pers. comm.). By the early 20th century, the populations of tui chubs at both Fish Lake and the McNett spring system were observed to be in decline due to predation by introduced fishes (Hubbs 1934, unpaginated). Common carp were observed in Fish Lake and in the ditches draining into the lake into the 1980s and 1990s, and populations of tui chub continued to diminish at both sites (Pedretti et al. 1985b, p. 6; NDOW 1993, p. 1). As the habitat of the tui chub dried, competition with invasive carp may have resulted in larger proportional impacts to the tui chub. Invasive bullfrogs became abundant by the early 1990s at Fish Lake, simultaneous with the crash of the tui chub population at that site (NDOW 1991, p. 1). At the same time, populations of predatory fish, including bass and sunfish, contributed additional pressures on the tui chub population at Fish Lake (Sada 2024, pers. comm.).

As discussed above, goldfish, black bass, and common carp have been introduced in the McNett spring system, although only the goldfish persist there today. Currently, invasive species including bullfrogs and goldfish are located less than 2 miles (3 kilometers) from the McNett spring system at an artificial well and wetland complex known as the Fish Lake Valley Hot Well or "Hot Box," constructed in the early 1990s for recreational bathing and fishing opportunities (NDOW 1991, p. 2). The 2-mile (3-kilometer) proximity of these invasive species enhances the risk that flash flooding events will allow them to disperse or be intentionally introduced to the McNett spring system. Alternatively, if the Hot Well dried up as a result of water production in the valley, the invasive bullfrogs may disperse to the nearest aquatic habitat, which may include the McNett spring system. Additionally, goldfish and mosquitofish have already been introduced to Lida Pond, where Fish Lake Valley tui chubs were translocated

outside of the subspecies' historical range. Lida Pond is especially vulnerable to the introduction of additional invasive species because it may be easily accessed by public roads and it is very close to Indian Spring, 6.6 miles (10.7 kilometers) away, where introduced populations of predatory American bullfrogs, largemouth bass (*Micropterus salmoides*), and bullhead catfish exist.

Overall, the direct impact of invasive species on the Fish Lake Valley tui chub is difficult to quantify, but in combination with the decline in habitat size and quality due to dewatering, the increased competition with and predation by invasive species are highly likely to affect the Fish Lake Valley tui chub, which evolved without other native fish in Fish Lake Valley (Hubbs 1934, unpaginated).

Conservation Efforts and Regulatory Mechanisms

The Fish Lake Valley tui chub is designated as a protected fish species by the State of Nevada (Nevada Administrative Code at section 503.065.1). Protected wildlife species are prohibited from being taken or hunted without authorization from NDOW. However, there are no protections for the habitat of protected species or for indirect killing of protected species incidental to otherwise lawful activities. No known conservation actions have been undertaken for Fish Lake Valley tui chub (NDOW 2012a, p. 19; West 2024, pers. comm.).

Cumulative Effects

We note that, by using the SSA framework to guide our analysis of the scientific information documented in the SSA report, we have analyzed the cumulative effects of identified threats and conservation actions on the Fish Lake Valley tui chub. To assess the current and future condition of the species, we evaluate the effects of all the relevant factors that may be influencing the species, including threats and conservation efforts. The best available science indicates that there are synergistic and cumulative interactions among the factors influencing the Fish Lake Valley tui chub's viability. The Fish Lake Valley tui chub is limited to two extremely small populations, one within the historical range and one introduced outside of the historical range. Groundwater decline and reduction in spring flow due to dewatering associated with current and ongoing projects could cause further decline in habitat availability in this

already limited habitat. Additionally, increased competition with and predation by invasive species would likely further negatively affect the Fish Lake tui chub by decreasing the quality of the available habitat. Cumulatively, these factors diminish the amount of suitable habitat for the Fish Lake Valley tui chub, thus impacting the subspecies' viability. Because the SSA framework considers not just the presence of the factors influencing this subspecies, but to what degree they collectively influence risk to the entire subspecies, our assessment integrates the cumulative effects of the factors and replaces a standalone cumulative-effects analysis.

Current Condition

The Fish Lake Valley tui chub is a narrow endemic subspecies known from six historical sites (see table 2, below) within Fish Lake Valley in Esmeralda County, Nevada, and a seventh more recently introduced site outside of the historical range. All but one (McNett spring system) of the six historical sites are now extirpated. A second population was introduced at Lida Pond outside of Fish Lake Valley roughly 39 miles (63 kilometers) southeast of McNett spring system (see figure 1, below). Both sites are spring-fed systems. The year-round flow and relative stability in temperature and water quality provided by the springs (e.g., not freezing over in winter) have likely played a large role in maintaining these populations. Because of the small spatial scale (i.e., one extant population within the historical range and one introduced population outside the historical range) and limited survey data, we assessed the current condition qualitatively by discussing rangewide factors affecting viability (e.g., the number of extant sites) and by summarizing the available demographic and habitat information for each site. We use the terms sites and populations interchangeably given the lack of hydrologic connectivity between extant sites; however, the historical population structure is unknown. We supplemented the limited demographic and habitat quality data with a threats analysis for each population. Below, we provide qualitative descriptions of the factors influencing viability and highlight the major threats and their expected impacts on each of the two extant sites. Please refer to the SSA for a full discussion of the extirpated Fish Lake Valley tui chub sites (Service 2024, pp. 53–61).

TABLE 2—SUMMARY OF CURRENT CONDITION OF THE FISH LAKE VALLEY TUI CHUB AT EACH KNOWN SITE. MOST OF THE AVAILABLE DATA ON THE SUBSPECIES' CONDITION IS QUALITATIVE. THE LAST YEAR SURVEYED REFERS TO A RANGE OF METHODS, INCLUDING QUANTITATIVE SURVEYS, VISUAL SURVEYS, AND SITE VISITS TO CONFIRM THE SUBSPECIES' PRESENCE

Site name	Current condition	Confidence in condition	Last year observed	Last year surveyed	Ownership
McNett spring system	Extant	Confident	2023	2023	Private, BLM.
Lida Pond *	Extant	Confident	2024	2024	BLM.
Fish Lake	Extirpated	Confident	1992	2023	Private.
Valley Channels	Extirpated	Confident	1985	1991	Private, BLM.
Pothole Springs	Extirpated	Confident	1986	1991	Private.
Unnamed spring	Extirpated	Confident	1993	2001	Private.
Sand Spring	Extirpated	Uncertain	Pre-1991	1995	Private.

* Indicates population was introduced and outside of species' historical range.

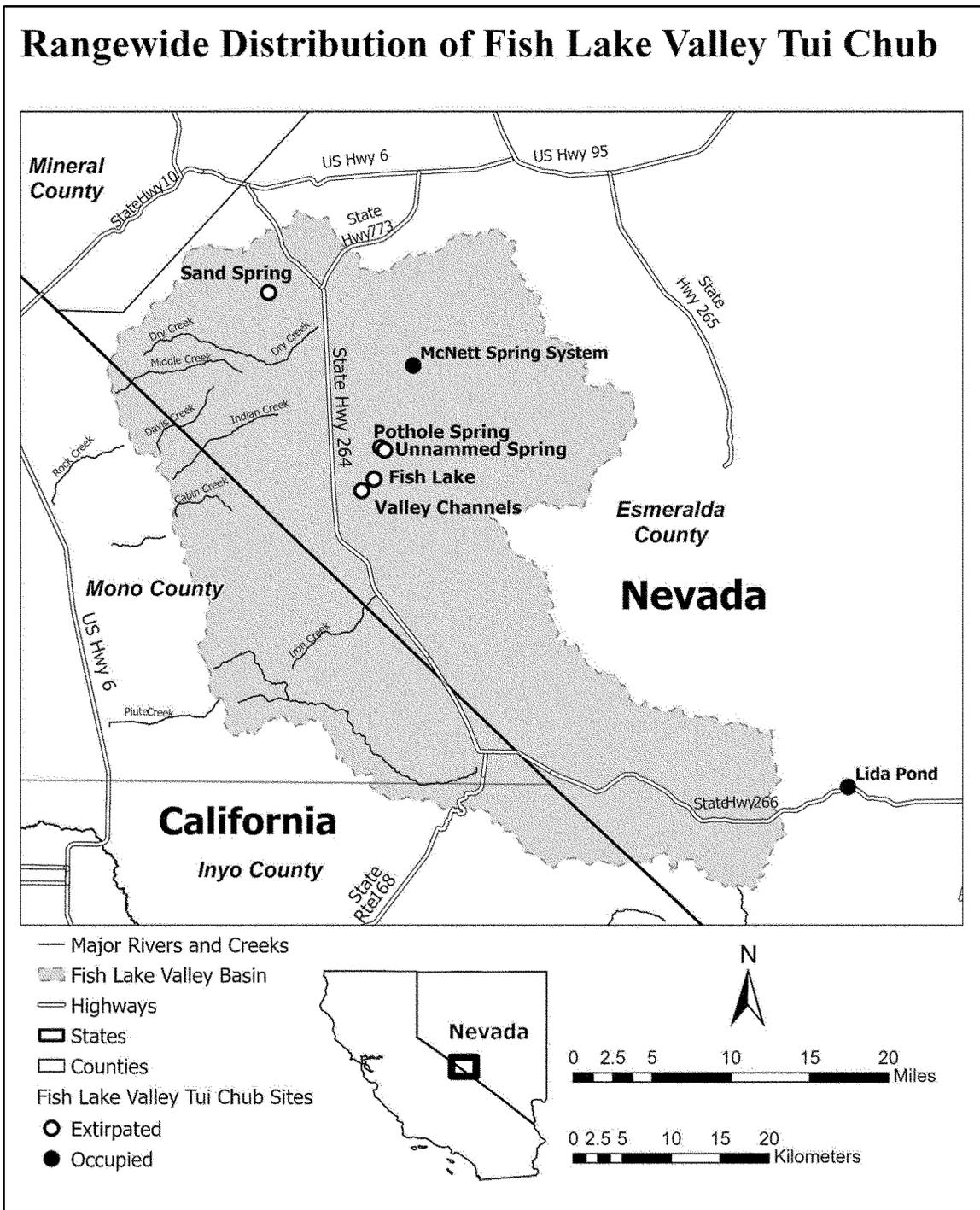


Figure 1. Map of Known Fish Lake Valley Tui Chub Occupied and Extirpated Sites

McNett Spring System

The McNett spring system is the only extant population of the Fish Lake Valley tui chub within the subspecies' historical range, and available survey data suggest that this population is currently stable. NDOW conducted surveys or visited the McNett spring system in 1998, 2002, 2005, 2007, 2021,

and 2023. Survey methods varied among years, ranging from visual surveys and dip netting to mark-recapture population estimates. Population estimates for the main spring pool have ranged between 2,143 and 3,278 tui chubs, although the total population size throughout the spring complex is likely larger. The first mark-recapture survey was conducted in 2002, and it estimated a population of 3,278 chubs at this site, with a 95 percent confidence interval of 1,900–

6,145 fish (NDOW 2002, p. 1). In 2005, the population was estimated at 2,210 chubs with a 95 percent confidence interval of 1,652–3,032 fish (NDOW 2005, p. 1). In 2007, 554 tui chubs were marked and released, but a population estimate was not conducted due to logistical constraints (NDOW 2007, p. 1). In 2021, mark-recapture survey efforts resulted in an estimated population of 2,143 fish with a 95 percent confidence interval of 1,847–2,485 fish (NDOW 2021, p. 6). However,

although the population appears to be stable, the limited size of the habitat (210 acres (ac); 85 hectares (ha)) in this one remaining historical site makes it vulnerable to even small changes in influences to viability, especially groundwater availability.

Most of the McNett spring system is privately owned and used for grazing cattle. Fencing excludes feral horses from entering the property from adjacent BLM lands. The main spring pool historically measured 23 by 17 feet (7 by 5 meters) with a maximum depth of 3 feet (1 meter); however, the spring was later impounded, which increased the diameter of the pool to 39.0 feet (11.9 meters) (Pedretti et al. 1985a, p. 3; NDOW 1991, p. 1; NDOW 2021, p. 4). On March 23, 2021, the depth of the main pool was measured at 6.2 feet (1.9 meters), and it had a mean temperature of 66.7 °F (19.3 °C) (NDOW 2021, p. 4). Dissolved oxygen ranged from 4.5 to 5.6 mg/L at three sites sampled across the spring complex, with total dissolved solids ranging from 287 to 730 mg/L and conductivity from 404 to 1,081 microsiemens per centimeter (µs/cm) (NDOW 2021, p. 4). Although the main spring pool contains the highest quality habitat, Fish Lake Valley tui chubs are known to disperse throughout the wetland complex.

The primary threat to Fish Lake Valley tui chubs at the McNett spring system is continued groundwater extraction driven by agricultural operations in Fish Lake Valley, which has led to the drying of habitat and extirpation of other tui chub populations (Pothole Springs and unnamed spring) within the valley. In 1950, the well had a flow rate of 195 gallons per minute (gpm) (738 liters per minute) (Eakin 1950, p. 25), and in 2023 to 2024, the flow rate had decreased to 89 to 91 gpm (337 to 344 liters per minute) (UES Consulting Services, Inc. 2024a, p. 9). A numerical groundwater model predicted that the McNett spring system will experience a drawdown of approximately 5 feet (2 meters) within the next 50 years due primarily to existing agricultural pumping within Fish Lake Valley (UES Consulting Services, Inc. 2024b, p. 65). This same model predicts a total reduction in flow of approximately 56 gpm (212 liters per minute) within 50 years, representing an approximate 22 percent reduction in flow (UES Consulting Services, Inc. 2024b, p. 66). There is potential for additional stress on groundwater from the development of nearby geothermal power facilities or lithium mines.

Another major threat to this population is the potential introduction of invasive species. American bullfrogs

and goldfish are within 2 miles (3 kilometers) of the McNett spring system, located at a constructed well outflow complex known as the Fish Lake Valley Hot Well (NDOW 2020, p. 4). This outflow complex was constructed in the early 1990s for recreational bathing and fishing opportunities (NDOW 1991, p. 2). NDOW has previously recommended the eradication of nonnative species from the Fish Lake Valley Hot Well for the protection of endemic aquatic species including the Fish Lake Valley tui chub (NDOW 1991, p. 2; NDOW 2020, p. 8). Proximate populations of invasive species can spread to nearby tui chub habitat in large flash flooding events, which may become increasingly common due to anthropogenic climate change. Invasive species may also be deliberately moved by humans to sensitive natural habitats for enhanced recreational opportunities. The current land management and grazing levels at the McNett spring system appear to pose a low risk to the Fish Lake Valley tui chub population, as evidenced by the stable tui chub abundance estimates in the main spring pool.

Lida Pond

Fish Lake Valley tui chubs were first reported and collected at Lida Pond in 1993 (NDOW 1993, p. 1). Genetic results indicate that the tui chubs at Lida Pond are Fish Lake Valley tui chubs (Campbell et al. 2024, entire). The site is located at the townsite of Lida on BLM land adjacent to Timbisha Shoshone Tribal lands. Lida Pond is located roughly 4 miles outside of the Fish Lake Valley basin. The best available information suggests that the entire historical range of the Fish Lake Valley tui chub was restricted to the Fish Lake Valley basin. Therefore, the population of Fish Lake Valley tui chub at Lida Pond is outside the subspecies' historical range, likely introduced by humans although details about the introduction are unknown.

No estimates of population size are available for Lida Pond, but 22 Fish Lake Valley tui chubs were collected in 30 minutes of trapping in 2022 (NDOW 2022, p. 1). Presence of tui chubs in Lida Pond was confirmed in 2023 and 2024, based on visual surveys by NDOW, BLM, NDNH, and Service biologists, suggesting that the population has been extant at this site since 1993. It is unknown if the tui chub population at Lida Pond has persisted since the original introduction or if additional introductions of tui chub were made in subsequent years. Lida Pond is a natural spring that has been modified with an earthen berm to create a larger pond. No information is

available on habitat quality within Lida Pond (NDOW 2023, p. 10).

Current threats to the tui chub population at Lida Pond include competition from goldfish present in the pond and the spread of emergent vegetation, mainly cattails (*Typha* sp.), which can limit available open water habitat at the pond. Mosquitofish (*Gambusia* spp.) were first observed in the pond by Service and NDOW biologists in 2012 (NDOW 2012b, p. 3) and were observed to be the most abundant fish in the pond in 2022 (NDOW 2022, p. 1). Competition with these two species (goldfish and mosquitofish) is likely having a small effect on the Fish Lake Valley tui chub; however, as described in "Invasive Species," above, competition can exacerbate other threats. In addition, Lida Pond is especially vulnerable to the introduction of additional invasive species because it may be easily accessed by public roads, and invasive species, especially those valued for recreational fishing (e.g., largemouth bass), have potential to be intentionally introduced.

The risk of groundwater depletion leading to desiccation of the spring at Lida Pond is lower relative to sites within Fish Lake Valley. In addition to being in a different groundwater basin, Lida Pond is more than 6,100 feet (1,860 meters) above sea level while the McNett spring system, which is on the Fish Lake Valley floor, is approximately 4,700 feet (1,433 meters) above sea level. Thus, Lida Pond is a farther distance from agricultural operations and has a cooler climate with reduced evapotranspiration (Nevada Division of Water Resources 2023, p. 15).

Summary of Current Condition

The Fish Lake Valley tui chub is a narrow endemic subspecies known from six historical sites within Fish Lake Valley in Esmeralda County, Nevada. All but one of the six historical sites are now extirpated due to drying of the aquatic habitat. A second population has been introduced at Lida Pond outside of the subspecies' historical range. The one extant population within Fish Lake Valley (McNett spring system) has remained stable at roughly 2,000 individuals (95 percent confidence interval of 1,652–6,145 individuals) for two decades. Although this observed stability suggests that this population has historically had some resilience to threats such as invasive species and local land management practices, the primary concern is risk of a catastrophic loss of aquatic habitat similar to the loss of Fish Lake and surrounding springs

(this loss is discussed under “Agricultural Production,” above).

Although the historical population structure is not known, there has been a large decrease in redundancy and representation due to the drying of Fish Lake and the surrounding water bodies. Resiliency of the Fish Lake Valley tui chub has been reduced such that the subspecies occurs in only a single population within its historical range (McNett spring system) and an introduced location outside its historical range (Lida Pond). The loss of redundancy has left each remaining population vulnerable to catastrophic threats. For example, the extirpation of the historical populations has reduced the connectivity among the two populations such that they cannot disperse from either drying of the spring or the introduction of an invasive competitor or predator, nor can they recolonize after a catastrophic event has taken place.

Representation has been reduced through the loss of connectivity and loss of habitat types, which have reduced the evolutionary potential. These losses compromise the ability of the subspecies to adapt to novel changes in the environment, which increases the risk of extinction. Because the threats that have impacted populations in the past have not been abated, continued groundwater declines and the introduction of invasive species both present a high risk to the current viability of the Fish Lake Valley tui chub.

Future Condition

As part of the SSA, we also developed two future-condition scenarios to capture the range of uncertainties regarding future threats and the projected responses by the Fish Lake Valley tui chub. Our scenarios assumed continued or enhanced groundwater declines, occurrence of mining operations extracting groundwater, occurrence of geothermal operations decreasing surface water expression, presence of invasive species leading to extirpation of Fish Lake Valley tui chub, a higher emission scenario (shared socioeconomic pathways (SSP)5–8.5 or RCP8.5) or a lower emission scenario (SSP2–4.5 or RCP4.5), and status quo and alternative property management changes. Because we determined that the current condition of the Fish Lake Valley tui chub is consistent with an endangered species (see Determination of Fish Lake Valley Tui Chub’s Status, below), we are not presenting the results of the future scenarios in this proposed rule. Please refer to the SSA report

(Service 2024, pp. 56–60) for the full analysis of future scenarios.

Determination of Fish Lake Valley Tui Chub’s Status

The Act defines a species as including any subspecies of fish or wildlife or plants, and any distinct population segment of any species of vertebrate fish or wildlife which interbreeds when mature. Section 4 of the Act (16 U.S.C. 1533) and its implementing regulations (50 CFR part 424) set forth the procedures for determining whether a species meets the definition of an endangered species or a threatened species. The Act defines an “endangered species” as a species in danger of extinction throughout all or a significant portion of its range and a “threatened species” as a species likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range. The Act requires that we determine whether a species meets the definition of an endangered species or a threatened species because of any of the following factors: (A) The present or threatened destruction, modification, or curtailment of its habitat or range; (B) overutilization for commercial, recreational, scientific, or educational purposes; (C) disease or predation; (D) the inadequacy of existing regulatory mechanisms; or (E) other natural or manmade factors affecting its continued existence.

Status Throughout All of Its Range

After evaluating threats to the subspecies and assessing the cumulative effect of the threats under the Act’s section 4(a)(1) factors, we find that the viability of the Fish Lake Valley tui chub is currently at risk. Our analysis revealed several threats that have caused the Fish Lake Valley tui chub’s range to become greatly reduced, resulting in the majority of its historical habitat becoming uninhabitable. The most important factors affecting the subspecies’ current status and trend are the destruction and modification of its aquatic habitat caused by agricultural production or other land management practices (Factor A), effects of climate change (*i.e.*, warmer temperatures and greater extremes in precipitation amounts) on aquatic habitat availability (Factor A), and predation by and competition with invasive species (Factors C and E).

The primary threat affecting the Fish Lake Valley tui chub currently is the loss of aquatic habitat driven by both diversion of surface water and declines in groundwater levels. This reduction in available water within Fish Lake Valley

has historically been driven by agricultural use, which has led to the drying of Fish Lake and the small streams that historically fed the lake. Pressure on limited groundwater resources from changes in habitat management is expected to increase in the near-term future. Springs in Fish Lake Valley are fed by aquifers dependent on snowmelt for recharge. In recent decades, climate change has reduced precipitation and winter snowpack, and thereby has affected groundwater levels in the valley. In combination, these threats are expected to increase the risk that the limited remaining tui chub habitat within Fish Lake Valley (McNett spring system) will become dry.

Although a complete loss of aquatic habitat is the primary concern, decreases in available habitat exacerbate the other threats affecting the Fish Lake Valley tui chub. Predation by and competition with invasive species have likely contributed to extirpations of historical tui chub populations, especially in Fish Lake, and invasive species remain a risk for the two extant populations of the Fish Lake Valley tui chub. Fish Lake Valley tui chubs currently compete with goldfish and mosquitofish in Lida Pond. The proximity of invasive predators, such as American bullfrogs and largemouth bass, means there is a high risk of these predator species becoming introduced and having catastrophic impacts on one or both of the extant Fish Lake Valley tui chub populations. Although the direct impact of invasive species on the Fish Lake Valley tui chub is difficult to quantify, the increased competition with and predation by nonnative, invasive species are considerable current threats to the Fish Lake Valley tui chub.

Resiliency of the Fish Lake Valley tui chub has been reduced such that the subspecies occurs in only a single population within its historical range (McNett spring system). The five other historical populations have been extirpated due to the threats outlined above. The subspecies also occurs in an introduced location outside its historical range (Lida Pond). Both extant sites currently face significant imminent threats, including groundwater decline (McNett spring system) and invasive species (McNett spring system and Lida Pond). The reduction in the subspecies’ range (from six sites to one within the historical range) has also reduced redundancy and representation. Both the McNett spring system and Lida Pond are at risk of catastrophic events associated with the current threats to the subspecies. The loss of habitat and

connectivity across the subspecies' historical range due to the drying of Fish Lake has resulted in loss of evolutionary potential and adaptive capacity for the Fish Lake Valley tui chub. Due to reduced resiliency, representation, and redundancy, the Fish Lake Valley tui chub is at risk of extinction in the near-term future.

Thus, after assessing the best scientific and commercial data available, we determine that the Fish Lake Valley tui chub is in danger of extinction throughout all of its range. We do not find that the Fish Lake Valley tui chub meets the Act's definition of a threatened species because the Fish Lake Valley tui chub has already shown low levels in current resiliency, redundancy, and representation due to the threats discussed above.

Status Throughout a Significant Portion of Its Range

Under the Act and our implementing regulations, a species may warrant listing if it is in danger of extinction or likely to become so within the foreseeable future throughout all or a significant portion of its range. We have determined that the Fish Lake Valley tui chub is in danger of extinction throughout all of its range and accordingly did not undertake an analysis of any significant portion of its range. Because the Fish Lake Valley tui chub warrants listing as endangered throughout all of its range, our determination does not conflict with the decision in *Center for Biological Diversity v. Everson*, 435 F. Supp. 3d 69 (D.D.C. 2020), because that decision related to significant portion of the range analyses for species that warrant listing as threatened, not endangered, throughout all of their range.

Determination of Status

Based on the best scientific and commercial data available, we determine that the Fish Lake Valley tui chub meets the Act's definition of an endangered species. Therefore, we propose to list the Fish Lake Valley tui chub as an endangered species in accordance with sections 3(6) and 4(a)(1) of the Act.

Available Conservation Measures

Conservation measures provided to species listed as endangered or threatened species under the Act include recognition as a listed species, planning and implementation of recovery actions, requirements for Federal protection, and prohibitions against certain practices. Recognition through listing results in public awareness, and conservation by Federal,

State, Tribal, and local agencies, foreign governments, private organizations, and individuals. The Act encourages cooperation with the States and other countries and calls for recovery actions to be carried out for listed species. The protection required by Federal agencies, including the Service, and the prohibitions against certain activities are discussed, in part, below.

The primary purpose of the Act is the conservation of endangered and threatened species and the ecosystems upon which they depend. The ultimate goal of such conservation efforts is the recovery of these listed species, so that they no longer need the protective measures of the Act. Section 4(f) of the Act calls for the Service to develop and implement recovery plans for the conservation of endangered and threatened species. The goal of this process is to restore listed species to a point where they are secure, self-sustaining, and functioning components of their ecosystems.

The recovery planning process begins with development of a recovery outline made available to the public soon after a final listing determination. The recovery outline guides the immediate implementation of urgent recovery actions while a recovery plan is being developed. Recovery teams (composed of species experts, Federal and State agencies, nongovernmental organizations, and stakeholders) may be established to develop and implement recovery plans. The recovery planning process involves the identification of actions that are necessary to halt and reverse the species' decline by addressing the threats to its survival and recovery. The recovery plan identifies recovery criteria for review of when a species may be ready for reclassification from endangered to threatened ("downlisting") or removal from protected status ("delisting"), and methods for monitoring recovery progress. Recovery plans also establish a framework for agencies to coordinate their recovery efforts and provide estimates of the cost of implementing recovery tasks. Revisions of the plan may be done to address continuing or new threats to the species, as new substantive information becomes available. The recovery outline, draft recovery plan, final recovery plan, and any revisions will be available on our website as they are completed (<https://www.fws.gov/program/endangered-species>) or from our Reno Fish and Wildlife Office (see **FOR FURTHER INFORMATION CONTACT**).

Implementation of recovery actions generally requires the participation of a broad range of partners, including other

Federal agencies, States, Tribes, nongovernmental organizations, businesses, and private landowners. Examples of recovery actions include habitat restoration (e.g., restoration of native vegetation), research, captive propagation and reintroduction, and outreach and education. The recovery of many listed species cannot be accomplished solely on Federal lands because their range may occur primarily or solely on non-Federal lands. To achieve recovery of these species requires cooperative conservation efforts on private, State, and Tribal lands.

If the Fish Lake Valley tui chub is listed, funding for recovery actions may be available from a variety of sources, including Federal budgets, State programs, and cost-share grants for non-Federal landowners, the academic community, and nongovernmental organizations. In addition, pursuant to section 6 of the Act, the State of Nevada would be eligible for Federal funds to implement management actions that promote the protection or recovery of the Fish Lake Valley tui chub. Information on our grant programs that are available to aid species recovery can be found at: <https://www.fws.gov/service/financial-assistance>.

Although the Fish Lake Valley tui chub is only proposed for listing under the Act at this time, please let us know if you are interested in participating in recovery efforts for this subspecies. Additionally, we invite you to submit any new information on this subspecies whenever it becomes available and any information you may have for recovery planning purposes (see **FOR FURTHER INFORMATION CONTACT**).

Section 7 of the Act is titled, "Interagency Cooperation," and it mandates all Federal action agencies to use their existing authorities to further the conservation purposes of the Act and to ensure that their actions are not likely to jeopardize the continued existence of listed species or adversely modify critical habitat. Regulations implementing section 7 are codified at 50 CFR part 402.

Section 7(a)(2) states that each Federal action agency shall, in consultation with the Secretary, ensure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence of a listed species or result in the destruction or adverse modification of designated critical habitat. Each Federal agency shall review its action at the earliest possible time to determine whether it may affect listed species or critical habitat. If a determination is made that the action may affect listed species or critical habitat, formal consultation is required (50 CFR

402.14(a)), unless the Service concurs in writing that the action is not likely to adversely affect listed species or critical habitat. At the end of a formal consultation, the Service issues a biological opinion, containing its determination of whether the Federal action is likely to result in jeopardy or adverse modification.

In contrast, section 7(a)(4) of the Act requires Federal agencies to confer with the Service on any action which is likely to jeopardize the continued existence of any species proposed to be listed under the Act or result in the destruction or adverse modification of critical habitat proposed to be designated for such species. Although the conference procedures are required only when an action is likely to result in jeopardy or adverse modification, action agencies may voluntarily confer with the Service on actions that may affect species proposed for listing or critical habitat proposed to be designated. In the event that the subject species is listed or the relevant critical habitat is designated, a conference opinion may be adopted as a biological opinion and serve as compliance with section 7(a)(2) of the Act.

Examples of discretionary actions for the Fish Lake Valley tui chub that may be subject to conference and consultation procedures under section 7 are management of Federal lands administered by the BLM, as well as actions that require a Federal permit (such as a permit from the U.S. Army Corps of Engineers under section 404 of the Clean Water Act (33 U.S.C. 1251 *et seq.*) or actions funded by Federal agencies such as the Federal Highway Administration, Federal Aviation Administration, or the Federal Emergency Management Agency. Federal actions not affecting listed species or critical habitat—and actions on State, Tribal, local, or private lands that are not federally funded, authorized, or carried out by a Federal agency—do not require section 7 consultation. Federal agencies should coordinate with the Reno Fish and Wildlife Office (see **FOR FURTHER INFORMATION CONTACT**) with any specific questions on section 7 consultation and conference requirements.

The Act and its implementing regulations set forth a series of prohibitions and exceptions that apply to endangered wildlife. The prohibitions of section 9(a)(1) of the Act, and the Service's implementing regulations codified at 50 CFR 17.21, make it illegal for any person subject to the jurisdiction of the United States to commit, to attempt to commit, to solicit another to commit, or to cause to be committed any

of the following acts with regard to any endangered wildlife: (1) import into, or export from, the United States; (2) take (which includes harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct) within the United States, within the territorial sea of the United States, or on the high seas; (3) possess, sell, deliver, carry, transport, or ship, by any means whatsoever, any such wildlife that has been taken illegally; (4) deliver, receive, carry, transport, or ship in interstate or foreign commerce, by any means whatsoever and in the course of commercial activity; or (5) sell or offer for sale in interstate or foreign commerce. Certain exceptions to these prohibitions apply to employees or agents of the Service, the National Marine Fisheries Service, other Federal land management agencies, and State conservation agencies.

We may issue permits to carry out otherwise prohibited activities involving endangered wildlife under certain circumstances. Regulations governing permits for endangered wildlife are codified at 50 CFR 17.22, and general Service permitting regulations are codified at 50 CFR part 13. With regard to endangered wildlife, a permit may be issued for: scientific purposes, enhancing the propagation or survival of the species, or take incidental to otherwise lawful activities. The statute also contains certain exemptions from the prohibitions, which are found in sections 9 and 10 of the Act.

II. Critical Habitat

Section 4(a)(3) of the Act requires that, to the maximum extent prudent and determinable, we designate a species' critical habitat concurrently with listing the species. Critical habitat is defined in section 3(5)(A) of the Act as:

- (1) The specific areas within the geographical area occupied by the species, at the time it is listed in accordance with the Act, on which are found those physical or biological features
 - (a) Essential to the conservation of the species, and
 - (b) Which may require special management considerations or protection; and
- (2) Specific areas outside the geographical area occupied by the species at the time it is listed, upon a determination that such areas are essential for the conservation of the species.

Our regulations at 50 CFR 424.12(a)(2) state that critical habitat is not determinable when one or both of the

following situations exist: (i) Data sufficient to perform required analyses are lacking, or (ii) the biological needs of the species are not sufficiently well known to identify any area that meets the definition of "critical habitat." We reviewed the available information pertaining to the biological needs of the Fish Lake Valley tui chub and the habitat characteristics where this subspecies is located. A careful assessment of the economic impacts that may occur due to a critical habitat designation is still ongoing. Therefore, due to the current lack of data sufficient to perform required analyses, we conclude that the designation of critical habitat for the Fish Lake Valley tui chub is not determinable at this time. The Act allows the Service an additional year to publish a critical habitat designation that is not determinable at the time of listing (16 U.S.C. 1533(b)(6)(C)(ii)).

Required Determinations

Clarity of the Rule

We are required by E.O.s 12866 and 12988 and by the Presidential Memorandum of June 1, 1998, to write all rules in plain language. This means that each rule we publish must:

- (1) Be logically organized;
- (2) Use the active voice to address readers directly;
- (3) Use clear language rather than jargon;
- (4) Be divided into short sections and sentences; and
- (5) Use lists and tables wherever possible.

If you feel that we have not met these requirements, send us comments by one of the methods listed in **ADDRESSES**. To better help us revise the rule, your comments should be as specific as possible. For example, you should tell us the numbers of the sections or paragraphs that are unclearly written, which sections or sentences are too long, the sections where you feel lists or tables would be useful, etc.

Government-to-Government Relations With Native American Tribal Governments

In accordance with the President's memorandum of April 29, 1994 (Government-to-Government Relations with Native American Tribal Governments; 59 FR 22951, May 4, 1994), E.O. 13175 (Consultation and Coordination with Indian Tribal Governments), the President's memorandum of November 30, 2022 (Uniform Standards for Tribal Consultation; 87 FR 74479, December 5, 2022), and the Department of the Interior's manual at 512 DM 2, we

readily acknowledge our responsibility to communicate meaningfully with federally recognized Tribes and Alaska Native Corporations on a government-to-government basis. In accordance with Secretary’s Order 3206 of June 5, 1997 (American Indian Tribal Rights, Federal-Tribal Trust Responsibilities, and the Endangered Species Act), we readily acknowledge our responsibilities to work directly with Tribes in developing programs for healthy ecosystems, to acknowledge that Tribal lands are not subject to the same controls as Federal public lands, to remain sensitive to Indian culture, and to make information available to Tribes. The Fish Lake Valley tui chub does not occur on any land owned by Tribal entities. However, the Lida Pond site is adjacent to land owned by the Timbisha Shoshone. As part of the development of the SSA, a letter requesting information regarding the status of the subspecies and any existing management or conservation efforts was sent to the Timbisha Shoshone, the Yomba Shoshone, and the Bishop Paiute Tribes. We will

continue to work with relevant Tribal entities during the development of any final rules for the Fish Lake Valley tui chub.

References Cited

A complete list of references cited in this proposed rule is available on the internet at <https://www.regulations.gov> and upon request from the Reno Fish and Wildlife Office (see **FOR FURTHER INFORMATION CONTACT**).

List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Plants, Reporting and recordkeeping requirements, Transportation, Wildlife.

Signing Authority

Paul Souza, Regional Director, Region 8, Exercising the Delegated Authority of the Director of the U.S. Fish and Wildlife Service, approved this action on May 6, 2025, for publication. On May 16, 2025, Paul Souza authorized the undersigned to sign the document electronically and submit it to the Office

of the Federal Register for publication as an official document of the U.S. Fish and Wildlife Service.

Proposed Regulation Promulgation

Accordingly, we propose to amend part 17, subchapter B of chapter I, title 50 of the Code of Federal Regulations, as set forth below:

PART 17—ENDANGERED AND THREATENED WILDLIFE AND PLANTS

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

Authority: 16 U.S.C. 1361–1407; 1531–1544; and 4201–4245, unless otherwise noted.

■ 2. In § 17.11, in paragraph (h), amend the List of Endangered and Threatened Wildlife by adding an entry for “Chub, Fish Lake Valley tui” in alphabetical order under FISHERIES to read as follows:

§ 17.11 Endangered and threatened wildlife.

* * * * *
(h) * * *

Common name	Scientific name	Where listed	Status	Listing citations and applicable rules
*	*	*	*	*
FISHES				
*	*	*	*	*
Chub, Fish Lake Valley tui	<i>Siphateles obesus</i> ssp	Wherever found	E	[Federal Register citation when published as a final rule].
*	*	*	*	*

Madonna Baucum,

Regulations and Policy Chief, Division of Policy, Economics, Risk Management, and Analytics of the Joint Administrative Operations, U.S. Fish and Wildlife Service.

[FR Doc. 2025–09127 Filed 5–20–25; 8:45 am]

BILLING CODE 4333–15–P

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

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

The Department of Agriculture will submit the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13 on or after the date of publication of this notice. Comments are requested regarding: (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 the agency's estimate of burden including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on 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.

Comments regarding these information collections are best assured of having their full effect if received by June 20, 2025. Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to

the collection of information unless it displays a currently valid OMB control number.

National Agricultural Statistics Service (NASS)

Title: Cold Storage Survey.
OMB Control Number: 0535–0001.

Summary of Collection: The National Agricultural Statistics Service's primary function is to prepare and issue state and national estimates of crop and livestock production, value, and disposition. In this capacity the Agency also prepares a number of associated estimates affecting the agriculture industry, such as this Cold Storage report. This monthly survey provides information on national supplies of food in refrigerated storage facilities. A biennial survey of refrigerated warehouses is also conducted to provide a benchmark of the capacity available for refrigerated storage of the nation's food supply.

Providing information on national supplies of food in refrigerated storage facilities has been the responsibility of the Department of Agriculture since 1914. This service is the outcome of an investigation made by the Department in 1911, in response to allegations that food warehouses were being used by food speculators to “corner the market” and drive up prices paid by consumers. The Secretary of Agriculture recommended that the public should know the amounts of foods in warehouses and that the Department should issue periodic reports on a pre-announced date and time.

General authority for these data collection activities is granted under U.S. Code title 7, section 2204. This statute specifies that “The Secretary of Agriculture shall procure and preserve all information concerning agriculture which he can obtain . . . by the collection of statistics . . . and shall distribute them among agriculturists.”

Need and Use of the Information: The monthly Cold Storage reports include inventory statistics for approximately 110 food items held in public, private, and semi-private refrigerated warehouses. USDA agencies such as the World Agricultural Outlook Board, Economic Research Service, and Agricultural Marketing Service use information from the Cold Storage reports in administering government commodity programs and in supply and demand analysis. Included in the

reports are stocks of frozen orange juice concentrate, butter, and cheese, which are traded on the Chicago Board of Trade.

Description of Respondents: Business or other for-profit; Farms.

Number of Respondents: 1,567.

Frequency of Responses: Reporting: Monthly; Annually.

Total Burden Hours: 5,145.

National Agricultural Statistics Service

Title: Custom Work Survey.

OMB Control Number: 0535–0266.

Summary of Collection: The primary functions of the National Agricultural Statistics Service (NASS) are to prepare and issue current official State and national estimates of crop and livestock production, disposition, prices, resource use, and to collect information on related environmental and economic factors. NASS's cooperators have sought NASS's assistance to provide custom rates statistics beneficial to agriculture; these statistics are not covered by NASS's annual Congressional appropriation.

General authority for these data collection activities is granted under U.S. Code title 7, section 2204. This statute specifies that “The Secretary of Agriculture shall procure and preserve all information concerning agriculture which he can obtain . . . by the collection of statistics . . . and shall distribute them among agriculturists.”

Need and Use of the Information: NASS will conduct a sample survey of agricultural operations that have knowledge of rates for custom agricultural work. The universe is composed of all active agricultural operations in the states that are conducting a survey. The sampled operations will be asked several screening questions. Those that qualify to respond to the survey will be asked to provide rates for any custom agricultural work for which they have knowledge. Individuals that do not operate a farm or that do not have a knowledge of custom rates will screen out of the survey. The purpose of the survey is to collect custom rates from agricultural workers.

Description of Respondents: Business or other for-profit; Farms.

Number of Respondents: 41,500.

Frequency of Responses: Reporting: Annually.

Total Burden Hours: 15,027.

National Agricultural Statistics Service

Title: Cooperator Funded Chemical Use Surveys.

OMB Control Number: 0535–0273.

Summary of Collection: The primary function of the National Agricultural Statistics Service (NASS) is to prepare and issue current official State and national estimates of crop and livestock production, value, disposition, and resource use. General authority for these data collection activities is granted under U.S. Code title 7, section 2204. This statute specifies that “The Secretary of Agriculture shall procure and preserve all information concerning agriculture which he can obtain . . . by the collection of statistics . . . and shall distribute them among agriculturists.” NASS’s cooperators have sought NASS’s assistance to provide statistics beneficial to agriculture but are not covered by NASS’s annual Congressional appropriation.

Data collected in the Maryland Pesticide Usage Survey will provide the Maryland Dept. of Agriculture (MdDA) with comprehensive information about what pesticides are being used around the state and future surveys will help determine what trends are developing. The data will also help agriculture and industry professionals understand what is being used, and it will provide public and environmental health experts with information that can help them focus their research and monitoring efforts.

The primary use for the Minnesota Pesticide and Fertilizer Survey data will be to allow the Minnesota Dept. of Agriculture (MnDA) staff to evaluate the effectiveness and adoption levels of the voluntary Best Management Practice (BMP) guidelines by periodically summarizing pesticide and fertilizer use statistics at the county level and MnDA management district levels. County level detail is needed because there are different BMPs written for specific Pesticide Management Areas (PMA) based on chemical residue found in ground water or surface water through other monitoring means. Fertilizer data will be summarized under different Nitrogen Best Management Practice Regions based on soil types and a separate monitoring program. Results from the Minnesota Pesticide and Fertilizer Best Management Practices Survey will allow the MnDA staff to promote the voluntary nature of the BMPs by demonstrating the adoption levels and practices farmers are using have remained consistent with the BMP guidelines. If verified, this will avoid the need for any mandatory restrictions on chemical use and/or practices.

The primary use for the Mississippi State University Extension Service’s (MSUES) Field Crop Production Practice and Chemical Use Surveys will be to create Enterprise Budgets for corn, cotton, rice, wheat, and soybeans. No chemical use data will be published, but chemical use data are an important part of determining Enterprise Budgets.

The Illinois Nutrient Loss Reduction Strategy (NLRs) survey will be conducted on an every-other year basis (for odd numbered years) through a cooperative agreement with the Illinois Nutrient Research Education Council, developed by the Illinois Department of Agriculture. The goal of this survey is to produce statistically defensible estimates of several “in field” and “edge of field” practices conducted by Illinois farmers. These practices have been shown to positively impact water quality by reducing runoff and leaching of nutrients into the waters of Illinois. One of the primary goals of the NLRs is to track implementation of these cultural practices over time to measure implementation of the NLRs.

Need and Use of the Information: The Field Crop Production Practice and Chemical Use Surveys in this request will be conducted to meet research and publication goals for Extension and State Departments of Agriculture. The summarized and published information will be analyzed by the sponsoring cooperators and stakeholders in agriculture. Results will be used to study production agriculture, as well as various programs and policies to determine their impact on agricultural producers and consumers.

Description of Respondents: Businesses or other for-profits; Farms and ranches.

Number of Respondents: 24,200.

Frequency of Responses: Reporting: Annually.

Total Burden Hours: 11,571.

Levi S. Harrell,

Departmental Information Collection Clearance Officer.

[FR Doc. 2025–09025 Filed 5–20–25; 8:45 am]

BILLING CODE 3410–20–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Briefing of the Guam Advisory Committee to the U.S. Commission on Civil Rights; Correction

AGENCY: Commission on Civil Rights.

ACTION: Notice; correction.

SUMMARY: The Commission on Civil Rights published a notice in the **Federal**

Register on Tuesday, May 13, 2025, concerning a briefing of the Guam Advisory Committee. The briefing time has since changed to 8:00 a.m.–10:00 a.m. ChST (6:00 p.m.–8:00 p.m. ET).

FOR FURTHER INFORMATION CONTACT: Liliana Schiller, Support Services Specialist, at lschiller@usccr.gov or (202) 770–1856.

SUPPLEMENTARY INFORMATION:**Correction:**

In the **Federal Register** on Tuesday, May 13, 2025, in FR Document Number 2025–08391, on page 20271, first column, correct the meeting time to: 8:00 a.m.–10:00 a.m. ChST (6:00 p.m.–8:00 p.m. ET).

Dated: May 16, 2025.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2025–09125 Filed 5–20–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE**Foreign-Trade Zones Board**

[B–7–2025]

Foreign-Trade Zone (FTZ) 207; Withdrawal of Notification of Proposed Production Activity; Kaiser Aluminum Fabricated Products, LLC; (Aluminum Products); Richmond, Virginia

Notice is hereby given of the withdrawal of the notification of proposed production activity submitted by Kaiser Aluminum Fabricated Products, LLC for its facility in Richmond, Virginia, within FTZ 207. The notification was docketed on February 10, 2025 (90 FR 9709, February 18, 2025). The withdrawal was requested by Kaiser Aluminum Fabricated Products, LLC on May 16, 2025.

Dated: May 16, 2025.

Elizabeth Whiteman,

Executive Secretary.

[FR Doc. 2025–09120 Filed 5–20–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE**Foreign-Trade Zones Board**

[B–28–2025]

Foreign-Trade Zone (FTZ) 173, Notification of Proposed Production Activity; PINNACLEMOD LLC; Prefabricated Modular Steel Buildings; Aberdeen, Washington

PINNACLEMOD LLC submitted a notification of proposed production

activity to the FTZ Board (the Board) for its facilities in Aberdeen, Washington, within FTZ 173. The notification conforming to the requirements of the Board's regulations (15 CFR 400.22) was received on May 13, 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 is prefabricated modular steel buildings (duty rate is 2.9%).

The proposed foreign-status materials/components include: PEX (crosslinked polyethylene) water supply pipes; plastic fittings for PEX piping system; luxury vinyl tile; plastic baths; plastic shower baths; plastic sinks; plastic washbasins; plastic (vinyl) windows; acoustical underlayment sheets made of SBR foam (rubber); wood flooring; wood doors; magnesium oxide boards; porcelain baths; porcelain sinks; porcelain wash basins; porcelain lavatories; porcelain flush tanks; fiberglass insulation sheets; flat rolled non-alloy zinc coated steel coils, width of 600 mm or more; cast iron sanitary pipes; stainless steel fittings for PEX piping system; steel fabricated structural hold down posts (parts of steel structures); pre-fabricated bathroom pods consisting of steel stud framing covered with gypsum boards, electrical wiring/fixtures, plumbing fixtures, piping, and tiles; pre-fabricated kitchen pods consisting of steel stud framing covered with gypsum boards, electrical wiring/fixtures, plumbing fixtures, piping, and tiles; panelized steel wall frames; panelized steel wall components; pre-fabricated steel wall panels; galvanized steel studs; galvanized steel tracks; steel bolts; steel screws; brass fittings for PEX piping system; air conditioning units; energy recovery ventilator units; control valves for PEX piping system; circuit breakers; electrical switches for household use; electrical outlets for household use; electrical boxes for protecting electrical circuits (metal junction boxes); electrical boxes for protecting electrical circuits (utility boxes); electrical boxes for protecting electrical circuits (square boxes); electrical panel boxes containing circuit breakers voltage not exceeding 1,000 volts; and, light-emitting diode house lights (duty rate ranges from duty-

free to 6.3%). The request indicates that certain materials/components are subject to duties under section 1702(a)(1)(B) of the International Emergency Economic Powers Act (section 1702), section 232 of the Trade Expansion Act of 1962 (section 232), or section 301 of the Trade Act of 1974 (section 301), depending on the country of origin. The applicable section 1702, section 232, and section 301 decisions require subject merchandise to be admitted to FTZs in privileged foreign status (19 CFR 146.41).

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 June 30, 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 Luke Engan at Luke.Engan@trade.gov.

Dated: May 15, 2025.

Elizabeth Whiteman,
Executive Secretary.

[FR Doc. 2025-09119 Filed 5-20-25; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

[250514-0088]

RIN 0694-XC123

Reporting for Calendar Year 2024 on Offsets Agreements Related to Sales of Defense Articles or Defense Services to Foreign Countries or Foreign Firms

AGENCY: Bureau of Industry and Security, Department of Commerce.

ACTION: Notice; annual reporting requirements.

SUMMARY: This notice is to remind the public that U.S. firms are required to report annually to the Department of Commerce (Commerce) information on contracts for the sale of defense articles or defense services to foreign countries or foreign firms that are subject to offsets agreements exceeding \$5,000,000 in value. U.S. firms are also required to report annually to Commerce information on offsets transactions completed in performance of existing offsets commitments for which an offsets credit of \$250,000 or more has been claimed from the foreign representative. This year, such reports must include relevant information from calendar year 2024 and must be

submitted to Commerce no later than June 15, 2025.

ADDRESSES: Submit reports in both hard copy and electronically. Address the hard copy to "Offsets Program Manager, U.S. Department of Commerce, Office of Strategic Industries and Economic Security, Bureau of Industry and Security (BIS), 1401 Constitution Ave. NW, Washington, DC 20230, Room 3876, Washington, DC 20230." Submit electronic copies to OffsetReport@bis.doc.gov.

DATES: Reports must include relevant information from calendar year 2024 and must be submitted to Commerce no later than June 15, 2025.

FOR FURTHER INFORMATION CONTACT: Katie Reid, Office of Strategic Industries and Economic Security, Bureau of Industry and Security, U.S. Department of Commerce, telephone: 202-482-4506; email: OffsetReport@bis.doc.gov.

SUPPLEMENTARY INFORMATION:

Background

Section 723(a)(1) of the Defense Production Act of 1950, as amended (DPA) (50 U.S.C. 4568), requires the President to submit an annual report to Congress on the impact of offsets on the U.S. defense industrial base. Section 723(a)(2) of the DPA directs the Secretary of Commerce (Secretary) to prepare the President's report and to develop and administer the regulations necessary to collect offsets data from U.S. defense exporters.

The authorities of the Secretary regarding offsets have been delegated to the Under Secretary of Commerce for Industry and Security. The regulations associated with offsets reporting are set forth in 15 CFR part 701 (Offsets Regulations). Offsets are compensation practices required as a condition of purchase in either government-to-government or commercial sales of defense articles and/or defense services, as defined by the Arms Export Control Act (22 U.S.C. 2778) and the International Traffic in Arms Regulations (22 CFR 120 through 130). Offsets are also applicable to certain items controlled on the Commerce Control list (CCL) and with an Export Control Classification Number (ECCN) including the numeral "6" as its third character. The CCL is found in supplement no. 1 to part 774 of the Export Administration Regulations (EAR).

An example of an offset is as follows: a company that is selling a fleet of military aircraft to a foreign government may agree to offset the cost of the aircraft by providing training assistance to plant managers in the purchasing

country. Although this distorts the true price of the aircraft, the foreign government may require this sort of extra compensation as a condition of awarding the contract to purchase the aircraft. As described in the Offsets Regulations, U.S. firms are required to report information on contracts for the sale of defense articles or defense services to foreign countries or foreign firms that are subject to offsets agreements exceeding \$5,000,000 in value. U.S. firms are also required to report annually information on offsets transactions completed in performance of existing offsets commitments for which an offsets credit of \$250,000 or more has been claimed from the foreign representative.

Commerce's annual report to Congress includes an aggregated summary of the data reported by industry in accordance with the Offsets Regulations and the DPA (50 U.S.C. 4568). As provided by section 723(c) of the DPA, BIS will not publicly disclose individual firm information it receives through offsets reporting unless the firm furnishing the information specifically authorizes public disclosure. The information collected is sorted and organized into an aggregate report of national offsets data and therefore does not identify company-specific information.

To enable BIS to prepare the next annual offsets report reflecting calendar year 2024 data, affected U.S. firms must submit required information on offsets agreements and offsets transactions from calendar year 2024 to BIS no later than June 15, 2025.

Julia Khersonsky,

Deputy Assistant Secretary for Strategic Trade.

[FR Doc. 2025-09139 Filed 5-20-25; 8:45 am]

BILLING CODE 3510-JT-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Materials and Equipment Technical Advisory Committee

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

ACTION: Notice of partially closed meeting.

SUMMARY: The Materials and Equipment Technical Advisory Committee (METAC) advises and assists the Secretary of Commerce and other Federal officials on matters related to export control policies; the METAC will meet to review and discuss these matters. The meeting will be partially closed to the public pursuant to the

exemptions under the Federal Advisory Committee Act (FACA) and the Government in the Sunshine Act.

DATES: The meeting will be held on June 5, 2025, from 10 a.m. to 3 p.m. eastern time (all times are eastern time). The open session will start at 10 a.m. and end at approximately 12 p.m. The closed session will start at approximately 1 p.m. and end no later than 3 p.m. Individuals requiring special accommodations to access the open session should contact *TAC@bis.doc.gov* no later than 11:59 p.m. on May 29, 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 June 3, 2025.

ADDRESSES: The meeting will be held in Room 3884 of the Herbert C. Hoover Building, 1401 Constitution Avenue NW, Washington, DC (enter through the Main Entrance on 14th Street between Constitution and Pennsylvania Avenues). The open session will 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 Materials and Equipment Technical Advisory Committee (METAC) 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 METAC members and U.S. Government representatives mutually review the updated technical data and policy-driving information that has been gathered.

Agenda

The open session will include working group reports, open business discussions, and industry presentations. The closed session will include discussion of matters determined to be exempt from the open meeting and public participation requirements found in sections 1009(a)(1) and 1009(a)(3) of the Federal Advisory Committee Act (FACA) (5 U.S.C. 1001-1014).

Open Session Attendance

The open session will 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 June 3, 2025. A limited number of seats will be available for members of the public to attend the open session in person on a first-come basis. Reservations to attend in person are not accepted. Registration in advance is not required for in-person attendance, but you will be asked to sign an attendance log when you arrive.

Special Accommodations

Individuals requiring special accommodations to access the open session should contact *TAC@bis.doc.gov* no later than 11:59 p.m. eastern time on May 29, 2025, so that appropriate arrangements can be made.

Public Participation

To the extent that time permits during the open session, members of the public may present oral statements to the METAC. The public may submit written statements at any time before or after the meeting. However, to facilitate distribution of materials to the METAC members, the METAC 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 open session will be accessible via the Technical Advisory Committee (TAC) website at: <https://tac.bis.doc.gov>, within 30 days after the meeting.

Closure Determination

A Senior Advisor, performing the Non-Exclusive Functions and Duties of the Chief Financial Officer and Assistant Secretary for Administration, with the concurrence of the delegate of the General Counsel, formally determined, pursuant to 5 U.S.C. 1009(d), that the portion of the meeting dealing with pre-decisional changes to the Commerce Control List and the U.S. export control policies shall be exempt from the provisions relating to public meetings found in 5 U.S.C. 1009(a)(1) and 1009(a)(3). The remaining portions of the meeting will be open to the public. The exemption is authorized by section 1009(d) of the FACA, which permits the closure of advisory committee meetings, or portions thereof, if the head of the agency to which the advisory committee reports determines such meetings may be closed to the public in accordance with subsection (c) of the Government in the Sunshine Act (5 U.S.C. 552b(c)). In this case, the applicable provisions of 5 U.S.C. 552b(c) are subsection 552b(c)(4), which

permits closure to protect trade secrets and commercial or financial information that is privileged or confidential, and subsection 552b(c)(9)(B), which permits closure to protect information that would be likely to disclose information the premature disclosure of which would be likely to significantly frustrate implementation of a proposed agency action. The closed session of the meeting will involve committee discussions and guidance regarding U.S. Government strategies and policies.

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. 2025-09148 Filed 5-20-25; 8:45 am]

BILLING CODE 3510-JT-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Regulations and Procedures Technical Advisory Committee

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

ACTION: Notice of partially closed meeting.

SUMMARY: The Regulations and Procedures Technical Advisory Committee (RPTAC) advises and assists the Secretary of Commerce and other Federal officials on matters related to export control policies; the RPTAC will meet to review and discuss these matters. The meeting will be partially closed to the public pursuant to the exemptions under the Federal Advisory Committee Act (FACA) and the Government in the Sunshine Act.

DATES: The meeting will be held on June 10, 2025, from 9 a.m. to 4 p.m. eastern time (all times are eastern time). The open session will start at 9 a.m. and end at approximately 12 p.m. The closed session will start at approximately 1 p.m. and end no later than 4 p.m.

Individuals requiring special accommodations to access the open session should contact TAC@bis.doc.gov no later than 11:59 p.m. on June 3, 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 June 6, 2025.

ADDRESSES: The meeting will be held in Room 3884 of the Herbert C. Hoover Building, 1401 Constitution Avenue NW, Washington, DC (enter through the Main Entrance on 14th Street between

Constitution and Pennsylvania Avenues). The open session will 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 Regulations and Procedures Technical Advisory Committee (RPTAC) 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 RPTAC members and U.S. Government representatives mutually review the updated technical data and policy-driving information that has been gathered.

Agenda

The open session will include working group reports, open business discussions, and industry presentations. The closed session will include discussion of matters determined to be exempt from the open meeting and public participation requirements found in sections 1009(a)(1) and 1009(a)(3) of the Federal Advisory Committee Act (FACA) (5 U.S.C. 1001-1014).

Open Session Attendance

The open session will 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 June 6, 2025. A limited number of seats will be available for members of the public to attend the open session in person on a first-come basis. Reservations to attend in person are not accepted. Registration in advance is not required for in-person attendance, but you will be asked to sign an attendance log when you arrive.

Special Accommodations

Individuals requiring special accommodations to access the open session should contact TAC@bis.doc.gov no later than 11:59 p.m. eastern time on June 3, 2025, so that appropriate arrangements can be made.

Public Participation

To the extent that time permits during the open session, members of the public may present oral statements to the RPTAC. The public may submit written statements at any time before or after the

meeting. However, to facilitate distribution of materials to the RPTAC members, the RPTAC 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 open session will be accessible via the Technical Advisory Committee (TAC) website at: <https://tac.bis.doc.gov>, within 30 days after the meeting.

Closure Determination

The Deputy Assistant Secretary for Administration, performing the non-exclusive functions and duties of the Chief Financial Officer and Assistant Secretary for Administration, with the concurrence of the delegate of the General Counsel, formally determined, pursuant to 5 U.S.C. 1009(d), that the portion of the meeting dealing with pre-decisional changes to the Commerce Control List and the U.S. export control policies shall be exempt from the provisions relating to public meetings found in 5 U.S.C. 1009(a)(1) and 1009(a)(3). The remaining portions of the meeting will be open to the public. The exemption is authorized by section 1009(d) of the FACA, which permits the closure of advisory committee meetings, or portions thereof, if the head of the agency to which the advisory committee reports determines such meetings may be closed to the public in accordance with subsection (c) of the Government in the Sunshine Act (5 U.S.C. 552b(c)). In this case, the applicable provisions of 5 U.S.C. 552b(c) are subsection 552b(c)(4), which permits closure to protect trade secrets and commercial or financial information that is privileged or confidential, and subsection 552b(c)(9)(B), which permits closure to protect information that would be likely to disclose information the premature disclosure of which would be likely to significantly frustrate implementation of a proposed agency action. The closed session of the meeting will involve committee discussions and guidance regarding U.S. Government strategies and policies.

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. 2025-09147 Filed 5-20-25; 8:45 am]

BILLING CODE 3510-JT-P

DEPARTMENT OF COMMERCE**International Trade Administration**

[A–762–001, A–602–813, A–553–001, A–403–806]

Silicon Metal From Angola, Australia, the Lao People’s Democratic Republic, and Norway: Initiation of Less-Than-Fair-Value Investigations**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.**DATES:** Applicable May 14, 2025.**FOR FURTHER INFORMATION CONTACT:**

Christopher Doyle at (202) 482–5882 (Angola), Jacob Waddell at (202) 482–1369 (Australia), Caroline Carroll at (202) 482–4948 (the Lao People’s Democratic Republic (Laos)), and Brittany Bauer at (202) 482–3860 (Norway), AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

SUPPLEMENTARY INFORMATION:**The Petitions**

On April 24, 2025, the U.S. Department of Commerce (Commerce) received antidumping duty (AD) petitions concerning imports of silicon metal from Angola, Australia, Laos, and Norway filed in proper form on behalf of Ferroglobe USA, Inc. and Mississippi Silicon LLC (the petitioners), domestic producers of silicon metal.¹ The AD Petitions were accompanied by countervailing duty (CVD) petitions concerning imports of silicon metal from Australia, Laos, Norway, and Thailand.²

Between April 29 and May 6, 2025, Commerce requested supplemental information pertaining to certain aspects of the Petitions in supplemental questionnaires.³ Between May 1 and 9, 2025, the petitioners filed timely responses to these requests for additional information.⁴

¹ See Petitioners’ Letter, “Petitions for the Imposition of Antidumping and Countervailing Duties,” dated April 24, 2025 (Petitions).

² *Id.*

³ See Commerce’s Letters, “First Country-Specific Supplemental Questionnaires: Angola Supplemental, Australia Supplemental, Laos Supplemental, and Norway Supplemental,” dated April 29, 2025; “Supplemental Questions,” dated April 30, 2025 (First General Issues Questionnaire); “Second Supplemental Questions,” dated May 5, 2025 (Second General Issues Questionnaire); and “Second Country-Specific Supplemental Questionnaires: Second Angola Supplemental, Second Australia Supplemental, Second Laos Supplemental, and Second Norway Supplemental,” dated May 6, 2025.

⁴ See Petitioners’ Letters, “Petitioners’ Response to Supplemental Questions—General Issues,” dated

In accordance with section 732(b) of the Tariff Act of 1930, as amended (the Act), the petitioners allege that imports of silicon metal from Angola, Australia, Laos, and Norway 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 silicon metal 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 its 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

Periods of Investigations (POI)

Because the Petitions were filed on April 24, 2025, pursuant to 19 CFR 351.204(b)(1), the period of investigation (POI) for the Angola, Australia, Laos, and Norway LTFV investigations is April 1, 2024, through March 31, 2025. The petitioners argued that Commerce should determine in these investigations that Angola and Laos are non-market economies (NMEs) within the meaning of section 771(18)(A) of the Act and should calculate normal value (NV) for both countries in accordance with its NME methodology.⁶ Under the NME methodology for the Angola and Laos LTFV investigations, the appropriate POI is October 1, 2024, through March 31, 2025, pursuant to 19 CFR 351.204(b)(1).

Scope of the Investigations

The product covered by these investigations is silicon metal from Angola, Australia, Laos, and Norway. For a full description of the scope of

May 1, 2025 (First General Issues Supplement); “First Country-Specific AD Supplemental Responses: Angola AD Supplement, Australia AD Supplement, Laos AD Supplement, and Norway AD Supplement,” dated May 5, 2025; “Petitioners’ Response to Second General Issues Questionnaire,” dated May 6, 2025 (Second General Issues Supplement); and “Second Country-Specific AD Supplemental Responses: Second Angola AD Supplement, Second Australia AD Supplement, Second Laos AD Supplement, and Second Norway AD Supplement,” dated May 8 and 9, 2025.

⁵ See section on “Determination of Industry Support for the Petitions,” *infra*.

⁶ See Petitions at Volume II at 1–2 and Exhibit II–1; see also Petitions at Volume V at 1–2 and Exhibit V–1.

these investigations, see the appendix to this notice.

Comments on the Scope of the Investigations

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).⁷ 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,⁸ all such factual information should be limited to public information. Commerce requests that interested parties provide at the beginning of their scope comments a public executive summary for each comment or issue raised in their submission. Commerce further requests that interested parties limit their public executive summary of each comment or issue to no more than 450 words, not including citations. Commerce intends to use the public executive summaries as the basis of the comment summaries included in the analysis of scope comments. To facilitate preparation of its questionnaires, Commerce requests that scope comments be submitted by 5:00 p.m. Eastern Time (ET) on June 3, 2025, which is 20 calendar days from the signature date of this notice. 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 June 13, 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 Compliance’s Antidumping Duty and Countervailing Duty Centralized Electronic Service System (ACCESS),

⁷ See *Antidumping Duties; Countervailing Duties, Final Rule*, 62 FR 27296, 27323 (May 19, 1997) (*Preamble*); see also 19 CFR 351.312.

⁸ See 19 CFR 351.102(b)(21) (defining “factual information”).

unless an exception applies.⁹ 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 silicon metal 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 (FOP) or cost of production (COP) 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. Specifically, they may provide comments as to which characteristics are appropriate to use as: (1) general product characteristics; and (2) product comparison criteria. We note that it is not always appropriate to use all product characteristics as product comparison criteria. We base product comparison criteria on meaningful commercial differences among products. In other words, although there may be some physical product characteristics utilized by manufacturers to describe silicon metal, it may be that only a select few product characteristics take into account commercially meaningful physical characteristics. In addition, interested parties may comment on the order in which the physical characteristics should be used in matching products. Generally, Commerce attempts to list the most important physical characteristics first and the least important characteristics last.

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 June 3, 2025, which is 20 calendar days from the signature date of this notice. Any rebuttal comments must be filed by 5:00 p.m. ET on June 13, 2025, which is 10 calendar days from the initial comment

⁹ 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.

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.

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,¹⁰ 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.¹¹

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

¹⁰ See section 771(10) of the Act.

¹¹ 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)).

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.¹² Based on our analysis of the information submitted on the record, we have determined that silicon metal, as defined in the scope, constitutes a single domestic like product, and we have analyzed industry support in terms of that domestic like product.¹³

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 production of the domestic like product in 2024.¹⁴ The petitioners identified themselves as the only two producers of silicon metal in the United States; therefore, the Petitions are supported by 100 percent of the U.S. industry.¹⁵ We relied on data provided by the petitioners for purposes of measuring industry support.¹⁶

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.¹⁷ First, the Petitions established support from domestic producers (or workers) accounting for more than 50 percent of the total production of the domestic like

¹² See Petitions at Volume I (pages 16–19 and Exhibits I–1, and I–9 through I–12).

¹³ 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: Silicon Metal from Angola, Australia, the Lao People's Democratic Republic, and Norway," 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 Silicon Metal from Angola, Australia, the Lao People's Democratic Republic, Norway, and Thailand (Attachment II). These checklists are on file electronically via ACCESS.

¹⁴ For further discussion, see Attachment II of the Country-Specific AD Initiation Checklists.

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.*

product and, as such, Commerce is not required to take further action in order to evaluate industry support (e.g., polling).¹⁸ Second, the domestic producers (or workers) have met the statutory criteria for industry support under section 732(c)(4)(A)(i) 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.¹⁹ 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.²⁰ 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.²¹

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 from Australia, Laos, and Norway exceed the negligibility threshold provided for under section 771(24)(A) of the Act.²² With respect to Angola, while the allegedly dumped imports do not exceed the statutory requirements for negligibility,²³ the petitioners allege and provide supporting evidence that there is the potential that imports from Angola will imminently exceed the negligibility threshold and, therefore, are not negligible for purposes of a threat determination.²⁴ The petitioners' arguments regarding the potential for imports to imminently exceed the negligibility threshold are consistent with the statutory criteria for "negligibility in threat analysis" under section 771(24)(A)(iv) of the Act, which

provides that imports shall not be treated as negligible if there is a potential that subject imports from a country will imminently exceed the statutory requirements for negligibility.

The petitioners contend that the industry's injured condition is illustrated by the significant increase in the volume of subject imports; reduced market share; underselling and price depression and/or suppression; lost sales and revenues; and adverse impact on financial performance.²⁵ 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.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 silicon metal from Angola, Australia, Laos, and Norway. 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 all countries, the petitioners based export price (EP) on the POI average unit values (AUVs) derived from official import statistics for imports of silicon metal from each country.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 Value²⁹

For Australia and Norway, the petitioners stated that they were unable to obtain home market or third-country pricing information for silicon metal in Australia or Norway to use a basis for NV.³⁰ Therefore, for Australia and Norway, the petitioners calculated NV based on CV. For further discussion of

CV, see the section "Normal Value Based on Constructed Value."

For Angola and Laos, the petitioners provided NV calculations using both the NME and market economy (ME) methodologies.³¹ Under the ME methodology, for Angola and Laos, the petitioners stated that they were unable to obtain home market or third-country pricing information for silicon metal in Angola or Laos to use a basis for ME NV.³² Therefore, under the ME methodology for Angola and Laos, the petitioners calculated ME NV based on CV.³³ For further discussion of CV, see the section "Normal Value Based on Constructed Value." Under the NME methodology, the petitioners calculated the NME NV based on factors of production (FOPs) valued in a surrogate market country economy country in accordance with section 773(c) of the Act.³⁴ The petitioners claim that India is an appropriate surrogate country for Angola and Laos because India is a market economy country that is at a level of economic development comparable to that of Angola and Laos and is a significant producer of comparable merchandise.³⁵ The petitioners provided publicly available information from India to value all FOPs, where applicable.³⁶ We relied on the petitioners' selection of India as a surrogate country for Angola and Laos to value FOPs for initiation purposes under the NME methodology.

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 Angolan and Lao producers/exporters was not reasonably available, under the NME methodology, the petitioners used the production experience and product-specific consumption rates of a U.S. producer of silicon metal as a surrogate to value Angolan and Lao manufacturers' FOPs.³⁷ Additionally, for Angola and Laos, the petitioners calculated factory overhead, selling, general, and administrative expenses

¹⁸ *Id.*; see also section 732(c)(4)(D) of the Act.

¹⁹ See Attachment II of the Country-Specific AD Initiation Checklists.

²⁰ *Id.*

²¹ *Id.*

²² 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 Silicon Metal from Angola, Australia, the Lao People's Democratic Republic, Norway, and Thailand (Attachment III).

²³ *Id.*

²⁴ *Id.*; see also section 771(24)(A)(iv) of the Act.

²⁵ See Attachment III of the Country-Specific AD Initiation Checklists.

²⁶ *Id.*

²⁷ See Country-Specific AD Initiation Checklists.

²⁸ *Id.*

²⁹ In accordance with section 773(b)(2) of the Act, for these investigations, Commerce will request information necessary to calculate the constructed value (CV) and COP to determine whether there are reasonable grounds to believe or suspect that sales of the foreign like product have been made at prices that represent less than the COP of the product.

³⁰ See Country-Specific AD Initiation Checklists.

³¹ *Id.*

³² *Id.*

³³ *Id.*

³⁴ *Id.*

³⁵ *Id.*

³⁶ *Id.*

³⁷ See Country-Specific AD Initiation Checklists.

(SG&A), and profit based on the experience of an Indian producer of comparable merchandise.³⁸

Normal Value Based on Constructed Value

As noted above for Australia and Norway, the petitioners stated that they were unable to obtain home market or third-country prices for silicon metal to use as a basis for NV. Therefore, for Australia and Norway, the petitioners calculated NV based on CV.³⁹

Additionally, under the ME methodology for Angola and Laos, the petitioners stated they were also unable to obtain home market or third-country prices for silicon metal to use as a basis for ME NV. Therefore, under the ME methodology for Angola and Laos, the petitioners calculated ME NV based on CV.⁴⁰

Pursuant to section 773(e) of the Act, the petitioners calculated CV as the sum of the cost of manufacturing, SG&A expenses, financial expenses, and profit.⁴¹ For Australia and Norway as well as for the ME methodology for Angola and Laos, in calculating the cost of manufacturing, the petitioners relied on the production experience and input consumption rates of a U.S. producer of silicon metal, valued using publicly available information applicable to Angola, Australia, Laos, and Norway.⁴² For calculating SG&A expenses, financial expenses, and profit ratios, the petitioners relied on the 2023 financial statements of a producer of identical merchandise domiciled in Norway for Norway, and the 2023 financial statements of Ferroglobe UPLC, the parent company of Ferroglobe USA, for Angola, Australia, and Laos.⁴³

Fair Value Comparisons

Based on the data provided by the petitioners, there is reason to believe that imports of silicon metal from Angola, Australia, Laos, and Norway are being, or are likely to be, sold in the United States at LTFV. Based on comparisons of EP to NV in accordance with sections 772 and 773 of the Act, the estimated dumping margins for silicon metal from Australia and Norway are 328.89 and 102.08 percent, respectively.⁴⁴ Under the ME methodology, the estimated dumping margins for silicon metal from Angola and Laos are 68.45 and 94.44 percent, respectively, for purposes of

initiation.⁴⁵ In light of the petitioners' allegations in the Petitions that Angola and Laos are NMEs, under the NME methodology, the estimated dumping margins for silicon metal from Angola and Laos are 207.28 and 231.63 percent, respectively, for purposes of initiation.⁴⁶

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 silicon metal from Angola, Australia, Laos, and Norway 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

Angola and Norway

In the Petitions, the petitioners identified three companies in Angola and three companies in Norway as producers and/or exporters of silicon metal.⁴⁷

Following standard practice in LTFV investigations involving market economy countries, in the event Commerce determines that the number of companies is large, and it cannot individually examine each company based upon Commerce's resource, where appropriate, Commerce intends to select mandatory respondents based on U.S. Customs and Border Protection (CBP) data for imports under the appropriate Harmonized Tariff Schedule of the United States (HTSUS) subheading(s) listed in the "Scope of the Investigations," in the appendix.

On May 12, 2025, Commerce released CBP data on imports of silicon metal from Angola and Norway under administrative protective order (APO) to all parties with access to information protected by APO and indicated that interested parties wishing to comment on CBP data and/or respondent selection must do so within three business days of the publication date of the notice of initiation of these investigations.⁴⁸ Comments must be filed electronically using ACCESS. An

electronically filed document must be received successfully in its entirety via ACCESS by 5:00 p.m. ET on the specified deadline. Commerce will not accept rebuttal comments regarding the CBP data or respondent selection.

Interested parties must submit applications for disclosure under 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>.

Australia and Laos

In the Petitions, the petitioners identified one company in Australia (*i.e.*, Simcoa Operations (Silicon Metal Company of Australia)) and one company in Laos (*i.e.*, Lao Silicon Co., Ltd.) as producers and/or exporters of silicon metal and provided independent third-party information as support.⁴⁹ We currently know of no additional producers/exporters of silicon metal from Australia and Laos.

Accordingly, Commerce intends to individually examine all known producers/exporters in the investigations from Australia and Laos (*i.e.*, the companies mentioned above). We invite interested parties to comment on this issue. Such comments may include factual information within the meaning of 19 CFR 351.102(b)(21). Parties wishing to comment must do so within three business days of the publication of this notice in the **Federal Register**. Comments must be filed electronically using ACCESS. An electronically filed document must be received successfully in its entirety via ACCESS by 5:00 p.m. ET on the specified deadline. Because we intend to examine all known producers/exporters in Australia and Laos, if no comments are received, or if comments received further support the existence of only these producers/exporters, we do not intend to conduct respondent selection and will proceed to issuing the initial AD questionnaires to the companies identified. However, if comments are received which create a need for a respondent selection process, we intend to finalize our decision regarding respondent selection for Australia and Laos within 20 days of publication of this notice.

Separate Rates

Upon applying an NME methodology for Angola and Laos, Commerce will consider assigning separate rates to exporters and producers. In order to

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² *Id.*

⁴³ *Id.*

⁴⁴ *Id.*

⁴⁵ *Id.*

⁴⁶ *Id.*

⁴⁷ See Petitions at Volume I (pages 10–11 and Exhibit 1–6); see also First General Issues Supplement at 4–5 and Attachments 1 and 2.

⁴⁸ See Country-Specific Memoranda, "Release of U.S. Customs and Border Protection Entry Data," dated May 12, 2025.

⁴⁹ See Petitions at Volume I (pages 10–11 and Exhibit 6); see also First General Issues Supplement at 3 and Attachment 1.

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 351.108.⁵⁰ Pursuant to 19 CFR 351.108(d)(1), the separate rate application will be due 21 days after publication of this initiation notice.⁵¹ 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.⁵²

Use of Combination Rates

Upon applying an NME methodology, 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.⁵³

⁵⁰ See *Regulations Enhancing the Administration of the Antidumping and Countervailing Duty Trade Remedy Laws*, 89 FR 101694, 101759–60 (December 16, 2024).

⁵¹ See 19 CFR 351.108(d)(1).

⁵² See 19 CFR 351.108(e).

⁵³ See Enforcement and Compliance's Policy Bulletin No. 05.1, regarding, "Separate-Rates Practice and Application of Combination Rates in

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 Angola, Australia, Laos, and Norway 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.

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 silicon metal from Angola, Australia, Laos, and Norway are materially injuring, or threatening material injury to, a U.S. industry.⁵⁴ A negative ITC determination for any country will result in the investigation being terminated with respect to that country.⁵⁵ 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 submitted⁵⁶ 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.⁵⁷ Time limits for the submission of factual information are addressed in 19 CFR 351.301, which

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>.

⁵⁴ See section 733(a) of the Act.

⁵⁵ *Id.*

⁵⁶ See 19 CFR 351.301(b).

⁵⁷ See 19 CFR 351.301(b)(2).

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.

Particular Market Situation Allegation

Section 773(e) of the Act addresses the concept of particular market situation (PMS) for purposes of CV, stating that "if a particular market situation exists such that the cost of materials and fabrication or other processing of any kind does not accurately reflect the cost of production in the ordinary course of trade, the administering authority may use another calculation methodology under this subtitle or any other calculation methodology." When an interested party submits a PMS allegation pursuant to section 773(e) of the Act (*i.e.*, a cost-based PMS allegation), the submission must be filed in accordance with the requirements of 19 CFR 351.416(b), and Commerce will respond to such a submission consistent with 19 CFR 351.301(c)(2)(v). If Commerce finds that a cost-based PMS exists under section 773(e) of the Act, then it will modify its dumping calculations appropriately.

Neither section 773(e) of the Act, nor 19 CFR 351.301(c)(2)(v), sets a deadline for the submission of cost-based PMS allegations and supporting factual information. However, in order to administer section 773(e) of the Act, Commerce must receive PMS allegations and supporting factual information with enough time to consider the submission. Thus, should an interested party wish to submit a cost-based PMS allegation and supporting new factual information pursuant to section 773(e) of the Act, it must do so no later than 20 days after submission of a respondent's initial section D questionnaire response.

We note that a PMS allegation filed pursuant to sections 773(a)(1)(B)(ii)(III) or 773(a)(1)(C)(iii) of the Act (*i.e.*, a sales-based PMS allegation) must be filed within 10 days of submission of a respondent's initial section B questionnaire response, in accordance with 19 CFR 351.301(c)(2)(i) and 19 CFR 351.404(c)(2).

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.⁵⁸ 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.⁵⁹

Certification Requirements

Any party submitting factual information in an AD or CVD proceeding must certify to the accuracy and completeness of that information.⁶⁰ Parties must use the certification formats provided in 19 CFR 351.303(g).⁶¹ 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).⁶²

⁵⁸ 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>.

⁵⁹ See 19 CFR 351.302; see also, e.g., *Time Limits Final Rule*.

⁶⁰ See section 782(b) of the Act.

⁶¹ 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>.

⁶² See *Administrative Protective Order, Service, and Other Procedures in Antidumping and*

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: May 14, 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 scope of these investigations covers all forms and sizes of silicon metal, including silicon metal powder. Silicon metal contains at least 85.00 percent but less than 99.99 percent silicon, and less than 4.00 percent iron, by actual weight. Semiconductor grade silicon (merchandise containing at least 99.99 percent silicon by actual weight and classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheading 2804.61.0000) is excluded from the scope of these investigations.

Silicon metal is currently classifiable under subheadings 2804.69.1000 and 2804.69.5000 of the HTSUS. While the HTSUS numbers are provided for convenience and customs purposes, the written description of the scope remains dispositive.

[FR Doc. 2025–09027 Filed 5–20–25; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C–602–814, C–553–002, C–403–807, C–549–856]

Silicon Metal From Australia, the Lao People's Democratic Republic, Norway, and Thailand: Initiation of Countervailing Duty Investigations

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

DATES: Applicable May 14, 2025.

FOR FURTHER INFORMATION CONTACT: Kyle Clahane at (202) 482–5449 (Australia), Shane Subler at (202) 482–6241 (the Lao People's Democratic Republic (Laos)), Mary Kolberg at (202) 482–1785 (Norway), and George McMahon at (202) 482–1167 (Thailand), AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

The Petitions

On April 24, 2025, the U.S. Department of Commerce (Commerce)

Countervailing Duty Proceedings, 88 FR 67069 (September 29, 2023).

received countervailing duty (CVD) petitions concerning imports of silicon metal from Australia, Laos, Norway, and Thailand filed in proper form on behalf of Ferroglobe USA, Inc. and Mississippi Silicon LLC (the petitioners), domestic producers of silicon metal.¹ The CVD Petitions were accompanied by antidumping duty (AD) petitions concerning imports of silicon metal from Angola, Australia, Laos, and Norway.²

Between April 28 and May 5, 2025, Commerce requested supplemental information pertaining to certain aspects of the Petitions in supplemental questionnaires.³ Between April 30 and May 6, 2025, the petitioners filed timely responses to these requests for additional information.⁴

In accordance with section 702(b)(1) of the Tariff Act of 1930, as amended (the Act), the petitioners allege that the Government of Australia (GOA), Government of Laos (GOL), Government of Norway (GON), and Government of Thailand (GOT) (collectively, Governments) are providing countervailable subsidies, within the meaning of sections 701 and 771(5) of the Act, to producers of silicon metal in Australia, Laos, Norway, and Thailand, and that such imports are materially injuring, or threatening material injury to, the domestic industry producing silicon metal 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 CVD investigations, 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

¹ See Petitioners' Letter, "Petitions for the Imposition of Antidumping and Countervailing Duties," dated April 24, 2025 (Petitions).

² *Id.*

³ See Commerce's Letters, "Supplemental Questions," dated April 30, 2025 (First General Issues Questionnaire) and "Country-Specific CVD Supplemental Questionnaires: Australia CVD Supplemental, Laos CVD Supplemental, Norway CVD Supplemental, and Thailand CVD Supplemental," dated May 1, 2025, April 29, 2025, April 28, 2025, and April 29, 2025, respectively; see also "Supplemental Questions," dated May 5, 2025 (Second General Issues Questionnaire).

⁴ See Petitioners' Letter, "Petitioners' Response to Supplemental Questions—General Issues," dated May 1, 2025 (First General Issues Supplement); see also "Country-Specific CVD Supplemental Responses: Australia CVD Supplement, Laos CVD Supplement, and Norway CVD Supplement, and Thailand CVD Supplement," dated May 6, 2025, May 2, 2025, April 30, 2025, and May 2, 2025, respectively; and "Petitioners' Response to Second General Issues Questionnaire," dated May 6, 2025 (Second General Issues Supplement).

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 investigations.⁵

Periods of Investigation

Because the Petitions were filed on April 24, 2025, the period of investigation for the Australia, Laos, Norway, and Thailand CVD investigations is January 1, 2024, through December 31, 2024.⁶

Scope of the Investigations

The product covered by these investigations is silicon metal from Australia, Laos, Norway, and Thailand. For a full description of the scope of these investigations, *see* the appendix to this notice.

Comments on the Scope of the Investigations

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).⁷ Commerce will consider all 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, all such factual information should be limited to public information.⁸ Commerce requests that interested parties provide at the beginning of their scope comments a public executive summary for each comment or issue raised in their submission. Commerce further requests that interested parties limit their public executive summary of each comment or issue to no more than 450 words, not including citations. Commerce intends to use the public executive summaries as the basis of the comment summaries included in the analysis of scope comments. To facilitate preparation of its questionnaires, Commerce requests that scope comments be submitted by 5:00 p.m. Eastern Time (ET) on June 3, 2025, which is 20 calendar days from the signature date of this notice. 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 June 13, 2025,

⁵ See section on "Determination of Industry Support for the Petitions," *infra*.

⁶ See 19 CFR 351.204(b)(2).

⁷ See *Antidumping Duties; Countervailing Duties; Final Rule*, 62 FR 27296, 27323 (May 19, 1997) (*Preamble*).

⁸ See 19 CFR 351.102(b)(21) (defining "factual information").

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 time 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 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.⁹ 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 GOA, GOL, GON, and GOT of the receipt of the Petitions and provided an opportunity for consultations with respect to the Petitions.¹⁰ Commerce held consultations with the GOA on May 13, 2025,¹¹ the GON on May 12, 2025,¹² and the GOT on May 8, 2025.¹³ The GOL did not request consultations.

Determination of Industry Support for the Petitions

Section 702(b)(1) of the Act requires that a petition be filed on behalf of the domestic industry. Section 702(c)(4)(A)

⁹ 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.

¹⁰ See Commerce's Letters, "Invitation for Consultations to Discuss the Countervailing Duty Petition," dated April 28, 2025.

¹¹ See Memorandum, "Consultations with the Government of Australia," dated May 13, 2025; *see also* GOA's Letter, "GOA's Submission," dated May 13, 2025.

¹² See Memorandum, "Consultations with the Government of Norway," dated May 12, 2025; *see also* GON's Letter, "GON's Submission," dated May 12, 2025.

¹³ See Memorandum, "Consultations with the Government of Thailand," dated May 8, 2025; *see also* GOT's Letter, "Invitation for Consultations to Discuss the Countervailing Duty Petition," dated May 8, 2025.

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 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

¹⁴ See section 771(10) of the Act.

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)).

definition of the domestic like product distinct from the scope of the investigations.¹⁶ Based on our analysis of the information submitted on the record, we have determined that silicon metal, as defined in the scope, constitutes 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 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 production of the domestic like product in 2024.¹⁸ The petitioners identified themselves as the only two producers of silicon metal in the United States; therefore, the Petitions are supported by 100 percent of the U.S. industry.¹⁹ We relied on data provided by the petitioners for purposes of measuring industry support.²⁰

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.²¹ 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).²² 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 Petitions account for at least 25 percent of the

total production of the domestic like product.²³ 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 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.²⁴ Accordingly, Commerce determines that the Petitions were filed on behalf of the domestic industry within the meaning of section 702(b)(1) of the Act.²⁵

Injury Test

Because Australia, Laos, Norway, and Thailand are “Subsidies Agreement Countries” within the meaning of section 701(b) of the Act, section 701(a)(2) of the Act applies to these investigations. Accordingly, the ITC must determine whether imports of the subject merchandise from Australia, Laos, Norway, and/or Thailand 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 Australia, Laos, and Norway exceed the negligibility threshold provided for under section 771(24)(A) of the Act.²⁶ Further, in the instance of a CVD petition, section 771(24)(B) of the Act provides that imports of subject merchandise from developing and least developed countries must exceed the negligibility threshold of four percent. The petitioner also demonstrates that imports from Laos, which has been designated as a least developed country under section 771(36)(B) of the Act, exceed the negligibility threshold of four percent.²⁷

With respect to Thailand, while the allegedly subsidized imports do not exceed the statutory requirements for negligibility,²⁸ the petitioners allege and provide supporting evidence that there is the potential that imports from Thailand will imminently exceed the negligibility threshold and, therefore, are not negligible for purposes of a threat determination.²⁹ The petitioners’ arguments regarding the potential for imports to imminently exceed the negligibility threshold are consistent with the statutory criteria for “negligibility in threat analysis” under section 771(24)(A)(iv) of the Act, which provides that imports shall not be treated as negligible if there is a potential that subject imports from a country will imminently exceed the statutory requirements for negligibility.

The petitioners contend that the industry’s injured condition is illustrated by the significant increase in the volume of subject imports; reduced market share; underselling and price depression and/or suppression; lost sales and revenues; and adverse impact on financial performance.³⁰ 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.³¹

Initiation of CVD Investigations

Based upon the examination of the Petitions and supplemental responses, we find that they meet the requirements of section 702 of the Act. Therefore, we are initiating CVD investigations to determine whether imports of silicon metal from Australia, Laos, Norway, and Thailand benefit from countervailable subsidies conferred by the GOA, GOL, GON, and GOT, respectively. In accordance with section 703(b)(1) of the Act and 19 CFR 351.205(b)(1), unless postponed, we will make our preliminary determinations no later than 65 days after the date of this initiation.

Australia

Based on our review of the Petitions, we find that there is sufficient information to initiate a CVD investigation on nine of the nine programs alleged by the petitioners. For a full discussion of the basis for our

¹⁶ See Petitions at Volume I (pages 16–19 and Exhibits I–1, and I–9 through I–20).

¹⁷ For a discussion of the domestic like product analysis as applied to these cases and information regarding industry support, see Checklists, “Countervailing Duty Investigation Initiation Checklists: Silicon Metal from Australia, the Lao People’s Democratic Republic, Norway, and Thailand,” dated concurrently with, and hereby adopted by, this notice (Country-Specific CVD Initiation Checklists), at Attachment II, Analysis of Industry Support for the Antidumping and Countervailing Duty Petitions Covering Silicon Metal from Angola, Australia, Laos, Norway, and Thailand (Attachment II). These checklists are on file electronically via ACCESS.

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ For further discussion, see Attachment II of the Country-Specific CVD Initiation Checklists.

²¹ *Id.*

²² *Id.*; see also section 702(c)(4)(D) of the Act.

²³ See Attachment II of the Country-Specific CVD Initiation Checklists.

²⁴ *Id.*

²⁵ *Id.*

²⁶ For further information regarding negligibility and the injury allegation, see Country-Specific CVD Initiation Checklists at Attachment III, Analysis of Allegations and Evidence of Material Injury and Causation for the Antidumping Duty and Countervailing Duty Petitions Covering Silicon Metal from Angola, Australia, the Lao People’s Democratic Republic, Norway, and Thailand (Attachment III).

²⁷ *Id.*

²⁸ *Id.*

²⁹ *Id.*; see also section 771(24)(A)(iv) of the Act.

³⁰ See Attachment III of the Country-Specific CVD Initiation Checklists.

³¹ *Id.*

decision to initiate on each program, *see* the Australia CVD Initiation Checklist. A public version of the initiation checklist for this investigation is available on ACCESS.

Laos

Based on our review of the Petitions, we find that there is sufficient information to initiate a CVD investigation on 12 of the 14 programs alleged by the petitioners. For a full discussion of the basis for our decision to initiate on each program, *see* the Laos CVD Initiation Checklist. A public version of the initiation checklist for this investigation is available on ACCESS.

Norway

Based on our review of the Petitions, we find that there is sufficient information to initiate a CVD investigation on 11 of the 11 programs alleged by the petitioners. For a full discussion of the basis for our decision to initiate on each program, *see* the Norway CVD Initiation Checklist. A public version of the initiation checklist for this investigation is available on ACCESS.

Thailand

Based on our review of the Petitions, we find that there is sufficient information to initiate a CVD investigation on 16 of the 16 programs alleged by the petitioners. For a full discussion of the basis for our decision to initiate on each program, *see* the Thailand CVD Initiation Checklist. A public version of the initiation checklist for this investigation is available on ACCESS.

Respondent Selection

Australia, Laos, and Thailand

In the Petitions, the petitioners identified one company in Australia (*i.e.*, Simcoa Operations (Silicon Metal Company of Australia)), one company in Laos (*i.e.*, Lao Silicon Co., Ltd.), and two companies in Thailand (*i.e.*, G.S. Energy Co., Ltd. and Sica New Materials (Thailand) Co., Ltd.) as producers and/or exporters of silicon metal and provided independent third-party information as support.³² We currently know of no additional producers/exporters of silicon metal from Australia, Laos, or Thailand.

Accordingly, Commerce intends to individually examine all known producers/exporters in the investigations from Australia, Laos, and

Thailand (*i.e.*, the companies mentioned above). We invite interested parties to comment on this issue. Such comments may include factual information within the meaning of 19 CFR 351.102(b)(21). Parties wishing to comment must do so within three business days of the publication of this notice in the **Federal Register**. Comments must be filed electronically using ACCESS. An electronically filed document must be received successfully in its entirety via ACCESS by 5:00 p.m. ET on the specified deadline. Because we intend to examine all known producers/exporters in Australia, Laos, and Thailand, if no comments are received, or if comments received further support the existence of only these producers/exporters, we do not intend to conduct respondent selection and will proceed to issuing the initial CVD questionnaires to the companies identified. However, if comments are received which create a need for a respondent selection process, we intend to finalize our decision regarding respondent selection for Australia, Laos, and Thailand within 20 days of publication of this notice.

Norway

In the Petitions, the petitioners identified three companies in Norway as producers and/or exporters of silicon metal.³³ Commerce intends to follow its standard practice in CVD investigations and calculate company-specific subsidy rates in the investigations. Following standard practice in CVD investigations, in the event Commerce determines that the number of companies is large, and it cannot individually examine each company based upon Commerce's resources, where appropriate, Commerce intends to select mandatory respondents based on U.S. Customs and Border Protection (CBP) data for imports under the appropriate Harmonized Tariff Schedule of the United States (HTSUS) subheading(s) listed in the "Scope of the Investigations," in the appendix.

On May 12, 2025, Commerce released CBP data on imports of silicon metal from Norway under administrative protective order (APO) to all parties with access to information protected by APO and indicated that interested parties wishing to comment on CBP data and/or respondent selection must do so within three business days of the publication date of the notice of initiation of these investigations.³⁴

³³ See Petitions at Volume I (page 10–11 and Exhibit 6); *see also* First General Issues Supplement at 4–5 and Attachments 1 and 2.

³⁴ See Country-Specific Memoranda, "Release of U.S. Customs and Border Protection Entry Data," dated May 12, 2025.

Comments must be filed electronically using ACCESS. An electronically filed document must be received successfully in its entirety via ACCESS by 5:00 p.m. ET on the specified deadline. Commerce will not accept rebuttal comments regarding the CBP data or respondent selection.

Interested parties must submit applications for disclosure under 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 Copies of the Petitions

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 Petitions has been provided to the GOA, GOL, GON, and GOT 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 its initiation, as required by section 702(d) of the Act.

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 silicon metal from Australia, Laos, Norway, and/or Thailand are materially injuring, or threatening material injury to, a U.S. industry.³⁵ A negative ITC determination for either country will result in the investigation being terminated with respect to that country.³⁶ Otherwise, these CVD 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 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

³⁵ See section 703(a)(1) of the Act.

³⁶ *Id.*

³² See Petitions at Volume I (page 10–11 and Exhibit 6); *see also* First General Issues Supplement at 3–4 and Attachment 1.

subsection of 19 CFR 351.102(b)(21) the information is being submitted³⁷ 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.³⁸ 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.³⁹ 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.⁴⁰

Certification Requirements

Any party submitting factual information in an AD or CVD proceeding must certify to the accuracy

and completeness of that information.⁴¹ Parties must use the certification formats provided in 19 CFR 351.303(g).⁴² 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 letters of appearance). Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).⁴³

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

Dated: May 14, 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 scope of these investigations covers all forms and sizes of silicon metal, including silicon metal powder. Silicon metal contains at least 85.00 percent but less than 99.99 percent silicon, and less than 4.00 percent iron, by actual weight. Semiconductor grade silicon (merchandise containing at least 99.99 percent silicon by actual weight and classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheading 2804.61.0000) is excluded from the scope of these investigations.

Silicon metal is currently classifiable under subheadings 2804.69.1000 and 2804.69.5000 of the HTSUS. While the HTSUS numbers are provided for convenience and customs purposes, the written description of the scope remains dispositive.

[FR Doc. 2025-09028 Filed 5-20-25; 8:45 am]

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⁴¹ See section 782(b) of the Act.

⁴² 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 questions regarding the *Final Rule*, available at https://enforcement.trade.gov/tei/notices/factual_info_final_rule_FAQ_07172013.pdf.

⁴³ 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-475-828]

Stainless Steel Butt-Weld Pipe Fittings From Italy: Rescission of Antidumping Duty Administrative Review; 2024–2025

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

SUMMARY: The U.S. Department of Commerce (Commerce) is rescinding the administrative review of the antidumping duty (AD) order on stainless steel butt-weld pipe fittings from Italy for the period of review (POR) February 1, 2024, through January 31, 2025.

DATES: Applicable May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Natasia Harrison, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC, 20230; telephone: (202) 482-1240.

SUPPLEMENTARY INFORMATION:

Background

On February 3, 2025, Commerce published in the **Federal Register** a notice of opportunity to request an administrative review of the AD order on stainless steel butt-weld pipe fittings from Italy.¹ Commerce received a timely request for review of the *Order* from Core Pipe Products, Inc. (the petitioner).² We received no other requests for review.

On March 28, 2025, Commerce initiated an administrative review of the *Order* covering the period from February 1, 2024, through January 31, 2025, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.221(c)(1)(i).³ On March 27, 2025, the petitioner withdrew its request for review with respect to Tectubi Raccordi SpA (including its affiliates, Raccordi Forgiati S.r.l. and Allied International S.r.l.); however, the initiation notice

¹ See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review and Join Annual Inquiry Service List*, 90 FR 8785 (February 3, 2025); see also *Antidumping Duty Orders: Stainless Steel Butt-Weld Pipe Fittings from Italy, Malaysia, and the Philippines*, 66 FR 11257 (February 23, 2001) (*Order*).

² See Petitioner's Letter, "Petitioner's Request for 2024/2025 Administrative Review," dated February 27, 2025.

³ See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 90 FR 14081 (March 28, 2025) (*Initiation Notice*).

³⁷ See 19 CFR 351.301(b).

³⁸ See 19 CFR 351.301(b)(2).

³⁹ See 19 CFR 351.302.

⁴⁰ 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>.

was already set to publish on March 28, 2025.⁴ This review, therefore, covers subject merchandise exported and/or produced by the following company: Filmag Italia, SpA.⁵

On April 3, 2025, we placed on the record U.S. Customs and Border Protection (CBP) data for entries of stainless steel butt-weld pipe fittings from Italy during the POR, showing no reviewable POR entries.⁶ We invited interested parties to comment, and received no comments. Also on April 3, 2025, Commerce notified all interested parties of its intent to rescind the administrative review because there were no suspended entries of subject merchandise made by the one company subject to this administrative review, Filmag Italia, SpA, and invited interested parties to comment.⁷ Commerce did not receive comments from any interested parties on its notice of intent to rescind the administrative review with respect to the sole remaining company subject to this administrative review, Filmag Italia, SpA.

Rescission of Review

Pursuant to 19 CFR 351.213(d)(1), Commerce will rescind an administrative review, in whole or in part, if the parties that requested a review withdraw the request within 90 days of the date of publication of the notice of initiation. Commerce received a request from the petitioner for an administrative review of: (1) Filmag Italia, SpA (Filmag) and (2) Tectubi Raccordi SpA (including its affiliates, Raccordi Forgiati S.r.l. and Allied International S.r.l.).⁸ The petitioner withdrew its request for review with respect to Tectubi Raccordi SpA (including its affiliates, Raccordi Forgiati S.r.l. and Allied International S.r.l.).⁹ Because the request for review was timely withdrawn for Tectubi Raccordi SpA (including its affiliates, Raccordi Forgiati S.r.l. and Allied International S.r.l.), and because no other party requested a review of Tectubi Raccordi SpA (including its affiliates, Raccordi Forgiati S.r.l. and Allied International S.r.l.) in accordance with 19 CFR 351.213(d)(1), Commerce is rescinding this review for Tectubi

Raccordi SpA (including its affiliates, Raccordi Forgiati S.r.l. and Allied International S.r.l.).

Further, pursuant to 19 CFR 351.213(d)(3), it is Commerce's practice to rescind an administrative review of an AD order when there are no entries of subject merchandise during the POR for which liquidation is suspended.¹⁰ Normally, upon completion of an administrative review, the suspended entries are liquidated at the AD assessment rate calculated for the review period.¹¹ Therefore, for an administrative review to be conducted, there must be a suspended entry that Commerce can instruct CBP to liquidate at the AD assessment rate calculated for the review period.¹² As noted above, there were no suspended entries of subject merchandise for Filmag Italia, SpA subject to this review during the POR. Accordingly, in the absence of suspended entries of subject merchandise during the POR, we are hereby rescinding this administrative review, in its entirety, in accordance with 19 CFR 351.213(d)(3).

Cash Deposit Requirements

As Commerce has proceeded to a final rescission of this administrative review, no cash deposit rates will change. Accordingly, the current cash deposit requirements shall remain in effect until further notice.

Assessment

Commerce will instruct CBP to assess antidumping duties on all appropriate entries of stainless steel butt-weld pipe fittings from Italy. ADs shall be assessed at rates equal to the cash deposit rate of estimated ADs required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). Commerce intends to issue appropriate assessment instructions to CBP no earlier than 35 days after the date of publication of this rescission notice in the **Federal Register**.

Administrative Protective Order (APO)

This notice 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 the APO materials, or conversion to judicial protective order is hereby requested. Failure to comply with regulations and terms of an APO is a violation, which is subject to sanction.

Notification to Interested Parties

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(d)(4).

Dated: May 14, 2025.

Scot Fullerton,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2025–09118 Filed 5–20–25; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C–570–171]

Disposable Aluminum Containers, Pans, Trays, and Lids From the People's Republic of China: Final Affirmative Countervailing Duty Determination and Final Affirmative Determination of Critical Circumstances; and Disposable Aluminum Containers, Pans, Trays, and Lids From the People's Republic of China: Antidumping and Countervailing Duty Orders; Correction

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

ACTION: Notice; correction.

SUMMARY: The U.S. Department of Commerce (Commerce) published a notice in the **Federal Register** of March 11, 2025, in which Commerce published the final determination of the countervailing duty (CVD) investigation for disposable aluminum containers, pans, trays, and lids (disposable aluminum containers) from the People's Republic of China (China). In this notice, Commerce did not identify the cross-owned affiliate of Henan Aluminium Corporation in the final determination. Additionally, Commerce published a notice in the **Federal Register** of May 8, 2025, in which Commerce published the CVD order for disposable aluminum containers from China. In this notice, Commerce did not identify the cross-owned affiliate of Henan Aluminium Corporation, and also misspelled Henan Aluminium

⁴ See Petitioner's Letter, "Petitioner's Partial Withdrawal of Request for 2024/2025 Administrative Review," dated March 27, 2025.

⁵ See *Initiation Notice*, 90 FR at 14081.

⁶ See Memorandum, "Release of U.S. Customs and Border Protection Import Data," dated April 3, 2025.

⁷ *Id.*

⁸ *Id.*, 90 FR at 14081.

⁹ See Petitioner's Letter, "Petitioner's Partial Withdrawal of Request for 2024/2025 Administrative Review," dated March 27, 2025.

¹⁰ See, e.g., *Dioctyl Terephthalate from the Republic of Korea: Rescission of Antidumping Administrative Review; 2021–2022*, 88 FR 24758 (April 24, 2023); see also *Certain Carbon and Alloy Steel Cut-to-Length Plate from the Federal Republic of Germany: Rescission of Antidumping Administrative Review; 2020–2021*, 88 FR 4154 (January 24, 2023).

¹¹ See 19 CFR 351.212(b)(1).

¹² See 19 CFR 351.213(d)(3).

Corporation's name in the sections entitled "Background" and "Estimated CVD Subsidy Rates."

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 March 11, 2025, Commerce published in the Federal Register the Final Determination of the CVD investigation of disposable aluminum containers from China. In this notice, Commerce did not identify Henan Aluminium Corporations's cross-owned affiliate.

Further, on May 8, 2025, Commerce published in the Federal Register the CVD order for disposable aluminum containers from China. In this notice, Commerce did not identify Henan Aluminium Corporation's cross-owned

affiliate. Also in the CVD Order, Commerce misspelled Henan Aluminium Corporation as "Henan Aluminum Corporation" in the sections entitled "Background" and "Estimated CVD Subsidy Rates."

Correction 1

In the Federal Register of March 11, 2025, in FR Doc 2025-03834, on page 11704, in the table under the heading "Final Determination," correct the first line of the table by adding a footnote with Henan Aluminium Corporation, as follows:

Table with 2 columns: Company, Subsidy rate (percent ad valorem). Rows include Henan Aluminium Corporation, Zhejiang Acumen Living Technology Co., Ltd, and All Others.

* Rate based on facts available with adverse inferences.

Correction 2

In the Federal Register of May 8, 2025, in FR Doc 2025-80889, on page 19467 in the first paragraph of the "Background" section, correct the

misspelled name of "Henan Aluminum Corporation" to Henan Aluminium Corporation.

Also in FR Doc 2025-80889, on page 19469, in the table under the heading "Estimated CVD Subsidy Rates," correct

the first line of the table from the misspelled name of "Henan Aluminum Corporation" to Henan Aluminium Corporation, and add a footnote to the corrected name, as follows:

Table with 2 columns: Company, Subsidy rate (percent ad valorem). Rows include Henan Aluminium Corporation, Zhejiang Acumen Living Technology Co., Ltd, and All Others.

* Rate based on facts available with adverse inferences.

Notification to Interested Parties

This notice is issued and published in accordance with sections 705(a) and 706(a) of the Tariff Act of 1930, as amended, 19 CFR 351.210(b)(1) and 19 CFR 351.211(b).

Dated: May 16, 2025.

Scot Fullerton,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2025-09123 Filed 5-20-25; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Tuna Tracking and Verification Program

AGENCY: National Oceanic & Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of information collection, request for comment.

SUMMARY: The Department of Commerce, in accordance with the Paperwork Reduction Act of 1995 (PRA), invites the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. The purpose of this notice is to allow for 60 days of public comment preceding submission of the collection to OMB.

DATES: To ensure consideration, comments regarding this proposed information collection must be received on or before July 21, 2025.

1 See Disposable Aluminum Containers, Pans, Trays, and Lids from the People's Republic of China: Final Affirmative Countervailing Duty Determination and Final Affirmative Determination of Critical Circumstances, 90 FR 11703 (March 11, 2025) (Final Determination).

2 Commerce also did not identify Henan Aluminium Corporation's cross-owned affiliates in the notice of the preliminary determination of the CVD order on disposable aluminum containers from China. See Disposable Aluminum Containers, Pans,

Trays, and Lids from the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination, Preliminary Affirmative Determination of Critical Circumstances, and Alignment of Final Determination With Final Antidumping Duty Determination, 89 FR 85495 (October 28, 2024). However, we are not making a correction to that notice as the information was superseded by the Final Determination.

3 See Disposable Aluminum Containers, Pans, Trays, and Lids from the People's Republic of

China: Antidumping and Countervailing Duty Orders, 90 FR 19467 (May 8, 2025) (CVD Order).

4 Id., 90 FR at 19469.

5 Id., 90 FR at 19467 and 19469.

6 Commerce finds the following company to be cross-owned with Henan Aluminium Corporation: Anhui Aluminium Corporation.

7 Commerce finds the following company to be cross-owned with Henan Aluminium Corporation: Anhui Aluminium Corporation.

ADDRESSES: Interested persons are invited to submit written comments to Adrienne Thomas, NOAA PRA Officer, at NOAA.PRA@noaa.gov. Please reference OMB Control Number 0648–0335 in the subject line of your comments. All comments received are part of the public record and will generally be posted on <https://www.regulations.gov> without change. Do not submit Confidential Business Information or otherwise sensitive or protected information.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or specific questions related to collection activities should be directed to William Stahnke, National Marine Fisheries Service (NMFS), Office of International Affairs, Trade, and Commerce (IATC), 501 West Ocean Boulevard, Suite 1200, Long Beach, CA 90802, (562) 980–4088 or william.stahnke@noaa.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

This request is for the revision and extension of OMB Control Number: 0648–0335, sponsored by the National Oceanic and Atmospheric Administration’s (NOAA’s) National Marine Fisheries Service (NMFS) Office of International Affairs, Trade, and Commerce (IATC). This collection is being revised to transfer five (5) information collections currently included under OMB Control Number: 0648–0387, which is sponsored by the NMFS West Coast Region (WCR), to Control Number 0648–0335 to more accurately reflect how the information is actually being managed. All information collections referenced will be renewed under 0648–0335 going forward. There are no substantive changes to the information collection under 0648–0335 or those being brought over from 0648–0387. The five collections of information from 0648–0387 will be removed from that collection at the next renewal.

The information collected under 0648–0335, required by the International Dolphin Conservation Program Act (IDCPA), amendment to the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361 *et seq.*), is needed to: (1) document the dolphin-safe status of tuna import shipments; (2) verify that import shipments of fish were not harvested by large-scale, high seas driftnets; and (3) verify that tuna was not harvested by an embargoed nation or one that is otherwise prohibited from exporting tuna to the United States. Collected information includes the U.S. Customs and Border Protection (CBP) Entry Identification,

date of entry, and contact details on the exporting and importing companies. It also includes harvest characteristics such as fishing vessel name, fishing trip dates, vessel flag, vessel gear type, and ocean area of harvest, as well as the declaration of the dolphin safe status of the shipment, and if applicable, the attachment of required certifications. Forms are submitted by importers and processors. NMFS uses this information to verify the dolphin-safe status of tuna shipments.

The five information collections from 0648–0387 being merged into 0648–0335 are required by the IDCPA (16 U.S.C. 1414), which amended the Dolphin Protection Consumer Information Act (DPCIA) (16 U.S.C. 1385). The IDCPA and the DPCIA, *inter alia*, authorize the Secretary of Commerce to promulgate regulations that implement the dolphin-safe labeling standard in the United States by the collection of documents on the dolphin-safe status of tuna import shipments and domestic tuna product processing; by (1) allowing documentary requests to allow for an effective tracking and verification program; and (2) by verifying that tuna was not harvested by a nation under embargo or otherwise prohibited from exporting tuna to the United States. This collection includes vessel arrival notifications, tuna tracking forms, tuna product receiving and processing reports, and documents/certifications that provide information on vessel characteristics and operations in the ETP, the origin of tuna and tuna products, and chain of custody recordkeeping requirements. At this time we would also like to revise the IC Title from “Fisheries Certificate of Origin” to “Tuna Tracking and Verification Program”. As we make the necessary revisions to 0648–0335, it is imperative to amend the name to be more reflective of the broader information collections under our program and respected OMB control number.

II. Method of Collection

For the existing information collection under OMB Control Number 0648–0335, importing respondents are required to submit the form electronically to the CBP before or at the time of importation via the Automated Commercial Environment (ACE), as per regulations at 50 CFR 216.24(f)(2). Domestic processors typically submit the forms monthly via email, as per regulations at 50 CFR 216.93(d)(2).

There are no U.S. forms/templates for the information collections being brought over from OMB Control Number

0648–0387. The information will be collected electronically through email or other secure transmission platforms as appropriate. Implementing regulations are found at 50 CFR 216.91 and 50 CFR 216.93.

III. Data

OMB Control Number: 0648–0335.
Form Number(s): NOAA Form 370.
Type of Review: Regular submission (Revision and extension of a current information collection).

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents: 540.

Estimated Time per Response: Fisheries Certificate of Origin: 25 minutes; Vessel Arrival Notification and Monthly Tuna Storage Removal Report: 10 minutes each; Tuna Tracking Form and Monthly Tuna Receiving Reports: 60 minutes each; Chain of Custody Report: 30 minutes.

Estimated Total Annual Burden Hours: 5,993.

Estimated Total Annual Cost to Public: \$0.

Respondent’s Obligation: Mandatory.
Legal Authority: Marine Mammal Protection Act (16 U.S.C. 1361 *et seq.*); the Dolphin Protection Consumer Information Act (16 U.S.C. 1385), and the International Dolphin Conservation Program Act (16 U.S.C. 1414).

IV. Request for Comments

We are soliciting public comments to permit the Department/Bureau to: (a) Evaluate whether the proposed information collection is necessary for the proper functions of the Department, including whether the information will have practical utility; (b) Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used; (c) Evaluate ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this 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 may ask us in your comment

to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Sheleen Dumas,

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

[FR Doc. 2025-09084 Filed 5-20-25; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XE913]

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Alaska Railroad Corporation Seward Freight Dock Construction in Seward, Alaska

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

ACTION: Notice; issuance of incidental harassment authorization.

SUMMARY: In accordance with regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that NMFS has issued an incidental harassment authorization (IHA) to the Alaska Railroad Corporation (ARRC) for authorization to take marine mammals incidental to the Seward Freight Dock construction project in Seward, Alaska.

DATES: This authorization is effective from November 1, 2026, through October 31, 2027.

ADDRESSES: Electronic copies of the application and supporting documents, as well as a list of the references cited in this document, may be obtained online at: <https://www.fisheries.noaa.gov/action/incidental-take-authorization-alaska-railroad-corporations-seward-freight-dock-construction>. In case of problems

accessing these documents, please call the contact listed below.

FOR FURTHER INFORMATION CONTACT: Jenna Harlacher, Office of Protected Resources, NMFS, (301) 427-8401.

SUPPLEMENTARY INFORMATION:

MMPA Background and Determinations

The MMPA prohibits the “take” of marine mammals, with certain exceptions. Among the exceptions is section 101(a)(5)(D) of the MMPA (16 U.S.C. 1361 *et seq.*) which directs the Secretary of Commerce (as delegated to NMFS) to allow, upon request, the incidental, but not intentional, taking by harassment of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and the public has an opportunity to comment on the proposed IHA.

Specifically, NMFS will issue an IHA if it finds that the taking will have a negligible impact on the species or stock(s) and will not have an unmitigable adverse impact on the availability of the species or stock(s) for taking for subsistence uses (where relevant). Further, NMFS must prescribe the permissible methods of taking and other “means of effecting the least [practicable] adverse impact” on the affected species or stocks and their habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance, and on the availability of such species or stocks for taking for certain subsistence uses (referred to here as “mitigation”). NMFS must also prescribe requirements pertaining to monitoring and reporting of such takings. The definition of key terms such as “take,” “harassment,” and “negligible impact” can be found in the MMPA and the NMFS’ implementing regulations (see 16 U.S.C. 1362; 50 CFR 216.103).

On April 4, 2025, a notice of NMFS’ proposal to issue an IHA to ARRC for take of marine mammals incidental to

the Seward Freight Dock construction project in Seward, Alaska was published in the **Federal Register** (90 FR 14792, April 4, 2025). In that notice, NMFS indicated the estimated numbers, type, and methods of incidental take proposed for each species or stock and the mitigation, monitoring, and reporting measures that would be required should the IHA be issued. The **Federal Register** notice also included analysis to support NMFS’ preliminary conclusions and determinations that the IHA, if issued, would satisfy the requirements of section 101(a)(5)(D) of the MMPA for issuance of the IHA. The **Federal Register** notice included web links to a draft IHA for review and other supporting documents.

No substantive comments were received during the public comment period. With the exception of the minor changes described below, there are no changes to the specified activity, the species taken, the proposed numbers, type, or methods of take, or the mitigation, monitoring, or reporting measures in the proposed IHA notice. No new information that would change any of the preliminary analyses, conclusions, or determinations in the proposed IHA notice has become available since that notice was published and, therefore, the preliminary analyses, conclusions, and determinations included in the proposed IHA are considered final.

Changes have been made to correct typographical errors to Tables 5 and 7 in the proposed **Federal Register** notice. In table 5, there were errors in the tables sound pressure level categories. See below for the revised table 5. In table 7, the Level A harassment zone for vibratory installation of H piles should have been 3.5 m for phocids instead of 30.5 m. Additionally, text regarding the number of permanent piles installed via vibratory pile driving should have been 253 rather than 256. None of these minor changes affect or change the analysis or the findings in the proposed IHA notice.

TABLE 5—ESTIMATES OF MEAN UNDERWATER SOUND LEVELS * GENERATED DURING IN-WATER VIBRATORY AND IMPACT PILE INSTALLATION AND VIBRATORY PILE REMOVAL

Method	Pile size and type	dB RMS (dB re 1 uPa RMS)	dB peak (dB re 1 uPa peak)	dB SEL (dB re 1 uPa ² -sec)	Reference
Vibratory install and removal	24-inch (61 cm) steel pile.	163	-	-	NMFS 2023 Calculation.
Vibratory Install	Sheet pile pair	160.7	-	-	Caltrans 2015.
Vibratory Install	H-pile	150	-	-	Caltrans 2015.
Vibratory Install	30-inch (76 cm) steel pile.	167	-	-	NMFS2023 Calculation.

TABLE 5—ESTIMATES OF MEAN UNDERWATER SOUND LEVELS * GENERATED DURING IN-WATER VIBRATORY AND IMPACT PILE INSTALLATION AND VIBRATORY PILE REMOVAL—Continued

Method	Pile size and type	dB RMS (dB re 1 uPa RMS)	dB peak (dB re 1 uPa peak)	dB SEL (dB re 1 uPa ² -sec)	Reference
Impact install	30-inch (76 cm) steel pile.	190	210	177	Caltrans 2015.

Note: dB = decibels; dB peak = peak sound level; RMS = root mean square; uPa = micro-Pascals; SEL = sound exposure level; cm = centimeter. * All sound levels are referenced at 10 m.

National Environmental Policy Act

To comply with the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*) and NOAA Administrative Order (NAO) 216–6A, NMFS must review our proposed action (*i.e.*, the issuance of an IHA) with respect to potential impacts on the human environment.

This action is consistent with categories of activities identified in Categorical Exclusion B4 (IHAs with no anticipated serious injury or mortality) of the Companion Manual for NAO 216–6A, which do not individually or cumulatively have the potential for significant impacts on the quality of the human environment and for which we have not identified any extraordinary circumstances that would preclude this categorical exclusion. Accordingly, NMFS has determined that the issuance of the IHA qualifies to be categorically excluded from further NEPA review.

Endangered Species Act

Section 7(a)(2) of the Endangered Species Act of 1973 (ESA; 16 U.S.C. 1531 *et seq.*) requires that each Federal agency insure that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of designated critical habitat. To ensure ESA compliance for the issuance of IHAs, NMFS consults internally whenever we propose to authorize take for endangered or threatened species.

NMFS is authorizing take of the following distinct population segments: Western U.S. Steller sea lion, Western North Pacific humpback whale, the Mexico humpback whale, and fin whale, which are listed under the ESA. The Permit and Conservation Division completed a section 7 consultation with the Alaska Regional Office for the issuance of this IHA. The Alaska Regional Office’s biological opinion states that the action is not likely to jeopardize the continued existence of the listed species.

Authorization

Accordingly, consistent with the requirements of section 101(a)(5)(D) of the MMPA, NMFS has issued an IHA to ARRC for authorization to take marine mammals incidental to Seward Freight Dock construction project in Seward, Alaska.

Dated: May 15, 2025.

Kimberly Damon-Randall,

Director, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2025–09070 Filed 5–20–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Applications and Reports for Scientific Research and Enhancement Permits Under the Endangered Species Act

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public’s reporting burden. Public comments were previously requested via the **Federal Register** on December 18, 2024 during a 60-day comment period. This notice allows for an additional 30 days for public comments.

Agency: National Oceanic & Atmospheric Administration (NOAA), Commerce.

Title: Applications and Reports for Scientific Research and Enhancement Permits Under the Endangered Species Act.

OMB Control Number: 0648–0402.

Form Number(s): None.

Type of Request: Regular submission (extension of a currently approved collection).

Number of Respondents: 175 per year.

Average Hours per Response: 12 hours for permit applications; 6 hours for permit modification requests; 2 hours for annual reports.

Total Annual Burden Hours: 810 hours.

Needs and Uses: This is a request for renewal of an approved information collection. The Endangered Species Act of 1973 (ESA; 16 U.S.C. 1531 *et seq.*) imposes prohibitions against the taking of threatened and endangered species. Section 10 of the ESA allows permits authorizing the taking of such species for research and enhancement purposes. The corresponding regulations established procedures for persons to apply for such permits. In addition, the regulations set forth specific reporting requirements for such permit holders. The regulations thus require two sets of information collections: (1) Applications for research/enhancement permits, and (2) prescribed reports for such permits once they are issued.

The required information is used to evaluate the impacts that research and enhancement activities have on endangered species, to make the determinations required by the ESA before issuing any such permit, and to establish appropriate permit conditions. To issue permits under ESA section 10(a)(1)(A), the National Marine Fisheries Service (NMFS) must determine that (1) such exceptions were applied for in good faith, (2) if granted and exercised, will not operate to the disadvantage of such endangered species, and (3) will be consistent with the purposes and policy set forth in Section 2 of the ESA. This collection is not being revised in any way.

Affected Public: Federal government; State, local, or tribal governments; business or other for-profit organizations, educational institutions.

Frequency: Annually.

Respondent’s Obligation: Required to Obtain or Retain Benefits.

Legal Authority: The Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*).

This information collection request may be viewed at www.reginfo.gov. Follow the instructions to view the Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function and entering either the title of the collection or the OMB Control Number 0648–0402.

Sheleen Dumas,

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

[FR Doc. 2025–09083 Filed 5–20–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE878]

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the Lutak Dock Replacement Project, Haines, Alaska

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

ACTION: Notice; issuance of incidental harassment authorization.

SUMMARY: NMFS has received a request from the Haines Borough for the reissuance of a previously issued incidental harassment authorization (IHA) with the only change being effective dates. The initial IHA authorized take of six species of marine mammals, by Level A and Level B harassment, incidental to construction activities associated with the Lutak Dock Replacement project in Haines, Alaska. The project has been delayed by 1 year and none of the work covered in the initial IHA has been conducted. The initial IHA was effective from June 1, 2024 through May 31, 2025. The Haines Borough has requested reissuance with new effective dates of June 1, 2025 through May 31, 2026. The scope of the activities and anticipated effects remain the same, authorized take numbers are not changed, and the required

mitigation, monitoring, and reporting remains the same as included in the initial IHA. NMFS is, therefore, issuing a second identical IHA to cover the incidental take analyzed and authorized in the initial IHA.

DATES: This authorization is effective from June 1, 2025 through May 31, 2026.

ADDRESSES: An electronic copy of the final 2024 IHA previously issued to Haines Borough, the Haines Borough’s application, and the **Federal Register** notices proposing and issuing the initial IHA may be obtained by visiting <https://www.fisheries.noaa.gov/action/incidental-take-authorization-haines-boroughs-lutak-dock-replacement-project-haines-alaska>. In case of problems accessing these documents, please call the contact listed below (see **FOR FURTHER INFORMATION CONTACT**).

FOR FURTHER INFORMATION CONTACT: Craig Cockrell, Office of Protected Resources, NMFS, (301) 427–8401.

SUPPLEMENTARY INFORMATION:

Background

Sections 101(a)(5)(A) and (D) of the Marine Mammal Protection Act (MMPA; 16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce (as delegated to NMFS) to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are issued or, if the taking is limited to harassment, a notice of a proposed authorization is provided to the public for review.

An authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s), will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant), and if the permissible methods of taking and requirements pertaining to the mitigation, monitoring and reporting of such takings are set forth.

NMFS has defined “negligible impact” in 50 CFR 216.103 as an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival.

The MMPA states that the term “take” means to harass, hunt, capture, kill or attempt to harass, hunt, capture, or kill any marine mammal.

Except with respect to certain activities not pertinent here, the MMPA

defines “harassment” as any act of pursuit, torment, or annoyance which (i) has the potential to injure a marine mammal or marine mammal stock in the wild (Level A harassment); or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering (Level B harassment).

Summary of Request

On February 16, 2024, NMFS published final notice of our issuance of an IHA authorizing take of marine mammals incidental to the Lutak Dock Replacement project in Haines, Alaska (89 FR 12306). The effective dates of that IHA were June 1, 2024 through May 31, 2025. On March 18, 2025, Haines Borough informed NMFS that the project would be delayed by one year. None of the work identified in the initial IHA (*e.g.*, pile driving and removal) has occurred. The request was for NMFS to reissue an identical IHA that would be effective from June 1, 2025 through May 31, 2026, in order to conduct the construction work that was analyzed and authorized through the previously issued IHA. Therefore, reissuance of the IHA is appropriate.

Summary of Specified Activity and Anticipated Impacts

The planned activities (including mitigation, monitoring, and reporting), authorized incidental take, and anticipated impacts on the affected stocks are the same as those analyzed and authorized through the previously issued IHA.

Haines Borough will encapsulate the existing Lutak Dock structure with a new dock structure of similar design. In-water construction activities associated with the project will include impact pile driving, vibratory pile driving and removal, and down the hole drilling installation. The location, timing, and nature of the activities, including the types of equipment planned for use, are identical to those described in the initial IHA. The mitigation and monitoring are also as prescribed in the initial IHA.

Species that are expected to be taken by the planned activity include humpback whale (*Megaptera novaeangliae*), killer whale (*Orcinus orca*), harbor porpoise (*Phocoena phocoena*), Dall’s porpoise (*Phocoenoides dalli*), Steller sea lion (*Eumetopias jubatus*), and harbor seal (*Phoca vitulina*). A description of the methods and inputs used to estimate take anticipated to occur and, ultimately, the take that was authorized

is found in the previous documents referenced above. The data inputs and methods of estimating take are identical to those used in the initial IHA. NMFS has reviewed recent Stock Assessment Reports (SAR), information on relevant Unusual Mortality Events, and recent scientific literature. NMFS determined that no new information is available that affects our original analysis of impacts or take estimate under the initial IHA.

We refer to the documents related to the previously issued IHA, which include the **Federal Register** notice of the issuance of the initial 2024 IHA for Haines Borough's construction work (89 FR 12306, February 16, 2024), Haines Borough's application, the **Federal Register** notice of the proposed IHA (88 FR 78310, November 15, 2023), and all associated references and documents.

Determinations

Haines Borough will conduct activities as analyzed in the initial 2024 IHA. As described above, the number of authorized takes of the same species and stocks of marine mammals are identical to the numbers that were found to meet the negligible impact small numbers standards and authorized under the initial IHA and no new information has emerged that would change those findings. The reissued 2024 IHA includes identical required mitigation, monitoring, and reporting measures as the initial IHA, and there is no new information suggesting that our analyses or findings should change.

Based on the information contained here and in the referenced documents, NMFS has determined the following: (1) the required mitigation measures will effect the least practicable impact on marine mammal species or stocks and their habitat; (2) the authorized takes will have a negligible impact on the affected marine mammal species or stocks; (3) the authorized takes represent small numbers of marine mammals relative to the affected stock abundances; and (4) Haines Borough's activities will not have an unmitigable adverse impact on taking for subsistence purposes.

National Environmental Policy Act

To comply with the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*) and NOAA Administrative Order (NAO) 216-6A, NMFS must review our proposed action with respect to environmental consequences on the human environment.

Accordingly, NMFS determined that the issuance of the initial IHA qualified to be categorically excluded from further NEPA review. NMFS has

determined that the application of this categorical exclusion remains appropriate for this reissued IHA.

Endangered Species Act (ESA)

Section 7(a)(2) of the Endangered Species Act of 1973 (ESA; 16 U.S.C. 1531 *et seq.*) requires that each Federal agency ensure that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of designated critical habitat. To ensure ESA compliance for the issuance of IHAs, NMFS consults internally, in this case with the Alaska Regional Office, whenever we propose to authorize take for endangered or threatened species.

The effects of this proposed Federal action were adequately analyzed in NMFS' Biological Opinion for the Port of Nome Modification Project, dated February 6, 2024, which concluded that the take NMFS proposed to authorize through this IHA would not jeopardize the continued existence of any endangered or threatened species or destroy or adversely modify any designated critical habitat.

Authorization

NMFS has issued an IHA to Haines Borough for in-water construction activities associated with the specified activity from June 1, 2025 through May 31, 2026. All previously described mitigation, monitoring, and reporting requirements from the initial 2024 IHA are incorporated.

Dated: May 15, 2025.

Kimberly Damon-Randall,

*Director, Office of Protected Resources,
National Marine Fisheries Service.*

[FR Doc. 2025-09073 Filed 5-20-25; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Patent Review and Derivation Proceedings

AGENCY: United States Patent and Trademark Office, Department of Commerce.

ACTION: Notice of information collection; request for comments.

SUMMARY: The United States Patent and Trademark Office (USPTO), as required by the Paperwork Reduction Act of

1995, invites comments on the extension and revision of an existing information collection: 0651-0069 (Patent Review and Derivation Proceedings). The purpose of this notice is to allow 60 days for public comments preceding submission of the information collection to the Office of Management and Budget (OMB).

DATES: To ensure consideration, you must submit comments regarding this information collection on or before July 21, 2025.

ADDRESSES: Interested persons are invited to submit written comments by any of the following methods. Do not submit Confidential Business Information or otherwise sensitive or protected information.

- **Email:** InformationCollection@uspto.gov. Include "0651-0069 comment" in the subject line of the message.

- **Federal eRulemaking Portal:** <http://www.regulations.gov>.

- **Mail:** Justin Isaac, Office of the Chief Administrative Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

FOR FURTHER INFORMATION CONTACT:

Requests for additional information should be directed to Michael P. Tierney, Vice Chief Administrative Patent Judge, at: Patent Trial and Appeal Board, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450; 571-272-4676; or Michael.Tierney@uspto.gov with "0651-0069 comment" in the subject line. Additional information about this information collection is also available at <http://www.reginfo.gov> under "Information Collection Review."

SUPPLEMENTARY INFORMATION:

I. Abstract

The Leahy-Smith America Invents Act, which was enacted into law on September 16, 2011, changed the procedures of the Patent Trial and Appeal Board ("PTAB" or "Board," formerly the Board of Patent Appeals and Interferences). These changes included the introduction of *inter partes* review, post-grant review, derivation proceedings, and the transitional program for covered business method patents. Under these administrative trial proceedings, third parties may file a petition with the PTAB challenging the validity of issued patents, with each proceeding having different requirements regarding timing restrictions, grounds for challenging validity, and who may request review.

Inter partes review is a trial proceeding conducted at the Board to

review the patentability of one or more claims in a patent but only on a ground that could be raised under 35 U.S.C. 102 or 103, and only on the basis of prior art consisting of patents or printed publications. Post-grant review is a trial proceeding conducted at the Board to review the patentability of one or more claims in a patent on any ground that could be raised under section 282(b)(2) or (3). A derivation proceeding is a trial proceeding conducted at the Board to determine whether: (1) an inventor named in an earlier application derived the claimed invention from an inventor named in the petitioner's application, and (2) the earlier application claiming such invention was filed without authorization. The transitional program for covered business method patents is a trial proceeding conducted at the Board to review the patentability of one or more claims in a covered business method patent. The covered business method program expired on September 16, 2020, and the Board no longer accepts new petitions related to this program, but continues to accept papers in previously-instituted proceedings.

The USPTO's projections are based on data from the past year. The USPTO recognizes that the numbers may fluctuate given interim changes to the institution process. The USPTO has adjusted the estimated burden hours and the number of estimated filings based on recent changes to these proceedings.

This collection covers information submitted by the public to petition the Board to initiate an *inter partes* review, post-grant review, derivation proceeding, and the transitional program for covered business method patents, as well as any responses to such petitions, and the filing of any motions, replies, oppositions, and other actions, after a review/proceeding has been instituted.

II. Method of Collection

Applicants must submit the information electronically using Patent Trial and Appeal Case Tracking System filing system. Parties may seek authorization to submit a filing by means other than electronic filing pursuant to 42 CFR 42.6(b)(2).

III. Data

OMB Control Number: 0651-0069.

Forms: None.

Type of Review: Extension and revision of a currently approved information collection.

Affected Public: Private sector.

Respondent's Obligation: Required to obtain or retain benefits.

Frequency: On occasion.

Estimated Number of Annual Respondents: 7,897 respondents.

Estimated Number of Annual Responses: 11,947 responses.

Estimated Time per Response: The USPTO estimates that the responses in this information collection will take the public approximately 18 minutes (0.3 hours) to 170 hours to complete. This includes the time to gather the necessary information, create the document, and submit the completed item to the USPTO.

Estimated Total Annual Respondent Burden Hours: 590,630 hours.

Estimated Total Annual Respondent Hourly Cost Burden: \$264,011,610.

TABLE 1—TOTAL BURDEN HOURS AND HOURLY COSTS TO PRIVATE SECTOR RESPONDENTS

Item No.	Item	Estimated annual respondents	Responses per respondent	Estimated annual responses	Estimated time for response (hours)	Estimated burden (hour/year)	Rate ¹ (\$/hour)	Estimated annual respondent cost burden
		(a)	(b)	(a) × (b) = (c)	(d)	(c) × (d) = (e)	(f)	(e) × (f) = (g)
1	Petition for <i>Inter Partes</i> Review	1,300	1	1,300	120	156,000	\$447	\$69,732,000
2	Petition for Post-Grant Review or Covered Business Method Patent Review.	50	1	50	170	8,500	447	3,799,500
3	Petition for Derivation	10	1	10	170	1,700	447	759,900
4	Patent Owner Preliminary Response to Petition for Initial <i>Inter Partes</i> Review.	975	1	975	90	87,750	447	39,224,250
5	Patent Owner Preliminary Response to Petition for Initial Post-Grant Review or Covered Business Method Patent Review.	50	1	50	90	4,500	447	2,011,500
6	Request for Rehearing	50	1	50	80	4,000	447	1,788,000
7	Request for Director Review	150	1	150	80	12,000	447	5,364,000
8	Response to a Request for Director Review.	150	1	150	40	6,000	447	2,682,000
9	Other Motions, Replies, Surreplies, and Oppositions in <i>Inter Partes</i> Review.	2,600	2.5	6,500	40	260,000	447	116,220,000
10	Other Motions, Replies, Surreplies, and Oppositions in Post-Grant Review or Covered Business Method Review.	100	2.5	250	40	10,000	447	4,470,000
11	Other Motions, Replies, Surreplies, and Oppositions in Derivation Proceedings.	10	1	10	40	400	447	178,800
12	<i>Pro Hac Vice</i> Motion	450	1	450	0.5 (30 minutes)	225	447	100,575
13	Notice of intent to designate provisionally recognized PTAB attorney as counsel.	500	1	500	0.3 (18 minutes)	150	447	67,050
14	Request for Oral Hearing	400	1	400	2	800	447	357,600
15	Request to Treat a Settlement as Business Confidential.	375	1	375	2	750	447	335,250
16	Settlement	375	1	375	100	37,500	447	16,762,500
17	Arbitration Agreement and Award	1	1	1	4	4	447	1,788

¹ 2023 Report of the Economic Survey, published by the Committee on Economics of Legal Practice of the American Intellectual Property Law

Association; pg. F-41. The USPTO uses the average billing rate for intellectual property work in all firms which is \$447 per hour (<https://>

www.aipla.org/home/news-publications/economic-survey).

TABLE 1—TOTAL BURDEN HOURS AND HOURLY COSTS TO PRIVATE SECTOR RESPONDENTS—Continued

Item No.	Item	Estimated annual respondents (a)	Responses per respondent (b)	Estimated annual responses (a) × (b) = (c)	Estimated time for response (hours) (d)	Estimated burden (hour/year) (c) × (d) = (e)	Rate ¹ (\$/hour) (f)	Estimated annual respondent cost burden (e) × (f) = (g)
18	Request to Make a Settlement Agreement Available.	1	1	1	1	1	447	447
19	Notice of Judicial Review of a Board Decision (e.g., Notice of Appeal Under 35 U.S.C. 142).	350	1	350	1	350	447	156,450
Totals		7,897	.....	11,947	.....	590,630	.....	264,011,610

Estimated Total Annual Respondent Non-hourly Cost Burden: \$76,099,956. There are no capital start-up costs, maintenance costs, recordkeeping costs, or postage costs associated with this

information collection. However, the USPTO estimates that the total annual non-hour cost burden for this information collection, in the form of filing fees, is \$76,099,956.

Filing Fees

The filing fees for this information collection are listed in the table below.

TABLE 2—FILING FEES

Item No.	Fee code(s)	Item	Estimated annual responses (a)	Filing fee (\$) (b)	Estimated non-hourly cost burden (a) × (b) = (c)
1	1406	<i>Inter Partes</i> Review Request Fee—Up to 20 Claims	1,300	\$23,750	\$30,875,000
	1414	<i>Inter Partes</i> Review Post-Institution Fee—Up to 20 Claims	1,300	28,125	36,562,500
	1407	<i>Inter Partes</i> Review Request of Each Claim in Excess of 20	3,700	470	1,739,000
	1415	<i>Inter Partes</i> Post-Institution Request of Each Claim in Excess of 20	3,700	940	3,478,000
2	1408	Post-Grant or Covered Business Method Review Request Fee—Up to 20 Claims.	50	25,000	1,250,000
	1416	Post-Grant or Covered Business Method Review Post-Institution Fee—Up to 20 Claims.	50	34,375	1,718,750
	1409	Post-Grant or Covered Business Method Review Request of Each Claim in Excess of 20.	150	595	89,250
	1417	Post-Grant or Covered Business Method Review Post-Institution Request of Each Claim in Excess of 20.	150	1,315	197,250
3	1412	Petition for a Derivation Proceeding	2	452	904
7	1419	Request for Director Review	150	452	67,800
	1420				
	1421				
12	1418	<i>Pro Hac Vice</i> Admission Fee	450	269	121,050
16	1411	Request to Make a Settlement Agreement Available and Other Requests Filed in a Patent Trial Proceeding.	1	452	452
Totals			11,003	.....	76,099,956

IV. Request for Comments

The USPTO is soliciting public comments to:

- (a) Evaluate 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;
- (b) Evaluate the accuracy of the agency’s estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;
- (c) Enhance the quality, utility, and clarity of the information to be collected; and
- (d) Minimize the burden of the collection of information on those who are to respond, including through the

use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

All comments submitted in response to this notice are a matter of public record. The USPTO will include or summarize each comment in the request to OMB to approve this information collection. Before including an address, phone number, email address, or other personally identifiable information (PII) in a comment, be aware that the entire comment—including PII—may be made publicly available at any time. While you may ask in your comment to withhold PII from public view, the

USPTO cannot guarantee that it will be able to do so.

Justin Isaac,
Information Collections Officer, Office of the Chief Administrative Officer, United States Patent and Trademark Office.

[FR Doc. 2025–09145 Filed 5–20–25; 8:45 am]

BILLING CODE 3510–16–P

DEPARTMENT OF COMMERCE**Patent and Trademark Office****Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Representative and Address Provisions**

AGENCY: United States Patent and Trademark Office, Department of Commerce.

ACTION: Notice of information collection; request for comments.

SUMMARY: The United States Patent and Trademark Office (USPTO), as required by the Paperwork Reduction Act of 1995, invites comments on the extension and revision of an existing information collection: 0651-0035 (Representative and Address Provisions). The purpose of this notice is to allow 60 days for public comments preceding submission of the information collection to the Office of Management and Budget (OMB).

DATES: To ensure consideration, you must submit comments regarding this information collection on or before July 21, 2025.

ADDRESSES: Interested persons are invited to submit written comments by any of the following methods. Do not submit Confidential Business Information or otherwise sensitive or protected information.

- *Email:* InformationCollection@uspto.gov. Include "0651-0035 comment" in the subject line of the message.

- *Federal eRulemaking Portal:* <https://www.regulations.gov>.

- *Mail:* Justin Isaac, Office of the Chief Administrative Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Jeffrey West, Senior Legal Advisor, at: United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450; 571-272-2226; or jeffrey.west@uspto.gov with "0651-0035 comment" in the subject line. Additional information about this information collection is also available at <https://www.reginfo.gov> under "Information Collection Review."

SUPPLEMENTARY INFORMATION:**I. Abstract**

This information collection includes the information necessary to submit a request to grant or revoke power of attorney for an application, patent, or

reexamination proceeding, and for a registered practitioner to withdraw as attorney or agent of record. This also includes the information necessary to change the correspondence address for an application, patent, or reexamination proceeding, to request a Customer Number and manage the correspondence address and list of practitioners associated with a Customer Number, and to designate or change the correspondence address or fee address for one or more patents or applications by using a Customer Number.

Under 35 U.S.C. 2 and 37 CFR 1.31 and 1.32, power of attorney may be granted to one or more joint inventors or a person who is registered to practice before the USPTO to act in an application or a patent. For an application filed before September 16, 2012, or for a patent which issued from an application filed before September 16, 2012, power of attorney may be granted by the applicant for patent (as set forth in 37 CFR 1.41(b) (pre-AIA)) or the assignee of the entire interest of the applicant. For an application filed on or after September 16, 2012, or for a patent which issued from an application filed on or after September 16, 2012, power of attorney may be granted by the applicant for patent (as set forth in 37 CFR 1.42) or the patent owner. The USPTO provides two different versions of most forms for establishing power of attorney based upon whether the application was filed before September 16, 2012 or was filed on or after September 16, 2012. Providing forms based upon whether the application was filed before September 16, 2012 or was filed on or after September 16, 2012 reduces applicants' burden in having to determine the appropriate power of attorney requirements for a given application.

37 CFR 1.36 provides for the revocation of a power of attorney at any stage in the proceedings of a case. 37 CFR 1.36 also provides a path by which a registered patent attorney or patent agent who has been given a power of attorney may withdraw as attorney or agent of record.

A Customer Number is a unique number created by the USPTO and is used instead of a physical address. The Customer Number allows a group of filings to be associated with a single correspondence mailing address. The USPTO's Customer Number practice permits applicants, patent owners, assignees, and practitioners of record, or the representatives of record for a number of applications or patents, to change the correspondence address of a patent application or patent with one change request instead of filing separate

requests for each patent or application. Any changes to the address or practitioner information associated with a Customer Number will be applied to all patents and applications associated with said Customer Number.

Changes of correspondence address or power of attorney may be filed separately for each patent or application without using a Customer Number. However, a valid Customer Number provides secure access to patent information through the registered [USPTO.gov](https://www.uspto.gov) account using the USPTO patent electronic filing system (Patent Center), which is available through the USPTO website. Additionally, the use of a Customer Number is also required in order to grant power of attorney to more than ten practitioners or to establish a separate "fee address" for maintenance fee purposes that is different from the correspondence address for a patent or application.

II. Method of Collection

Items in this information collection may be submitted as online submissions or by mail, fax, or hand delivery.

III. Data

OMB Control Number: 0651-0035.
Forms: (AIA = America Invents Act; SB = Specimen Book):

- PTO/AIA/80 (Power of Attorney to Prosecute Applications Before the USPTO)
- PTO/AIA/81 (Power of Attorney to One or More of the Joint Inventors and Change of Correspondence Address)
- PTO/AIA/81A (Patent—Power of Attorney or Revocation of Power of Attorney with a New Power of Attorney and Change of Correspondence Address)
- PTO/AIA/81B (Reexamination or Supplemental Examination—Patent Owner Power of Attorney or Revocation of Power of Attorney With a New Power of Attorney and Change of Correspondence Address for Reexamination or Supplemental Examination and Patent)
- PTO/AIA/82A (Transmittal for Power of Attorney To One Or More Registered Practitioners)
- PTO/AIA/82B; PTO/AIA/82C (Power of Attorney by Applicant)
- PTO/AIA/83 (Request for Withdrawal as Attorney or Agent and Change of Correspondence Address)
- PTO/SB/80 (Power of Attorney to Prosecute Applications Before the USPTO)
- PTO/SB/81 (Power of Attorney or Revocation of Power of Attorney with a New Power of Attorney and Change of Correspondence Address)

- PTO/SB/81A (Patent—Power of Attorney or Revocation of Power of Attorney with a New Power of Attorney and Change of Correspondence Address)
- PTO/SB/81B (Reexamination—Patent Owner Power of Attorney or Revocation of Power of Attorney with a New Power of Attorney and Change of Correspondence Address)
- PTO/SB/81C (Reexamination—Third Party Requester Power of Attorney or Revocation of Power of Attorney with a New Power of Attorney and Change of Correspondence Address)
- PTO/SB/83 (Request for Withdrawal as Attorney or Agent and Change of Correspondence Address)
- PTO/SB/124A (Request for Customer Number Data Change)

- PTO/SB/124B (Request for Customer Number Data Change; Practitioner Registration Number Supplemental Sheet)
- PTO/SB/125A (Request for Customer Number)
- PTO/SB/125B (Request for Customer Number; Practitioner Registration Number Supplemental Sheet)
- PTO–2248 (Request to Update a PCT Application With a Customer Number)

Type of Review: Extension and revision of a currently approved information collection.
Affected Public: Private sector.
Respondent's Obligation: Required to obtain or retain benefits.
Frequency: On occasion.

Estimated Number of Annual Respondents: 182,085 respondents.

Estimated Number of Annual Responses: 182,085 responses.

Estimated Time per Response: The USPTO estimates that the responses in this information collection will take the public approximately 12 minutes (0.20 hours) to 1.5 hours (90 minutes) to complete. This includes the time to gather the necessary information, create the document, and submit the completed item(s) to the USPTO.

Estimated Total Annual Respondent Burden Hours: 88,922 hours.

Estimated Total Annual Respondent Hourly Cost Burden: \$12,493,972.

TABLE 1—TOTAL BURDEN HOURS AND HOURLY COSTS TO PRIVATE SECTOR RESPONDENTS

Item No.	Item	Estimated annual respondents	Responses per respondent	Estimated annual responses	Estimated time for response (hours)	Estimated burden (hour/year)	Rate ¹ (\$/hour)	Estimated annual respondent cost burden
		(a)	(b)	(a) × (b) = (c)	(d)	(c) × (d) = (e)	(f)	(e) × (f) = (g)
1	Power of Attorney to Prosecute Applications Before the USPTO. PTO/AIA/80 PTO/SB/80	2,454	1	2,454	0.50 (30 minutes)	1,227	\$134	\$164,418
2	Power of Attorney or Revocation of Power of Attorney with a New Power of Attorney and Change of Correspondence. PTO/AIA/82A PTO/AIA/82B PTO/AIA/82C	167,843	1	167,843	0.50 (30 minutes)	83,922	134	11,245,548
3	Patent—Power of Attorney or Revocation of Power of Attorney with a New Power of Attorney and Change of Correspondence Address. PTO/AIA/81 PTO/SB/81 PTO/AIA/81A PTO/SB/81A	167	1	167	0.50 (30 minutes)	84	134	11,256
4	Reexamination—Patent Owner Power of Attorney or Revocation of Power of Attorney with a New Power of Attorney and Change of Correspondence Address. PTO/AIA/81B PTO/SB/81B	75	1	75	0.50 (30 minutes)	38	134	5,092
5	Reexamination—Third Party Requester Power of Attorney or Revocation of Power of Attorney with a New Power of Attorney and Change of Correspondence Address. PTO/SB/81C	71	1	71	0.50 (30 minutes)	36	134	4,824
6	Request for Withdrawal as Attorney or Agent and Change of Correspondence Address. PTO/AIA/83 PTO/SB/83	3,659	1	3,659	0.50 (30 minutes)	1,830	447	818,010
7	Petition Under 37 CFR 1.36(a) to Revoke Power of Attorney by Fewer than All the Applicants.	9	1	9	1 (60 minutes)	9	447	4,023
8	Petition to Waive 37 CFR 1.32(b)(4) and Grant Power of Attorney by Fewer than All the Applicants.	9	1	9	1 (60 minutes)	9	447	4,023

¹ 2023 Report of the Economic Survey, published by the Committee on Economics of Legal Practice of the American Intellectual Property Law Association; pg. F–41. The USPTO uses the average billing rate for intellectual property work in all

firms, which is \$447 per hour (www.aipla.org/home/news-publications/economic-survey).

2024 National Utilization & Compensation Report Executive Summary published by the National Association of Legal Assistants (NALA); pg. 2. The

USPTO uses the average billing rate for paralegals/paraprofessionals, which is \$134 per hour (<https://nala.org/wp-content/uploads/2025/01/2024-NALA-Compensation-Utilization-Report-ExecSumm-FINAL-1-15-25.pdf>).

TABLE 1—TOTAL BURDEN HOURS AND HOURLY COSTS TO PRIVATE SECTOR RESPONDENTS—Continued

Item No.	Item	Estimated annual respondents (a)	Responses per respondent (b)	Estimated annual responses (a) × (b) = (c)	Estimated time for response (hours) (d)	Estimated burden (hour/year) (c) × (d) = (e)	Rate ¹ (\$/hour) (f)	Estimated annual respondent cost burden (e) × (f) = (g)
9	Request for Customer Number Data Change. PTO/SB/124A PTO/SB/124B	619	1	619	0.20 (12 minutes)	124	134	16,616
10	Request for Customer Number PTO/SB/125A PTO/SB/125B	5,789	1	5,789	0.20 (12 minutes)	1,158	134	155,172
11	Customer Number Upload Spreadsheet.	110	1	110	1.50 (90 minutes)	165	134	22,110
12	Request to Update a PCT Application With a Customer Number. PTO-2248	1,280	1	1,280	0.25 (15 minutes)	320	134	42,880
Totals		182,085		182,085		88,922		12,493,972

Estimated Total Annual Respondent Non-hourly Cost Burden: \$24,698. There are no capital start-up costs, maintenance costs, or recordkeeping costs associated with this information

collection. However, the USPTO estimates that the total annual non-hour cost burden for this information collection, in the form of filing fees and postage, is \$24,698.

Filing Fees

The two petitions in this information collection have associated filing fees under 37 CFR 1.17(f), these fees are listed in the table below.

TABLE 2—FILING FEES

Item No.	Fee code	Item	Estimated annual responses (a)	Filing fee (\$) (b)	Non-hourly cost burden (a) × (b) = (c)
7	1462	Petitions Under 37 CFR 1.36(a) to Revoke Power of Attorney by Fewer than All the Applicants (undiscounted entity).	5	\$450	\$2,250
7	2462	Petitions Under 37 CFR 1.36(a) to Revoke Power of Attorney by Fewer than All the Applicants (small entity).	3	180	540
7	3462	Petitions Under 37 CFR 1.36(a) to Revoke Power of Attorney by Fewer than All the Applicants (micro entity).	1	90	90
8	1462	Petition to Waive 37 CFR 1.32(b)(4) and Grant Power of Attorney by Fewer than All the Applicants (undiscounted entity).	5	450	2,250
8	2462	Petition to Waive 37 CFR 1.32(b)(4) and Grant Power of Attorney by Fewer than All the Applicants (small entity).	3	180	540
8	3462	Petition to Waive 37 CFR 1.32(b)(4) and Grant Power of Attorney by Fewer than All the Applicants (micro entity).	1	90	90
Totals			18		5,760

Postage Costs

Although the USPTO prefers that the items in this information collection be submitted electronically, responses may be submitted by mail through the United States Postal Service. The USPTO estimates that 1% of the 182,085 items will be submitted via postal mail, resulting in 1,821 mailed items. The USPTO estimates that the average postage cost for a mailed submission, using a Priority Mail legal flat rate envelope, will be \$10.40. Therefore, the USPTO estimates the total mailing costs for this information collection at \$18,938.

IV. Request for Comments

The USPTO is soliciting public comments to:

(a) Evaluate 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;

(b) Evaluate the accuracy of the agency's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

(c) Enhance the quality, utility, and clarity of the information to be collected; and

(d) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

All comments submitted in response to this notice are a matter of public

record. The USPTO will include or summarize each comment in the request to OMB to approve this information collection. Before including an address, phone number, email address, or other personally identifiable information (PII) in a comment, be aware that the entire comment—including PII—may be made publicly available at any time. While one may ask in one's comment to withhold PII from public view, the USPTO cannot guarantee that it will be able to do so.

Justin Isaac,

Information Collections Officer, Office of the Chief Administrative Officer, United States Patent and Trademark Office.

[FR Doc. 2025-09141 Filed 5-20-25; 8:45 am]

BILLING CODE 3510-16-P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2024–SCC–0142]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; EDFacts Data Collection School Years 2025–26, 2026–27, and 2027–28 (With 2024–25 Continuation)**AGENCY:** Institute of Education Sciences (IES), Department of Education (ED).**ACTION:** Notice.**SUMMARY:** In accordance with the Paperwork Reduction Act (PRA) of 1995, the Department is proposing a revision of a currently approved information collection request (ICR).**DATES:** Interested persons are invited to submit comments on or before June 20, 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 Matt Soldner, 202–453–7441.**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:* EDFacts Data Collection School Years 2025–26, 2026–27, and 2027–28 (with 2024–25 continuation).*OMB Control Number:* 1850–0925.*Type of Review:* A revision of a currently approved ICR.*Respondents/Affected Public:* State, Local, and Tribal Governments.*Total Estimated Number of Annual Responses:* 61.*Total Estimated Number of Annual Burden Hours:* 126,880.*Abstract:* EDFacts is a U.S. Department of Education (ED) initiative, supported by the National Center for Education Statistics (NCES) and ED’s Office of the Chief Data Officer, to collect, analyze, report on, and promote the use of high-quality, pre-kindergarten through grade 12 (pre-K–12) performance data. By centralizing data provided by state education agencies about state level data, local education agencies, and schools, NCES and other components of ED use the EDFacts data to report on students, schools, staff, services, and education outcomes at the state, district, and school levels. The centralized approach provides ED users with the ability to efficiently analyze and report on submitted data and has reduced the reporting burden for state and local data producers through the use of streamlined data collection, analysis, and reporting tools. EDFacts collects information on behalf of ED grant and program offices for approximately 170 data groups for all 50 states, Washington, DC, Puerto Rico, and seven outlying areas and freely associated states (American Samoa, Federated States of Micronesia, Guam, Marshall Islands, Commonwealth of the Northern Mariana Islands, Republic of Palau, and the U.S. Virgin Islands), the Department of Defense Education Activity (DoDEA), and the Bureau of Indian Education (BIE).

This request is to collect EDFacts data for the 2025–26, 2026–27, and 2027–28 school years. Due to overlap in the timing of data collection activities between consecutive years of the EDFacts collection, we are carrying over in this submission the approved SY 2024–25 data collection, which is scheduled to end in February 2026.

Ross Santy,*Chief Data Officer, Office of Planning, Evaluation and Policy Development.*

[FR Doc. 2025–09085 Filed 5–20–25; 8:45 am]

BILLING CODE 4000–01–P**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Project No. 4684–072]

GR Catalyst One, LLC; Notice of Application Tendered for Filing With the Commission and Soliciting Additional Study Requests and Establishing Procedural Schedule for Relicensing and a Deadline for Submission of Final Amendments

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* New Major License.b. *Project No.:* 4684–072.c. *Date Filed:* April 29, 2025.d. *Applicant:* GR Catalyst One, LLC.e. *Name of Project:* Stillwater Hydroelectric Project (Stillwater Project).f. *Location:* On the Hudson River at the New York State Canal Corporation’s Lock C–4 dam in Saratoga, Rensselaer, and Washington counties, New York.g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. 791(a)–825(r).h. *Applicant Contact:* Tony Zarrella, Chief Operating Officer, Relevate Power, 230 Park Ave, Suite 447, New York, New York 10017; Phone at (315) 247–0253 or email at tz@relevatepower.com; or Jessica Antonez, Regulatory & Compliance Specialist, Relevate Power, 230 Park Ave, Suite 447, New York, New York 10017; Phone at (802) 779–8993 or email at ja@relevatepower.com.i. *FERC Contact:* Samantha Pollak at (202) 502–6419, or samantha.pollak@ferc.gov.j. *Cooperating Agencies:* Federal, State, local, and Tribal agencies with jurisdiction and/or special expertise with respect to environmental issues that wish to cooperate in the preparation of the environmental document should follow the instructions for filing such requests described in item l below. Cooperating agencies should note the Commission’s policy that agencies that cooperate in the preparation of the environmental document cannot also intervene. *See*, 94 FERC ¶ 61,076 (2001).

k. Pursuant to § 4.32(b)(7) of 18 CFR of the Commission’s regulations, if any resource agency, Indian Tribe, or person believes that an additional scientific study should be conducted in order to form an adequate factual basis for a complete analysis of the application on its merit, the resource agency, Indian Tribe, or person must file a request for a study with the Commission not later

than 60 days from the date of filing of the application, and serve a copy of the request on the applicant.

l. *Deadline for filing additional study requests and requests for cooperating agency status:* on or before 5:00 p.m. Eastern Time on June 28, 2025.¹

The Commission strongly encourages electronic filing. Please file additional study requests and requests for cooperating agency status using the Commission's eFiling system at <https://www.ferc.gov/docs-filing/efiling.asp>. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. All filings must clearly identify the project name and docket number on the first page: Stillwater Hydroelectric Project (P-4684-072).

m. This application has been accepted for filing but is not ready for environmental analysis at this time.

n. *The Stillwater Project consists of the following facilities:* (1) a 5-foot-high concrete gravity dam topped with wooden flashboards; (2) an 821-foot-long uncontrolled spillway with a crest elevation of 82.4 feet National Geodetic Vertical Datum of 1929 (NGVD 29) containing two sections of flashboards (Section A and Section B) of differing heights [approximately 2.1 feet high (Section A) and 1.33 feet high (Section B)]; (3) a reservoir with a surface area of 1,500 acres and a normal volume of 9,000 acre-feet at an elevation of 84.1 feet NGVD 29; (4) an outlet structure containing three 11-foot-wide, 10-foot-deep sluice gates and a 10-foot-wide fish bypass gate located between the right abutment of the dam and the powerhouse; (5) an intake structure; (6) an approximate 116-foot by 56-foot concrete and steel powerhouse containing two turbines with a combined capacity of 3.5 megawatts; (7)

a 275-foot-long tailrace channel varying in width from 110 feet near the draft tube extensions to 230 feet at its downstream end; (8) a 4.16/34.5-kilovolt (kV) step-up transformer adjacent to the powerhouse; (9) a 3.5-mile-long, 34.5-kV overhead transmission line; and (10) appurtenant facilities.

The Stillwater Project operates in a run-of-river mode with a minimum flow of 500 cubic feet per second (cfs) provided year-round over the east section of the flashboards. The fish bypass system adjacent to the downstream end of the trashrack provides a year-round flow of 104 cfs for downstream fish passage. The Stillwater Project has an average annual generation of approximately 14,860 megawatt-hours.

o. A copy of the application can 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 (P-4684). For assistance, contact FERC at FERCOnlineSupport@ferc.gov, or call toll free, (866) 208-3676 or (202) 502-8659 (TTY).

You may also register online at <https://ferconline.ferc.gov/FERCOnline.aspx> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

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.

p. *Procedural schedule and final amendments:* The application will be processed according to the following schedule. Revisions to the schedule will be made as appropriate.

Issue Deficiency Letter (if necessary)—

July 2025

Request Additional Information—July 2025

Issue Acceptance Letter—November 2025

Issue Scoping Document 1 for comments—December 2025

Issue Scoping Document 2 (if necessary)—February 2026

Issue Notice of Ready for Environmental Analysis—February 2026

Final amendments to the application must be filed with the Commission no later than 30 days from the issuance date of the notice of ready for environmental analysis.

Dated: May 15, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025-09105 Filed 5-20-25; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 10615-058]

Tower Kleber Limited Partnership; Notice of Availability of Environmental Assessment

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's (Commission) regulations, 18 CFR part 380, the Office of Energy Projects has reviewed the application for a new license to continue to operate and maintain the Tower and Kleber Hydroelectric Project No. 10615. The project is located on the Black River in Cheboygan County, Michigan. Commission staff has prepared an Environmental Assessment (EA) for the project.¹

The EA contains staff's analysis of the potential environmental impacts of the project and concludes that licensing the project, with appropriate environmental protective measures, would not constitute a major Federal action that would significantly affect the quality of the human environment.

The Commission provides all interested persons with an opportunity to view and/or print the EA via the internet through the Commission's Home Page (<http://www.ferc.gov/>), using the "eLibrary" link. Enter the docket number, excluding the last three digits in the docket number field, to access the document. For assistance, contact FERC Online Support at FERCOnlineSupport@ferc.gov, or at (866) 208-3676 (toll-free), or (202) 502-8659 (TTY).

You may also register online at <https://ferconline.ferc.gov/FERCOnline.aspx> to be notified via email of new filings and issuances related to this or other pending projects.

¹ For tracking purposes under the National Environmental Policy Act, the unique identification number for documents relating to this environmental review is EAXX-019-20-000-1725361895.

¹ The Commission's Rules of Practice and Procedure provide that if a deadline falls on a Saturday, Sunday, holiday, or other day when the Commission is closed for business, the deadline does not end until the close of business on the next business day. 18 CFR 385.2007(a)(2). Because the 60-day filing deadline falls on a Saturday (*i.e.*, June 28, 2025), the filing deadline is extended until the close of business on Monday, June 30, 2025.

For assistance, contact FERC Online Support.

Any comments should be filed on or before 5:00 p.m. Eastern Time on June 30, 2025.

The Commission strongly encourages electronic filing. Please file comments using the Commission's eFiling system at <https://ferconline.ferc.gov/FERCOnline.aspx>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <https://ferconline.ferc.gov/QuickComment.aspx>. For assistance, please contact FERC Online Support. In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include docket number P-10615-058.

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 by telephone at (202) 502-6595 or by email at OPP@ferc.gov.

For further information, contact Arash Barsari by telephone at (202) 502-6207 or by email at Arash.JalaliBarsari@ferc.gov.

Dated: May 15, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025-09106 Filed 5-20-25; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. NJ25-8-000]

Oncor Electric Delivery Company LLC; Notice of Filing

Take notice that on April 17, 2025, Oncor Electric Delivery Company LLC submitted its tariff filing: Oncor Tariff

Rate Changes, to be effective March 25, 2025.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (<https://www.ferc.gov>). From the Commission's Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field.

User assistance is available for eLibrary and the Commission's website during normal business hours from FERC Online Support at 202-502-6652 (toll free at 1-866-208-3676) or email at ferconlinesupport@ferc.gov, or the Public Reference Room at (202) 502-8371, TTY (202)502-8659. Email the Public Reference Room at public.referenceroom@ferc.gov.

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

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.

Comment Date: 5:00 p.m. Eastern Time on June 5, 2025.

Dated: May 15, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025-09101 Filed 5-20-25; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project Nos. 597-025 & 15372-000]

PacifiCorp; Notice of Application for Surrender of License and Issuance of a Conduit Exemption Accepted for Filing, Soliciting Comments, Motions To Intervene, Protests, Recommendations, and Terms and Conditions

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

- a. *Application Type:* Surrender of License and Issuance of a Conduit Exemption.
- b. *Project Nos:* 597-025 & 15372-000.
- c. *Date Filed:* August 23, 2024, and supplemented on September 17, 2024.
- d. *Applicant:* PacifiCorp.
- e. *Name of Project:* Stairs Hydroelectric Project.
- f. *Location:* The project is located along Big Cottonwood Creek, near the city of Cottonwood Heights, in Salt Lake County, Utah. The project occupies Federal lands within the Uinta-Wasatch-Cache National Forest managed by the U.S. Forest Service.
- g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a-825r.
- h. *Applicant Contact:* Eve Davies, Principal Scientist/Licensing Project Manager, PacifiCorp, 1407 West North Temple, Salt Lake City, Utah 84116, eve.davies@pacificorp.com, (801) 232-1704.

i. *FERC Contact:* Chris Chaney, (202) 502-6778, christopher.chaney@ferc.gov.

j. *Cooperating Agencies:* With this notice, the Commission is inviting Federal, State, local, and Tribal agencies with jurisdiction and/or special expertise with respect to environmental issues affected by the proposal, that wish to cooperate in the preparation of

any environmental document, if applicable, to follow the instructions for filing such requests described in item l below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of any environmental document cannot also intervene. See 94 FEREC ¶ 61,076 (2001).

k. *Water Quality Certification:* A water quality certificate under section 401 of the Clean Water Act may be required for this proposal from the Utah Department of Environmental Quality (Utah DEQ). The applicant must file no later than 60 days following the date of issuance of this notice either: (1) a copy of the request for water quality certification submitted to the Utah DEQ; or (2) a copy of the water quality certification or evidence of waiver of water quality certification.

l. *Deadline for filing comments, motions to intervene, protests, recommendations, and terms and conditions:* 60 days from the issuance date of this notice; reply comments are due 105 days from the issuance date of this notice.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, protests, recommendations, and terms and conditions using the Commission's eFiling system at <https://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <https://www.ferc.gov/docs-filing/ecomment.asp>. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852. The first page of any filing should include the docket numbers P-597-025 and P-15372-000. Comments emailed to Commission staff are not considered part of the Commission record.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission

relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

m. *Description of Request:* PacifiCorp's application seeks an exemption from the licensing requirements of Part 1 of the Federal Power Act (conduit exemption, P-15372), and an administrative surrender of the license for the Stairs Project (surrender, P-597). The proposal does not involve any construction, modification, deconstruction, or ground disturbance. PacifiCorp would continue operating the project as it currently does; however, certain currently licensed facilities would be removed from the Commission's jurisdiction as part of the surrender, while other facilities would remain under the Commission's jurisdiction as part of the conduit exemption, as detailed below.

Facilities to be Removed from Commission Jurisdiction under the Proposed Surrender: (1) a 150-foot-long and 35-foot-high earth-fill diversion dam (Storm Mountain Dam); (2) a reinforced concrete spillway; (3) a reinforced concrete intake structure; (4) a 2,850-foot-long penstock; (5) a 7-foot-wide by 5.3-foot-deep reinforced concrete tailrace; and (6) other appurtenances. The aforementioned facilities would remain in place and operational as part of the water supply system.

Facilities to Remain under Commission Jurisdiction under the Proposed Conduit Exemption: an existing 100-foot-wide by 35-foot-long masonry powerhouse containing one generating unit with an installed capacity of 1,200 kilowatts and appurtenances.

n. *Locations of the Application:* This 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. You may also register online at <https://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3676 or email FERCOnlineSupport@ferc.gov, for TTY, call (202) 502-8659. Agencies may obtain copies of the application directly from the applicant.

o. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

p. *Comments, Protests, or Motions to Intervene:* Anyone may submit

comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214, respectively. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

q. *Filing and Service of Documents:* Any filing must (1) bear in all capital letters the title "COMMENTS", "REPLY COMMENTS", "PROTEST", "MOTION TO INTERVENE", or "TERMS AND CONDITIONS", as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person commenting, protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. Any filing made by an intervenor must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

r. 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, 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: May 15, 2025.

Carlos D. Clay,
Deputy Secretary.

[FR Doc. 2025-09103 Filed 5-20-25; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following Complaints and Compliance filings in EL Dockets:

Docket Numbers: EL25–83–000;
QF89–274–029.

Applicants: Selkirk Cogen Partners, L.P., Selkirk Cogen Partners, L.P.

Description: Petition for Declaratory Order of Selkirk Cogen Partners, L.P.
Filed Date: 5/9/25.

Accession Number: 20250509–5209.

Comment Date: 5 p.m. ET 6/9/25.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER24–2037–002.

Applicants: Tucson Electric Power Company.

Description: Compliance filing: Order Nos. 2023 and 2023–A Supplement to Second Compliance Filing to be effective 8/15/2024.

Filed Date: 5/14/25.

Accession Number: 20250514–5159.

Comment Date: 5 p.m. ET 6/4/25.

Docket Numbers: ER25–1760–000.

Applicants: Braintree MA BESS 1 LLC.

Description: Amendment to March 25, 2025, Braintree MA BESS 1 LLC tariff filing.

Filed Date: 5/13/25.

Accession Number: 20250513–5147.

Comment Date: 5 p.m. ET 5/23/25.

Docket Numbers: ER25–1828–001.

Applicants: Midcontinent

Independent System Operator, Inc., Michigan Electric Transmission Company, LLC.

Description: Tariff Amendment: Michigan Electric Transmission Company, LLC submits tariff filing per 35.17(b): 2025–05–15 SA 4465 METC-Coldwater Sub IFA to be effective 5/31/2025.

Filed Date: 5/15/25.

Accession Number: 20250515–5071.

Comment Date: 5 p.m. ET 6/5/25.

Docket Numbers: ER25–1829–001.

Applicants: Midcontinent

Independent System Operator, Inc., Michigan Electric Transmission Company, LLC.

Description: Tariff Amendment: Michigan Electric Transmission Company, LLC submits tariff filing per 35.17(b): 2025–05–15 SA 4466 METC-City of Marshall Sub IFA to be effective 5/31/2025.

Filed Date: 5/15/25.

Accession Number: 20250515–5075.

Comment Date: 5 p.m. ET 6/5/25.

Docket Numbers: ER25–2220–000.

Applicants: VIOTAS Texas LLC.

Description: Supplement to 05/14/2025, VIOTAS Texas LLC tariff filing.

Filed Date: 5/14/25.

Accession Number: 20250514–5169.

Comment Date: 5 p.m. ET 5/27/25.

Docket Numbers: ER25–2222–000.

Applicants: American Transmission Systems, Incorporated.

Description: § 205(d) Rate Filing: ATSI submits Revised SA No. 6938 and SA No. 7215 to be effective 7/15/2025.

Filed Date: 5/15/25.

Accession Number: 20250515–5007.

Comment Date: 5 p.m. ET 6/5/25.

Docket Numbers: ER25–2223–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: NSA, Original SA No. 7695 Queue Position No. AF1–007 to be effective 7/15/2025.

Filed Date: 5/15/25.

Accession Number: 20250515–5008.

Comment Date: 5 p.m. ET 6/5/25.

Docket Numbers: ER25–2224–000.

Applicants: Black Hills Power, Inc.

Description: § 205(d) Rate Filing: Filing of LGIA with Vedauwoo Holdings Black Hills 1, LLC to be effective 4/29/2025.

Filed Date: 5/15/25.

Accession Number: 20250515–5035.

Comment Date: 5 p.m. ET 6/5/25.

Docket Numbers: ER25–2225–000.

Applicants: Adams Wind Farm, LLC.

Description: Tariff Amendment: Notice of Cancellation of Market-Based Rate Tariff to be effective 5/15/2025.

Filed Date: 5/15/25.

Accession Number: 20250515–5041.

Comment Date: 5 p.m. ET 6/5/25.

Docket Numbers: ER25–2226–000.

Applicants: Southern California Edison Company.

Description: § 205(d) Rate Filing: Amended GIA/DSA, Mammoth G2 (WDT1678–WDT1726/SA Nos. 1128–1129) to be effective 5/16/2025.

Filed Date: 5/15/25.

Accession Number: 20250515–5044.

Comment Date: 5 p.m. ET 6/5/25.

Docket Numbers: ER25–2227–000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: 4381 OG&E GIA to be effective 5/4/2025.

Filed Date: 5/15/25.

Accession Number: 20250515–5055.

Comment Date: 5 p.m. ET 6/5/25.

Docket Numbers: ER25–2228–000.

Applicants: Bobilli BSS, LLC.

Description: Tariff Amendment: Notice of Cancellation of Market-Based Rate Tariff to be effective 5/15/2025.

Filed Date: 5/15/25.

Accession Number: 20250515–5056.

Comment Date: 5 p.m. ET 6/5/25.

Docket Numbers: ER25–2229–000.

Applicants: Garwind, LLC.

Description: Tariff Amendment: Notice of Cancellation of Market-Based Rate Tariff to be effective 5/15/2025.

Filed Date: 5/15/25.

Accession Number: 20250515–5060.

Comment Date: 5 p.m. ET 6/5/25.

Docket Numbers: ER25–2230–000.

Applicants: Rose Creek Wind, LLC.

Description: Tariff Amendment: Notice of Cancellation of Market-Based Rate Tariff to be effective 5/15/2025.

Filed Date: 5/15/25.

Accession Number: 20250515–5066.

Comment Date: 5 p.m. ET 6/5/25.

Docket Numbers: ER25–2231–000.

Applicants: SF Wind Enterprises, LLC.

Description: Tariff Amendment: Notice of Cancellation of Market-Based Rate Tariff to be effective 5/15/2025.

Filed Date: 5/15/25.

Accession Number: 20250515–5067.

Comment Date: 5 p.m. ET 6/5/25.

Docket Numbers: ER25–2232–000.

Applicants: Illinois Generation LLC.

Description: Initial Rate Filing: Shared Facilities Agreement to be effective 5/16/2025.

Filed Date: 5/15/25.

Accession Number: 20250515–5113.

Comment Date: 5 p.m. ET 6/5/25.

Docket Numbers: ER25–2233–000.

Applicants: Petersburg Energy Center, LLC.

Description: Initial Rate Filing: Application for Market Based Rate to be effective 7/1/2025.

Filed Date: 5/15/25.

Accession Number: 20250515–5120.

Comment Date: 5 p.m. ET 6/5/25.

Docket Numbers: ER25–2234–000.

Applicants: Heritage Prairie Solar LLC.

Description: Initial Rate Filing: Certificate of Concurrence—SFA with IL Generation to be effective 5/16/2025.

Filed Date: 5/15/25.

Accession Number: 20250515–5122.

Comment Date: 5 p.m. ET 6/5/25.

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 organization, 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: May 15, 2025.

Carlos D. Clay,

Deputy Secretary

[FR Doc. 2025-09097 Filed 5-20-25; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2302-101]

Brookfield White Pine Hydro LLC; Notice of Application Ready for Environmental Analysis and Soliciting Comments, Recommendations, Terms and Conditions, and Prescriptions

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* New Major License.

b. *Project No.:* 2302-101.

c. *Date Filed:* August 28, 2024.

d. *Applicant:* Brookfield White Pine Hydro LLC.

e. *Name of Project:* Lewiston Falls Hydroelectric Project (project).

f. *Location:* On the Androscoggin River in the Cities of Lewiston and Auburn, and the Town of Durham, Androscoggin County, Maine.

g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. 791(a)-825(r).

h. *Applicant Contact:* Luke T. Anderson, Brookfield Renewable, 150 Main Street, Lewiston, Maine 04240; (207) 755-5613; email at Luke.Anderson@brookfieldrenewable.com.

i. *FERC Contact:* Lauren Townson at (202) 502-8572, or Lauren.Townson@ferc.gov.

j. *Deadline for filing comments, recommendations, terms and conditions, and prescriptions:* on or before 5:00 p.m. Eastern Time on July 14, 2025; reply comments are due on or before 5:00 p.m. Eastern Time on September 2, 2025.

The Commission strongly encourages electronic filing. Please file comments, recommendations, terms and conditions, and prescriptions using the Commission's eFiling system at <https://ferconline.ferc.gov/FERCOOnline.aspx>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <https://ferconline.ferc.gov/QuickComment.aspx>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at FERCOOnlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. All filings must clearly identify the project name and docket number on the first page: Lewiston Falls Hydroelectric Project (P-2302-101).

The Commission's Rules of Practice require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. This application has been accepted and is now ready for environmental analysis.

l. *The existing Lewiston Falls Hydroelectric Project consists of:* (1) a dam consisting of 5 distinct sections: (a) a 154-foot-long stone masonry section topped with a single rubber dam for a total elevation of 169.07 feet, (b) a 279-foot-long stone masonry section topped with a single rubber dam for a total elevation of 169.07 feet, (c) a 161-foot-long stone masonry section topped with a single rubber dam for a total elevation of 168.60 feet, (d) a 162-foot-long stone masonry section topped with a single rubber dam for a total elevation of 168.60 feet, and (e) a 57-foot-long concrete section topped with 1.34-foot-high flashboards for a total elevation of 168.17 feet; (2) a 2.5-mile-long, 169-acre impoundment at a full pond elevation of 168.17 feet; (3) an 85.16-foot-long, 60-foot-high reinforced concrete intake

with 3.25-inch spaced trashracks; (4) four 16.8-foot wide intake tubes, each pair converging into one; (4) a reinforced concrete powerhouse containing two vertical Kaplan turbine generators for a total installed capacity of 28.44 megawatts; (5) a 400-foot-long, 75-foot-wide excavated tailrace; (6) a 111.6-foot-long, 26.3-foot-wide masonry canal gatehouse located at the southeast corner of the impoundment diverting flow to a canal system; (7) a 12.5 to 34.5-kilovolt (kV) transformer; (8) a 125-foot-long underground transmission line connected to Central Maine Power's distribution system; and (8) appurtenant facilities. The project average annual generation between 2013 and 2023 was 157,614 megawatt-hours (MWh).

Brookfield currently operates the project in a run-of-river mode by typically limiting impoundment drawdowns to no more than 1 foot below the normal elevation of 168.17 feet. However, the project is licensed to operate with up to four feet of impoundment drawdowns. The current license requires Brookfield to release a minimum flow of 1,430 cfs or inflow, whichever is less. Brookfield states that it meets this requirement by releasing 50 cfs from the impoundment to the Lewiston Canal System and 1,380 cfs to the river downstream of the project. The maximum hydraulic capacity of the project's generating units is 6,600 cfs and the minimum hydraulic capacity of a single unit is approximately 800 cfs.

The licensee is proposing to remove an existing building from the project boundary. The building is a non-project facility and is located near the Canal Gatehouse. The building is privately owned and serves no project purpose, according to Brookfield's application. In total, this change will remove 0.08 acre from the project boundary, resulting in a total of 237.88 acres remaining within the project boundary.

m. A copy of the application can be viewed on the Commission's website (<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 (see item j above).

You may also register at <https://ferconline.ferc.gov/FERCOOnline.aspx> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, please contact FERC Online Support (see item j above).

n. *The applicant must file no later than 60 days following the date of issuance of this notice:* (1) a copy of the water quality certification; (2) a copy of the request for certification, including

proof of the date on which the certifying agency received the request; or (3) evidence of waiver of water quality certification. Please note that the certification request must comply with 40 CFR 121.5(b), including documentation that a pre-filing meeting request was submitted to the certifying authority at least 30 days prior to submitting the certification request. Please also note that the certification request must be sent to the certifying authority and to the Commission concurrently.

o. Final amendments to the application must be filed with the Commission no later than 30 days from the issuance date of this notice.

Dated: May 15, 2025.

Carlos D. Clay,
Deputy Secretary.

[FR Doc. 2025-09104 Filed 5-20-25; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. CP17-117-003; CP17-118-003]

Louisiana LNG Infrastructure LLC, Driftwood Pipeline LLC; Notice of Request for Extension of Time

Take notice that on May 13, 2025, Louisiana LNG Infrastructure LLC (Louisiana LNG) and Driftwood Pipeline LLC (Driftwood Pipeline) (collectively, the Applicants) requested that the Commission grant an extension of time, until December 31, 2029, to construct and place into service its Woodside Louisiana LNG Project (Project) located in Evangeline, Acadia, Jefferson, Davis, and Calcasieu Parishes, Louisiana as authorized in the Order Granting Authorization Under Section 3 and 7 of the Natural Gas Act (Order).¹ The Order required the Applicants to complete construction of the Project and make it available for service within seven years of the date of the Order, or by April 18, 2026.

On February 15, 2024, the Commission granted the Applicants an extension of time, until April 18, 2029, to complete construction of the Project and make it available for service.²

Since April 4, 2022, the Project has been actively under construction. On

April 29, 2025, Woodside Energy Group Ltd announced that it had made a positive final investment decision for the foundation development of the Project, which includes the first three liquefaction trains and common infrastructure. The Applicants and Bechtel Energy Inc. have determined a minor extension of time is required in order to support additional equity sell-downs, as well as offtake agreements and other agreements with third parties to progress the development of the Project.

This notice establishes a 15-calendar day intervention and comment period deadline. Any person wishing to comment on the Applicants' request for an extension of time may do so. No reply comments or answers will be considered. If you wish to obtain legal status by becoming a party to the proceedings for this request, you should, on or before the comment date stated below, file a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (NGA) (18 CFR 157.10).

As a matter of practice, the Commission itself generally acts on requests for extensions of time to complete construction for NGA facilities when such requests are contested before order issuance. For those extension requests that are contested,³ the Commission will aim to issue an order acting on the request within 45 days.⁴ The Commission will address all arguments relating to whether the applicant has demonstrated there is good cause to grant the extension.⁵ The Commission will not consider arguments that re-litigate the issuance of the certificate order, including whether the Commission properly found the project to be in the public convenience and necessity and whether the Commission's environmental analysis for the certificate complied with the National Environmental Policy Act (NEPA).⁶ At the time a pipeline requests an extension of time, orders on certificates of public convenience and necessity are final and the Commission

will not re-litigate their issuance.⁷ The Director of the Office of Energy Projects, or his or her designee, will act on all of those extension requests that are uncontested.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (<https://www.ferc.gov>). From the Commission's Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field.

User assistance is available for eLibrary and the Commission's website during normal business hours from FERC Online Support at (202) 502-6652 (toll free at 1-866-208-3676) or email at ferconlinesupport@ferc.gov, or the Public Reference Room at (202) 502-8371, TTY (202) 502-8659. Email the Public Reference Room at public.referenceroom@ferc.gov.

The Commission strongly encourages electronic filings of comments in lieu of paper using the "eFile" link at <http://www.ferc.gov>. In lieu of electronic filing, you may submit a paper copy which must reference the Project docket number.

To file via USPS: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

To file via any other courier: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

The Commission'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.

Comment Date: 5:00 p.m. Eastern Time on May 30, 2025.

⁷ *Algonquin Gas Transmission, LLC*, 170 FERC ¶ 61,144, at P 40 (2020).

¹ *Driftwood LNG LLC & Driftwood Pipeline LLC*, 167 FERC ¶ 61,054 (2019) (*Order*).

² *Driftwood LNG LLC & Driftwood Pipeline LLC*, 186 FERC ¶ 61,112 (2024 *Extension Order*), reh'g denied, 187 FERC ¶ 62,049, *modified*, 188 FERC ¶ 61,017 (2024).

³ Contested proceedings are those where an intervenor disputes any material issue of the filing. 18 CFR 385.2201(c)(1).

⁴ *Algonquin Gas Transmission, LLC*, 170 FERC ¶ 61,144, at P 40 (2020).

⁵ *Id.* at P 40.

⁶ Similarly, the Commission will not re-litigate the issuance of an NGA section 3 authorization, including whether a proposed project is not inconsistent with the public interest and whether the Commission's environmental analysis for the permit order complied with NEPA.

Dated: May 15, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–09100 Filed 5–20–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC25–6–000]

Commission Information Collection Activities (FERC Form No. 60, FERC–61, and FERC–555a); Consolidated Comment Request; Extension; Correction

AGENCY: Federal Energy Regulatory Commission.

ACTION: Notice; correction.

SUMMARY: The Federal Energy Regulatory Commission published in the **Federal Register** of May 15, 2025, a notice of information collection and request for comments. “Golden Pass LNG Terminal LLC” was inadvertently listed in the header section of the notice.

FOR FURTHER INFORMATION CONTACT: Kayla Williams, (202) 502–6468. *DataClearance@FERC.gov.*

SUPPLEMENTARY INFORMATION:

Correction

In the **Federal Register** of May 15, 2025, in FR Doc. 2025–08652, on page 20649, in the second column, correct the header of the notice to read:

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC25–6–000]

Commission Information Collection Activities (FERC Form No. 60, FERC–61, and FERC–555A); Consolidated Comment Request; Extension

Dated: May 15, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–09077 Filed 5–20–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the commission received the following accounting Request filings:

Filings Instituting Proceedings

Docket Numbers: AC25–96–000.

Applicants: Cheyenne Pipeline LLC.

Description: Cheyenne Pipeline LLC submits request for approval of proposed journal entries re Plains All American Pipeline, L.P. acquisition of Cheyenne Pipeline LLC on 2/28/2025.

Filed Date: 5/14/25.

Accession Number: 20250514–5179.

Comment Date: 5 p.m. ET 6/4/25.

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Docket Numbers: PR25–51–000.

Applicants: Arkansas Oklahoma Gas Corporation.

Description: Tariff Amendment:

Notice of Cancellation to be effective 5/15/2025.

Filed Date: 5/14/25.

Accession Number: 20250514–5131.

Comment Date: 5 p.m. ET 6/4/25.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission’s Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

Filings in Existing Proceedings

Docket Numbers: PR25–42–001.

Applicants: Rocky Mountain Natural Gas LLC.

Description: § 284.123 Rate Filing; RMNG SOC Amending RAM Charge to be effective 1/1/2025.

Filed Date: 5/14/25.

Accession Number: 20250514–5089.

Comment Date: 5 p.m. ET 5/28/25.

Docket Numbers: RP24–1106–004.

Applicants: Adelphia Gateway, LLC.

Description: Compliance filing; Adelphia Gateway RP24–1106 45-Day Update Filing to be effective N/A.

Filed Date: 5/15/25.

Accession Number: 20250515–5082.

Comment Date: 5 p.m. ET 5/27/25.

Docket Numbers: RP25–537–001.

Applicants: Spire MoGas Pipeline LLC.

Description: Compliance filing; Spire MoGas Amended NAESB 4.0 Compliance Filing to be effective 8/1/2025.

Filed Date: 5/14/25.

Accession Number: 20250514–5123.

Comment Date: 5 p.m. ET 5/27/25.

Any person desiring to protest in any of the above proceedings must file in accordance with Rule 211 of the Commission’s Regulations (18 CFR

385.211) on or before 5:00 p.m. Eastern Time on the specified comment date.

The filings are accessible in the Commission’s eLibrary system (<https://elibrary.ferc.gov/idmws/search/fercgensearch.asp>) by querying the docket number.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

The Commission’s Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organization, 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: May 15, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–09099 Filed 5–20–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

[Project No. 175–032]

Pacific Gas and Electric Company; Notice of Application Ready for Environmental Analysis and Soliciting Comments, Recommendations, Terms and Conditions, and Prescriptions

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* New Major License.

b. *Project No.:* 175–032.

c. *Date Filed:* April 18, 2024.

d. *Applicant:* Pacific Gas and Electric Company.

e. *Name of Project:* Balch Hydroelectric Project.

f. *Location:* The existing project is located on the North Fork Kings River in Fresno County, California, approximately 45 miles northeast of the City of Fresno. Pacific Gas and Electric’s proposed project boundary would include 491.50 acres of land in the Sierra and Sequoia National Forests managed by the U.S. Forest Service.

g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact*: Dave Gabbard, Vice President Power Generation, Pacific Gas and Electric Company, 300 Lakeside Drive, Oakland, CA 94612; telephone at (650) 207-9705; email at David.gabbard@pge.com.

i. *FERC Contact*: Benjamin Mann, (202) 502-8127 or benjamin.mann@ferc.gov.

j. *Deadline for filing comments, recommendations, terms and conditions, and prescriptions*: on or before 5:00 p.m. Eastern Time on July 14, 2025; reply comments are due on or before 5:00 p.m. Eastern Time on August 28, 2025.

The Commission strongly encourages electronic filing. Please file comments, recommendations, terms and conditions, and prescriptions using the Commission's eFiling system at <https://ferconline.ferc.gov/FERCONline.aspx>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <https://ferconline.ferc.gov/QuickComment.aspx>. For assistance, please contact FERC Online Support at FERCONlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. All filings must clearly identify the project name and docket number on the first page: Balch Hydroelectric Project (P-175-032).

The Commission's Rules of Practice require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. This application has been accepted and is ready for environmental analysis at this time.

l. *The existing Balch Hydroelectric Project (project) includes the following facilities*: (1) a 135-foot-high, 396-foot-long diversion dam with a crest elevation of 4,098 feet that includes a 364-foot-long ogee-type and 20-foot-long broad-crested weir spillway; (2) the 35-acre Black Rock Reservoir with a usable

storage capacity of 1,260 acre-feet at a normal water surface elevation of 4,097 feet; (3) an 84.7-foot-high, concrete tunnel intake; (4) a water conveyance system consisting of a 19,336-foot-long tunnel with a maximum hydraulic capacity of 760 cubic feet per second (cfs) that includes the 308-foot-long Black Rock Adit, the 350-foot-long Weir Creek Adit, an unlined surge chamber, and two sluice channels; (5) a 4,882 foot-long penstock leading to the Balch No. 1 Powerhouse and a 4,952-foot-long penstock leading to the Balch No. 2 Powerhouse; (6) the 65.5-foot-long, 80.5-foot-wide Balch No. 1 Powerhouse housing one turbine-generator unit with an authorized installed capacity of 31.02 MW and a maximum hydraulic capacity of 213 cfs; (7) the 149-foot-long, 84-foot-wide Balch No. 2 Powerhouse housing two turbine-generator units with a total authorized installed capacity of 100.5 MW (each turbine has a rated capacity of 315 cfs at a design head of 2,293.0 feet, for a total maximum hydraulic capacity of 630 cfs); (8) a 165-foot-high, 27.5-foot-long afterbay dam with a crest elevation of 1,704 feet that includes a 238-foot-long spillway; (9) a 7-acre afterbay with a usable storage capacity of 135 acre-feet; (10) project roads and trails; (11) recreation facilities; (12) a 22-mile-long, 115-kilovolt (kV) transmission line connecting the project with the grid at Piedra Junction; (13) the 76-acre Balch Camp, which is the project operating headquarters and includes personnel housing; (14) a 6.2-mile-line, 12-kV distribution line connecting Balch Camp with the project's diversion dam; and (15) appurtenant facilities. The estimated average annual generation for Balch No. 1 powerhouse is 110.0 GWh and Balch No. 2 powerhouse is 514.4 GWh, for a total of 624.4 GWh.

m. A copy of the application is available for review via the internet through the Commission's Home Page (<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, contact FERC at FERCONlineSupport@ferc.gov or call toll free, (866) 208-3676 or TTY (202) 502-8659.

All filings must (1) bear in all capital letters the title "COMMENTS," "REPLY COMMENTS," "RECOMMENDATIONS," "TERMS AND CONDITIONS," or "PRESCRIPTIONS;" (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person submitting the

filing; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, recommendations, terms and conditions or prescriptions must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). Agencies may obtain copies of the application directly from the applicant. Each filing must be accompanied by proof of service on all persons listed on the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

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.

You may also register online at <https://ferconline.ferc.gov/FERCONline.aspx> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

n. *A license applicant must file no later than 60 days following the date of issuance of this notice*: (1) a copy of the water quality certification; (2) a copy of the request for certification, including proof of the date on which the certifying agency received the request; or (3) evidence of waiver of water quality certification.

o. *Procedural Schedule*: The application will be processed according to the following schedule. Revisions to the schedule will be made as appropriate.

Deadline for Filing Comments, Recommendations, and Agency Terms and Conditions/Prescriptions—July 14, 2025

Licensee's Reply to REA Comments—August 28, 2025

Dated: May 15, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025-09102 Filed 5-20-25; 8:45 am]

BILLING CODE 6717-01-P

EXPORT-IMPORT BANK

Adoption of Categorical Exclusions from the Tennessee Valley Authority Under the National Environmental Policy Act

AGENCY: Export-Import Bank of the United States.

ACTION: Notice of adoption of multiple Categorical Exclusions from the Tennessee Valley Authority.

SUMMARY: The Export-Import Bank of the United States (EXIM) is adopting multiple categorical exclusions (CEs) from the agencies as listed: Tennessee Valley Authority CEs 49 and 50. This notice identifies the categories of proposed actions and describes the consultation between the agencies.

DATES: The CEs identified below are available for EXIM to use for its proposed actions effective May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Scott Condren (VP Policy Analysis), Scott.Condren@exim.gov, (202) 565-3777; Tiffin Caverly (VP Engineering & Environment), Tiffin.Caverly@exim.gov.

SUPPLEMENTARY INFORMATION:

I. Background

NEPA and CEs

The National Environmental Policy Act, 42 U.S.C. 4321–4347, (NEPA) requires Federal agencies to interpret and administer Federal policies, regulations, and laws in accordance with NEPA's policies and to consider environmental values in their decision making.

Section 102(2) of NEPA requires Federal agencies to provide a detailed statement on proposals for major Federal actions significantly affecting the quality of the human environment.¹ NEPA also created the Council of Environmental Quality (CEQ) as the body responsible for implementing NEPA.

Categorical exclusions (CEs) can be used when there is a determination the proposed type of action would not have a significant effect on the human environment; this option eliminates the need for an environmental assessment (EA) or more detailed environmental impact statement (EIS).

Section 109 of NEPA, enacted as part of the Fiscal Responsibility Act of 2023, allows a Federal agency to “adopt” or use another agency's CEs for a category of proposed agency actions.² To use another agency's CEs under section 109,

an agency must identify the relevant CEs listed in another agency's (“establishing agency”) NEPA procedures that cover its category of proposed actions or related actions; consult with the establishing agency to ensure that the proposed adoption of the CE to a category of actions is appropriate; identify to the public the CE that the agency plans to use for its proposed actions; and document adoption of the CE. EXIM has prepared this notice to meet these statutory requirements.

Program Background

As the official export credit agency of the United States, “the mission of the Export-Import Bank of the United States is to support the creation of American jobs by facilitating the export of U.S. goods and services.” The Export—Import Bank of the United States (EXIM) steps in when the private sector does not provide financing for American businesses. The Bank's actions have historically helped support these firms in competing with foreign businesses overseas. The Make More in America (MMIA) initiative applies EXIM's authorities for medium and long-term (MLT) loans, loan guarantees, and insurance to export-oriented domestic projects. In doing so, MMIA allows EXIM to support American business during the whole export lifecycle. The purpose of such loans remains unchanged: to support U.S. employment.

As EXIM usually lends to projects outside the United States, NEPA has not often been applicable as there is no impact to the human environment in the United States. In the MMIA initiative, which focuses on domestic lending, adopting CEs from another agency will speed up the processing time of deals and conserve staff resources with no need for an EA or EIS. Faster processing times in this initiative will greatly facilitate EXIM's support of American businesses and workers.

II. Identification of the Categorical Exclusions

Tennessee Valley Authority CEs

49. Financial assistance including, but not limited to, approving and administering grants, loans and rebates for the renovation or minor upgrading of existing facilities, established or developing industrial parks, or existing infrastructure; the extension of infrastructure; geotechnical boring; and construction of commercial and light industrial buildings. Generally, such assistance supports actions that physically disturb no more than 10

acres of land not previously disturbed by human activity or no more than 25 acres of land so disturbed.

50. Financial assistance for the following actions: Approving and administering grants, loans and rebates for continued operations or purchase of existing facilities and infrastructure for uses substantially the same as the current use; purchasing, installing, and replacing equipment or machinery at existing facilities; and completing engineering designs, architectural drawings, surveys, and site assessments (except when tree clearing, geotechnical boring, or other land disturbance would occur).

The Tennessee Valley Authority CEs also include extraordinary circumstances that should require special factors to review the application of CEs under 18 CFR 1318.201. These extraordinary circumstances include if the action is or may be highly controversial or has the potential to significantly impact environmental resources, including the following resources:

- (i) Species listed or proposed to be listed under the Endangered Species Act, or the proposed or designated Critical Habitat for these species,
- (ii) Wetlands or floodplains,
- (iii) Cultural or historical resources,
- (iv) Areas having special designation or recognition such as wild and scenic rivers, parklands, or wilderness areas, and
- (v) Important farmland.

III. Proposed EXIM Category of Actions

EXIM intends to apply these categorical exclusions to loans, loan guarantees, and insurance transactions. The scope of projects would be akin to projects to which the Tennessee Valley Authority has applied these categorical exclusions. These include limited construction, full disposal of buildings, desk work for feasibility studies, soil testing, etc. In principle, such transactions would be similar and comparable to those EXIM's export finance transactions deemed a category C under its environmental and social procedures and guidelines.³

³ EXIM's Environmental and Social Due Diligence Procedures and Guidelines state that “applications greater than \$10 Million will be classified as Category C if they are not related to a physical project or if they relate to projects which do not require further environmental review because they are likely to have minimal or no adverse environmental or social risks or impacts. This category includes transactions related to new, expansion or existing projects of the type that have little or no potential to cause environmental effects and do not impact sensitive locations.” <https://www.exim.gov/policies/exim-bank-and-environment/procedures-and-guidelines>.

¹ 42 U.S.C. 4332.

² 42 U.S.C. 4336c.

IV. Consideration of Extraordinary Circumstances (if Applicable)

In assessing whether a categorical exclusion applies, EXIM would review whether there were extraordinary circumstances that would indicate a categorical exclusion is not appropriate due to the potential for a significant environmental effect. EXIM would review that proposed actions do not breach the extraordinary circumstances listed by TVA. When applying these CEs, EXIM will consider whether the proposed action has the potential to result in significant effects as described in TVA's definition of extraordinary circumstances, as written above.

EXIM's Engineering and Environment Division will have responsibility for determining if a categorical exclusion applies. These determinations will be posted at <https://www.exim.gov/policies/exim-bank-and-environment/make-more-america-initiative-approved-transactions>.

Consultation and Determination of Appropriateness

Consultations

1. Tennessee Valley Authority Consultation

In May 2025, EXIM conducted consultation with the Tennessee Valley Authority on adoption of two CE categories. EXIM and TVA's consultation included a review of TVA's experience developing and applying the CEs, as well as the types of actions for which EXIM plans to utilize the CEs. These EXIM actions are similar to the type of projects that TVA funds and therefore the impacts of EXIM projects will be similar to the impacts of TVA projects, which are not significant, absent the existence of extraordinary circumstances that could involve potentially significant impacts. Therefore, EXIM has determined that its proposed use of the CEs as described in this notice would be appropriate.

Notice to the Public and Documentation of the Adoption

This notice serves to identify to the public and document EXIM's adoption of two CEs from the Tennessee Valley Authority. The notice identifies the types of actions to which EXIM will apply the CE, as well as the considerations that EXIM will use in determining whether an action is within the scope of the CE.

Scott Condren,

Vice President, Policy Analysis.

[FR Doc. 2025-09062 Filed 5-20-25; 8:45 am]

BILLING CODE 6690-01-P

FEDERAL ACCOUNTING STANDARDS ADVISORY BOARD

Notice of Request for Comment on an Exposure Draft Titled Implementation Guidance for SFFAS 49, Public-Private Partnerships

AGENCY: Federal Accounting Standards Advisory Board.

ACTION: Notice.

SUMMARY: Notice is hereby given that the Accounting Standards Implementation Board (ASIC), a subcommittee of the Federal Accounting Standards Advisory Board (FASAB), has released for public comment an exposure draft of a proposed Technical Release titled *Implementation Guidance for SFFAS 49, Public-Private Partnerships*. Respondents are encouraged to comment on any part of the exposure draft.

DATES: Written comments are requested by June 30, 2025.

ADDRESSES: The exposure draft is available on the FASAB website at <https://www.fasab.gov/documents-for-comment/>. Copies can be obtained by contacting FASAB at (202) 512-7350. Comments should be sent to P3s@fasab.gov.

FOR FURTHER INFORMATION CONTACT: Ms. Monica R. Valentine, Executive Director, 441 G Street NW, Suite 1155, Washington, DC 20548, or call (202) 512-7350.

Authority: 31 U.S.C. 3511(d); Federal Advisory Committee Act, 5 U.S.C. 1001-1014.

Dated: May 16, 2025.

Monica R. Valentine,
Executive Director.

[FR Doc. 2025-09112 Filed 5-20-25; 8:45 am]

BILLING CODE 1610-02-P

FEDERAL MARITIME COMMISSION

Notice of Agreements Filed

The Commission hereby gives notice of the filing of the following agreements under the Shipping Act of 1984. Interested parties may submit comments, relevant information, or documents regarding the agreement to the Secretary by email at Secretary@fmc.gov, or by mail, Federal Maritime Commission, 800 North Capitol Street, Washington, DC 20573. Comments will be most helpful to the Commission if received within 12 days of the date this notice appears in the **Federal Register**, and the Commission requests that comments be submitted within 7 days on agreements that request expedited

review. Copies of the agreements are available through the Commission's website (www.fmc.gov) or by contacting the Office of Agreements at (202) 523-5793 or tradeanalysis@fmc.gov.

Agreement No.: 201444-001.

Agreement Name: ONE to HMM AL5 Space Charter Agreement.

Parties: Hyundai Merchant Marine Co. Ltd.; Ocean Network Express Pte. Ltd.

Filing Party: Joshua Stein, Cozen O'Connor.

Synopsis: The Amendment adds Panama to the geographic scope of the Agreement.

Proposed Effective Date: 5/12/2025.

Location: <https://www2.fmc.gov/FMC.Agreements.Web/Public/AgreementHistory/88590>.

Agreement No.: 201445-001.

Agreement Name: ONE to YML AL5 Slot Charter Agreement.

Parties: Ocean Network Express Pte. Ltd.; Yang Ming Joint Service Agreement.

Filing Party: Wayne Rohde, Cozen O'Connor.

Synopsis: The Amendment adds Peru, Ecuador, and Panama to the geographic scope of the Agreement.

Proposed Effective Date: 6/26/2025.

Location: <https://www2.fmc.gov/FMC.Agreements.Web/Public/AgreementHistory/88591>.

Dated: May 16, 2025.

Alanna Beck,

Federal Register Alternate Liaison Officer.

[FR Doc. 2025-09126 Filed 5-20-25; 8:45 am]

BILLING CODE 6730-02-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifiers: CMS-10305, CMS-1696, CMS-10468, and CMS-10338]

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of

information (including each proposed extension or reinstatement of an existing collection of information) and to allow 60 days for public comment on the proposed action. Interested persons are invited to send comments regarding our burden estimates or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments must be received by July 21, 2025.

ADDRESSES: When commenting, please reference the document identifier or OMB control number. To be assured consideration, comments and recommendations must be submitted in any one of the following ways:

1. *Electronically.* You may send your comments electronically to <http://www.regulations.gov>. Follow the instructions for "Comment or Submission" or "More Search Options" to find the information collection document(s) that are accepting comments.

2. *By regular mail.* You may mail written comments to the following address: CMS, Office of Strategic Operations and Regulatory Affairs, Division of Regulations Development, Attention: Document Identifier/OMB Control Number: ____ Room C4-26-05, 7500 Security Boulevard, Baltimore, Maryland 21244-1850.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, please access the CMS PRA website by copying and pasting the following web address into your web browser: <https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing>.

FOR FURTHER INFORMATION CONTACT: William N. Parham at (410) 786-4669.

SUPPLEMENTARY INFORMATION:

Contents

This notice sets out a summary of the use and burden associated with the following information collections. More detailed information can be found in each collection's supporting statement and associated materials (see **ADDRESSES**).

CMS-10305 Medicare Part C and Part D Data Validation (42 CFR 422.516(g) and 423.514(j))

CMS-1696 Appointment of Representative
CMS-10468 Essential Health Benefits in Alternative Benefit Plans, Eligibility Notices, Fair Hearing and Appeal Processes, and Premiums and Cost Sharing; Exchanges: Eligibility and Enrollment

CMS-10338 Affordable Care Act Internal Claims and Appeals and External Review Procedures for Non-grandfathered Group Health Plans and Issuers and Individual Market Issuers

Under the PRA (44 U.S.C. 3501-3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. The term "collection of information" is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA requires federal agencies to publish a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice.

Information Collections

1. *Type of Information Collection Request:* Extension of a currently approved collection; *Title of Information Collection:* Medicare Part C and Part D Data Validation (42 CFR 422.516(g) and 423.514(j)); *Use:* This "Medicare Part C and Part D Data Validation (42 CFR 422.516(g) and 423.514(j))" forms will be used by Data Validation Contractors (DVCs) to evaluate the quality of data submitted by plans for the Medicare Parts C and D Reporting Requirements. The Centers for Medicare and Medicaid Services (CMS) established reporting requirements for Medicare Part C and Part D sponsoring organizations (Medicare Advantage Organizations [MAOs], Cost Plans, and Medicare Part D sponsors) under the authority described in 42 CFR 422.516(a) and 423.514(a), respectively. Under these reporting requirements, each sponsoring organization must submit Medicare Part C, Medicare Part D, or Medicare Part C and Part D data; *Form Number:* CMS-10305 (OMB control number: 0938-1115); *Frequency:* Yearly; *Affected Public:* Businesses or other for-profits; *Number of Respondents:* 840; *Total Annual Responses:* 840; *Total Annual Hours:* 10,920. (For policy questions

regarding this collection contact Bindu Aryal at 667-414-0889 or bindu.aryal@cms.hhs.gov.)

2. *Type of Information Collection Request:* Extension of a currently approved collection; *Title of Information Collection:* Appointment of Representative; *Use:* The requirements for appointing representatives for claims and appeals processed under 42 CFR part 405 subpart I were codified into regulation at 42 CFR 405.910. In summary, section 405.910 states an individual or entity may appoint a representative to act on their behalf in exercising their rights relative to an initial claim determination or an appeal. The appointment of representation must be in writing and must include all the required elements specified in 405.910(c). The burden associated with this requirement is the time and effort of the individual or entity to prepare an appointment of representation containing all the required information of this section.

This form would be completed by Medicare beneficiaries, providers, and suppliers (typically their billing clerk, or billing company), and any party who wish to appoint a representative to assist them with their initial Medicare claims determinations and filing appeals on Medicare claims. The information supplied on the form is reviewed by Medicare claims and appeals adjudicators. The adjudicators make determinations whether the form was completed accurately, and if the form is correct and accepted, the form is appended to the claim or appeal that it was filed with *Form Number:* CMS-1696 (OMB control number: 0938-0950); *Frequency:* Occasionally; *Affected Public:* Individuals and Households and Private Sector; *Number of Respondents:* 208,173 *Total Annual Responses:* 208,173; *Total Annual Hours:* 52,043. (For policy questions regarding this collection contact Katherine Hosna at (410) 786-4993 or Katherine.Hosna@cms.hhs.gov.)

3. *Type of Information Collection Request:* Extension of a currently approved collection; *Title of Information Collection:* Essential Health Benefits in Alternative Benefit Plans, Eligibility Notices, Fair Hearing and Appeal Processes, and Premiums and Cost Sharing; Exchanges: Eligibility and Enrollment; *Use:* Information collected by the Exchanges, Medicaid or CHIP agencies will be used to determine eligibility for coverage through the Exchanges and insurance affordability programs (*i.e.*, Medicaid, CHIP, and advance payment of the premium tax credits), and to assist consumers in enrolling in a QHP if eligible.

Applicants include anyone who may be eligible for coverage through any of these programs. The Exchanges verify the information provided on the application, communicate with the applicant or his/her authorized representative and subsequently provide the information to the health plan selected by the applicant so that it can enroll him/her in a QHP. The Exchanges also use the information provided in support of its ongoing operations, including activities such as verifying continued eligibility for all programs, processing appeals, reporting on and managing the insurance affordability programs for eligible individuals, performing oversight and quality control activities, combating fraud, and responding to any concerns about the security or confidentiality of the information. *Form Number:* CMS–10468 (OMB control number: 0938–1207); *Frequency:* Annually; *Affected Public:* Individuals, Households and Private Sector; *Number of Respondents:* 20; *Total Annual Responses:* 20; *Total Annual Hours:* 25,614. (For policy questions regarding this collection contact Angela Meadows at Angela.Meadows@cms.hhs.gov.)

4. Type of Information Collection Request: Extension of a currently approved collection; *Title of Information Collection:* Affordable Care Act Internal Claims and Appeals and External Review Procedures for Non-grandfathered Group Health Plans and Issuers and Individual Market Issuers; *Use:* PHS Act section 2719 and paragraph (b)(2)(i) of the Appeals regulation provide that group health plans and health insurance issuers offering group health insurance coverage must comply with the internal claims and appeals processes set forth in 29 CFR 2560.503–1 of the Department of Labor (DOL) claims procedure regulation, and update such processes in accordance with standards established by the Secretary of Labor in paragraph (b)(2)(ii) of the regulation. Paragraph (b)(3)(i) requires issuers offering coverage in the individual health insurance market to also comply with the DOL claims procedure regulation as updated by the Secretary of Health and Human Services (HHS) in paragraph (b)(3)(ii) of the Appeals regulation for their internal claims and appeals processes.

The information collection requirements included in the DOL claims procedure regulation and the Appeals regulation ensure that claimants receive clear and adequate information regarding the plan's claims procedures and the plan's handling of specific benefit claims. This

transparency enables claimants to understand plan procedures and decisions, allowing them to effectively request benefits and appeal denied claims when necessary. The information collected in connection with the HHS-administered federal external review process is collected by HHS and is used to provide claimants with an independent external review, ensuring a fair and impartial assessment of denied health benefit claims. *Form Number:* CMS–10338 (OMB control number: 0938–1099); *Frequency:* Occasionally; *Affected Public:* Private Sector (Business or other for-profit and Not-for-profit institutions); *Number of Respondents:* 91,355; *Total Annual Responses:* 375,202; *Total Annual Hours:* 861,785. (For policy questions regarding this collection contact Daniel Kidane at Daniel.Kidane@cms.hhs.gov.)

William N. Parham, III,

Director, Division of Information Collections and Regulatory Impacts, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2025–09138 Filed 5–20–25; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–906 and CMS–10371]

Agency Information Collection Activities: Submission for OMB Review; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, and to allow a second opportunity for public comment on the notice. Interested persons are invited to send comments regarding the burden estimate or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance

the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments on the collection(s) of information must be received by the OMB desk officer by June 20, 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.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, please access the CMS PRA website by copying and pasting the following web address into your web browser: <https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing>.

FOR FURTHER INFORMATION CONTACT: William Parham at (410) 786–4669.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. The term "collection of information" is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires federal agencies to publish a 30-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice that summarizes the following proposed collection(s) of information for public comment:

1. Type of Information Collection Request: Extension of a currently approved collection; *Title of Information Collection:* Fiscal Soundness Reporting Requirements (FSRR); *Use:* Title 18, section 1857(d)(4)(A)(i) requires that contracting organizations such as Medicare Health Plans (including Medicare Advantage (MA) organizations, Medicare-Medicaid

Capitated Financial Alignment Demonstrations (MMPs)) and 1876 Cost Plans, Prescription Drug Plan sponsors (PDPs), and Programs of All-Inclusive Care for the Elderly (PACE) organizations report financial information demonstrating the organization has a fiscally sound operation. The FSRR is designed to capture financial data of these contracting entities. The Division of Finance and Benefits (DFB) within the Medicare Advantage Contract Administration Group (MCAG) of CMS is assigned the responsibility of reviewing ongoing financial performance of the contracting entities.

All contracting organizations must submit audited annual financial statements once per year. In addition to the annual submission audited, Health Plans with a negative net worth and/or a net loss and the amount of that loss is greater than one-half of the organization's total net worth submit quarterly financial statements for fiscal soundness monitoring. Part D organizations are required to submit three (3) quarterly financial statements. Lastly, PACE organizations are required to file four (4) quarterly financial statements for the first three (3) years in the program. After the first three (3) years, PACE organizations with a negative net worth and/or a net loss and the amount of that loss is greater than one-half of the organization's total net worth must submit quarterly financial statements for fiscal soundness monitoring. *Form Number:* CMS-906 (OMB control number: 0938-0496); *Frequency:* Quarterly and Yearly; *Affected Public:* Private Sector (Business or other for-profits, Not-for-Profit Institutions); *Number of Respondents:* 251; *Total Annual Responses:* 1,004; *Total Annual Hours:* 335. (For policy questions regarding this collection contact Christa M. Zalewski at (410) 786-1971.)

2. *Type of Information Collection Request:* Extension of a currently approved collection; *Title of Information Collection:* State-based Exchange, SBE, SBE Budget Template, SBE Enrollment Metrics, Open Enrollment; *Use:* The Patient Protection and Affordable Care Act, Public Law 111-148, enacted on March 23, 2010, and the Health Care and Education Reconciliation Act, Public Law 111-152, enacted on March 30, 2010 collectively, "Affordable Care Act", expanded access to health insurance for individuals and employees of small businesses through the establishment of new Affordable Insurance Exchanges (Exchanges), including the Small Business Health Options Program

(SHOP). Beginning January 1, 2014, the Exchanges became operational. The Exchanges enhance competition in the health insurance market, expand access to affordable health insurance for millions of Americans, and provide consumers with a place to easily compare and shop for health insurance coverage.

States can choose to establish and operate a State-based Exchange (SBE) or a State-based Exchange on the Federal Platform (SBE-FP). States electing to operate as an SBE-FP rely on the Federal Healthcare.gov platform to carry out eligibility and enrollment functions. For states that do not elect to operate either an SBE or SBE-FP, the Secretary of the U.S. Department of Health and Human Services (HHS) will establish and operate a Federally-facilitated Exchange (FFE) in those states. *Form Number:* CMS-10371 (OMB control number: 0938-1119; *Frequency:* Occasionally; *Affected Public:* State, Local or Tribal Government; *Number of Respondents:* 23; *Total Annual Responses:* 343; *Total Annual Hours:* 7,317. (For policy questions regarding this collection contact Tiffany Y. Animashaun at Tiffany.Animashaun@cms.hhs.gov).

William N. Parham, III,

Director, Division of Information Collections and Regulatory Impacts, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2025-09144 Filed 5-20-25; 8:45 am]

BILLING CODE 4120-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

[OMB #: 0970-0531]

Proposed Information Collection and Submission for Office of Management and Budget Review; Fiscal Responsibility Act TANF Pilot Program 2025 Information Collection

AGENCY: Office of Family Assistance, Administration for Children and Families, U.S. Department of Health and Human Services.

ACTION: Request for public comments.

SUMMARY: The Administration for Children and Families (ACF) is proposing to reissue an information collection to request information from interested states for the Fiscal Responsibility Act of 2023 (FRA) Temporary Assistance for Needy Families (TANF) pilot program. This request is proposed under Office of Management and Budget (OMB) #:

0970-0531 and is a reissuing of a previously approved information collection to select states for the FRA pilot program.

DATES: *Comments due June 20, 2025.* OMB will make a decision about the collection of information after this public comment period ends and comments have been considered.

ADDRESSES: You can obtain copies of the proposed collection of information and submit comments by emailing infocollection@acf.hhs.gov. Identify all requests by the title of the information collection.

SUPPLEMENTARY INFORMATION:

Description: The FRA authorized a new opportunity for states to pilot program performance and accountability measures in TANF. Under the pilot, the U.S. Department of Health and Human Services (HHS) may select up to five state TANF grantees to negotiate performance benchmarks for work and family stability outcomes instead of adhering to the standard TANF Work Participation Rate. The ACF Office of Family Assistance (OFA) administers federal grant programs that foster family economic stability and independence, including the TANF program. As such, OFA is responsible for designing and carrying out the FRA TANF Pilot Program, including selecting the five states to participate in the pilot, working with the states to identify performance benchmarks and associated targets, and monitoring performance of the pilot states throughout the duration of the pilot.

ACF received approval for a previous information collection (Title: Fiscal Responsibility Act TANF Pilot Program; OMB #: 0970-0531) on July 17, 2024. Twenty-three states and territories responded to the information collection from July through September 2024. In November 2024, ACF announced the selection of five states to participate in the FRA TANF Pilot Program. In March 2025, the Trump Administration announced a new direction for the FRA TANF Pilot Program, ending pilot participation for the states selected in November of 2024 and communicating plans to issue a new request for pilot proposals aligned with the Administration's focus on promoting work and reducing dependency and the key measures of success related to those priorities. This new request to OMB is to collect information from states about their interest and suitability for participation in the new direction being taken for the FRA TANF Pilot Program.

OFA also intends to provide programmatic technical assistance (TA) to the pilot states. ACF's Office of

Planning, Research, and Evaluation (OPRE) studies ACF programs, including TANF, and the populations they serve through rigorous research and evaluation projects. OPRE will be responsible for the federal evaluation of the FRA TANF Pilots Program and intends to provide data- and evaluation-related TA to the pilot states.

Respondents: States operating TANF programs and interested in innovations within those programs focused on promoting work and reducing

dependency. In accordance with title IV–A of the Social Security Act, states is defined as the 50 States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, and American Samoa. *See* 42 U.S.C. 619(5).

Annual Burden Estimates

The Proposal for TANF Pilot Program Participation is intentionally succinct and will be considered in combination with existing sources of administrative

data. Therefore, ACF estimates that a state will spend approximately 10 hours compiling information and responding to the request. In the first issuing of this information collection in July 2024, ACF received responses from 23 states and territories. The estimated number of respondents in the table below is based on the number of responses received in the first round and ACF’s expectations for number of responses in the second round.

Instrument	Total number of respondents	Total number of responses per respondent	Average burden hours per response	Total burden hours
Proposal for TANF Pilot Program Participation	25	1	10	250

Authority: 42 U.S.C. 611(e).

Mary C. Jones,

ACF/OPRE Certifying Officer.

[FR Doc. 2025–09098 Filed 5–20–25; 8:45 am]

BILLING CODE 4184–36–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2007–D–0369]

Product-Specific Guidance on Roflumilast; Draft Guidance for Industry; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability of a new draft guidance for industry entitled “Draft Guidance on Roflumilast.” The new draft guidance, when finalized, will provide product-specific recommendations on, among other things, the design of bioequivalence (BE) studies to support abbreviated new drug applications (ANDAs) for roflumilast topical cream.

DATES: Submit either electronic or written comments on the draft guidance by July 21, 2025 to ensure that the Agency considers your comment on this draft guidance before it begins work on the final version of the guidance.

ADDRESSES: You may submit comments on any guidance at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments.

Comments submitted electronically, including attachments, to <https://www.regulations.gov> will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else’s Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on <https://www.regulations.gov>.

- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see “Written/Paper Submissions” and “Instructions”).

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand Delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in “Instructions.”

Instructions: All submissions received must include the Docket No. FDA–2007–D–0369 for “Draft Guidance on Roflumilast.” Received comments will be placed in the docket and, except for those submitted as “Confidential Submissions,” publicly viewable at

<https://www.regulations.gov> or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240–402–7500.

- **Confidential Submissions—**To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states “THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.” The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on <https://www.regulations.gov>. Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as “confidential.” Any information marked as “confidential” will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA’s posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: <https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf>.

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to <https://www.regulations.gov> and insert the docket number, found in brackets in the heading of this document, into the “Search” box and follow the prompts

and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240-402-7500.

You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)).

Submit written requests for single copies of the draft guidance to the Division of Drug Information, Center for Drug Evaluation and Research, Food and Drug Administration, 10001 New Hampshire Ave., Hillandale Building, 4th Floor, Silver Spring, MD 20993-0002. Send one self-addressed adhesive label to assist that office in processing your requests. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the draft guidance document.

FOR FURTHER INFORMATION CONTACT: Joseph Kotsybar, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 75, Rm. 3623A, Silver Spring, MD 20993-0002, 240-402-1062, PSG-Questions@fda.hhs.gov.

SUPPLEMENTARY INFORMATION:

I. Background

In the **Federal Register** of June 11, 2010 (75 FR 33311), FDA announced the availability of a guidance for industry entitled “Bioequivalence Recommendations for Specific Products” that explained the process that would be used to make product-specific guidances available to the public on FDA’s website at <https://www.fda.gov/drugs/guidance-compliance-regulatory-information/guidances-drugs>.

As described in that guidance, FDA adopted this process as a means to develop and disseminate product-specific guidances and provide a meaningful opportunity for the public to consider and comment on those guidances. This notice announces the availability of a new draft product-specific guidance on generic roflumilast topical cream.

FDA initially approved new drug application (NDA) 215985 ZORYVE (roflumilast) topical cream, 0.3 percent, in July 2022. FDA approved NDA 215985 ZORYVE (roflumilast) topical cream, 0.15 percent, in July 2024. We are now issuing a draft guidance for industry on, among other things, BE recommendations for generic roflumilast topical cream (“Draft Guidance on Roflumilast”).

In December 2023, Arcutis Biotherapeutics, Inc. (Arcutis) submitted a citizen petition requesting, among other things, that FDA not approve any ANDA referencing ZORYVE (roflumilast) topical cream, unless certain criteria are met and that

FDA issue a product-specific guidance for roflumilast topical cream, 0.3 percent, that recommends studies consistent with those requested in the petition (Docket No. FDA-2023-P-5364, available at <https://www.regulations.gov>). FDA is reviewing the issues raised in the petition and will consider any comments on the draft guidance entitled “Draft Guidance on Roflumilast” before responding to the petition. FDA’s issuance of the draft guidance on generic roflumilast topical cream does not represent a final decision on the issues raised in the petition.

This draft guidance is being issued consistent with FDA’s good guidance practices regulation (21 CFR 10.115). The draft guidance, when finalized, will represent the current thinking of FDA on “Draft Guidance on Roflumilast.” It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations. As we develop any final guidance on this topic, FDA will consider comments on the applicability of Executive Order 14192, per OMB guidance M-25-20, and in particular, on any costs or cost savings.

II. Paperwork Reduction Act of 1995

While this guidance contains no collection of information, it does refer to previously approved FDA collections of information. The previously approved collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3521). The collections of information in 21 CFR part 312 for investigational new drugs have been approved under 0910-0014. The collections of information in 21 CFR part 314 for applications for FDA approval to market a new drug and in 21 CFR part 320 for bioavailability and bioequivalence requirements have been approved under OMB control number 0910-0001.

III. Electronic Access

Persons with access to the internet may obtain the draft guidance at <https://www.fda.gov/drugs/guidance-compliance-regulatory-information/guidances-drugs>, <https://www.fda.gov/regulatory-information/search-fda-guidance-documents>, or <https://www.regulations.gov>.

Dated: May 13, 2025.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025-09069 Filed 5-20-25; 8:45 am]

BILLING CODE 4164-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA-2007-D-0369]

Product-Specific Guidances; Draft and Revised Draft Guidances for Industry; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability of additional draft and revised draft product-specific guidances. The draft guidances provide product-specific recommendations on, among other things, the design of bioequivalence (BE) studies to support abbreviated new drug applications (ANDAs). In the **Federal Register** of June 11, 2010, FDA announced the availability of a guidance for industry entitled “Bioequivalence Recommendations for Specific Products” that explained the process that would be used to make product-specific guidances available to the public on FDA’s website. The draft guidances identified in this notice were developed using the process described in that guidance.

DATES: Submit either electronic or written comments on the draft guidance by July 21, 2025 to ensure that the Agency considers your comment on this draft guidance before it begins work on the final version of the guidance.

ADDRESSES: You may submit comments on any guidance at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

- **Federal eRulemaking Portal:** <https://www.regulations.gov>. Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to <https://www.regulations.gov> will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else’s Social Security number, or

confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on <https://www.regulations.gov>.

- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see “Written/Paper Submissions” and “Instructions”).

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA-305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in “Instructions.”

Instructions: All submissions received must include the Docket No. FDA-2007-D-0369 for “Product-Specific Guidances; Draft and Revised Draft Guidances for Industry.” Received comments will be placed in the docket and, except for those submitted as “Confidential Submissions,” publicly viewable at <https://www.regulations.gov> or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240-402-7500.

- **Confidential Submissions**—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states “THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.” The

Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on <https://www.regulations.gov>. Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as “confidential.” Any information marked as “confidential” will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA’s posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: <https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf>.

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to <https://www.regulations.gov> and insert the docket number, found in brackets in the heading of this document, into the “Search” box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240-402-7500.

You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)).

Submit written requests for single copies of the draft guidance to the Division of Drug Information, Center for Drug Evaluation and Research, Food and Drug Administration, 10001 New Hampshire Ave., Hillandale Building, 4th Floor, Silver Spring, MD 20993-0002. Send one self-addressed adhesive label to assist that office in processing your requests. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the draft guidance document.

FOR FURTHER INFORMATION CONTACT:

Joseph Kotsybar, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 75, Rm. 3623A, Silver Spring, MD 20993-0002, 240-402-1062, PSG-Questions@fda.hhs.gov.

SUPPLEMENTARY INFORMATION:

I. Background

In the **Federal Register** of June 11, 2010 (75 FR 33311), FDA announced the availability of a guidance for industry entitled “Bioequivalence Recommendations for Specific Products” that explained the process that would be used to make product-specific guidances available to the public on FDA’s website at <https://www.fda.gov/drugs/guidance-compliance-regulatory-information/guidances-drugs>.

As described in that guidance, FDA adopted this process to develop and disseminate product-specific guidances and provide a meaningful opportunity for the public to consider and comment on those guidances. Under that process, draft guidances are posted on FDA’s website and announced periodically in the **Federal Register**. The public is encouraged to submit comments on those recommendations within 60 days of their announcement in the **Federal Register**. FDA considers any comments received and either publishes final guidances or publishes revised draft guidances for comment. Guidances were last announced in the **Federal Register** on November 20, 2024 (89 FR 91763). This notice announces draft product-specific guidances, either new or revised, that are posted on FDA’s website.

II. Drug Products for Which New Draft Product-Specific Guidances Are Available

FDA is announcing the availability of new draft product-specific guidances for industry for drug products containing the following active ingredients:

TABLE 1—NEW DRAFT PRODUCT-SPECIFIC GUIDANCES FOR DRUG PRODUCTS

Active ingredient(s)
Albuterol sulfate; Budesonide
Benzgalantamine gluconate
Brimonidine tartrate
Budesonide; Formoterol fumarate
Carbinoxamine maleate
Ceftobiprole medocaril sodium
Clobetasol propionate
Clonidine hydrochloride
Diazepam
Epinephrine (multiple reference listed drugs)
Etrasimod arginine
Gepirone hydrochloride
Iptacopan hydrochloride

TABLE 1—NEW DRAFT PRODUCT-SPECIFIC GUIDANCES FOR DRUG PRODUCTS—Continued

Active ingredient(s)
Levoketoconazole
Levonorgestrel
Melphalan hydrochloride
Metformin hydrochloride
Momelotinib dihydrochloride
Motixafortide acetate
Norgestrel
Paclitaxel
Pemetrexed disodium
Pemetrexed ditromethamine
Pilocarpine hydrochloride
Repotrectinib
Risperidone
Selenium sulfide
Terbinafine
Terbinafine hydrochloride
Vamorolone
Zilucoplan sodium
Zonisamide
Zuranolone

III. Drug Products for Which Revised Draft Product-Specific Guidances Are Available

FDA is announcing the availability of revised draft product-specific guidances

for industry for drug products containing the following active ingredients:

TABLE 2—REVISED DRAFT PRODUCT-SPECIFIC GUIDANCES FOR DRUG PRODUCTS

Active ingredient(s)
Aripiprazole
Celecoxib
Daridorexant hydrochloride
Deutetrabenazine
Epinephrine (multiple reference listed drugs)
Ertugliflozin
Loratadine
Migalastat hydrochloride
Terbinafine hydrochloride
Thalidomide
Tipiracil hydrochloride; Trifluridine
Tizanidine hydrochloride
Trientine hydrochloride
Verapamil hydrochloride

For a complete history of previously published **Federal Register** notices related to product-specific guidances, go to <https://www.regulations.gov> and enter Docket No. FDA-2007-D-0369.

These draft guidances are being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). These draft guidances, when finalized, will represent the current thinking of FDA on "Product-Specific Guidances." They do not establish any rights for any person and are not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations. As we develop any final guidance on this topic, FDA will consider comments on the

applicability of Executive Order 14192, per OMB guidance M-25-20, and in particular, on any costs or cost savings.

IV. Paperwork Reduction Act of 1995

While these guidances contain no collection of information, they do refer to previously approved FDA collections of information. The previously approved collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3521). The collections of information in 21 CFR part 312 for investigational new drugs have been approved under OMB control number 0910-0014. The collections of information in 21 CFR part 314 for

applications for FDA approval to market a new drug and in 21 CFR part 320 for bioavailability and bioequivalence requirements have been approved under OMB control number 0910-0001.

V. Electronic Access

Persons with access to the internet may obtain the draft guidance at <https://www.fda.gov/drugs/guidance-compliance-regulatory-information/guidances-drugs>, <https://www.fda.gov/regulatory-information/search-fda-guidance-documents>, or <https://www.regulations.gov>.

Dated: May 13, 2025.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025-09068 Filed 5-20-25; 8:45 am]

BILLING CODE 4164-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA-2007-D-0369]

Product-Specific Guidance on Fluticasone Propionate; Draft Guidance for Industry; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability of a new draft guidance for industry entitled “Draft Guidance on Fluticasone Propionate.” The new draft guidance, when finalized, will provide product-specific recommendations on, among other things, the design of bioequivalence (BE) studies to support abbreviated new drug applications (ANDAs) for fluticasone propionate nasal spray, metered.

DATES: Submit either electronic or written comments on the draft guidance by July 21, 2025 to ensure that the Agency considers your comment on this draft guidance before it begins work on the final version of the guidance.

ADDRESSES: You may submit comments on any guidance at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

- **Federal eRulemaking Portal:** <https://www.regulations.gov>. Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to <https://www.regulations.gov> will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else’s Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on <https://www.regulations.gov>.

- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see “Written/Paper Submissions” and “Instructions”).

Written/Paper Submissions

Submit written/paper submissions as follows:

- **Mail/Hand Delivery/Courier (for written/paper submissions):** Dockets Management Staff (HFA-305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in “Instructions.”

Instructions: All submissions received must include the Docket No. FDA-2007-D-0369 for “Draft Guidance on Fluticasone Propionate.” Received comments will be placed in the docket and, except for those submitted as “Confidential Submissions,” publicly viewable at <https://www.regulations.gov> or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240-402-7500.

- **Confidential Submissions—**To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states “THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.” The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on <https://www.regulations.gov>. Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as “confidential.” Any information marked as “confidential” will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA’s posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: <https://www.regulations.gov>.

www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf.

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to <https://www.regulations.gov> and insert the docket number, found in brackets in the heading of this document, into the “Search” box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240-402-7500.

You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)).

Submit written requests for single copies of the draft guidance to the Division of Drug Information, Center for Drug Evaluation and Research, Food and Drug Administration, 10001 New Hampshire Ave., Hillandale Building, 4th Floor, Silver Spring, MD 20993-0002. Send one self-addressed adhesive label to assist that office in processing your requests. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the draft guidance document.

FOR FURTHER INFORMATION CONTACT: Joseph Kotsybar, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 75, Rm. 3623A, Silver Spring, MD 20993-0002, 240-402-1062, PSG-Questions@fda.hhs.gov.

SUPPLEMENTARY INFORMATION:

I. Background

In the **Federal Register** of June 11, 2010 (75 FR 33311), FDA announced the availability of a guidance for industry entitled “Bioequivalence Recommendations for Specific Products” that explained the process that would be used to make product-specific guidances available to the public on FDA’s website at <https://www.fda.gov/drugs/guidance-compliance-regulatory-information/guidances-drugs>.

As described in that guidance, FDA adopted this process as a means to develop and disseminate product-specific guidances and provide a meaningful opportunity for the public to consider and comment on those guidances. This notice announces the availability of a new draft product-specific guidance on generic fluticasone propionate nasal spray, metered.

FDA initially approved new drug application (NDA) 209022 XHANCE (fluticasone propionate) nasal spray, metered, in September 2017. We are now issuing a draft guidance for industry on, among other things, BE recommendations for generic fluticasone propionate nasal spray,

metered (“Draft Guidance on Fluticasone Propionate”).

In May 2021, Optinose US, Inc. (OptiNose) submitted a citizen petition requesting, among other things, that FDA not approve an ANDA referencing XHANCE (fluticasone propionate) nasal spray, metered, unless the applicant demonstrates bioequivalence and therapeutic equivalence through certain studies, and that FDA issue a product-specific guidance for fluticasone propionate nasal spray, metered, that recommends studies consistent with those requested in the petition. (Docket No. FDA–2021–P–0530, available at <https://www.regulations.gov>). FDA is reviewing the issues raised in the petition and will consider any comments on the draft guidance entitled “Draft Guidance on Fluticasone Propionate” before responding to the petition. FDA’s issuance of the draft guidance on generic fluticasone propionate nasal spray, metered does not represent a final decision on the issues raised in the petition.

This draft guidance is being issued consistent with FDA’s good guidance practices regulation (21 CFR 10.115). The draft guidance, when finalized, will represent the current thinking of FDA on “Draft Guidance on Fluticasone Propionate.” It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations. As we develop any final guidance on this topic, FDA will consider comments on the applicability of Executive Order 14192, per OMB guidance M–25–20, and in particular, on any costs or cost savings.

II. Paperwork Reduction Act of 1995

While this guidance contains no collection of information, it does refer to previously approved FDA collections of information. The previously approved collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521). The collections of information in 21 CFR part 312 for investigational new drugs have been approved under OMB control number 0910–0014. The collections of information in 21 CFR part 314 for applications for FDA approval to market a new drug and in 21 CFR part 320 for bioavailability and bioequivalence requirements have been approved under OMB control number 0910–0001.

III. Electronic Access

Persons with access to the internet may obtain the draft guidance at <https://>

www.fda.gov/drugs/guidance-compliance-regulatory-information/guidances-drugs, <https://www.fda.gov/regulatory-information/search-fda-guidance-documents>, or <https://www.regulations.gov>.

Dated: May 13, 2025.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–09067 Filed 5–20–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2025–N–0874]

Revocation of Emergency Use of a Drug Product During the COVID–19 Pandemic; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the revocation of the Emergency Use Authorizations (EUAs) (the Authorizations) issued to Fresenius Medical Care North America (Fresenius) for multiFiltrate PRO System and multiBic/multiPlus solutions (EUA 048), and to Baxter Healthcare Corp. (Baxter) for REGIOCIT (EUA 068). FDA revoked the Authorizations on January 16, 2025, under the Federal Food, Drug, and Cosmetic Act (FD&C Act). The revocations, including an explanation of the reasons for the revocations, are reprinted in this document.

DATES: These Authorizations are revoked as of January 16, 2025.

ADDRESSES: Submit written requests for a single copy of the revocations to the Office of Executive Programs, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, 6th Floor, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your request or include a Fax number to which the Authorization may be sent. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the Authorization.

FOR FURTHER INFORMATION CONTACT:

Commander Andrea Gormley, Center for Drug Evaluation and Research, Food and Drug Administration, 10001 New Hampshire Ave., Hillandale Building, 2nd Floor, Silver Spring, MD 20993–0002, 301–796–2210 (this is not a toll free number).

SUPPLEMENTARY INFORMATION:

I. Background

Section 564 of the FD&C Act (21 U.S.C. 360bbb–3) allows FDA to strengthen the public health protections against biological, chemical, nuclear, and radiological agents. Among other things, section 564 of the FD&C Act allows FDA to authorize the use of an unapproved medical product or an unapproved use of an approved medical product in certain situations.

On April 30, 2020, FDA issued an Authorization to Fresenius, for multiFiltrate PRO System and multiBic/multiPlus solutions, subject to the terms of the Authorization. Notice of the issuance of the Authorization was published in the **Federal Register** on September 11, 2020 (85 FR 56231), as required by section 564(h)(1) of the FD&C Act.

On August 13, 2020, FDA issued an Authorization to Baxter, for REGIOCIT, subject to the terms of the Authorization. Notice of the issuance of the Authorization was published in the **Federal Register** on February 19, 2021 (86 FR 10290), as required by section 564(h)(1) of the FD&C Act.

The authorization of a drug for emergency use under section 564 of the FD&C Act may, pursuant to section 564(g)(2) of the FD&C Act, be revoked when the criteria under section 564(c) of the FD&C Act for issuance of such authorization are no longer met (section 564(g)(2)(B) of the FD&C Act), or other circumstances make such revocation appropriate to protect the public health or safety (section 564(g)(2)(C) of the FD&C Act).

II. EUA Revocation Request

In a request received by FDA on January 14, 2025, Fresenius requested revocation of, and on January 16, 2025, FDA revoked, the Authorization for multiFiltrate PRO System and multiBic/multiPlus solutions. Because Fresenius has informed FDA that it does not intend to offer the multiFiltrate Pro System and multiBic/multiPlus solutions under the EUA in the United States anymore, Fresenius requested FDA revoke the EUA for multiFiltrate PRO System and multiBic/multiPlus solutions. FDA has determined that it is appropriate to protect the public health or safety to revoke this Authorization.

In a request received by FDA on January 14, 2025, Baxter requested revocation of, and on January 16, 2025, FDA revoked, the Authorization for REGIOCIT. Because Baxter has informed FDA that it does not intend to offer this product under the EUA in the United States anymore, Baxter requested FDA

revoke the EUA for REGIOCIT. FDA has determined that it is appropriate to protect the public health or safety to revoke this Authorization.

III. The Revocation

Having concluded that the criteria for revocation of the Authorization under section 564(g)(2)(C) of the FD&C Act are

met, FDA has revoked the EUA for multiFiltrate PROSystem and multiBic/multiPlus solutions and revoked the EUA for REGIOCIT. These revocations in their entirety follow and provide an explanation of the reasons for revocation, as required by section 564(h)(1) of the FD&C Act.

IV. Electronic Access

An electronic version of this document and the full text of the Authorization is available on the internet at: <https://www.regulations.gov/>.

BILLING CODE 4164-01-P



January 16, 2025

Fresenius Medical Care North America
Attention: Renee Howard, M.S.
Vice President Global Drug – Regulatory Affairs
920 Winter Street
Waltham, MA 02451

Re: Revocation of EUA 048

Dear Ms. Howard:

This letter is in response to the request from Fresenius Medical Care North America (Fresenius) that the U.S. Food and Drug Administration (FDA) revoke the EUA for the multiFiltrate PRO System and multiBic/multiPlus solutions. This EUA was issued initially on April 30, 2020.

Fresenius has informed the FDA that it does not intend to offer the multiFiltrate PRO System and multiBic/multiPlus solutions under the EUA in the United States anymore. The multiFiltrate PRO System and the multiBic solution have obtained marketing clearance for certain uses under section 510(k) of the Federal Food, Drug and Cosmetic Act (the Act).¹ FDA understands that Fresenius will issue a communication to notify healthcare facilities and providers that have received the multiFiltrate PRO System and multiBic/multiPlus solutions under the EUA of this revocation and to stop using the multiBic solution as a replacement solution in continuous renal replacement therapy. The use of the multiBic solution as a replacement solution in continuous renal replacement therapy is no longer authorized under the EUA and such use has not obtained FDA-approval. However, and consistent with FDA policy², FDA does not intend to object to the use of the multiBic solution remaining in distribution when used consistent with the labeling conditions detailed under K233159 until such product has expired.

The authorization of a drug or device for emergency use under section 564 of the Act (21 U.S.C. 360bbb-3) may, pursuant to section 564(g)(2) of the Act, be revoked when circumstances make such revocation appropriate to protect the public health or safety (section 564(g)(2)(C) of the Act). For the reasons stated in Fresenius' request, FDA has determined that it is appropriate to protect the public health or safety to revoke this authorization.

Accordingly, FDA hereby revokes EUA 048 for the multiFiltrate PRO System and multiBic/multiPlus solutions pursuant to section 564(g)(2)(C) of the Act. As of the date of this

¹ The multiFiltrate PRO System obtained 510(k) clearance under [K220281](#). The multiBic solution, marketed as pureFlow Dialysate Solutions, obtained 510(k) clearance under [K233159](#). The multiBic solution has not obtained FDA-approval under section 505 of the Act for use as a replacement solution in continuous renal replacement therapy.

² See FDA's guidance titled [Transition Plan for Medical Devices Issued Emergency Use Authorizations Related to COVID-19](#) (March 2023).



January 16, 2025

Baxter Healthcare Corporation
 Attention: Ximena Semensato
 Senior Manager, Global Regulatory Affairs
 Acute Therapies
 1 Baxter Parkway
 DF64E-087
 Deerfield, IL 60015

Re: Revocation of EUA 068

Dear Ms. Semensato:

This letter is in response to the request from Baxter Healthcare Corporation (Baxter) that the U.S. Food and Drug Administration (FDA) revoke the EUA for REGIOCIT. This EUA was issued initially on August 13, 2020. Baxter has informed the FDA that it does not intend to offer REGIOCIT under the EUA in the United States anymore. FDA understands that Baxter will issue a communication to notify healthcare facilities and providers that have received REGIOCIT under the EUA of this revocation and to stop using REGIOCIT with instructions for product return for any product that remains in distribution.

The authorization of a drug for emergency use under section 564 of the Act (21 U.S.C. 360bbb-3) may, pursuant to section 564(g)(2) of the Act, be revoked when circumstances make such revocation appropriate to protect the public health or safety (section 564(g)(2)(C) of the Act). While there is no new safety concern with REGIOCIT, the Agency recognizes that FDA-approved replacement solutions are in sufficient supply to meet the public health need. Accordingly, FDA has determined that it is appropriate to protect the public health or safety to revoke this authorization.

FDA hereby revokes EUA 068 for REGIOCIT pursuant to section 564(g)(2)(C) of the Act. As of the date of this letter, REGIOCIT is no longer authorized for emergency use by FDA.

Notice of this revocation will be published in the *Federal Register*, pursuant to section 564(h)(1) of the Act.

Dated: May 7, 2025.

Grace R. Graham,

*Deputy Commissioner for Policy, Legislation,
 and International Affairs.*

[FR Doc. 2025-09065 Filed 5-20-25; 8:45 am]

BILLING CODE 4164-01-C

**DEPARTMENT OF HEALTH AND
 HUMAN SERVICES**

[Document Identifier: OS-0990-0279]

**Agency Information Collection
 Request; 60-Day Public Comment
 Request**

AGENCY: Office of the Secretary, HHS.

ACTION: Notice.

SUMMARY: In compliance with the requirement of the Paperwork Reduction Act of 1995, the Office of the Secretary (OS), Department of Health and Human Services, is publishing the following summary of a proposed collection for public comment.

DATES: Comments on the ICR must be received on or before July 21, 2025.

ADDRESSES: Submit your comments to Natalie Klein, Natalie.Klein@hhs.gov and PRA@hhs.gov or by calling (240) 453-6900.

FOR FURTHER INFORMATION CONTACT:

When submitting comments or requesting information, please include the document identifier "0990-0279-60D" and project title, "Department of Health and Human Services (HHS) Registration of an Institutional Review Board Form" for reference, to Natalie Klein, email: Natalie.Klein@hhs.gov, PRA@hhs.gov or by calling (240) 453-6900.

SUPPLEMENTARY INFORMATION: Interested persons are invited to send comments regarding this burden estimate or any other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of

the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

Title of the Collection: Department of Health and Human Services (HHS) Registration of an Institutional Review Board Form.

Type of Collection: Revision.

OMB No.: 0990-0279.

Abstract: The Office for Human Research Protections (OHRP) and the Food and Drug Administration (FDA) are requesting a revision of the currently approved collection for the Office of Management and Budget (OMB) No. 0990-0279, Department of Health and Human Services (HHS) Institutional Review Board (IRB) Registration Form. The revision request involves implementing a burden reducing change. Specifically, OHRP is seeking to

remove the IRB roster membership information from the IRB registration form. This change will align the IRB registration form with the 2018 Requirements at 45 CFR 46.103. The change, when implemented, is anticipated to result in a shorter, simplified IRB registration process for respondents. Updates to the software applications OHRP uses to manage IRB registration will be deployed to enable such changes.

The current form is approved through June 30, 2025. The purpose of the form is to provide a simplified procedure for: (1) IRBs to satisfy the requirements for IRB registration at 45 CFR part 46, subpart E; and (2) IRBs in the United

States (US) to satisfy the FDA requirements for IRB registration at 21 CFR 56.106.

Institutions engaged in nonexempt human subjects research conducted or supported by HHS, or another Common Rule department or agency, are required by the terms of the Federalwide Assurance (FWA) to rely upon only IRBs registered with OHRP for review of research to which the FWA applies, and must designate a registered IRB on the institution's FWA submission to OHRP. In this way, OHRP's FWA submission process, established pursuant to the requirements for assurances at 45 CFR 46.103, is linked to the regulatory requirements for IRB registration.

The respondents for this information collection are institutions or organizations operating IRBs that review human subjects research conducted or supported by HHS; or, in the case of FDA's requirements, each IRB in the United States that reviews clinical investigations regulated by FDA under sections 505(i) or 520(g) of the Federal Food, Drug and Cosmetic Act; and each IRB in the United States that reviews clinical investigations that are intended to support applications for research or marketing permits for FDA-regulated products. Many of the IRBs also review research conducted or supported by other Common Rule departments and agencies.

ANNUALIZED BURDEN HOUR TABLE

Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total burden hours
IRB Registration 0990–0279 Update and Renew	5,350	1	0.33	1,766
IRB-Registration 0990–0279 Initial and Update	350	2	0.5/0.33	291
Total				2,057

Susan R. Little,

Department Information Collection Clearance Officer, Paperwork Reduction Act Program, Department of Health and Human Services.

[FR Doc. 2025–09001 Filed 5–20–25; 8:45 am]

BILLING CODE 4150–36–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

[Document Identifier: OS–0990–new]

Agency Information Collection Request; 60-Day Public Comment Request

AGENCY: Office of the Assistant Secretary for Technology Policy/Office of the National Coordinator for Health IT, Office of the Secretary, HHS.

ACTION: Notice.

SUMMARY: In compliance with the requirement of the Paperwork Reduction Act of 1995, the Office of the Secretary (OS), Department of Health and Human Services, is publishing the following summary of a proposed collection for public comment.

DATES: Comments on the ICR must be received on or before July 21, 2025.

ADDRESSES: Submit your comments to ASTP_Data@hhs.gov.

FOR FURTHER INFORMATION CONTACT: When submitting comments or

requesting information, please include the document identifier 0990–New–60D and project title for reference to ASTP_Data@hhs.gov and Meghan Gabriel at Meghan.Gabriel@hhs.gov, PRA@hhs.gov or call 202–465–0597.

SUPPLEMENTARY INFORMATION: Interested persons are invited to send comments regarding this burden estimate or any other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

Title of the Collection: National Survey of Digital Health Companies.

Type of Collection: New Data Collection.

OMB No.

Abstract:

The 21st Century Cures Act (Cures Act) aimed to advance the exchange of electronic health information by promoting patient access through standardized application programming interfaces (APIs). Digital health companies develop apps and health IT

tools that enable human interaction with APIs to exchange electronic health information. Prior studies indicate widespread adoption of standardized APIs for interoperability with electronic health records (EHRs). Ongoing assessment of these technologies is crucial to examining the impacts of the Cures Act's health IT provisions and is critical to informing the Assistant Secretary for Technology Policy/Office of the National Coordinator for Health IT's (ASTP/ONC's) policy efforts. With ASTP/ONC's support, the University of California, San Francisco (UCSF) conducted a 2022 survey of digital health companies assessing implementation of and experiences with healthcare APIs; findings from this survey work are published in the Journal of the American Medical Informatics Association. ASTP/ONC finds it essential to continue efforts to survey digital health companies to assess ASTP/ONC's implementation of statutorily mandated information blocking (42 U.S.C. 300jj–52) and APIs "without special effort" policies (42 U.S.C. 300jj–11) under the Cures Act. Information gathered from this effort will help inform ongoing ASTP/ONC efforts to help nurture an ecosystem of innovation and transparency in health care.

ANNUALIZED BURDEN HOUR TABLE

Forms (if necessary)	Respondents (if necessary)	Number of respondents	Number of responses per respondents	Average burden per response (minutes)	Total burden hours
Total	U.S. based Digital Health Companies	282	1	60	282
Total .....	.....	.....	.....	.....	282

Susan R. Little,
 Department Information Collection Clearance Officer, Paperwork Reduction Act Program, Department of Health and Human Services.
 [FR Doc. 2025-09004 Filed 5-20-25; 8:45 am]
BILLING CODE 4150-45-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Imaging and Bioengineering Technology for Visual Systems (IBV).

Date: June 17-18, 2025.

Time: 8:30 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: Susan Gillmor, Ph.D., Scientific Review Officer, National Institutes of Health, Center for Scientific Review, 6701 Rockledge Drive, Bethesda, MD 20892, 240-762-3076, susan.gillmor@nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA Panel: HIV and Substance Use.

Date: June 17, 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: Kaitlyn N. Hardell, MPH, Ph.D., Scientific Review Officer, SRB, NIA, Scientific Review Branch, 5601 Fishers Lane, Suite 8B, Rockville, MD 20892, (301) 594-7945, kaitlyn.hardell@nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel, Program Projects: Cancer Biology.

Date: June 17-18, 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: E. Tian, Ph.D., Scientific Review Officer, Research Program Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W618, ROCKVILLE, MD 20850, (240) 276-7246, tiane@mail.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; P50 SPORE's in Human Cancer.

Date: June 17-18, 2025.

Time: 9:30 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: John Paul Cairns, Ph.D., Scientific Review Officer, Research Programs Review Branch, Division of Extramural Activities, 9609 Medical Center Drive, Room 7W244, National Cancer Institute, NIH, Bethesda, MD 20892, 240-276-5415, paul.cairns@nih.gov.

Name of Committee: Biological Chemistry and Macromolecular Biophysics Integrated Review Group, Macromolecular Structure and Function B Study Section.

Date: June 17-18, 2025.

Time: 9:30 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: Alexei A Yeliseev, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 443-0552, yeliseeva@mail.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel, Special Topics: Institutional Training and Education Study Section.

Date: June 17-18, 2025.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Adriana Stoica, Ph.D., Scientific Review Officer, Resources and Training Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, 7W234, Bethesda, MD 20892-9750, 240-276-6368, Stoica2@mail.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Bidirectional Influences Between Adolescent Social Media Use and Mental Health.

Date: June 18, 2025.

Time: 12:00 p.m. to 4:30 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: Regina T. Dolan-Sewell, Ph.D., Scientific Review Officer, Division of Extramural Activities, National Institute of Mental Health, NIH, Neuroscience Center, 6001 Executive Boulevard, Bethesda, MD 20852, (240) 796-6785, regina.dolan-sewell@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: May 15, 2025.

Bruce A. George,
 Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-09074 Filed 5-20-25; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Amended Notice of Meeting

Notice is hereby given of a change in the meeting of the Center for Scientific Review Special Emphasis Panel Small Business Activities: Cardiovascular and Hematology, June 19, 2025, 09:00 a.m. to June 20, 2025, 06:00 p.m., National

Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 which was published in the **Federal Register** on April 18, 2025, 90 FR 16529 Doc 2025-06751.

This meeting is being amended to change the meeting dates from June 19-20, 2025, to June 25-26, 2025. The meeting is closed to the public.

Dated: May 16, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-09121 Filed 5-20-25; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Amended Notice of Meeting

Notice is hereby given of a change in the meeting of the Pathophysiology of Obesity and Metabolic Disease Study Section, June 09, 2025, 10:00 a.m. to June 10, 2025, 06:00 p.m., National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 which was published in the **Federal Register** on May 07, 2025, 90 FR 19305 Doc No: 2025-07944.

This meeting is being amended to change the contact person from Dr. Elaine Sierra-Rivera to Dr. Latha Malaiyandi. The meeting is closed to the public.

Dated: May 16, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-09122 Filed 5-20-25; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Amended Notice of Meeting

Notice is hereby given of a change in the meeting of the Molecular Neurogenetics Study Section, June 05, 2025, 9:00 a.m. to June 06, 2025, 7:00 p.m., National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 which was published in the **Federal Register** on April 9, 2025, 90 FR 15254, Doc No. 2025-06087.

This meeting is being amended to change the contact person from Mary Schueler to Prithi Rajan, Scientific Review Officer, National Institute of Neurological Disorders and Stroke, National Institutes of Health, Bethesda, MD 20892, *prithi.rajan@nih.gov*. The meeting is closed to the public.

Dated: May 15, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-09076 Filed 5-20-25; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-7104-N-03]

60-Day Notice of Proposed Information Collection: Choice Neighborhoods Post-Award; OMB Control No.: 2577-0269

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

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comments from all interested

parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: Comments are due: July 21, 2025

ADDRESSES: Interested persons are invited to submit comments regarding this proposal.

Written comments and recommendations for the proposed information collection can be posted within 60 days of publication of this notice on *www.regulations.gov* by searching the Docket Number of this notice and following the prompts. Interested persons are also invited to submit comments and recommendations regarding via post. Comments and recommendations should be postmarked within 60 days of the publication of this notice, refer to the proposal by name and/or OMB Approval Number (located at the top of this notice), and be sent to: Dawn Martin, Clearance Officer, Department of Housing and Urban Development, 451 7th Street SW, Room 3180, Washington, DC 20410.

FOR FURTHER INFORMATION CONTACT:

Dawn Martin, Clearance Officer, Department of Housing and Urban Development, 451 7th Street SW, Washington, DC 20410; email *dawn.e.martin@hud.gov*; telephone number (202) 402-6488. This is not a toll-free number. HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs*.

Copies of available documents submitted to OMB may be obtained from Ms. Martin.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Information collection	Number of respondents	Frequency of response	Responses per annum	Burden hour per response	Annual burden hours	Hourly cost per response	Annual cost
Implementation grantees on-line quarterly reporting (CN Inform) (Quarterly)	37	4	148	6	888	\$50.44	\$44,790.72
Implementation Grant Budget Form (HUD-53236) (Twice per year)	37	2	74	1.25	92.5	50.44	4,665.70
Planning grantees quarterly (reporting) (Quarterly)	27	4	108	1.25	135	50.44	6,809.40
Planning Grant Budget Form (HUD-53421)	27	1	27	1	27	50.44	1,361.88
Actual Cost Certificate (HUD-50163) closeout	15	1	15	1	15	50.44	756.60

Information collection	Number of respondents	Frequency of response	Responses per annum	Burden hour per response	Annual burden hours	Hourly cost per response	Annual cost
Voucher payments using eLOCCS (once per month) (OMB Approval No. 2535-0102)	64	12	768	0	0	0	0
Total	207	.....	1,140	.....	1,157.5	.....	58,384.30

Title of Information Collection:
Choice Neighborhoods Post-Award.
OMB Approval Number: 2577-0269.
Type of Request: Revision of currently approved collection.
Form Number: HUD-50163, HUD-53236, HUD-53421.

Description of the need for the information and proposed use: The information is required to allow HUD to manage Choice Neighborhoods grant awards in accordance with applicable statute and regulations.

Respondents: Choice Neighborhoods grantees.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of the agency’s estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

C. Authority

Section 2 of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507.

Laura Kunkel,

Acting Director, Office of Policy, Program and Legislative Initiatives.

[FR Doc. 2025-09124 Filed 5-20-25; 8:45 am]

BILLING CODE 4210-67-P

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

[S1D1S SS08011000 SX064A000 256S180110; S2D2S SS08011000 SX064A000 25XS501520; OMB Control Number 1029-0098]

Submission to the Office of Management and Budget for Review and Approval; Petition Process for Designation of Federal Lands as Unsuitable for All or Certain Types of Surface Coal Mining Operations and for Termination of Previous Designations

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the Office of Surface Mining Reclamation and Enforcement (OSMRE), are proposing to renew an information collection.

DATES: Interested persons are invited to submit comments on or before July 21, 2025.

ADDRESSES: Send your comments on this information collection request (ICR) by mail to William Frankel, Office of Surface Mining Reclamation and Enforcement, 1849 C Street NW, Room 4547-MIB, Washington, DC 20240, or by email to wfrankel@osmre.gov. Please reference OMB Control Number 1029-0098 in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: William Frankel by email at wfrankel@osmre.gov, or by telephone at 202-208-0121. 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 Paperwork Reduction Act of 1995 (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.

We are soliciting comments on the proposed ICR that is described below. We are especially interested in public comment addressing the following issues: (1) is the collection necessary to the proper functions of the agency; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the agency enhance the quality, utility, and clarity of the information to be collected; and (5) how might the agency minimize the burden of this collection on the respondents, including through the use of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this 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 us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Abstract: Consistent with section 522 of the Surface Mining Control and Reclamation Act of 1977 (SMCRA), 30 U.S.C. 1272, this part (30 CFR part 769) establishes the minimum procedures and standards for designating Federal lands unsuitable for certain types of surface mining operations and for terminating designations pursuant to a petition. The information requested will

aid the regulatory authority in the decision-making process to approve or disapprove a request.

Any person having an interest which is or may be adversely affected has the right to petition the regulatory authority to have an area designated as unsuitable for surface coal mining operations, or to have an existing designation terminated. At a minimum, the regulatory authority requires the following information:

(a) Petitioner's name, address, and telephone number are needed to identify the individual, company, etc., requesting the designation or termination.

(b) Identification of the area is required to determine the location of the area, its size and relationship to the section 522 areas.

(c) Petitioner's interest is needed to determine the status of petitioners for the validity of acceptance of the petition.

(d) Description of how mining of the area has affected, or how mining may affect people or the environment is needed to justify the unsuitability petition.

(e) Allegations of facts and supporting evidence are needed to comply with requirements of section 522(a) and (b).

To terminate designations of lands as unsuitable for surface mining operations, the regulatory authority must be provided with additional information as follows:

(a) Where the unsuitability determination was based on State or local land use plans, fragile or historic lands, loss of land productivity, or lands subject to natural hazards:

1. Discuss the nature or abundance of the protected resource affected.

Discuss the resources or conditions not being affected by mining operations in the surrounding area to ensure adequate protection of resources.

(b) Where the unsuitability petition was based on a finding that reclamation was not technologically or economically feasible, a demonstration that reclamation is now technologically and economically feasible. This is needed to determine the level of resources and the basis for termination of a designation.

The regulatory authority will use this information to identify, locate, compare and contrast the area, resources and conditions for the purpose of complying with section 522.

Title of Collection: 30 CFR part 769—Petition process for designation of Federal lands as unsuitable for all or certain types of surface coal mining operations and for termination of previous designations.

OMB Control Number: 1029–0098.

Form Number: None.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: Individuals.

Total Estimated Number of Annual Respondents: 1.

Total Estimated Number of Annual Responses: 1.

Estimated Completion Time per Response: 1,000 hours.

Total Estimated Number of Annual Burden Hours: 1,000.

Respondent's Obligation: Required to obtain or retain a benefit.

Frequency of Collection: One time.

Total Estimated Annual Nonhour Burden Cost: \$0.

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 Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

William L Frankel,

*Information Collection Clearance Officer,
Office of Surface Mining Reclamation and Enforcement.*

[FR Doc. 2025–09128 Filed 5–20–25; 8:45 am]

BILLING CODE 4310–05–P

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

[S1D1S SS08011000 SX064A000
256S180110; S2D2S SS08011000
SX064A000 25XS501520; OMB Control
Number 1029–0080]

Agency Information Collection Activities; Permanent Regulatory Program Requirements—Standards for Certification of Blasters

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the Office of Surface Mining Reclamation and Enforcement (OSMRE), are proposing to renew an information collection.

DATES: Interested persons are invited to submit comments on or before June 20, 2025.

ADDRESSES: Written comments and recommendations for this proposed information collection request (ICR) should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. You may find this particular ICR by

selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function. Please provide a copy of your comments to William Frankel, Office of Surface Mining Reclamation and Enforcement, 1849 C Street NW, Room 4547–MIB, Washington, DC 20240, or by email to wfrankel@osmre.gov. Please reference OMB Control Number 1029–0080 in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR, you may contact William Frankel by email at wfrankel@osmre.gov or by phone at (202) 208–0121. 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 Paperwork Reduction Act of 1995 (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 October 30, 2024 (89 FR 86368). 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 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. 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 us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Abstract: The information is used to identify and evaluate new blaster certification programs. Part 850 implements section 719 of the Surface Mining Control and Reclamation Act of 1977 (SMCRA). Section 719 requires the Secretary of the Interior to issue regulations that provide for each State regulatory authority to train, examine and certify persons for engaging in blasting or use of explosives in surface coal mining operations. Each State that wishes to certify blasters must submit a blasters certification program to OSMRE for approval.

Title of Collection: Permanent Regulatory Program Requirements—Standards for Certification of Blasters.

OMB Control Number: 1029–0080.

Form Number: None.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: State governments.

Total Estimated Number of Annual Respondents: 1.

Total Estimated Number of Annual Responses: 1.

Estimated Completion Time per Response: 320 hours.

Total Estimated Number of Annual Burden Hours: 320.

Respondent's Obligation: Required to obtain or retain a benefit.

Frequency of Collection: One Time.

Total Estimated Annual Nonhour Burden Cost: \$0.

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 Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

William L. Frankel,

*Information Collection Clearance Officer,
Office of Surface Mining Reclamation and Enforcement.*

[FR Doc. 2025–09026 Filed 5–20–25; 8:45 am]

BILLING CODE 4310–05–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–454 and 731–TA–1144 (Third Review) and 731–TA–1210–1212 (Second Review)]

Welded Stainless Steel Pressure Pipe From China, Malaysia, Thailand, and Vietnam

Determinations

On the basis of the record¹ developed in the subject five-year reviews, the United States International Trade Commission (“Commission”) determines, pursuant to the Tariff Act of 1930 (“the Act”), that revocation of the countervailing duty order on welded stainless steel pressure pipe from China and the antidumping duty orders on welded stainless steel pressure pipe from China, Malaysia, Thailand, and Vietnam would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

Background

The Commission instituted these reviews on November 1, 2024 (89 FR 87416) and determined on February 4, 2025, that it would conduct expedited reviews (90 FR 11182, March 4, 2025).

The Commission made these determinations pursuant to section 751(c) of the Act (19 U.S.C. 1675(c)). It completed and filed its determinations in these reviews on May 16, 2025. The views of the Commission are contained in USITC Publication 5624 (May 2025), entitled *Welded Stainless Steel Pressure Pipe from China, Malaysia, Thailand, and Vietnam: Investigation Nos. 701–TA–454 and 731–TA–1144 (Third Review) and 731–TA–1210–1212 (Second Review)*.

By order of the Commission.

Issued: May 16, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025–09110 Filed 5–20–25; 8:45 am]

BILLING CODE 7020–02–P

¹ The record is defined in § 207.2(f) of the Commission’s Rules of Practice and Procedure (19 CFR 207.2(f)).

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Temporary Labor Camps Standard

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Occupational Safety & Health Administration (OSHA)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before June 20, 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: Nicole Bouchet by telephone at 202–693–0213, or by email at DOL_PRA_PUBLIC@dol.gov.

SUPPLEMENTARY INFORMATION: The information collected is used to limit the incidence of communicable disease among temporary labor camp residents. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on December 31, 2024 (89 FR 107165).

Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency’s estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB

approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. See 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL–OSHA.

Title of Collection: Temporary Labor Camps Standard.

OMB Control Number: 1218–0096.

Affected Public: Private Sector—Farms.

Total Estimated Number of Respondents: 2,851.

Total Estimated Number of Responses: 2,851.

Total Estimated Annual Time Burden: 238 hours.

Total Estimated Annual Other Costs Burden: \$0.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Nicole Bouchet,

Senior Paperwork Reduction Act Analyst.

[FR Doc. 2025–09089 Filed 5–20–25; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Explosive Materials and Blasting Units (Pertains Only to Underground Metal and Category III Nonmetal Mines Deemed To Be Gassy)

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Mine Safety and Health Administration (MSHA)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before June 20, 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: Under 30 CFR 7.4 and 15, MSHA tests and approves blasting units and explosive materials as permissible for use in mines, respectively. Under 30 CFR 57.22606(a), mine operators of Category III metal and nonmetal mines must notify the appropriate MSHA District Manager of all nonapproved explosive materials and blasting units prior to their use. Explosive materials used for blasting must be approved by MSHA under 30 CFR part 15, or nonapproved explosive materials must be evaluated and determined by the District Manager to be safe for blasting in a potentially gassy environment. The notice must also include the millisecond-delay interval between successive shots and between the first and last shot in a round. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on December 2, 2024 (89 FR 95244).

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.

Agency: DOL–MSHA.

Title of Collection: Explosive Materials and Blasting Units (pertains only to underground metal and Category III nonmetal mines deemed to be gassy).

OMB Control Number: 1219–0095.

Affected Public: Private Sector.

Number of Respondents: 1.

Number of Responses: 1.

Annual Burden Hours: 1 hours.

Total Estimated Annual Other Costs Burden: \$6.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Michael Howell,

Senior Paperwork Reduction Act Analyst.

[FR Doc. 2025–09088 Filed 5–20–25; 8:45 am]

BILLING CODE 4510–43–P

LEGAL SERVICES CORPORATION

Sunshine Act Meetings

TIME AND DATE: The Legal Services Corporation Board of Directors will meet virtually on May 28, 2025. The meeting will commence at 10:30 a.m. Eastern Time and will continue until the conclusion of the Board’s agenda.

PLACE: Public Notice of Virtual Meeting.

LSC will conduct the May 28, 2025, meeting via videoconference. Unless otherwise noted herein, the LSC Board of Directors meeting will be open to public observation via LSC’s YouTube channel: <https://www.youtube.com/@LegalServicesCorp/streams>.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. Approval of Agenda
2. Briefing by the Inspector General
3. Consider and Act on the Board of Directors’ Transmittal Letter to Accompany the Inspector General’s Semiannual Report to Congress for the Period of October 1, 2024, through April 30, 2025
4. Consider and Act on Other Business
5. Consider and Act on Adjournment of Meeting

CONTACT PERSON FOR MORE INFORMATION:

Jessica Wechter, Special Assistant to the President, at (202) 295–1626. Questions may also be sent by electronic mail to wechterj@lsc.gov.

Non-Confidential Meeting Materials: Non-confidential meeting materials will be made available in electronic format at least 24 hours in advance of the meeting on the LSC website, at <https://www.lsc.gov/about-lsc/board-meeting-materials>.

(Authority: 5 U.S.C. 552b.)

Dated: May 19, 2025.

Stefanie Davis,

Deputy General Counsel, Legal Services Corporation.

[FR Doc. 2025-09206 Filed 5-19-25; 11:15 am]

BILLING CODE 7050-01-P

POSTAL REGULATORY COMMISSION

[Docket Nos. CP2024-354; MC2025-1385 and K2025-1386; MC2025-1388 and K2025-1387; MC2025-1397 and K2025-1396; MC2025-1398 and K2025-1397; MC2025-1399 and K2025-1398; MC2025-1400 and K2025-1399; MC2025-1401 and K2025-1400]

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:* May 23, 2025.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at <https://www.prc.gov>. Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202-789-6820.

SUPPLEMENTARY INFORMATION:

Table of Contents

- I. Introduction
- II. Public Proceeding(s)
- III. Summary Proceeding(s)

I. Introduction

Pursuant to 39 CFR 3041.405, the Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to Competitive negotiated service agreement(s). The request(s) may propose the addition of a negotiated service agreement from the Competitive product list or the modification of an existing product currently appearing on the Competitive product list.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (<http://www.prc.gov>). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance

with the requirements of 39 CFR 3011.301.¹

Section II identifies the docket number(s) associated with each Postal Service request, if any, that will be reviewed in a public proceeding as defined by 39 CFR 3010.101(p), the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each such request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 and 39 CFR 3000.114 (Public Representative). The Public Representative does not represent any individual person, entity or particular point of view, and, when Commission attorneys are appointed, no attorney-client relationship is established. Section II also establishes comment deadline(s) pertaining to each such request.

The Commission invites comments on whether the Postal Service's request(s) identified in Section II, if any, are consistent with the policies of title 39. Applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3035, and 39 CFR part 3041. Comment deadline(s) for each such request, if any, appear in Section II.

Section III identifies the docket number(s) associated with each Postal Service request, if any, to add a standardized distinct product to the Competitive product list or to amend a standardized distinct product, the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. Standardized distinct products are negotiated service agreements that are variations of one or more Competitive products, and for which financial models, minimum rates, and classification criteria have undergone advance Commission review. *See* 39 CFR 3041.110(n); 39 CFR 3041.205(a). Such requests are reviewed in summary proceedings pursuant to 39 CFR 3041.325(c)(2) and 39 CFR 3041.505(f)(1). Pursuant to 39 CFR 3041.405(c)-(d), the Commission does not appoint a Public Representative or request public comment in proceedings to review such requests.

II. Public Proceeding(s)

1. *Docket No(s).*: CP2024-354; *Filing Title:* Request of the United States Postal Service Concerning Modification One to

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).

Priority Mail Express International, Priority Mail International & Commercial ePacket Contract 5 Negotiated Service Agreement, which Includes an Extension of that Agreement; *Filing Acceptance Date:* May 15, 2025; *Filing Authority:* 39 CFR 3035.105 and 39 CFR 3041.505; *Public Representative:* Katalin Clendenin; *Comments Due:* May 23, 2025.

2. *Docket No(s).*: MC2025-1385 and K2025-1386; *Filing Title:* USPS Request to Add Priority Mail Express International, Priority Mail International & Commercial ePacket Contract 6 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* May 15, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Maxine Bradley; *Comments Due:* May 23, 2025.

3. *Docket No(s).*: MC2025-1388 and K2025-1387; *Filing Title:* USPS Request to Add Priority Mail Express International, Priority Mail International & First-Class Package International Service Contract 70 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* May 15, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Katalin Clendenin; *Comments Due:* May 23, 2025.

4. *Docket No(s).*: MC2025-1397 and K2025-1396; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 749 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* May 15, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Samuel Robinson; *Comments Due:* May 23, 2025.

5. *Docket No(s).*: MC2025-1398 and K2025-1397; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 750 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* May 15, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Christopher Mohr; *Comments Due:* May 23, 2025.

6. *Docket No(s).*: MC2025-1399 and K2025-1398; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 751 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* May 15, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Almaroof Agoro; *Comments Due:* May 23, 2025.

7. *Docket No(s)*: MC2025–1400 and K2025–1399; *Filing Title*: USPS Request to Add Priority Mail & USPS Ground Advantage Contract 752 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: May 15, 2025; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative*: Maxine Bradley; *Comments Due*: May 23, 2025.

8. *Docket No(s)*: MC2025–1401 and K2025–1400; *Filing Title*: USPS Request to Add Priority Mail Contract 818 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: May 15, 2025; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative*: Jennaca Upperman; *Comments Due*: May 23, 2025.

III. Summary Proceeding(s)

None. See Section II for public proceedings.

This Notice will be published in the **Federal Register**.

Kimberly R. Banks,
Secondary Certifying Official.

[FR Doc. 2025–09111 Filed 5–20–25; 8:45 am]

BILLING CODE 7710–FW–P

POSTAL SERVICE

Product Change—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:* May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 9, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage Contract 738 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2025–1371, K2025–1371.

Sean Robinson,
Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–09037 Filed 5–20–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—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:* May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 15, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage Contract 749 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2025–1399, K2025–1396.

Sean Robinson,
Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–09056 Filed 5–20–25; 8:45 am]

BILLING CODE 7710–12–P

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:* May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Sean C. Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 14, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 1368 to Competitive Product List*. Documents

are available at www.prc.gov, Docket Nos. MC2025–1394, K2025–1393.

Sean C. Robinson,
Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–09049 Filed 5–20–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail 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:* May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Sean C. Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 13, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Contract 811 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2025–1383, K2025–1382.

Sean C. Robinson,
Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–09032 Filed 5–20–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—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:* May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 13, 2025, it filed with the Postal Regulatory

Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage Contract 744 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2025–1381, K2025–1380.

Sean Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–09043 Filed 5–20–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail 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:* May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Sean C. Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 13, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Contract 812 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2025–1384, K2025–1383.

Sean C. Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–09033 Filed 5–20–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—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:* May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 12, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage Contract 742 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2025–1376, K2025–1376.

Sean Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–09041 Filed 5–20–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—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:* May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 9, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage Contract 739 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2025–1372, K2025–1372.

Sean Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–09038 Filed 5–20–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—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:* May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 13, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage Contract 746 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2025–1391, K2025–1390.

Sean Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–09045 Filed 5–20–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—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:* May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 15, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage Contract 750 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2025–1398, K2025–1397.

Sean Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–09057 Filed 5–20–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail 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:* May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Sean C. Robinson, 202-268-8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 15, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Contract 818 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2025-1401, K2025-1400.

Sean C. Robinson,
Attorney, Corporate and Postal Business Law.
[FR Doc. 2025-09054 Filed 5-20-25; 8:45 am]
BILLING CODE 7710-12-P

POSTAL SERVICE

Product Change—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:* May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202-268-8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 13, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage Contract 745 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2025-1382, K2025-1381.

Sean Robinson,
Attorney, Corporate and Postal Business Law.
[FR Doc. 2025-09044 Filed 5-20-25; 8:45 am]
BILLING CODE 7710-12-P

POSTAL SERVICE

Product Change—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:* May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202-268-8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 12, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage Contract 741 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2025-1375, K2025-1375.

Sean Robinson,
Attorney, Corporate and Postal Business Law.
[FR Doc. 2025-09040 Filed 5-20-25; 8:45 am]
BILLING CODE 7710-12-P

POSTAL SERVICE

Product Change—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:* May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202-268-8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 15, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage Contract 751 to Competitive Product List*. Documents are available at

www.prc.gov, Docket Nos. MC2025-1399, K2025-1398.

Sean Robinson,
Attorney, Corporate and Postal Business Law.
[FR Doc. 2025-09058 Filed 5-20-25; 8:45 am]
BILLING CODE 7710-12-P

POSTAL SERVICE

Product Change—Priority Mail 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:* May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Sean C. Robinson, 202-268-8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 9, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Contract 809 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2025-1373, K2025-1373.

Sean C. Robinson,
Attorney, Corporate and Postal Business Law.
[FR Doc. 2025-09050 Filed 5-20-25; 8:45 am]
BILLING CODE 7710-12-P

POSTAL SERVICE

Product Change—Priority Mail 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:* May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Sean C. Robinson, 202-268-8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 14, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add*

Priority Mail Contract 817 to Competitive Product List. Documents are available at www.prc.gov, Docket Nos. MC2025–1396, K2025–1395.

Sean C. Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–09053 Filed 5–20–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—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:* May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 14, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage Contract 747 to Competitive Product List.* Documents are available at www.prc.gov, Docket Nos. MC2025–1392, K2025–1391.

Sean Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–09046 Filed 5–20–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—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:* May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 13, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage Contract 748 to Competitive Product List.* Documents are available at www.prc.gov, Docket Nos. MC2025–1393, K2025–1392.

Sean Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–09047 Filed 5–20–25; 8:45 am]

BILLING CODE 7710–12–P

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:* May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Sean C. Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 14, 2025 it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 1367 to Competitive Product List.* Documents are available at www.prc.gov, Docket Nos. MC2025–1389, K2025–1388.

Sean C. Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–09048 Filed 5–20–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—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:* May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 12, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage Contract 740 to Competitive Product List.* Documents are available at www.prc.gov, Docket Nos. MC2025–1374, K2025–1374.

Sean Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–09039 Filed 5–20–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—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:* May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 15, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage Contract 752 to Competitive Product List.* Documents are available at www.prc.gov, Docket Nos. MC2025–1400, K2025–1399.

Sean Robinson,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2025–09059 Filed 5–20–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail 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:* May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Sean C. Robinson, 202-268-8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 12, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Contract 810 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2025-1378, K2025-1378.

Sean C. Robinson,
Attorney, Corporate and Postal Business Law.
[FR Doc. 2025-09051 Filed 5-20-25; 8:45 am]
BILLING CODE 7710-12-P

POSTAL SERVICE

International Product Change—Priority Mail Express International, Priority Mail International & First-Class Package International 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 Priority Mail Express International, Priority Mail International & First-Class Package International Service contract to the list of Negotiated Service Agreements in the Competitive Product List in the Mail Classification Schedule.

DATES: Date of notice: May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Christopher C. Meyerson, (202) 268-7820.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 15, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express International, Priority Mail International & First-Class Package International Service Contract 70 to Competitive Product List*. Documents are available at

www.prc.gov, Docket Nos. MC2025-1388 and K2025-1387.

Colleen Hibbert-Kapler,
Attorney, Ethics and Legal Compliance.
[FR Doc. 2025-09087 Filed 5-20-25; 8:45 am]
BILLING CODE 7710-12-P

POSTAL SERVICE

Product Change—Priority Mail 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:* May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Sean C. Robinson, 202-268-8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 14, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Contract 815 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2025-1390, K2025-1389.

Sean C. Robinson,
Attorney, Corporate and Postal Business Law.
[FR Doc. 2025-09036 Filed 5-20-25; 8:45 am]
BILLING CODE 7710-12-P

POSTAL SERVICE

Product Change—Priority Mail 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:* May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Sean C. Robinson, 202-268-8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 14, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add*

Priority Mail Contract 816 to Competitive Product List. Documents are available at www.prc.gov, Docket Nos. MC2025-1395, K2025-1394.

Sean C. Robinson,
Attorney, Corporate and Postal Business Law.
[FR Doc. 2025-09052 Filed 5-20-25; 8:45 am]
BILLING CODE 7710-12-P

POSTAL SERVICE

Product Change—Priority Mail 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:* May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Sean C. Robinson, 202-268-8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 13, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Contract 814 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2025-1387, K2025-1385.

Sean C. Robinson,
Attorney, Corporate and Postal Business Law.
[FR Doc. 2025-09035 Filed 5-20-25; 8:45 am]
BILLING CODE 7710-12-P

POSTAL SERVICE

Product Change—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:* May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202-268-8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C.

3642 and 3632(b)(3), on May 12, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & USPS Ground Advantage Contract 743 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2025–1376, K2025–1376.

Sean Robinson,

Attorney, Corporate and Postal Business Law.
[FR Doc. 2025–09042 Filed 5–20–25; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Sunshine Act Meetings

TIME AND DATE: Friday May 16, 2025, at 1:30 p.m. EST.

PLACE: Washington, DC, at U.S. Postal Service Headquarters, 475 L'Enfant Plaza SW.

STATUS: Closed.

MATTERS TO BE CONSIDERED: On May 16, 2025, the members of the Board of Governors of the United States Postal Service voted unanimously to hold and to close to public observation a special meeting in Washington, DC. The Board determined that no earlier public notice was practicable. The Board considered the below matters.

1. Administrative Matters.
2. Executive Session.
3. Personnel Matters.

General Counsel Certification: The General Counsel of the United States Postal Service has certified that the meeting may be closed under the Government in the Sunshine Act, 5 U.S.C. 552b.

CONTACT PERSON FOR MORE INFORMATION: Lucy C. Trout, Acting Secretary of the Board of Governors, U.S. Postal Service, 475 L'Enfant Plaza SW, Washington, DC 20260–1000. Telephone: (202) 268–4800.

Lucy C. Trout,

Acting Secretary.

[FR Doc. 2025–09204 Filed 5–19–25; 11:15 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail 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:* May 21, 2025.

FOR FURTHER INFORMATION CONTACT: Sean C. Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 13, 2025, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Contract 813 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2025–1386, K2025–1384.

Sean C. Robinson,

Attorney, Corporate and Postal Business Law.
[FR Doc. 2025–09034 Filed 5–20–25; 8:45 am]

BILLING CODE 7710–12–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103050; File No. SR–MIAX–2025–24]

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 Remove Obsolete Text Regarding Temporary Discounts to Current Subscribers to the MIAX Options Liquidity Taker Event Reports

May 15, 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 May 7, 2025, Miami International Securities Exchange, LLC (“MIAX” or “Exchange”) filed with the Securities and Exchange Commission (“Commission”) the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange is filing a proposal to amend the MIAX Options Exchange Fee Schedule (the “Fee Schedule”) to remove obsolete text regarding temporary discounts to current (described below) monthly and annual subscribers to the Liquidity Taker Event Report—Simple Orders, Liquidity Taker

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b–4.

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 remove obsolete text regarding 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 Member⁵ (“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

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).

Strategy Book, as the case may be),⁷ where that Recipient Member attempted to execute against such resting order⁸ within a certain timeframe.⁹ 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.

In April 2025, the Exchange performed necessary system upgrades and maintenance, which may have impacted 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. Given that system upgrades and maintenance might have potentially impacted the quality of data included in each Report, in an abundance of caution and to provide just customer service, the Exchange previously amended the Fee Schedule to provide existing subscribers to each

of the Reports discounted pricing¹¹ for the month of April 2025. This was done to accommodate Members that received Reports that might have been impacted by the necessary system upgrades and maintenance that occurred in April 2025.¹² Specifically, subscribers that had an active subscription as of March 31, 2025 to the Simple Order Report, Complex Order Report, and/or Resting Simple Order Report received the below discounts for the month of April 2025 only.¹³ Monthly subscribers received 50% off the applicable monthly fee for the April 2025 subscription.¹⁴ 12-month subscribers received an additional month at the end of existing 12-month subscription for no additional charge.¹⁵ The above discounts were available to active subscribers for April 2025 only.

The Exchange now proposes to remove obsolete text regarding temporary discounts to current monthly and annual subscribers to the Reports since the temporary discounts were available to active subscribers for April 2025 only and April 2025 has past. Further, each of the Reports' timeframes will no longer be impacted as the Exchange completed the necessary system upgrades and maintenance.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,¹⁶ in general, and furthers the objectives of Section 6(b)(5) of the Act,¹⁷ 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 to protect investors and the public interest, and that it is not designed to permit unfair

discrimination among customers, brokers, or dealers.

The Exchange believes that the proposal to remove obsolete text regarding temporary discounts for the Reports would promote just and equitable principles of trade and remove impediments to and perfect the mechanism of a free and open market and a national market system because the proposed change would provide greater clarity to market participants regarding the Exchange's Fee Schedule by removing obsolete text regarding temporary discounts for the Reports that will no longer apply pursuant to the terms of the existing rule text, beginning May 1, 2025. It is in the public interest for the Exchange's Fee Schedule to be accurate so as to eliminate the potential for confusion.

The Exchange also believes that the proposal to remove obsolete text regarding temporary discounts for the Reports is reasonable. The Exchange previously offered the discounts to provide just customer service and in an abundance of caution in case subscribers might find the data in the April 2025 Reports impacted by the planned necessary upgrades. Since the system upgrades were completed in April 2025, each of the Reports' timeframes will no longer be impacted by the necessary system upgrades and maintenance beginning May 2025. The Exchange believes that it is reasonable to remove outdated text regarding temporary discounts for the Reports that will no longer apply, beginning May 1, 2025. The Exchange believes that the proposal is fair and not unreasonably discriminatory because it applies to all current and future subscribers to the Reports.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

Intra-Market Competition

The Exchange believes that the proposed change would not impose any unnecessary or inappropriate burden on intra-market competition because the proposed change will have no impact on intra-competition as it is not designed to address any competitive issue but rather is designed to remove outdated text from the Fee Schedule. The temporary discounts were available to active subscribers for April 2025 only. The proposal is to remove outdated text from the Fee Schedule once the temporary discounts for the Reports expire.

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 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 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. *See* Fee Schedule, Section 7).

¹² *See* Securities Exchange Act Release No. 102783 (April 8, 2025), 90 FR 15607 (April 14, 2025) (SR-MIAX-2025-13) (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).

¹³ *See id.*

¹⁴ *See id.*

¹⁵ *See id.*

¹⁶ 15 U.S.C. 78f(b).

¹⁷ 15 U.S.C. 78f(b)(5).

Inter-Market Competition

The Exchange believes that the proposed change would not impose any unnecessary or inappropriate burden on inter-market competition because the proposed change will have no impact on inter-competition as it is not designed to address any competitive issue but rather is designed to remove outdated text from the Fee Schedule.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days 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, it has become effective pursuant to Section 19(b)(3)(A) of the Act¹⁸ and Rule 19b-4(f)(6)¹⁹ thereunder.

A proposed rule change filed under Rule 19b-4(f)(6)²⁰ normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b-4(f)(6)(iii),²¹ 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. The Exchange states that the proposed change is to remove obsolete text from the Fee Schedule, which will provide greater clarity to Members and the public regarding the Exchange's Fee Schedule. For these reasons, and because this proposal does not raise any novel regulatory issues, the Commission finds that waiver of the 30-day operative delay is consistent with the protection of investors and the public interest.

¹⁸ 15 U.S.C. 78s(b)(3)(A).

¹⁹ 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.

²⁰ 17 CFR 240.19b-4(f)(6).

²¹ 17 CFR 240.19b-4(f)(6)(iii).

Therefore, the Commission hereby waives the 30-day operative delay and designates the proposal operative upon filing.²²

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B)²³ 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-MIAX-2025-24 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090. All submissions should refer to file number SR-MIAX-2025-24. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<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

²² 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).

²³ 15 U.S.C. 78s(b)(2)(B).

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-2025-24 and should be submitted on or before June 11, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²⁴

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025-09072 Filed 5-20-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-103047; File No. SR-OCC-2025-801]

Self-Regulatory Organizations; The Options Clearing Corporation; Notice of No Objection To Advance Notice Concerning The Options Clearing Corporation's Proposed Amendments to Certain Key Terms of a Master Repurchase Agreement for a Committed Liquidity Facility With a Bank Counterparty as Part of the Options Clearing Corporation's Overall Liquidity Plan

May 15, 2025.

I. Introduction

On February 14, 2025, The Options Clearing Corporation ("OCC") filed with the Securities and Exchange Commission ("Commission") advance notice SR-OCC-2025-801 pursuant to section 806(e)(1) of Title VIII of the Dodd-Frank Wall Street Reform and Consumer Protection Act, entitled Payment, Clearing and Settlement Supervision Act of 2010 ("Clearing Supervision Act")¹ and Rule 19b-4(n)(1)(i)² under the Securities Exchange Act of 1934 ("Exchange Act")³ to propose amendments to certain key terms of a master repurchase agreement for a committed liquidity facility with a bank counterparty as part

²⁴ 17 CFR 200.30-3(a)(12), (59).

¹ 12 U.S.C. 5465(e)(1).

² 17 CFR 240.19b-4(n)(1)(i).

³ 15 U.S.C. 78a et seq.

of OCC's overall liquidity plan (hereinafter, the "Advance Notice").⁴ On February 26, 2025, the Notice of Filing of the Advance Notice was published in the **Federal Register** to solicit public comment.⁵ On March 14, 2025, the Commission requested additional information for consideration of the Advance Notice from OCC, pursuant to section 806(e)(1)(D) of the Clearing Supervision Act,⁶ which tolled the Commission's period of review of the Advance Notice until 60 days from the date the information requested by the Commission was received by the Commission.⁷ On March 19, 2025, the Commission received OCC's response to the Commission's request for additional information.⁸ The Commission has not received public comment regarding the changes proposed in the Advance Notice. The Commission is hereby providing notice of no objection to the Advance Notice.

II. Background

OCC is a central counterparty ("CCP"), which means that as part of its function as a clearing agency, it interposes itself as the buyer to every seller and the seller to every buyer for financial transactions. It is the sole clearing agency for standardized equity options listed on national securities exchanges registered with the Commission. In OCC's role as a registered clearing agency, and as a derivatives clearing organization ("DCO") registered with the Commodity Futures Trading Commission ("CFTC"), it guarantees all contracts it clears. As the CCP for the listed options markets and for certain futures in the United States, OCC is exposed to the risk that one or more of its Clearing Members⁹ may fail to make a payment or to deliver securities.

OCC addresses such risk exposure, in part, by maintaining an overall liquidity

plan that provides access to a diverse set of funding sources, including a minimum amount of cash in OCC's Clearing Fund,¹⁰ syndicated bank credit facility¹¹ and a program for accessing additional committed sources of liquidity that do not increase the concentration of OCC's counterparty exposure ("Non-Bank Liquidity Facility").¹² The credit facility and Non-Bank Liquidity Facility provide OCC with cash in exchange for collateral (e.g., U.S. Government securities deposited by Clearing Members in satisfaction of their Clearing Fund requirements) and comprise part of the liquid resources OCC maintains to effect same-day settlement of its payment obligations.

In addition to these resources, OCC is permitted to establish a Master Repurchase Agreement (the "MRA") with a bank counterparty on an ongoing basis with a commitment amount of up to \$1 billion (the "Bank Repo Facility").¹³ Under the Bank Repo Facility, the designated bank counterparty (the "buyer") would purchase U.S. Government securities from OCC in exchange for payment to OCC in immediately available funds (the "Purchase Price"). The buyer, in exchange, must agree to later transfer the purchased securities back to OCC on a specified "Repurchase Date" or on OCC's demand against the transfer of funds from OCC to the buyer. The transfer of funds from OCC to the buyer would equal the outstanding Purchase Price and the accrued and unpaid price differential agreed to by the parties.

The Bank Repo Facility, as filed with the Commission in 2022, includes the condition that the buyer not pledge, charge, encumber, hypothecate, transfer, dispose of, or otherwise grant any third party any interest in (i.e., "rehypothecate") any eligible securities.¹⁴ OCC states that the prohibition on rehypothecation was intended to prevent the bank from granting third parties an interest in purchased securities in order to reduce the risk that the third party could

interfere with the buyer's transfer of the purchased securities to OCC on the Repurchase Date.¹⁵ However, OCC also states that the prohibition on rehypothecation is not a standard feature for bilateral repo transactions like the one contemplated by the Bank Repo Facility, and its inclusion in the MRA has made the transaction less commercially appealing to the bank counterparty than OCC initially anticipated.¹⁶ Specifically, the bank counterparty will not execute an MRA for a \$1 billion commitment without a limited right of rehypothecation.¹⁷ As a result, OCC has not implemented the \$1 billion Bank Repo Facility and believes it will be able to do so with the amendment of the MRA to permit a limited right of rehypothecation.¹⁸

As proposed, the Bank Repo Facility would continue to provide OCC with access to up to \$1 billion in liquidity¹⁹ and provides an alternative to OCC's other liquidity sources described above (i.e., required Clearing Fund cash, bank credit facility, Non-Bank Liquidity Facility). Accordingly, to make the MRA more commercially appealing to its bank counterparty, OCC proposes modifying the MRA to provide for a right to rehypothecate the purchased securities.²⁰

The current prohibition against rehypothecation was intended to prevent the bank from granting third parties an interest in purchased securities and thereby reduce the risk that the bank counterparty would not be able to retrieve the securities from the third-party and, as a result, would fail to return the purchased securities to OCC either on the Repurchase Date or otherwise upon OCC's request.²¹ OCC now proposes to provide for rehypothecation subject to certain limitations. Specifically, that the rehypothecation is (1) within a tri-party repo program of a third-party custodian where the buyer would hold the eligible securities in a custodial account²² and

¹⁵ See Notice of Filing, 90 FR at 10735.

¹⁶ See *id.*

¹⁷ See Notice of Filing, 90 FR 10737 (stating that the current prohibition on rehypothecation has prevented execution of the facility on commercially acceptable terms).

¹⁸ See *id.*

¹⁹ See Notice of Filing, 90 FR 10735.

²⁰ OCC proposes to modify the Bank Repo Facility to provide for a limited right to rehypothecate non-customer collateral. See Notice of Filing, 90 FR 10735.

²¹ OCC generally would make such a request in the event that OCC needed to substitute the purchased securities as a result of a Clearing Member's request to substitute collateral.

²² See Notice of Filing, 90 FR 10735, n. 17 ("Tri-party repos use a custodian bank that provides

Continued

⁴ See Notice of Filing *infra* note 5, 90 FR 10734.

⁵ Securities Exchange Act Release No. 102462 (Feb. 20, 2025), 90 FR 10734 (Feb. 26, 2025) (File No. SR-OCC-2025-801) ("Notice of Filing").

⁶ 12 U.S.C. 5465(e)(1)(D).

⁷ See 12 U.S.C. 5465(e)(1)(E)(ii); Memorandum from the Office of Clearance and Settlement Supervision, Division of Trading and Markets, titled "Commission's Request for Additional Information," available at <https://www.sec.gov/srocc2025801-581155-1670662.pdf>.

⁸ See 12 U.S.C. 5465(e)(1)(E)(ii) and (G)(ii); Memorandum from the Office of Clearance and Settlement Supervision, Division of Trading and Markets, titled "Response to the Commission's Request for Additional Information," available at <https://www.sec.gov/comments/sr-occ-2025-801/srocc2025801-586055-1693302.pdf>.

⁹ Capitalized terms used but not defined herein have the meanings specified in OCC's Rules and By-Laws, available at <https://www.theocc.com/about/publications/bylaws.jsp>.

¹⁰ See OCC Rule 1002 (requiring each Clearing Member deposit a minimum amount of cash in the Clearing Fund).

¹¹ See, e.g., Exchange Act Release No. 88971 (May 28, 2020), 85 FR 34257 (June 3, 2020) (File No. SR-OCC-2020-804).

¹² See, e.g., Exchange Act Release No. 89039 (June 10, 2020), 85 FR 36444 (June 16, 2020) (File No. SR-OCC-2020-803).

¹³ See Exchange Act Release No. 88317 (Mar. 4, 2020), 85 FR 13681 (Mar. 9, 2020) (File No. SR-OCC-2020-801) and Exchange Act Release No. 95669 (Sept. 2, 2022), 87 FR 55064 (Sept. 8, 2022) (File No. SR-OCC-2022-802).

¹⁴ See Exchange Act Release No. 95669, *supra* note 10, 87 FR at 55064-66.

(2) only to a third-party cash investor (e.g., a large institutional money market fund) that is legally restricted from further pledging, charging, encumbering, hypothecating, transferring, disposing of, or otherwise granting any interest in the purchased securities.²³ OCC states that these limitations serve two purposes: (1) ensuring that the rehypothecated securities remain in a segregated account held at the buyer's custodial bank on behalf of the third-party cash investors (thereby reducing the risk that the bank counterparty will not be able to deliver the purchased securities back to OCC on the Repurchase Date or sooner upon OCC's demand); and (2) creating requisite commercial incentives for the bank counterparty to execute the modified MRA.²⁴

Further, OCC believes it can mitigate the risks attendant to the Bank Repo Facility without prohibiting rehypothecation.²⁵ The prohibition on rehypothecation facilitated collateral substitution by ensuring that a third-party could not interfere with OCC's ability to honor a Clearing Member's substitution request.²⁶ OCC's rules, however, allow OCC to reject substitution requests for securities contributed to the Clearing Fund that OCC has taken possession of to borrow funds from a liquidity facility.²⁷ OCC states that it may facilitate substitutions following such a draw as a convenience and accommodation to Clearing Members, but it is not required to do so.²⁸

III. Discussion and Notice of No Objection

Although the Clearing Supervision Act does not specify a standard of review for an advance notice, the stated purpose of the Clearing Supervision Act is instructive: to mitigate systemic risk in the financial system and promote financial stability by, among other things, promoting uniform risk management standards for systemically important financial market utilities ("SIFMUs") and strengthening the liquidity of SIFMUs.²⁹

Section 805(a)(2) of the Clearing Supervision Act authorizes the Commission to prescribe regulations containing risk management standards for the payment, clearing and settlement

activities of designated clearing entities, including OCC, engaged in designated activities for which the Commission is the supervisory agency.³⁰ Section 805(b) of the Clearing Supervision Act provides the following objectives and principles for the Commission's risk management standards prescribed under section 805(a):³¹

- To promote robust risk management;
- To promote safety and soundness;
- To reduce systemic risks; and
- To support the stability of the broader financial system.

Section 805(c) provides that the Commission's risk management standards may address such areas as risk management and default policies and procedures, among other areas.³²

The Commission has adopted risk management standards under section 805(a)(2) of the Clearing Supervision Act and section 17A of the Exchange Act (the "Clearing Agency Rules").³³ The Clearing Agency Rules require, among other things, each covered clearing agency ("CCA") to establish, implement, maintain, and enforce written policies and procedures that are reasonably designed to meet certain minimum requirements for its operations and risk management practices on an ongoing basis.³⁴ As such, it is appropriate for the Commission to review advance notices against the Clearing Agency Rules and the objectives and principles of these risk management standards as described in section 805(b) of the Clearing Supervision Act. As discussed below, the changes proposed in the Advance Notice are consistent with the objectives and principles described in section 805(b) of the Clearing Supervision Act,³⁵ and in the Clearing Agency Rules, in particular Rule 17ad-22(e)(7).³⁶

A. Consistency With Section 805(b) of the Clearing Supervision Act

The proposal contained in the Advance Notice is consistent with the stated objectives and principles of section 805(b) of the Clearing Supervision Act. Specifically, as discussed below, the changes proposed in the Advance Notice are consistent with promoting robust risk

management, promoting safety and soundness, reducing systemic risks, and supporting the stability of the broader financial system.³⁷

The proposed change to the Bank Repo Facility is consistent with the promotion of robust risk management, in particular the management of liquidity risk presented to OCC. As a CCP and SIFMU,³⁸ OCC must have adequate resources to satisfy its counterparty settlement obligations, including in the event of a Clearing Member default.³⁹ As described above, and as the Commission has previously acknowledged,⁴⁰ the Bank Repo Facility provides an additional source of liquidity to OCC's overall liquidity plan and increases the amount of OCC's qualifying liquid resources. This would promote the reduction of risks to OCC, its Clearing Members, and the options market in general, because it would allow OCC to increase the amount and availability of short-term funds to address liquidity demands arising out of the default or suspension of a Clearing Member, or in anticipation of a potential default or suspension of a Clearing Member. Adding another committed source of liquidity resources also would help OCC manage the allocation between its sources of liquidity by giving OCC more flexibility to adjust the mix of liquidity resources based on market conditions, availability, and shifting liquidity needs.

The Bank Repo Facility cannot, however, provide a committed source of liquidity resources if OCC cannot implement the facility. As stated above, OCC believes it will be able to implement the Bank Repo Facility if it amends the MRA to permit a limited right of rehypothecation. As a result, OCC now proposes to modify the MRA to allow a bank counterparty a limited right of rehypothecation. Because this is the only change to the Bank Repo Facility that OCC is proposing, our analysis of whether the Advance Notice is consistent with the stated objectives and principles of section 805(b) of the Clearing Supervision Act is focused on the specific risks to OCC posed by the provision of such a limited right of rehypothecation and whether such risks are appropriately mitigated.

collateral valuation, margining, and management services to the counterparties to the agreement.").

²³ See Notice of Filing, 90 FR 10734 and 10735.

²⁴ See *id.*

²⁵ See Notice of Filing, 90 FR 10736.

²⁶ See *id.*

²⁷ See OCC Rule 1006(f)(4).

²⁸ See Notice of Filing, 90 FR 10736.

²⁹ See 12 U.S.C. 5461(b).

³⁰ 12 U.S.C. 5464(a)(2).

³¹ 12 U.S.C. 5464(b).

³² 12 U.S.C. 5464(c).

³³ 17 CFR 240.17ad-22. See Exchange Act Release No. 68080 (Oct. 22, 2012), 77 FR 66220 (Nov. 2, 2012) (S7-08-11). See also Covered Clearing Agency Standards, 81 FR 70786. OCC is a "covered clearing agency" as defined in Rule 17ad-22(a).

³⁴ 17 CFR 240.17ad-22.

³⁵ 12 U.S.C. 5464(b).

³⁶ 17 CFR 240.17ad-22(e)(7).

³⁷ 12 U.S.C. 5464(b).

³⁸ See Financial Stability Oversight Council ("FSOC") 2012 Annual Report, Appendix A, available at <https://home.treasury.gov/system/files/261/2012-Annual-Report.pdf> (last visited Feb. 26, 2025).

³⁹ See Exchange Act Release No. 73979 (Jan. 2, 2015), 80 FR 1062, 1065 (Jan. 8, 2015) (File No. SR-OCC-2014-809).

⁴⁰ See Exchange Act Release No. 95669 (Sept. 2, 2022), 87 FR 55064, 55066 (Sept. 8, 2022) (File No. SR-OCC-2022-802).

The initial risk is that the bank counterparty fails to return the purchased securities. The terms of the revised MRA would limit the right to rehypothecate to the bank counterparty, which would bar a third-party investor from further rehypothecating the securities and thereby expanding the set of counterparties involved. Additionally, the terms would require that rehypothecation take place in a tri-party arrangement, such that the securities could not be held directly by the third-party investor, but rather would be held in a custodial account at a trusted bank, limiting the risk that might otherwise arise out of giving the securities directly to the third-party investor. Such an arrangement would also allow OCC's bank counterparty to provide OCC visibility to the collateral and transparency to the allocation of that collateral in a tri-party deal.

In the event that the foregoing is not sufficient to ensure that the bank counterparty returns the purchased securities, both the terms of the revised MRA and OCC's existing rules would provide protections for OCC and specific tools to allow OCC to manage such an event. The primary risks to OCC presented by such an event would be credit losses incurred by OCC or payment obligations that OCC would be required to meet arising out of the bank counterparty's failure to return the securities to OCC. With regard to potential credit losses, OCC's existing Rules permit it to charge such losses to the Clearing Fund in the same manner as it may charge other losses arising out of Clearing Member default.⁴¹ With regard to its payment obligations, the express terms of the revised MRA would permit OCC to retain the funds borrowed from its bank counterparty if the counterparty fails to return the purchased securities, which funds OCC could use to meet its payment obligations.⁴² Additionally, OCC's existing Rules allow it to use Clearing Fund collateral to meet its settlement obligations as part of OCC's regular

default management process.⁴³ Thus, for example, OCC could use the borrowed funds received from the repurchase agreement, or if the borrowed funds were insufficient to meet OCC's full payment obligations additional Clearing Fund collateral, to meet the remainder of its settlement obligations as part of OCC's standard default management process.

Another risk presented by rehypothecation could arise in the event a Clearing Member whose Clearing Fund collateral is included in the purchased securities makes a request for collateral substitution.⁴⁴ Such a request could require OCC to demand early repurchase of the purchased securities by the bank counterparty. If the bank counterparty has itself rehypothecated the securities, it may not be in a position to return the collateral to OCC when requested. Again, OCC's existing Rules provide it with protection and tools to manage this risk. Specifically, OCC's Rules would allow it to refuse such a substitution request if the securities at issue have been utilized by OCC as part of the Bank Repo Facility.⁴⁵

As described above, such rehypothecation would be limited to a tri-party repo program, where the eligible securities would be held in a custodial account, and the third-party cash investor would be restricted from further rehypothecation. As a result, OCC could request that the bank counterparty provide visibility to the collateral and transparency to the allocation of that collateral in a tri-party deal. Such limitation and visibility serve to increase the likelihood that the bank counterparty would return purchased securities pursuant to the terms of the MRA. Even if the bank counterparty were not able to return the purchased securities, the terms of the Bank Repo Facility include protections designed to ensure that OCC would retain the borrowed funds.⁴⁶ As described above, OCC's rules provide for OCC's management of credit losses⁴⁷ or liquidity shortfalls⁴⁸ arising out of the bank counterparty's failure to return the purchased securities. To the extent

OCC were to suffer a loss due to the bank counterparty's failure to return the purchased securities, OCC could charge such a loss to the Clearing Fund.⁴⁹ OCC's rules also provide sufficiently flexibility to manage a scenario in which a Clearing Member requests a substitution of its Clearing Fund collateral, but the bank counterparty has not returned that collateral.⁵⁰

The Advance Notice is also consistent with the promotion of safety and soundness. As described above, the Advance Notice is designed to facilitate implementation of the Bank Repo Facility by amending the permissible terms such that they provide sufficient commercial incentives for the bank counterparty to agree to a \$1 billion commitment repurchase facility. Implementation of the Bank Repo Facility would provide OCC access to \$1 billion in committed liquidity not otherwise available to it which, in turn, would reduce the likelihood that OCC would have insufficient financial resources to address liquidity demands arising out of a Clearing Member default.⁵¹ Further, to the extent the Advance Notice is consistent with promoting OCC's safety and soundness, it also is consistent with reducing systemic risks and supporting the stability of the broader financial system. OCC has been designated as a SIFMU, in part, because its failure or disruption could increase the risk of significant liquidity or credit problems spreading among financial institutions or markets.⁵² The proposed changes to the MRA would support OCC's ability to continue providing services to the options markets by addressing losses and shortfalls arising out of the default of a Clearing Member. OCC's continued operations would, in turn, help support the stability of the financial system by reducing the risk of significant liquidity or credit problems spreading among market participants that rely on OCC's central role in the options market.

Accordingly, and for the reasons stated above, the changes proposed in the Advance Notice are consistent with

⁴¹ See OCC Rule 1006(a).

⁴² See Exchange Act Release No. 88317 (Mar. 4, 2020), 85 FR 13681, 13862 (Mar. 9, 2020) (File No. SR-OCC-2020-801) (providing for the use of a "mini-default" in lieu of declaring an event of default at the discretion of the non-defaulting party). For example, if the buyer fails to transfer purchased securities on the applicable repurchase date, rather than declaring an event of default, OCC may (1) if OCC has already paid the repurchase price, require the buyer to repay the repurchase price, (2) if there is a margin excess, require the buyer to pay cash or deliver purchased securities in an amount equal to the margin excess, or (3) declare that the applicable transaction, and only that transaction, will be immediately terminated, and apply default remedies under the MRA to only that transaction. *Id.* at n. 15.

⁴³ See OCC Rule 1006(f)(1)(C).

⁴⁴ See OCC Rule 1002(a)(iv).

⁴⁵ See OCC Rule 1006(f)(4) (allowing OCC to refuse any Clearing Member substitution request regarding securities contributed to the Clearing Fund that the Corporation has taken possession to borrow funds).

⁴⁶ See Exchange Act Release No. 88317 (Mar. 4, 2020), 85 FR 13681, 13862 (Mar. 9, 2020) (File No. SR-OCC-2020-801) (providing for the use of a "mini-default" in lieu of declaring an event of default at the discretion of the non-defaulting party).

⁴⁷ See OCC Rule 1006(a).

⁴⁸ See OCC Rule 1006(f)(1)(C).

⁴⁹ See OCC Rule 1006(a).

⁵⁰ See OCC Rule 1006(f)(4) (allowing OCC to refuse any Clearing Member substitution request regarding securities contributed to the Clearing Fund that the Corporation has taken possession to borrow funds).

⁵¹ See Exchange Act Release No. 95669 (Sept. 2, 2022), 87 FR 55064, 55067 (Sept. 8, 2022) (File No. SR-OCC-2022-802).

⁵² See Financial Stability Oversight Council ("FSOC") 2012 Annual Report, Appendix A, available at <https://home.treasury.gov/system/files/261/2012-Annual-Report.pdf> (last visited Feb. 26, 2025).

section 805(b) of the Clearing Supervision Act.⁵³

B. Consistency With Section 17ad-22(e)(7) of the Exchange Act

Rule 17ad-22(e)(7)(ii) under the Exchange Act requires that a CCA establish, implement, maintain, and enforce written policies and procedures reasonably designed to effectively measure, monitor, and manage the liquidity risk that arises in or is borne by the CCA, including measuring, monitoring, and managing its settlement and funding flows on an ongoing and timely basis, and its use of intraday liquidity by, at a minimum, holding qualifying liquid resources sufficient to meet the minimum liquidity resource requirement under Rule 17ad-22(e)(7)(i)⁵⁴ in each relevant currency for which the CCA has payment obligations owed to clearing members.⁵⁵ For any CCA, “qualifying liquid resources” includes assets that are readily available and convertible into cash through prearranged funding arrangements, such as committed arrangements without material adverse change provisions, including repurchase agreements.⁵⁶

As described above, implementation of the Bank Repo Facility would provide OCC with a committed funding arrangement that would give OCC access to \$1 billion of committed liquid resources through an MRA with a designated bank counterparty, which would meet the definition of “qualifying liquid resources” as that term is defined in Rule 17ad-22(a) under the Exchange Act.⁵⁷ OCC does not currently have access to the committed \$1 billion repurchase agreement permitted under the Bank Repo Facility because OCC’s bank counterparty will not enter into such an agreement without a limited right of rehypothecation. OCC now proposes to amend the Bank Repo Facility to allow the provision of a

limited right of rehypothecation to provide the necessary commercial incentives for its bank counterparty to agree to a \$1 billion commitment. As also discussed above, both the limitations placed on rehypothecation under the existing and proposed terms of the Bank Repo Facility as well as OCC’s existing rules reasonably mitigate the potential risks posed by permitting rehypothecation under the MRA.

Accordingly, the changes proposed in the Advance Notice are consistent with Rule 17ad-22(e)(7) under the Exchange Act.⁵⁸

IV. Conclusion

It is therefore noticed, pursuant to section 806(e)(1)(I) of the Clearing Supervision Act, that the Commission *does not object* to Advance Notice (SR-OCC-2025-801) and that OCC is *authorized* to implement the proposed changes as of the date of this notice.

By the Commission.

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025-09061 Filed 5-20-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 35590; File No. 812-15769]

5C Lending Partners Corp., et al.

May 16, 2025.

AGENCY: Securities and Exchange Commission (“Commission” or “SEC”).

ACTION: Notice.

Notice of application for an order under sections 17(d) and 57(i) of the Investment Company Act of 1940 (the “Act”) and rule 17d-1 under the Act to permit certain joint transactions otherwise prohibited by sections 17(d) and 57(a)(4) of the Act and rule 17d-1 under the Act.

SUMMARY OF APPLICATION: Applicants request an order to permit certain business development companies (“BDCs”) and closed-end management investment companies to co-invest in portfolio companies with each other and with certain affiliated investment entities.

APPLICANTS: 5C Lending Partners Corp., 5C Lending Partners Advisor LLC, 5C Investment Partners Advisor LLC, and 5C Lending Partners Co-Investment LP.

FILING DATES: The application was filed on April 28, 2025 and amended on May 14, 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 June 10, 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: Thomas Connolly, tom.connolly@5cinvest.com, Michael Koester, michael.koester@5cinvest.com, 5C Lending Partners Advisor LLC; Nicole M. Runyan, P.C., nicole.runyan@kirkland.com, Pamela Poland Chen, pamela.chen@kirkland.com, Kirkland & Ellis LLP.

FOR FURTHER INFORMATION CONTACT: Jill Ehrlich, Senior Counsel, or Thomas Ahmadifar, Branch Chief, at (202) 551-6825 (Division of Investment Management, Chief Counsel’s Office).

SUPPLEMENTARY INFORMATION: For Applicants’ representations, legal analysis, and conditions, please refer to Applicants’ first amended application, dated May 14, 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. 2025-09115 Filed 5-20-25; 8:45 am]

BILLING CODE 8011-01-P

⁵³ 12 U.S.C. 5464(b).

⁵⁴ Rule 17ad-22(e)(7)(i) requires OCC to establish, implement, maintain and enforce written policies and procedures reasonably designed to effectively measure, monitor, and manage liquidity risk that arises in or is borne by OCC, including measuring, monitoring, and managing its settlement and funding flows on an ongoing and timely basis, and its use of intraday liquidity by, at a minimum, maintaining sufficient liquid resources at the minimum in all relevant currencies to effect same-day settlement of payment obligations with a high degree of confidence under a wide range of foreseeable stress scenarios that includes, but is not limited to, the default of the participant family that would generate the largest aggregate payment of obligation for the covered clearing agency in extreme but plausible conditions. 17 CFR 240.17ad-22(e)(7)(i).

⁵⁵ 17 CFR 240.17ad-22(e)(7)(ii).

⁵⁶ 17 CFR 240.17ad-22(a).

⁵⁷ *Id.*

⁵⁸ 17 CFR 240.17ad-22(e)(7).

**SECURITIES AND EXCHANGE
COMMISSION**

[OMB Control No. 3235–0555]

**Submission for OMB Review;
Comment Request; Extension: Rule
6h–1***Upon Written Request, Copies Available*

From: Securities and Exchange
Commission, Office of FOIA Services,
100 F Street NE, Washington, DC
20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (“PRA”) (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (“Commission”) has submitted to the Office of Management and Budget (“OMB”) a request for approval of extension of the previously approved collection of information provided for in Rule 6h–1 (17 CFR 240.6h–1) under the Securities Exchange Act of 1934 (“Act”) (15 U.S.C. 78a *et seq.*).

Section 6(h) of the Act (15 U.S.C. 78f(h)) requires national securities exchanges and national securities associations that trade security futures products to establish listing standards that, among other things, require that: (i) trading in such products not be readily susceptible to price manipulation; and (ii) the market on which the security futures product trades has in place procedures to coordinate trading halts with the listing market for the security or securities underlying the security futures product. Rule 6h–1 implements these statutory requirements and requires that (1) the final settlement price for each cash-settled security futures product fairly reflects the opening price of the underlying security or securities, and (2) the exchanges and associations trading security futures products halt trading in any security futures product for as long as trading in the underlying security for trading of a security futures product based on a single security, or trading in 50% or more of the underlying securities for trading of a security futures product based on a narrow-based security index, is halted on the listing market.

It is estimated that 1 respondent will incur an average burden of 10 hours per year to comply with this rule, for a total burden of 10 hours per year. At an average internal cost per hour of approximately \$451, the resultant total internal cost of compliance for the respondents is \$4,510 per year (1 respondent × 10 hours/respondent × \$451/hour).

Compliance with Rule 6h–1 is mandatory. Any listing standards established pursuant to Rule 6h–1

would be filed with the Commission as proposed rule changes pursuant to Section 19(b) of the Act and would be published in the **Federal Register**.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

Written comments are invited on: (a) whether this proposed collection of information is necessary for the proper performance of the functions of the SEC, including whether the information will have practical utility; (b) the accuracy of the SEC’s estimate of the burden imposed by the proposed collection of information, including the validity of the methodology and the assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated, electronic collection techniques or other forms of information technology.

The public may view and comment on this information collection request at: https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202503-3235-001 or email comment to MBX.OMB.OIRA.SEC_desk_officer@omb.eop.gov within 30 days of the day after publication of this notice, by June 23, 2025.

Dated: May 16, 2025.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–09142 Filed 5–20–25; 8:45 am]

BILLING CODE 8011–01–P

**SECURITIES AND EXCHANGE
COMMISSION**

[Release No. 34–103048; File No. SR–ISE–2025–15]

**Self-Regulatory Organizations; Nasdaq
ISE, LLC; Notice of Filing of Proposed
Rule Change To Amend the Short Term
Option Series Program To List
Qualifying Securities**

May 15, 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 May 1, 2025, Nasdaq ISE, LLC (“ISE” or “Exchange”) filed with the Securities and Exchange Commission (“Commission”) the proposed rule change as described in Items I and II below, which Items have been prepared

by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

**I. Self-Regulatory Organization’s
Statement of the Terms of Substance of
the Proposed Rule Change**

The Exchange proposes to amend the Short Term Option Series Program in Supplementary Material .03 of Options 4, Section 5 to permit the listing of up to two Monday and Wednesday expirations for options on certain individual stocks or Exchange-Traded Fund Shares.

The text of the proposed rule change is available on the Exchange’s website at <https://listingcenter.nasdaq.com/rulebook/ise/rulefilings>, 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 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 the Short Term Option Series Program in Supplementary Material .03 of Options 4, Section 5. Specifically, the Exchange proposes to permit the listing of up to two Monday and Wednesday expirations for options on certain individual stocks or Exchange-Traded Fund Shares (collectively “Qualifying Securities”).

Currently, as set forth in Supplementary Material .03 to Options 4, Section 5, after an option class has been approved for listing and trading on the Exchange as a Short Term Option Series pursuant to Options 1, Section 1(a)(49),³ the Exchange may open for

³ Options 1, Section 1(a)(49) provides that a Short Term Option Series means a series in an option class that is approved for listing and trading on the Exchange in which the series is opened for trading on any Monday, Tuesday, Wednesday, Thursday or Friday that is a business day and that expires on

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b–4.

trading on any Thursday or Friday that is a business day (“Short Term Option Opening Date”) series of options on that class that expire at the close of business on each of the next five Fridays that are business days and are not Fridays in which standard expiration options series, Monthly Options Series, or Quarterly Options Series expire (“Friday Short Term Option Expiration Dates”). The Exchange may have no more than a total of five Short Term Option Expiration Dates (“Short Term Option Weekly Expirations”). Further, if the Exchange is not open for business on the respective Thursday or Friday, the Short Term Option Opening Date for Short Term Option Weekly Expirations will be the first business day immediately prior to that respective Thursday or Friday. Similarly, if the Exchange is not open for business on a Friday, the Short Term Option Expiration Date for Short Term Option Weekly Expirations will be the first business day immediately prior to that Friday.

Additionally, the Exchange may open for trading series of options on the symbols provided in Table 1 of Supplementary Material .03 to Options 4, Section 5 that expire at the close of business on each of the next two Mondays, Tuesdays, Wednesdays, and Thursdays, respectively, that are business days beyond the current week and are not business days in which standard expiration options series, Monthly Options Series, or Quarterly Options Series expire (“Short Term Option Daily Expirations”).⁴ For those symbols listed in Table 1, the Exchange may have no more than a total of two Short Term Option Daily Expirations beyond the current week for each of Monday, Tuesday, Wednesday, and Thursday expirations, as applicable, at one time.

the Monday, Wednesday or Friday of the following business week that is a business day, or, in the case of a series that is listed on a Friday and expires on a Monday, is listed one business week and one business day prior to that expiration. If a Tuesday, Wednesday, Thursday or Friday is not a business day, the series may be opened (or shall expire) on the first business day immediately prior to that Tuesday, Wednesday, Thursday or Friday. For a series listed pursuant to this section for Monday expiration, if a Monday is not a business day, the series shall expire on the first business day immediately following that Monday.

⁴ As set forth in Table 1 of Supplementary Material .03 to Options 4, Section 5, the Exchange currently permits expirations in SPY, IWM, QQQ on Mondays, Tuesdays, Wednesdays and Thursdays. Also, the Exchange permits expirations in GLD, SLV and TLT on Mondays and Wednesdays. Finally, the Exchange permits expirations in USO and UNG on Wednesdays.

Proposal

At this time, the Exchange proposes to expand the Short Term Option Series Program to permit certain Qualifying Securities to list up to two Monday and Wednesday expirations in addition to the Friday weekly expiration.

The Exchange proposes to define Qualifying Securities as eligible individual stocks or Exchange-Traded Fund Shares, which are separate and apart from the symbols listed in Table 1, that have received approval to list additional expiries on specific symbols, that meet the following criteria on a quarterly basis:

(1) an underlying security, as measured on the last day of the prior calendar quarter, must have:

(A) a market capitalization of greater than 700 billion dollars for an individual stock based on the closing price,⁵ or

(B) Assets under Management (“AUM”) greater than 50 billion dollars for an Exchange-Traded Fund Share based on net asset value (“NAV”);

(2) monthly options volume, as measured by sides traded in the last month preceding the quarter end, of greater than 10 million options;

(3) a position limit of at least 250,000 contracts; and

(4) participate in the Penny Interval Program.

Each calendar quarter, the Exchange will apply the above criteria to individual stocks and Exchange-Traded Fund Shares to determine eligibility for the following quarter as a Qualifying Security. Beginning on the second trading day in the first month of each calendar quarter, the market capitalization of individual stocks shall be calculated based on the closing price established on the primary exchange on the last trading day of the prior calendar quarter and the AUM for Exchange-Traded Fund Shares shall be calculated based on the NAV established on the primary exchange on the last trading day of the prior calendar quarter. The data establishing the volume thresholds will be established by using data from the last month of the prior calendar quarter from The Options Clearing Corporation. For options listed on the first trading day of a given calendar quarter, the volume shall be calculated using the last month of the quarter prior to the last trading calendar quarter.⁶ ISE will make the list of Qualifying Securities available by the close of

⁵ The closing price and the opening price shall be that of the primary exchange where the security is listed.

⁶ OCC data becomes available for the end of a quarter on the first trading day of a new quarter.

business on the first trading day of the quarter.⁷

Eligible Qualifying Securities would be permitted to list two Short Term Option Expiration Dates beyond the current week for each Monday and Wednesday expiration at one time. For Qualifying Securities, the Exchange would not list an expiry on a day where there will be an Earnings Announcement that takes place after market close. For purposes of this rule proposal, earnings announcements shall include official public quarterly or yearly earnings filed with the Commission (“Earnings Announcement”).⁸ Not listing an expiry for a Qualifying Security on a day where there is an Earnings Announcement that takes place after market close will avoid permitting an additional expiry on a day where post-close price volatility may be impacted due to the Earnings Announcement.

Qualifying Securities that do not continue to meet the above criteria would no longer be permitted to list Monday and Wednesday expiries beginning on the second day of the following quarter.⁹

The proposed Monday Qualifying Securities expirations will be similar to the current Monday Expirations in SPY, QQQ, and IWM (among other symbols that may list a Monday Expiration) in Short Term Option Daily Expirations set forth in Supplementary Material .03 to Options 4, Section 5, such that the Exchange may open for trading on any Friday or Monday that is a business day (beyond the current week) series of options on Qualifying Securities to expire on any Monday of the month that is a business day and is not a Monday in which standard expiration options series, Monthly Options Series, or Quarterly Options Series expire, provided that Monday expirations that are listed on a Friday must be listed at least one business week and one business day prior to the expiration (“Monday Qualifying Securities Expirations”).¹⁰ In the event Qualifying Securities expire on a Monday and that Monday is the same day that a standard expiration options series, Monthly Options Series, or Quarterly Options

⁷ ISE will make this information available on ISE’s website. This information will be freely accessible to the public.

⁸ For purposes of this rule proposal, pre-announcements or “guidance” shall not be considered an Earnings Announcement.

⁹ The Exchange has noted the additional expiries in a proposed Table 2 in Supplementary Material .03 to Options 4, Section 5 along with the criteria for a Qualifying Security.

¹⁰ They may also trade on Fridays, as is the case for all options series in the Short Term Option Series Program.

Series expires, the Exchange would skip that week's listing and instead list the following week; the two weeks would therefore not be consecutive. Today, Monday expirations in SPY, QQQ, and IWM similarly skip the weekly listing in the event the weekly listing expires on the same day in the same class as a standard expiration options series, Monthly Options Series, or Quarterly Options Series.

The proposed Wednesday Qualifying Securities expirations will be similar to the current Wednesday SPY, QQQ, and IWM (among other symbols that may list a Wednesday Expiration) in Short Term Option Daily Expirations set forth in Supplementary Material .03 to Options 4, Section 5, such that the Exchange may open for trading on any Tuesday or Wednesday that is a business day (beyond the current week) series of options on Qualifying Securities to expire on any Wednesday of the month that is a business day and is not a Wednesday in which standard expiration options series, Monthly Options Series, or Quarterly Options Series expire ("Wednesday Qualifying Securities Expirations").¹¹ In the event Qualifying Securities expire on a Wednesday and that Wednesday is the same day that a standard expiration options series, Monthly Options Series, or Quarterly Options Series expires, the Exchange would skip that week's listing and instead list the following week; the two weeks would therefore not be consecutive. Today, Wednesday expirations in SPY, QQQ, and IWM similarly skip the weekly listing in the event the weekly listing expires on the same day in the same class as a standard expiration options series, Monthly Options Series, or Quarterly Options Series.

The interval between strike prices for the proposed Monday and Wednesday Qualifying Securities Expirations will be the same as those currently applicable for SPY, QQQ, and IWM Monday and Wednesday Expirations (among other symbols that may list a Monday or Wednesday Expiration) in the Short Term Option Series Program.¹² Specifically, the Monday and Wednesday Qualifying Securities Expirations will have a strike interval of (i) \$0.50 or greater for strike prices below \$100, and \$1 or greater for strike

prices between \$100 and \$150 for all option classes that participate in the Short Term Option Series Program, (ii) \$0.50 for option classes that trade in one dollar increments and are in the Short Term Option Series Program, or (iii) \$2.50 or greater for strike prices above \$150.¹³ As is the case with other equity options series listed pursuant to the Short Term Option Series Program, the Monday and Wednesday Qualifying Securities Expirations series will be P.M.-settled.

Pursuant to Options 1, Section 1(a)(49), with respect to the Short Term Option Series Program, if a Monday is not a business day, the series shall expire on the first business day immediately following that Monday. Also, pursuant to Options 1, Section 1(a)(49), with respect to the Short Term Option Series Program, a Wednesday expiration series shall expire on the first business day immediately prior to that Wednesday, e.g., Tuesday of that week if the Wednesday is not a business day.

Currently, for each option class eligible for participation in the Short Term Option Series Program, the Exchange is limited to opening thirty (30) series for each expiration date for the specific class.¹⁴ The thirty (30) series restriction does not include series that are open by other securities exchanges under their respective weekly rules; the Exchange may list these additional series that are listed by other options exchanges.¹⁵ With the proposed changes, this thirty (30) series restriction would apply to Monday and Wednesday Qualifying Securities Expirations as well. In addition, the Exchange will be able to list series that are listed by other exchanges, assuming they file similar rules with the Commission to list Monday and Wednesday Qualifying Securities Expirations.

With this proposal, Monday and Wednesday Qualifying Securities Expirations would be treated similar to existing SPY, QQQ, and IWM Monday and Wednesday Expirations. With respect to standard expiration option series, Monday and Wednesday Qualifying Securities Expirations will be permitted to expire in the same week in which standard expiration option series on the same class expire.¹⁶ Not listing Monday and Wednesday Qualifying Securities Expirations for one week every month because there was a standard options series on that

same class on the Friday of that week would create investor confusion.

Further, as with SPY, QQQ, and IWM Monday and Wednesday Expirations, the Exchange would not permit Monday and Wednesday Qualifying Securities Expirations to expire on a business day in which standard expiration option series, Monthly Options Series, or Quarterly Options Series expire.¹⁷ Therefore, all Monday and Wednesday Qualifying Securities Expirations would expire at the close of business on each of the next two Mondays and Wednesdays, respectively, that are business days and are not business days in which standard expiration option series, Monthly Options Series, or Quarterly Options Series expire. The Exchange believes that it is reasonable to not permit two expirations on the same day in which a standard expiration option series, Monthly Options Series, a Quarterly Options Series would expire because those options would be duplicative of each other.

The Exchange does not believe that any market disruptions will be encountered with the introduction of Monday and Wednesday Qualifying Securities Expirations. The Exchange currently trades P.M.-settled Short Term Option Series that expire Monday, Tuesday, Wednesday and Thursday on several symbols¹⁸ and has not experienced any market disruptions nor issues with capacity. Today, the Exchange has surveillance programs in place to support and properly monitor trading in Short Term Option Series that expire Monday, Tuesday, Wednesday and Thursday on several symbols.¹⁹ The Exchange believes that it has the necessary capacity and surveillance programs in place to support and properly monitor trading in the proposed Monday and Wednesday Qualifying Securities Expirations.

Impact of Proposal

The Exchange notes that listings in the Short Term Option Series Program comprise a significant part of the standard listings in options markets. Table 1 demonstrates the percentage of weekly listings in the options industry compared to monthly, quarterly, and Long-Term Option Series for a twelve-month period from February 11, 2024 to February 11, 2025.²⁰

¹⁷ See Supplementary Material .03 to Options 4, Section 5.

¹⁸ See *supra* note 4.

¹⁹ *Id.*

²⁰ The Exchange sourced this information from The Options Clearing Corporation ("OCC"). The information includes time averaged data (the

¹¹ *Id.*

¹² See Supplementary Material .03(e) to Options 4, Section 5. The Exchange notes that equity options which have an expiration of more than twenty-one days from the listing date would also be subject to the intervals as noted within Supplementary Material .03(f) to Options 4, Section 5. See also Supplementary .07 to Options 4, Section 5.

¹³ *Id.*

¹⁴ See Supplementary Material .03(a) to Options 4, Section 5.

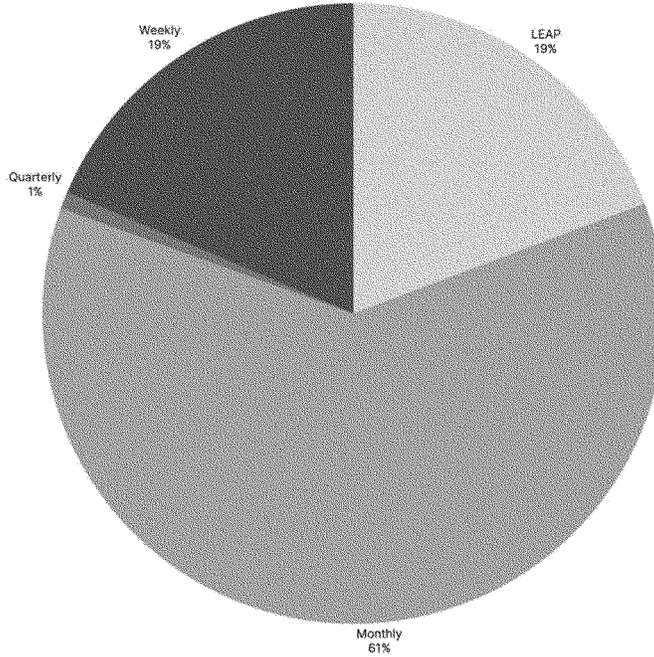
¹⁵ *Id.*

¹⁶ *Id.*

Table 1

Number of Strikes - Last 12 Months

Data from February 11, 2024 to February 11, 2025



While the Exchange is expanding the Short Term Option Series Program to permit Monday and Wednesday Qualifying Securities Expirations, the Exchange anticipates that it would overall add a small number of weekly expiration dates because the Exchange will limit the number of Qualifying Securities Expirations to two Monday expirations and two Wednesday expirations. If today the data were applied based on data from January

2025, the following options would meet the criteria to be a Qualifying Security: NVIDIA Corp (“NVDA”), Tesla Inc. (“TSLA”), Apple Inc. (“AAPL”), Amazon.com Inc. (“AMZN”), Broadcom Inc. (“AVGO”), Alphabet Inc. (“GOOGL”), Microsoft Corp (“MSFT”), Financial Select Sector SPDR Fund (“XLF”), and Meta Platforms Inc. (“META”) (collectively “Sample Qualifying Securities”). Utilizing the Sample Qualifying Securities as a data

point, expanding the Short Term Option Series Program would account for the addition of approximately 16% of strikes for the total number of strikes for each of the following symbols: NVDA, TSLA, AAPL, AMZN, AVGO, GOOGL, MSFT, and META.

Further, as shown in Table 2, weeklies comprise 52% of the total volume of options contracts.²¹

number of strikes by maturity date divided from the number of trading days) for all 18 options markets from February 11, 2024 to February 11, 2025.

²¹ The chart represents industry volume in terms of overall contracts. Weeklies comprise 52% of volume, as shown in Table 2, while only being 19% of the strikes, as shown in Table 1. The Exchange

sourced this information from OCC. The information includes data for all 18 options markets from February 11, 2024 to February 11, 2025.

Table 4, below, references average annualized closing volatilities (as measured by the standard deviation of 30 seconds returns over the last 30 minutes of trading) for the Sample

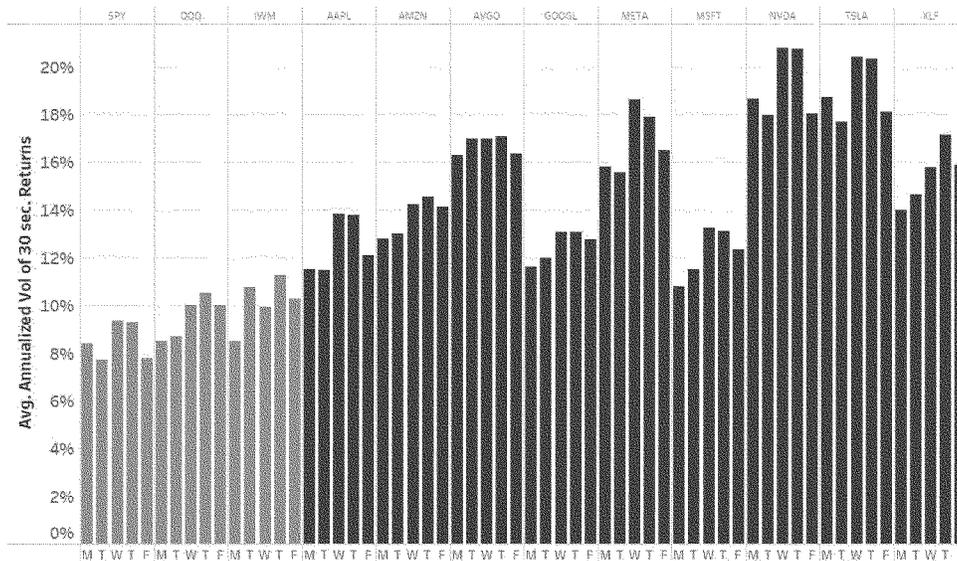
Qualifying Securities from 2022 through 2024. Table 4 shows that the Sample Qualifying Securities have an average annualized closing volatility of generally less than 20%.

Table 4, above, demonstrates that the Sample Qualifying Securities are more volatile than SPY, QQQ and IWM.

Table 4

Average Annualized Closing Volatility of Returns by Day of Week

Closing volatility calculated using standard deviation of 30 second returns during last 30 minutes of options trading and annualized by multiplying by the square root of the number of 30 second trading periods in one year. Data from start of 2022 through end of 2024.



Given that these are individual stocks it is reasonable to expect that they have idiosyncratic characteristics (increasing their volatility) relative to broad based Exchange-Traded Fund Shares like SPY, QQQ and IWM. None, however, are demonstrating average returns that are more than double that of IWM. Moreover, on Mondays and Wednesdays the Sample Qualifying Securities do not

show any excessive propensity to penetrate strikes post close (4:00 p.m.– 5:30 p.m. ET) in comparison to SPY, QQQ and IWM. Consequently, the burden of American-style option²² exercise management on investors is not overwhelming relative to SPY, QQQ and IWM which have the largest retail participation based on volume in the industry.

The Exchange also reviewed the number of strike breaks for calendar year 2024 for the Sample Qualifying Securities between 4:00 p.m. and 5:30 p.m. ET to find the maximum²³ number of strike breaks²⁴ as well as the mean²⁵ of the number of strike breaks as evidenced by Table 5.

TABLE 5—MONDAY, NON-EARNINGS ANNOUNCEMENT

Security	Number of days with strike break through on non-earnings announcement Mondays (4:00 p.m. ET–5:30 p.m. ET)	Max (strikes moved through on Mondays from 4:00 p.m. to 9:30 a.m. next day) when strikes are penetrated from 4:00–5:30 p.m. ET	Max (percentage move overnight on non-earnings announcement Mondays when there is a strike break from 4:00 p.m. to 5:30 p.m. ET) (%)	Mean strikes moved through on a non-Earnings Announcement Monday when there is an instance of move through (from 4:00 p.m. to 5:30 p.m. on a non-earnings announcement Monday)
AAPL	0	0.00	0.00	0.00
AMZN	0	0.00	0.00	0.00
AVGO	9	6.50	2.16	1.99
GOOGL	0	0.00	0.00	0.00
META	3	1.31	0.69	0.78
MSFT	1	1.94	1.23	1.94
NVDA	6	7.42	2.10	5.24
TSLA	3	5.19	2.80	3.40

²² The term “American-style option” means an options contract that, subject to the provisions of Options 6B, Section 1 (relating to the cutoff time for exercise instructions) and to the Rules of the Clearing Corporation, can be exercised on any business day prior to its expiration date and on its expiration date. See Options 1, Section 1(a)(3).

²³ Maximum means the largest instance of strike breaks measured as the number of strikes crossed by the underlying security from the 4:00 p.m. ET closing price to the 9:30 a.m. ET opening price.

²⁴ A strike break is the existence of a strike between the closing price and the opening price on

the following day when there has been a penetration of a strike post-close.

²⁵ Mean is the average number of strike breaks when there has been a penetration of a strike post-close.

Table 6, below, reviewed the number of strike breaks for calendar year 2024 for the Sample Qualifying Securities,²⁶

excluding Wednesday²⁷ for scheduled Earning Announcements, between 4:00 p.m. and 5:30 p.m. ET to find the

maximum number of strike breaks as well as the mean of the number of strike breaks.

TABLE 6—WEDNESDAY, NON-EARNINGS ANNOUNCEMENT

Security	Number of days with strike breaks through on non-earnings announcement Wednesdays (4:00 p.m. ET–5:30 p.m. ET)	Max (strikes moved through on non-earnings announcement Wednesdays from 4:00 p.m. to 9:30 a.m. next day) when strikes are penetrated from 4:00–5:30 p.m. ET	Max (percentage move overnight on non-earnings announcement Wednesdays when there is a strike break from 4:00 p.m. to 5:30 p.m. ET) (%)	Mean strikes moved through on a non-earnings announcement Wednesday when there is an instance of move through (from 4:00 p.m. to 5:30 p.m. on a non-earnings announcement Wednesday)
AAPL	0	0.00	0.00	0.00
AMZN	1	2.77	3.92	2.77
AVGO	15	10.85	4.42	3.71
GOOGL	3	3.20	3.20	2.86
META	5	5.52	2.31	2.66
MSFT	2	6.09	3.72	4.11
NVDA	15	8.32	3.32	2.82
TSLA	3	12.46	14.58	7.13

Because the Exchange proposes to limit the number of Monday and Wednesday Qualifying Securities Expirations to two expirations beyond the current week, the Exchange believes that the addition of these Monday and Wednesday Qualifying Securities Expirations should encourage Market Makers to continue to deploy capital more efficiently and improve displayed market quality.²⁸ Utilizing the Sample Qualifying Securities as a proxy, the marginal increase in the number of occurrences of strike breaks in 2024 would be sixty-six (66) with the addition of these parameters. Further, there would be a marginal increase of twenty-two (22) instances of strike breaks in 2024 on Monday expiries after regular trading hours, and a marginal increase of forty-four (44) instances of strike breaks in 2024 on Wednesday expiries without Earnings Announcements after regular trading hours.

Similar to SPY, QQQ and IWM Monday and Wednesday Expirations, the introduction of Monday and Wednesday Qualifying Securities Expirations will, among other things, expand hedging tools available to market participants and allow for a reduced premium cost of buying portfolio protection. The Exchange believes that the proposal would permit only the most liquid securities to have the additional Monday and Wednesday Qualifying Security Expirations. The Exchange believes that offering these additional expiries in the Qualifying

Securities would permit Market Makers and other market participants to precisely hedge their positions in the underlying security with the additional expiries in lieu of hedging only with Friday expirations.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,²⁹ in general, and furthers the objectives of Section 6(b)(5) of the Act,³⁰ in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest.

Similar to Monday expirations in SPY, QQQ, and IWM, the proposal to permit Monday and Wednesday Qualifying Security Expirations, subject to the proposed limitation of two expirations beyond the current week, would protect investors and the public interest by providing the investing public and other market participants more choice and flexibility to closely tailor their investment and hedging decisions in these options and allow for a reduced premium cost of buying portfolio protection, thus allowing them to better manage their risk exposure. The Exchange believes that there is general demand for alternative expirations based on the analysis discussed above.

The Exchange believes that the proposed criteria for Qualifying

Securities requires individual stocks and Exchange-Traded Fund Shares to be highly liquid. A market capitalization measured on the last day of the prior calendar quarter based on the closing price of the underlying, of greater than 700 billion dollars for an individual stock, or AUM of 50 billion dollars for an Exchange-Trade Fund Share, in conjunction with the monthly options volume requirement of greater than 10 million options as measured by sides traded in the last month preceding the quarter end, is very restrictive. This requirement represents substantially less than 1% of individual stocks (only eight (8) individual stocks currently exist as of January 1, 2025) and substantially less than 1% of Exchange-Traded Fund Shares (only seven (7) Exchange-Traded Fund Shares currently exist as of January 1, 2025, of which five (5) are eligible, today, pursuant to Options 4, Section 3, to trade additional expiries) traded.³¹ Therefore, an individual stock or Exchange-Traded Fund Share that meets aforementioned market capitalization and volume requirements are highly liquid and could be viewed as stable securities. Table 7, below, demonstrates the very low average realized volatility experienced by the Sample Qualifying Securities in the last 30 minutes of trading before the close in 2024 as compared to any security that traded an average of more than 100 options contracts per day.

²⁶ Of note, not all Sample Qualifying Securities had Earnings Announcements on a Wednesday.

²⁷ There were no Earnings Announcements on Mondays for the Sample Qualifying Securities.

²⁸ Market Makers include Primary Market Makers and Competitive Market Makers. See Options 1,

Section 1(a)(21). Today, Primary Market Makers and Competitive Market Makers are required to quote a specified time in their assigned options series. See Options 2, Section 5.

²⁹ 15 U.S.C. 78f(b).

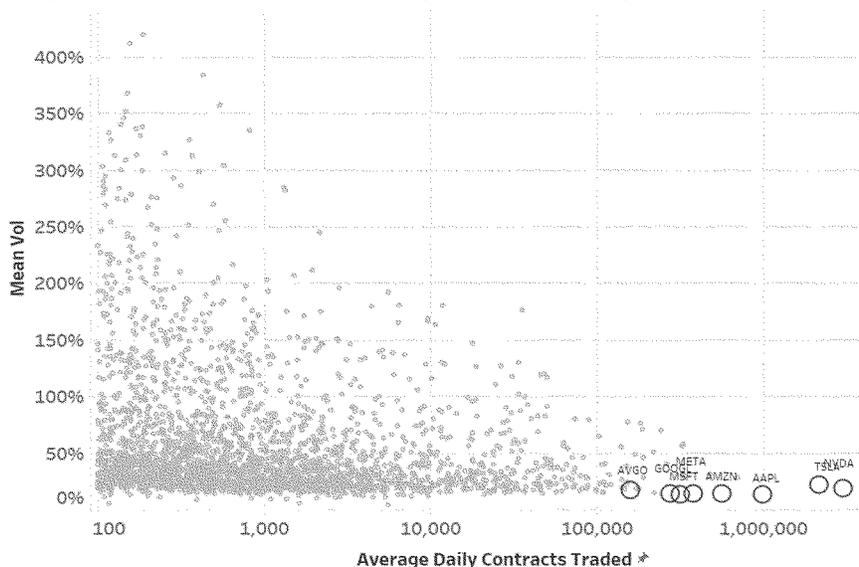
³⁰ 15 U.S.C. 78f(b)(5).

³¹ Only one (1) of the seven (7) Exchange-Traded Fund Shares is eligible because the iShares Bitcoin Trust ETF position limit is restricted at 25,000 contracts pursuant to Supplementary Material .01 to Options 9, Section 13, although it would otherwise qualify for a higher position limit pursuant to Options 9, Section 13(d).

Table 7

Average Daily Options Contracts Traded vs. Average Closing Volatility Last 30 minutes of the Trading Day

Closing volatility calculated using standard deviation of 30 second returns during last 30 minutes of options trading and annualized by multiplying by the square root of the number of 30 second trading periods in one year. Data full year 2024.



The Exchange notes that with respect to position limits, Options 9, Section 13(d)(5) provides, that “[t]o be eligible for the 250,000 contract limit, either the most recent six (6) month trading volume of the underlying security must have totaled at least 100 million shares or the most recent six-month trading volume of the underlying security must have totaled at least seventy-five (75) million shares and the underlying security must have at least 300 million shares currently outstanding.” The 250,000 contract position limit is the highest position limit by Exchange rule. Options that qualify for the 250,000 position (and exercise) limit are highly liquid securities that have met the stringent requirements noted in Options 9, Section 13(d)(5) to qualify for the highest position limit.

Finally, a Qualifying Security must participate in the Penny Interval Program. In order to qualify for the Penny Interval Program, an options class must be among the 300 most actively traded multiply listed option classes overlying securities priced below \$200.³² The most actively traded options classes are included in the Penny Interval Program based on certain

³² See Supplementary Material .01(b) to Options 3, Section 3. Each December OCC ranks all multiply listed option classes based on National Cleared Volume for the six full calendar months from June 1 through November 30 for determination of the most actively traded option classes.

objective criteria (trading volume thresholds and initial price tests).

The number of individual stocks currently meeting all four criteria for a Qualifying Security is eight (8) and the number of Exchange-Traded Fund Shares currently meeting all four criteria for a Qualifying Security that do not already have Monday and Wednesday expirations is one (1). Both totals represent less than 0.2% of all securities with options listed. The Exchange believes that since individual stocks are the dominant constituents of the broad-based indexes (e.g., S&P 500 Index and Nasdaq-100 Index), the improvement in price transparency brought about by Monday and Wednesday trading will offer Market Makers and investors better volatility pricing which will inform trading on the related products to these indexes. The Exchange believes that the proposed criteria for Qualifying Securities is consistent with the protection of investors and the general public because the criteria targets the most liquid individual stocks and Exchange-Traded Fund Shares.

The Exchange would not list an expiry on a Qualifying Security on a day where there will be an Earnings Announcement that takes place after market close to avoid post-close price volatility that may arise from the Earnings Announcement and which may impact exercise and/or assignment decisions.

Qualifying Securities that do not continue to meet the above criteria

would no longer be permitted to list Monday and Wednesday expiries in the following quarter, although the Qualifying Security would potentially have two weeks of strikes already listed which will persist. These remaining listings could continue to be traded until they expire.

With this proposal, overall, the Exchange would add a small number of Monday and Wednesday Qualifying Security Expirations by limiting the addition of two Monday expirations and two Wednesday expirations beyond the current week. The addition of Monday and Wednesday Qualifying Security Expirations would remove impediments to and perfect the mechanism of a free and open market by encouraging Market Makers to continue to deploy capital more efficiently and improve displayed market quality.³³ The Exchange believes that the proposal will allow Members to expand hedging tools and tailor their investment and hedging needs more effectively in Qualifying Securities as these funds are most likely to be utilized by market participants to hedge the underlying asset classes.

Similar to SPY, QQQ, and IWM Monday and Wednesday Expirations, the introduction of Monday and Wednesday Qualifying Security Expirations is consistent with the Act as

³³ Today, Primary Market Makers and Market Makers are required to quote a specified time in their assigned options series. See Options 2, Section 5.

it will, among other things, expand hedging tools available to market participants and allow for a reduced premium cost of buying portfolio protection. The Exchange believes that Monday and Wednesday Qualifying Security Expirations will allow market participants to purchase options on Qualifying Securities based on their timing as needed and allow them to tailor their investment and hedging needs more effectively, thus allowing them to better manage their risk exposure. Today, ISE lists other Monday and Wednesday expirations.³⁴

In particular, the Exchange believes the Short Term Option Series Program has been successful to date and that Monday and Wednesday Qualifying Security Expirations should simply expand the ability of investors to hedge risk against market movements stemming from economic releases or market events that occur throughout the month in the same way that the Short Term Option Series Program has expanded the landscape of hedging.

There are no material differences in the treatment of SPY, QQQ and IWM Monday and Wednesday Expirations compared to the proposed Monday and Wednesday Qualifying Security Expirations. Given the similarities between SPY, QQQ and IWM Monday and Wednesday Expirations and the proposed Monday and Wednesday Qualifying Security Expirations, the Exchange believes that applying the provisions in Supplementary Material .03 to Options 4, Section 5 that currently apply to SPY, QQQ and IWM Monday and Wednesday Expirations is justified.

ISE represents that it has an adequate surveillance program in place to detect manipulative trading in the proposed option expirations, in the same way that it monitors trading in the current Short Term Option Series for Monday SPY, QQQ and IWM expirations. The Exchange also represents that it has the necessary system capacity to support the new expirations. Finally, the Exchange does not believe that any market disruptions will be encountered with the introduction of these option expirations. As discussed above, the Exchange believes that its proposal is a modest expansion of weekly expiration dates for Monday and Wednesday Qualifying Security Expirations given that it will be limited to two Monday expirations and two Wednesday expirations beyond the current week.

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.

While the proposal will expand the Short Term Options Expirations to allow Monday and Wednesday Qualifying Security Expirations to be listed on ISE,³⁵ the Exchange believes that this limited expansion for Monday and Wednesday expirations for options on Qualifying Securities will not impose an undue burden on competition; rather, it will meet customer demand. The Exchange would uniformly apply the Qualifying Security criteria to options in individual stocks and Exchange-Traded Fund Shares. The Exchange believes that Members will continue to be able to expand hedging tools and tailor their investment and hedging needs more effectively in the Qualifying Securities.

Similar to SPY, QQQ and IWM Monday and Wednesday Expirations, the introduction of Monday and Wednesday Qualifying Security Expirations does not impose an undue burden on competition. The Exchange believes that it will, among other things, expand the hedging tools available to market participants and allow for a reduced premium cost of buying portfolio protection. The Exchange believes that Monday and Wednesday Qualifying Security Expirations will allow market participants to purchase options on Qualifying Securities based on their timing as needed and allow them to tailor their investment and hedging needs more effectively.

Further, not adding an expiry for a Qualifying Security on a day where there will be an Earnings Announcement that takes place after market close does not impose an undue burden on competition as the Exchange would uniformly apply this practice to the listing of all Qualifying Securities.

The Exchange does not believe the proposal will impose any burden on inter-market competition, as nothing prevents other options exchanges from proposing similar rules to list and trade Monday and Wednesday Qualifying Security Expirations. Further, the Exchange does not believe the proposal will impose any burden on intra-market competition, as all market participants will be treated in the same manner under this proposal.

³⁵ As noted above, Nasdaq, Phlx, BX, GEMX and MRX incorporate ISE Options 4, Section 5 by reference, so the proposed changes herein will apply to those markets as well.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) by order approve or disapprove such proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include file number SR-ISE-2025-15 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.

All submissions should refer to file number SR-ISE-2025-15. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<https://www.sec.gov/rules/sro.shtml>). Copies of the 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

³⁴ See ISE Supplementary Material .03 at Options 4, Section 5 at Table 1.

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–ISE–2025–15 and should be submitted on or before June 11, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.³⁶

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025–09071 Filed 5–20–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0540]

Proposed Collection; Comment Request; Extension: Rule 17a–25

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (“SEC” or “Commission”) is soliciting comments on the proposed collection of information provided for in Rule 17a–25 (17 CFR 204.17a–25) under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*).

Rule 17a–25(a)(1) requires broker-dealers registered with the Commission to electronically submit securities transaction information, including identifiers for prime brokerage arrangements, average price accounts, and depository institutions, in a standardized format when requested by the Commission staff. In addition, Rule 17a–25(c) requires broker-dealers to submit, and keep current, contact person information for electronic blue sheets (“EBS”) requests. The Commission uses the information for enforcement inquiries or investigations

and trading reconstructions, as well as for inspections and examinations.

The Commission estimates that it sends approximately 10,807 electronic blue sheet requests per year to clearing broker-dealers that in turn submit an average 213,233 responses.¹ It is estimated that each broker-dealer that responds electronically will take 8 minutes, and each broker-dealer that responds manually will take 1½ hours to prepare and submit the securities trading data requested by the Commission. The annual aggregate hour burden for electronic and manual responses from all firms is estimated to be 28,562 (213,137 × 8 ÷ 60 = 28,418 hours) + (96 × 1.5 = 144 hours), respectively.²

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

Written comments are invited on: (a) whether this proposed collection of information is necessary for the proper performance of the functions of the SEC, including whether the information will have practical utility; (b) the accuracy of the SEC’s estimate of the burden imposed by the proposed collection of information, including the validity of the methodology and the assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated, electronic collection techniques or other forms of information technology.

Please direct your written comment to Austin Gerig, Director/Chief Data Officer, Securities and Exchange Commission, c/o Tanya Ruttenberg, 100 F Street NE, Washington, DC 20549 and send it by email to *PaperworkReductionAct@sec.gov*, by July 21, 2025.

¹ A single EBS request has a unique number assigned to it (*e.g.*, “0900001”). However, the number of broker-dealer submissions transmitted in response to one EBS request can range from one to thousands. EBS requests are sent directly to clearing firms, as the clearing firm is the repository for trading data for securities transactions information provided by the clearing firm and the correspondent firms. Clearing brokers respond for themselves and other firms for which they clear. There were 426,274 responses during the 24-month period, for an average of 213,137 annual responses.

² Few respondents submit manual EBS responses. The small percentage of respondents that submit manual responses do so by hand, via email, spreadsheet, disk, or other electronic media. Thus, the number of manual submissions (approximately 96 per year) has minimal effect on the total annual burden hours.

Dated: May 16, 2025.
Sherry R. Haywood,
Assistant Secretary.
[FR Doc. 2025–09143 Filed 5–20–25; 8:45 am]
BILLING CODE 8011–01–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21071 and #21072; ILLINOIS Disaster Number IL–20015]

Administrative Declaration of a Disaster for the State of Illinois

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Administrative declaration of a disaster for the State of Illinois dated May 14, 2025.

Incident: Severe Storms and Flooding.

DATES: Issued on May 14, 2025.

Incident Period: April 2, 2025 through April 6, 2025.

Physical Loan Application Deadline Date: July 14, 2025.

Economic Injury (EIDL) Loan Application Deadline Date: February 17, 2026.

ADDRESSES: Visit the MySBA Loan Portal at <https://lending.sba.gov> to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Sharon Henderson, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the Administrator’s disaster declaration, applications for disaster loans may be submitted online using the MySBA Loan Portal <https://lending.sba.gov> or other locally announced locations. Please contact the SBA disaster assistance customer service center by email at *disastercustomerservice@sba.gov* or by phone at 1–800–659–2955 for further assistance.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Marion.

Contiguous Counties:

Illinois: Clay, Clinton, Fayette, Jefferson, Washington, Wayne.

The Interest Rates are:

	Percent
<i>For Physical Damage:</i>	
Homeowners with Credit Available Elsewhere	5.500
Homeowners without Credit Available Elsewhere	2.750

³⁶ 17 CFR 200.30–3(a)(12).

	Percent
Businesses with Credit Available Elsewhere	8.000
Businesses without Credit Available Elsewhere	4.000
Non-Profit Organizations with Credit Available Elsewhere ...	3.625
Non-Profit Organizations without Credit Available Elsewhere	3.625
<i>For Economic Injury:</i>	
Business and Small Agricultural Cooperatives without Credit Available Elsewhere	4.000
Non-Profit Organizations without Credit Available Elsewhere	3.625

The number assigned to this disaster for physical damage is 210716 and for economic injury is 210720.

The State which received an EIDL Declaration is Illinois.

(Catalog of Federal Domestic Assistance Number 59008)

James Stallings,

Associate Administrator, Office of Disaster Recovery and Resilience.

[FR Doc. 2025-09113 Filed 5-20-25; 8:45 am]

BILLING CODE 8026-09-P

SMALL BUSINESS ADMINISTRATION

Privacy Act of 1974; Systems of Records

AGENCY: U.S. Small Business Administration.

ACTION: Notice of a Modified System of Records.

SUMMARY: The U.S. Small Business Administration (SBA) proposes a modified system of records, Personnel Security Files (SBA 24), to update its inventory of records systems subject to the Privacy Act of 1974, as amended. Publication of this notice complies with the Privacy Act and the Office of Management and Budget (OMB) Circular A-108 and Circular A-130. Personnel Security Files (SBA 24) serves as a centralized repository for active and inactive personnel security files to include information from authorized background investigations which supports the SBA's clearance process. The changes include updating the format, updating the system of records name/title, changing the designation of the system manager, and updating information concerning the location of the system of records, referencing the authority for maintaining the records, modifying routine use (M), adding two new routine uses (N) and (O), respectively, and making certain clerical and clarifying revisions.

DATES: Submit written comments on or before June 20, 2025. This revised system will be effective upon publication. Routine uses will become effective on the date following the end of the comment period unless comments are received which result in a contrary determination.

ADDRESSES: You may submit comment on this notice, identified by [SBA-2024-0012], by any of the following methods.

Federal e-Rulemaking Portal: <http://www.regulations.gov>: Follow the instructions for submitting comments.
 Mail/Hand Delivery/Courier: Submit written comments to: Zina Hardy, Deputy Director, Office of Personnel Security Office, U.S. Small Business Administration, 409 3rd Street SW, Washington, DC 20416.

FOR FURTHER INFORMATION CONTACT: General or security questions please contact Joseph L. Eitel, Director, Personnel Security, Small Business Administration, 721 19th Street, Room 392, Denver, CO 80202, via email Joseph.Eitel@sba.gov, telephone 303-844-7750 or Cybersecurity inquiries, Michael Post, (Acting) Chief Information Security Officer, Office of the Chief Information Officer, U.S. Small Business Administration, 4089 3rd Street SW, Suite 4000, Washington, DC 20416, email address Michael.Post@sba.gov, telephone 202-205-3645. For Privacy related matters, contact LaWanda Burnette, Chief Privacy Officer, Office of the Chief Information Officer, or via email to PrivacyOfficer@sba.gov.

SUPPLEMENTARY INFORMATION: The Privacy Act of 1974 (5 U.S.C. 552a), as amended, embodies fair information practice principles in a statutory framework governing how federal agencies collect, maintain, use, and disseminate individuals' personal information. The Privacy Act applies to records about individuals that are maintained in a "system of records." A system of records is any group of records under the control of a federal agency from which information is retrieved by the name of an individual or by a number, symbol or any other identifier assigned to the individual. The Privacy Act requires each federal agency to publish a system of records notice (SORN) in the **Federal Register** identifying and describing: (1) each system of record the agency maintains, (2) the purpose for which the agency uses personally identifiable information (PII) in the system, (3) the routine uses for which the agency discloses such information outside the agency, and (4) how individuals can exercise their rights related to their PII information.

The SBA is required to complete background investigations for suitability and security clearance determinations to ensure individuals supporting the Agency are deemed reliable, trustworthy, and suitable for the role they will fulfill. The Agency's Office of Personnel Security utilizes the Automated Background Investigation System (ABIS), a commercial off the shelf (COTS) web-based system, to support the collection of data that is used by the Bureau to initiate background investigations.

This system of records is comprised of electronic documents managed by the Office of Personnel Security and the Office of the Chief Information Officer.

SYSTEM NAME AND NUMBER:

Automated Background Investigation System Personnel Security Files (SBA ABIS PSF 24).

SECURITY CLASSIFICATION:

Controlled Unclassified Information.

SYSTEM LOCATION:

SBA Headquarters, 409 3rd Street SW, Washington, DC.

SYSTEM MANAGER(S):

Joseph L. Eitel, Director, Personnel Security, SBA, 721 19th Street, Room 392, Denver, CO 80202.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

15 U.S.C. Chapters 14A and 14B; 44 U.S.C. 3101, Executive Order 12968, 5 CFR 731, Executive Order 10450, as amended.

PURPOSE(S) OF THE SYSTEM:

In accordance with E.O. 10450 and E.O. 12968 and 5 CFR 731, the system is used receive requests for background investigations, pre-screen applicants and contractors (granting them approval to enter on duty), forward investigative requests to DCSA for processing, adjudicate completed investigations, grant or deny national security clearances, make final determinations, provide due process, and report the adjudication results.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Active, inactive, and former SBA employees.

CATEGORIES OF RECORDS IN THE SYSTEM:

Personnel security files for persons covered by this system, including names, both former and aliases, date and place of birth, contact information, addresses, employment and education history, financial information, health records, personnel actions, Office of Personnel Management (OPM), and/or

authorized contracting firm background investigations.

RECORD SOURCE CATEGORIES:

SBA active, inactive, and former employees, Office of Human Resources Solutions, Office of Personnel Security, Office of the Administrator—Chief Operating Officer, witnesses, and OPM.

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

A. To the federal, state, local or foreign agency or professional organization which investigates, prosecutes, or enforces violations, statutes, rules, regulations, or orders issued when the Agency identifies a violation or potential violation of law whether arising by general or program statute, or by regulation, rule, or order.

B. To other federal agencies, upon request, that are conducting background checks.

C. To a grand jury, court, magistrate, administrative tribunal, or to opposing counsel in the course of hearings, trials, or settlement negotiations.

D. To a congressional office in response to an inquiry on an individual's record, when that office is inquiring at the request of, and on behalf of, the individual, when the congressional member's access rights are no greater than the individual's.

E. To SBA volunteers, contractors, interns, grantees, experts and who have been engaged by SBA to assist in the performance of a service related to this system of records and who need access to the records in order to perform this activity. Recipients of these records shall be required to comply with the requirements of the Privacy Act of 1974, as amended, 5 U.S.C. 552a.

F. To OPM in accordance with that agency's authority to evaluate federal personnel management.

G. To the Merit Systems Protection Board in connection with its consideration of appeals of personnel actions.

H. To any federal, state, local, foreign, or international agency, in connection with their assignment, hiring or retention of an individual, issuance of a security clearance, reporting of an investigation of an individual, letting of a contract or issuance of a license, grant or other benefit, to the extent the information is relevant to their decision on the matter.

I. To a grand jury agent pursuant either to a federal or state grand jury subpoena or to a prosecution request that record be released for introduction to a grand jury.

J. To the Office of Government Ethics for any purpose consistent with their mission.

K. To the Department of Justice (DOJ) when any of the following is a party to litigation or has an interest in such litigation, and the use of such records by DOJ is deemed by SBA to be relevant and necessary to the litigation, provided, however, that in each case, SBA determines the 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: SBA, or any component thereof; any SBA employee in their official capacity; any SBA employee in their individual capacity where DOJ has agreed to represent the employee; or The United States Government, where SBA determines that litigation is likely to affect SBA or any of its components.

L. In a proceeding before a court, or adjudicative body, or a dispute resolution body before which SBA is authorized to appear or before which any of the following is a party to litigation or has an interest in litigation, provided, however, that SBA determines that the use of such records is relevant and necessary to the litigation, and that, in each case, SBA determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is a compatible purpose for which the records were collected: SBA, or any SBA component; any SBA employee in their official capacity; any SBA employee in their individual capacity where DOJ has agreed to represent the employee; or The United States Government, where SBA determines that litigation is likely to affect SBA or any of its components.

M. To appropriate agencies, entities, and persons when (1) SBA suspects or has confirmed that there has been a breach of the system of records, (2) the SBA has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, SBA (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 SBA's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

N. To another federal agency or federal entity, when SBA 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.

O. To Department of Defense the adjudication of investigative files and verification of all National Security clearance holders.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Compliance with federal laws, executive orders, SBA policies and procedures, and other applicable guidelines. Records in this system are stored in a locked, controlled access room and restricted access electronic data systems. OPM National Agency checks that are not immediately referred to OPM are maintained in a physically locked controlled access room with restricted access electronic data systems.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Records are retrieved by employee's full name, social security number.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Compliance with federal laws, (Federal Records Act), executive orders, SBA policies and procedures (SOP 90-47 and SOP 00-41 latest editions, and other applicable guidelines.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Administrative controls include all users must take Cybersecurity Awareness Training which includes a Privacy module and Rules of Behavior annually and prior to using the system. User access is provided based upon approval of the system administrator.

Technical controls include multi factor authentication, least privilege, encryption in transit and at rest, event logging and monitoring, dynamic IP, Discretionary Access Control Lists (DACLS) and Role Based permissions. ABIS generates event logs that record all activity in the system, including successful and unsuccessful login attempts, the user that attempted the action, the IP address the action originated from, records that were accessed and any additional information about the requests. These requests are monitored routinely.

Servers are protected within a controlled and secure room in SBA headquarters. Computers are accessed

by the user's Personal Identity Verification card.

RECORDS ACCESS PROCEDURES:

Individuals wishing to request access to records about them should submit a Privacy Act request to the SBA Chief, Freedom of Information and Privacy Act Office, U.S. Small Business Administration, 409 Third St. SW, Eighth Floor, Washington, DC 20416 or FOIA@sba.gov. Individuals must provide their full name, mailing address, personal email address, telephone number, and a detailed description of the records being requested. Individuals requesting access must also follow SBA's Privacy Act regulations regarding verification of identity and access to records (13 CFR part 102 subpart B). The section of this notice titled *EXEMPTIONS PROMULGATED FOR THE SYSTEM* indicates the kinds of material exempted and the authority for exempting them from access. Individuals wishing to request access to their records which may fall under exemptions or are uncertain of the request, should contact the Director, Office of Personnel Security, 721 19th Street, Rm. 392, Denver, CO 80202.

CONTESTING RECORD PROCEDURES:

Notify system manager, Joseph L. Eitel, Director, Personnel Security, SBA, 721 19th Street, Room 392, Denver, CO 80202, and state reason(s) for contesting and the proposed amendment(s) sought.

NOTIFICATION PROCEDURES:

Individuals may make record inquiries in writing to the system manager, Joseph L. Eitel, Director, Personnel Security, SBA, 721 19th Street, Room 392, Denver, CO 80202.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

Pursuant to 5 U.S.C. 552a(k)(5), all investigatory material in the record compiled for law enforcement purposes or for the purpose of determining suitability, eligibility, or qualifications for federal civilian employment, federal contracts, or access to classified information is exempt from the notification, access and contest requirements under 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I) and (f) of the Privacy Act of 1974. This exemption is necessary in order to fulfill commitments made to protect the confidentiality of sources and to maintain access to sources necessary in making determinations of suitability for employment.

Small Business Administration Record Rules: 72 FR 17367 (April 9, 2007) and 82 FR 46369 (October 5, 2017).

HISTORY:

[FR Doc. 2009–14896, Vol. 74, No. 61] and [FR Doc. 2004–58598, Vol. 69, No. 189].

Joseph L. Eitel,

Executive Director (Acting), Office of Executive Management, Installation and Support Services, U.S. Small Business Administration.

[FR Doc. 2025–09116 Filed 5–20–25; 8:45 am]

BILLING CODE 8025–09–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21061 and #21062; KENTUCKY Disaster Number KY–20019]

Presidential Declaration Amendment of a Major Disaster for the Commonwealth of Kentucky

AGENCY: U.S. Small Business Administration.

ACTION: Amendment 1.

SUMMARY: This is an amendment of the Presidential declaration of a major disaster for the Commonwealth of Kentucky (FEMA–4864–DR), dated April 24, 2025.

Incident: Severe Storms, Straight-line Winds, Tornadoes, Flooding, Landslides, and Mudslides.

DATES: Issued on May 14, 2025.

Incident Period: April 2, 2025, and continuing.

Physical Loan Application Deadline Date: June 23, 2025.

Economic Injury (EIDL) Loan Application Deadline Date: January 26, 2026.

ADDRESSES: Visit the MySBA Loan Portal at <https://lending.sba.gov> to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Sharon Henderson, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: The notice of the President's major disaster declaration for the Commonwealth of Kentucky, dated April 24, 2025, is hereby amended to include the following areas as adversely affected by the disaster:

Primary Counties (Physical Damage and Economic Injury Loans): Breckinridge, Bullitt, Calloway, Daviess, Garrard, Grayson, Hancock, Hart, Henderson, Henry, Jefferson, LaRue, Lincoln, McLean, Meade, Muhlenberg, Nelson, Ohio, Oldham, Pendleton, Powell, Trimble, Warren, Webster.
Contiguous Counties (Economic Injury Loans Only):

Kentucky: Allen, Barren, Campbell, Casey, Crittenden, Green, Harrison, Kenton, Lee, Marion, Menifee, Metcalfe, Pulaski, Rockcastle, Simpson, Taylor, Union, Wolfe.
Indiana: Clark, Crawford, Floyd, Perry, Posey, Spencer, Vanderburgh, Warrick.
Ohio: Clermont.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

James Stallings,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2025–09117 Filed 5–20–25; 8:45 am]

BILLING CODE 8026–09–P

SOCIAL SECURITY ADMINISTRATION

[Docket No: SSA–2025–0029]

Agency Information Collection Activities: Proposed Request and Comment Request

The Social Security Administration (SSA) publishes a list of information collection packages requiring clearance by the Office of Management and Budget (OMB) in compliance with Public Law 104–13, the Paperwork Reduction Act of 1995, effective October 1, 1995. This notice includes revisions of OMB-approved information collections.

SSA is soliciting comments on the accuracy of the agency's burden estimate; the need for the information; its practical utility; ways to enhance its quality, utility, and clarity; and ways to minimize burden on respondents, including the use of automated collection techniques or other forms of information technology. Mail, email, or fax your comments and recommendations on the information collection(s) to the OMB Desk Officer and SSA Reports Clearance Officer at the following addresses or fax numbers.

(OMB) Office of Management and Budget, Attn: Desk Officer for SSA, (SSA) Social Security Administration, OLCA, Attn: Reports Clearance Director, Mail Stop 3253, Altmeyer, 6401 Security Blvd., Baltimore, MD 21235, Fax: 833–410–1631, Email address: OR.Reports.Clearance@ssa.gov.

Or you may submit your comments online through <https://www.reginfo.gov/public/do/PRAMain> by clicking on Currently under Review—Open for Public Comments and choosing to click on one of SSA's published items. Please reference Docket ID Number [SSA–2025–0029] in your submitted response.

I. The information collections below are pending at SSA. SSA will submit them to OMB within 60 days from the date of this notice. To be sure we consider your comments, we must receive them no later than July 21, 2025. Individuals can obtain copies of the collection instrument by writing to the above email address.

1. *Consent for Release of Information and Consent for Disclosure of Records Protected Under the Privacy Act (Privacy and Disclosure of Official Records and Information and Availability of Information and Records to the Public)—20 CFR 401.40(b)&(c), 401.45, 401.55(b), 401.65(a), 401.100; 20 CFR 401.130; and 20 CFR 402-0960-0566.*

Within the Privacy and Disclosure of Official Records and Information regulations, SSA has established methods through which the public can provide consent for release of records under the Privacy Act of 1974. The public can also request records accessible through the Freedom of Information Act (FOIA). We collect the necessary information for these requests through written correspondence, including the Form SSA-3288; other writings, including non-SSA forms often used by large employers, that incorporate SSA's consent requirements; or the Form SSA-3288-OP1 via a webform application linked on SSA's Privacy Program website. The Form SSA-3288-OP1 allows an

individual to consent to and authorize SSA to disclose specific types of records that an individual can alternatively request through other writings and written correspondence; however, an individual can consent to and authorize SSA to disclose a broader range of types of records when using other writings and written correspondence (other than Form SSA-3288-OP1).

Consent for Release of Records

SSA obtains the required consent(s) (with certain exceptions specified by law) from anyone requesting information in SSA systems of records about another individual. We will not release information requested about an individual until we obtain the required consent from that individual. Under the Privacy Act of 1974 (5 U.S.C. 552a (b)), individuals may give SSA written consent to disclose their personal information to a third party of their choosing. In addition, individuals may have multiple needs for the disclosure of their personal information, such as for qualification for a mortgage or preemployment screenings. SSA uses the following forms for obtaining required consent:

(a) *Form SSA-3288* (Consent for Release of Information): Form SSA-3288 is SSA's preferred paper form for requests for disclosure of information based on the consent of the subject of record. Respondents can download the SSA-3288 from www.ssa.gov/forms, obtain a copy at a local SSA field office,

or request SSA mail a copy to them directly. Use of this form ensures compliance with SSA consent regulations at 20 CFR 401.100. SSA also collects consent on other writings, including non-SSA forms which large employers often use, that incorporate SSA's consent requirements.

(b) *Form SSA-3288-OP1* (Consent for Disclosure of Records Protected Under the Privacy Act): Form SSA-3288-OP1 complies with the CASES Act, OMB M-21-04, and SSA consent regulations at 20 CFR 401.100. The CASES Act directed OMB to develop templates for, among other things, electronic consents for SSA to disclose records protected by the Privacy Act of 1974 to third parties. OMB implemented that statutory directive in M-21-04. SSA developed the SSA-3288-OP1 pursuant to the CASES Act and M-21-04. The public can access the webform application that populates Form SSA-3288-OP1 online by selecting the "Submit an Electronic Consent to Disclose Records" link found at www.ssa.gov/privacy. The public can also find the "Submit an Electronic Consent to Disclose Records" page with the link to the SSA-3288-OP1 by typing in relevant search terms at www.ssa.gov.

The respondents are individuals consenting to, authorizing, and requesting SSA disclosure of their records protected by the Privacy Act of 1974 to third parties.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)	Average theoretical hourly cost amount (dollars) *	Average wait time in field office (minutes) **	Total annual opportunity cost (dollars) **
a. Amendment of Records ...	100	1	10	17	*\$32.66	** 23	***\$1,796
b. Consent for Release of Information (SSA-3288) +	440,374	1	5	36,698	* 32.66	** 23	*** 6,711,891
c. Consent for Release of Records (Electronic SSA-3288-OP1) +	1,152	1	10	192	* 32.66	.....	*** 6,271
Totals	441,626	.....	.....	36,907	.....	.....	*** 6,719,958

+ The number of respondents for this modality is based on SSA's analytics data for the number of SSA-3288 and SSA-3288-OP1 forms submitted to SSA in fiscal year (FY) 2024.

* We based this figure on average U.S. worker's hourly wages, as reported by Bureau of Labor Statistics data (Occupational Employment and Wage Statistics).

** We based this figure on the average FY 2025 wait times for field offices, based on SSA's current management information data.

*** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete the application.*

2. *Enterprise Scheduling System (ESS)—0960-0828.*

The Enterprise Scheduling System (ESS) allows for both customer self-scheduling and technician-assisted scheduling through an electronic scheduling tool. The first ESS release specifically allowed self-scheduling for

enumeration services. However, we are now extending its current functionality, enabling customers and technicians to: schedule, reschedule, or cancel enumeration appointments for new or replacement Social Security cards; and complete Post-Entitlement (PE) actions,

such as changing a Representative Payee, processing non-receipt of payment, updating an SSI record, or submitting evidence. In addition, ESS will allow technicians the ability to schedule, reschedule or cancel PE appointments on behalf of customers.

Customers use ESS to schedule an appointment to obtain a new SSN or a replacement Social Security card or for assistance with a PE action. ESS offers customers the following services:

- Appointment scheduling.
- Electronic communication.
- Workload evaluation/planning/management.
- Research.
- Regulatory Mandated/Compliance.
- General purpose statistics.

ESS facilitates both customer self-scheduling and technician scheduling, allowing SSA to collect essential information from customers, including their name, Social Security number, zip code, telephone number, and email address. Additionally, customers have the option to consent to electronic messaging or to opt out, as well as specify their preferred method of communication (email or text), language preference, preferred service office, and appointment day and time preferences. SSA uses this information to schedule in-office, phone, or video appointments for processing enumeration and PE actions. Customers scheduling their PE appointments through a technician have the option to create a one-time

passcode, enabling them to securely update their appointment online. The technician will document this one-time passcode along with the customer's other appointment preferences.

Customers begin the process by accessing SSA.gov and engaging an online questionnaire to determine the nature of their business. If applications are available for customers to self-serve, the system routes them to those applications to complete their business. If not, customers are given the option to self-schedule an appointment through ESS. If the customer moves forward, the system directs them to create a credential using Login.gov or ID.me. Once they complete credentialing, customers access ESS to complete required screens and fields to select a date and time for an appointment with an SSA field office (FO) to provide the proofs necessary to obtain a replacement or original SSN card or complete a PE action. Upon completing the required screens and fields, the system presents customers with a screen to review and submit all of the data they input regarding the requested appointment. If the customer enters everything accurately, the system allows the

customer to confirm their information and schedules their appointment.

If customers encounter issues with ESS, they may contact SSA by phone to have an FO or Telephone Service Center technician schedule their appointment. Technicians follow existing processes and policies to identify the caller as a legitimate customer, and converse with the customer to determine the nature of their business and if they require an appointment. If the technician determines the customer needs an appointment, the technician accesses ESS and completes the required screens and fields for the enumeration or PE appointment. Once the technician completes the ESS screens, the technician can review all of the information the customer provided with the customer. If the customer indicates it is correct the technician submits and schedules the appointment.

We conduct this information collection each time a customer accesses the online tool or contacts SSA by phone to schedule an appointment. The respondents are individuals looking to schedule their own SSA visit using ESS.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)	Average theoretical hourly cost (dollars) *	Average wait time for teleservice center (minutes) **	Total annual opportunity cost (dollars) **
ESS—Internet	3,000,000	1	5	250,000	*\$22.98 .....	.....	*** \$5,745,000
ESS—Technician	150,000	1	3	7,500	* 22.98	** 22	*** 1,436,250
Totals	3,150,000 .....	.....	.....	257,500 .....	.....	.....	*** 7,181,250

* We based this figure by averaging both the average DI payments based on SSA's current FY 2025 data (<https://www.ssa.gov/legislation/2024FactSheet.pdf>), and the average U.S. worker's hourly wages, as reported by Bureau of Labor Statistics data (Occupational Employment and Wage Statistics).

** We based this figure by averaging the average FY 2025 wait times for field offices and teleservice centers, based on SSA's current management information data.

*** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete the application.*

II. SSA submitted the information collection below to OMB for clearance. Your comments regarding this information collection would be most useful if OMB and SSA receive them 30 days from the date of this publication. To be sure we consider your comments, we must receive them no later than June 20, 2025. Individuals can obtain copies of this OMB clearance package by writing to the *OR.Reports.Clearance@ssa.gov*.

Supplemental Security Income (SSI)—Quality Review Case Analysis—0960-0133.

To assess the SSI program and ensure the accuracy of its payments, SSA conducts legally mandated periodic SSI case analysis quality reviews. SSA uses

Form SSA-8508-BK to conduct these reviews, collecting information on operating efficiency; the quality of underlying policies; and the effect of incorrect payments. SSA also uses the data to determine SSI program payment accuracy rates, which are a service delivery goals. SSA selects a stratified random sample of recipients each month who received payments during the sample period to conduct these reviews. The SSA reviewer then reviews the selected case files prior to preparing an initial letter contacting the respondent to set up an interview. The initial letter informs the respondent of the review and includes a checklist with any requested documentation for the phone-based interview. During the

interview, the SSA reviewer redevelops and verifies all non-medical factors of eligibility and payment amount, asks the sampled individuals questions related to the status of eligibility factors during the review period, then requests the respondent mail in any necessary documentation (listed on the initial letter). During the interview, the SSA reviewer documents responses on the electronic SSA-8508-BK (or e8508), a stand-alone Excel application that resides in the reviewer's government-issued personal computer. If the system is not accessible for some reason, the reviewer uses the paper SSA-8508-BK instead. The respondents are recipients of SSI payments selected for the quality reviews

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)	Average theoretical hourly cost amount (dollars)*	Total annual opportunity cost (dollars)**
SSA-8508-BK (paper interview)	215	1	60	215	*\$13.30	**\$2,860
e8508 (electronic interview)	4,085	1	60	4,085	*13.30	**54,331
Totals	4,300	.....	.....	4,300	.....	**\$57,191

* We based this figure on the average DI payments based on SSA's current data (<https://www.ssa.gov/legislation/2024FactSheet.pdf>).
 *** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. *There is no actual charge to respondents to complete the application.*

Dated: May 15, 2025.
Naomi Sipple,
Reports Clearance Officer, Social Security Administration.
 [FR Doc. 2025-09063 Filed 5-20-25; 8:45 am]
BILLING CODE 4191-02-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Availability of the Tiered Environmental Assessment for Updates to Airspace Closures for the Flight 9 Mission Profile of the SpaceX Starship-Super Heavy Vehicle at the SpaceX Boca Chica Launch Site in Cameron County, Texas

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).
ACTION: Notice of availability.

SUMMARY: The FAA is announcing the availability of the Tiered Environmental Assessment (Tiered EA) and Finding of No Significant Impact/Record of Decision (FONSI/ROD) for Updates to Airspace Closures for the Flight 9 Mission Profile of the SpaceX Starship-Super Heavy Vehicle at the SpaceX Boca Chica Launch Site in Cameron County, Texas. (Tiered EA FONSI/ROD).

SUPPLEMENTARY INFORMATION: The Tiered Environmental Assessment for Updates to Airspace Closures for the Flight 9 Mission Profile of the SpaceX Starship-Super Heavy Vehicle at the SpaceX Boca Chica Launch Site in Cameron County, Texas tiers from the 2022 Final PEA and April 2025 Tiered EA and is evaluating the updates to the Aircraft Hazard Area and Notice to Airmen for SpaceX's operation of the Starship-Super Heavy launch program at the Boca Chica vertical launch area (VLA) in Cameron County, Texas. SpaceX must obtain a new license or modification of its existing vehicle operator license from the FAA to

operate the Starship-Super Heavy Flight 9 mission profile. The federal action also includes the FAA's issuance of temporary airspace closures. Based on the safety analysis for Starship-Super Heavy Flight 9, an Aircraft Hazard Area and associated Notice to Airmen would necessitate FAA to close airspace over a portion of the Bahamas and the Turks & Caicos Islands. Starship-Super Heavy Flight 9 will impact air routes extending eastward from the Boca Chica launch site through the Straits of Florida, covering approximately 1,600 nautical miles. The designated Aircraft Hazard Area will necessitate the closure of more than 70 airways (established aircraft routes) across the Gulf of America and now, due to vehicle reliability, include the Lucayan Archipelago (Bahamas and Turks & Caicos Islands). Bahamas and Turks & Caicos are expected to close their respective airspace up to 6,000 feet and FAA will close the airspace above that. This is an update to the existing operations involving the Starship-Super Heavy described in the April 2025 Tiered EA.

The FAA has posted the Tiered EA and FONSI/ROD on the FAA Office of Commercial Space Transportation website: https://www.faa.gov/space/stakeholder_engagement/spacex_starship/.

Issued in Washington, DC, on: May 15, 2025.

Stacey Molinich Zee,
Manager, Operations Support Branch.
 [FR Doc. 2025-09079 Filed 5-20-25; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2025-0084]

Entry-Level Driver Training: William Cole; Application for Exemption

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Notice of application for exemption; request for comments.

SUMMARY: FMCSA announces that William Cole, Safety Coordinator for the Montana Trucking Association, has requested an exemption from the entry-level driver training (ELDT) regulations requirement that classroom or theory instructors for individuals seeking the hazardous materials (HM) endorsement have at least two years of driving experience of the same or higher class and/or the same endorsement level as the commercial motor vehicle (CMV) for which training is to be provided. Mr. Cole believes his knowledge and experience concerning the HM safety regulations and the transportation of such materials on CMVs enable him to provide the theory training for individuals seeking an HM endorsement. FMCSA requests public comment on the applicant's request for an exemption.

DATES: Comments must be received on or before June 20, 2025.

ADDRESSES: You may submit comments identified by Docket Number FMCSA-2025-0084 by any of the following methods:

- *Federal eRulemaking Portal:* www.regulations.gov. See the Public Participation and Request for Comments section below for further information.

- *Mail:* Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Ground Floor, Washington, DC 20590-0001.

- *Hand Delivery or Courier:* 1200 New Jersey Avenue SE, West Building, Ground Floor, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- *Fax:* (202) 493–2251.

Each submission must include the Agency name and the docket number (FMCSA–2025–0084) for this notice. Note that DOT posts all comments received without change to www.regulations.gov, including any personal information included in a comment. Please see the Privacy Act heading below.

Docket: To view any documents mentioned as being available in the docket, go to <https://www.regulations.gov/docket/FMCSA-2025-0084> document and choose the document to review. To view comments, click this notice, then click “Browse Comments.” If you do not have access to the internet, you may view the docket by visiting Dockets Operations on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366–9317 or (202) 366–9826 before visiting Dockets Operations.

Privacy Act: In accordance with 49 U.S.C. 31315(b), DOT solicits comments from the public to better inform its exemption process. DOT posts these comments, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice DOT/ALL–14 FDMS (Federal Docket Management System (FDMS)), which can be reviewed at <https://www.transportation.gov/individuals/privacy/privacy-act-system-records-notices>. The comments are posted without edit and are searchable by the name of the submitter.

FOR FURTHER INFORMATION CONTACT: Ms. Bernadette Walker, Driver, and Carrier Operations Division; Office of Carrier, Driver and Vehicle Safety Standards, FMCSA; (202) 385–2415; bernadette.walker@dot.gov. If you have questions on viewing or submitting material to the docket, contact Dockets Operations at (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Public Participation and Request for Comments

FMCSA encourages you to participate by submitting comments and related materials.

A. Submitting Comments

If you submit a comment, please include the docket number for this

notice (FMCSA–2025–0084), indicate the specific section of this document to which the comment applies, and provide a reason for suggestions or recommendations. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so the Agency can contact you if it has questions regarding your submission.

To submit your comment online, go to <https://www.regulations.gov/docket/FMCSA-2025-0084/document>, click on this notice, click “Comment,” and type your comment into the text box on the following screen.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing.

FMCSA will consider all comments and material received during the comment period. Comments received after the comment closing date will be filed in the public docket and will be considered to the extent practicable.

B. Confidential Business Information (CBI)

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to the notice contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to the notice, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission that constitutes CBI as “PROPIN” to indicate it contains proprietary information. FMCSA will treat such marked submissions as confidential under the Freedom of Information Act, and they will not be placed in the public docket of the notice. Submissions containing CBI should be sent to Brian Dahlin brian.g.dahlin@dot.gov, Chief, Regulatory Evaluation Division, Office of Policy, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590–0001 or via email at brian.g.dahlin@dot.gov. At this time, you need not send a duplicate hardcopy of your electronic CBI submissions to FMCSA headquarters. Any comments FMCSA receives not specifically designated as CBI will be placed in the public docket for this notice.

II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315(b) to grant exemptions from the Federal Motor Carrier Safety Regulations. FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including the applicant’s safety analysis. The Agency must provide an opportunity for public comment on the request.

The Agency reviews the application, safety analyses, and public comments submitted and determines whether granting the exemption would likely maintain a level of safety equivalent to, or greater than, the level that would be achieved absent such exemption, pursuant to the standard set forth in 49 U.S.C. 31315(b)(1). The Agency must publish its decision in the **Federal Register** (49 CFR 381.315(b)). If granted, the notice will identify the regulatory provision from which the applicant will be exempt, the effective period, and all terms and conditions of the exemption (49 CFR 381.315(c)(1)). If the exemption is denied, the notice will explain the reason for the denial (49 CFR 381.315(c)(2)). The exemption may be renewed (49 CFR 381.300(b)).

III. Applicant’s Request

William Cole, Safety Coordinator for the Montana Trucking Association, seeks an exemption from the requirement in the ELDT regulations in 49 CFR 380.605 that HM theory instructors have at least two years of driving experience of the same or higher class and/or the same endorsement level for which training is to be provided.

The applicant states that the exemption would enable him to provide HM training while maintaining the highest level of safety and compliance standards.

Mr. Cole has served for 15 years as a CMV enforcement officer with the state’s Motor Carrier Services agency and is currently the Safety Coordinator for Montana Trucking Association, which provides HM training to motor carriers, conducts FMCSA compliance audits, and assists industry leaders in understanding and implementing HM safety protocols. Mr. Cole believes his qualifications “exceed the necessary knowledge and instructional standards for ELDT theory training.” The following is a list of Mr. Cole’s credentials included in the exemption application request:

- CVSA Advanced Hazmat Instructor

- Certified Safety & Health Official (CSHO)—Construction
- Specialist in Safety & Health (SSH)—General Industry
- OSHA Outreach Trainer—Construction
- Member of the ATA Law Enforcement Advisory Board
- Facilitator of the Montana Trucking Association Safety Council

A copy of Mr. Cole's exemption application is available for review in the docket for this notice.

IV. Request for Comments

In accordance with 49 U.S.C. 31315(b), FMCSA requests public comment from all interested persons on Mr. Cole's application for an exemption from the requirements in 49 CFR 380.605 from the definition of "theory instructor," which would allow him to become an ELDT theory instructor for HM endorsements. All comments received before the close of business on the comment closing date will be considered and will be available for examination in the docket at the location listed under the **ADDRESSES** section of this notice. Comments received after the comment closing date will be filed in the public docket and will be considered to the extent practicable. In addition to late comments, FMCSA will also continue to file, in the public docket, relevant information that becomes available after the comment closing date. Interested persons should continue to examine the public docket for new material.

Larry W. Minor,

Associate Administrator of Policy.

[FR Doc. 2025-09130 Filed 5-20-25; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA-2025-0045]

Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: This document provides the public notice that CSX Transportation, Inc. (CSXT) petitioned FRA seeking approval to discontinue or modify a signal system.

DATES: FRA must receive comments on the petition by June 20, 2025. FRA will consider comments received after that date to the extent practicable.

ADDRESSES:

Comments: Comments related to this docket may be submitted by going to <https://www.regulations.gov> and following the online instructions for submitting comments.

Instructions: All submissions must include the agency name and docket number. All comments received will be posted without change to <https://www.regulations.gov>; this includes any personal information. Please see the Privacy Act heading in the **SUPPLEMENTARY INFORMATION** section of this document for Privacy Act information related to any submitted comments or materials.

Docket: For access to the docket to read background documents or comments received, go to <https://www.regulations.gov> and follow the online instructions for accessing the docket.

FOR FURTHER INFORMATION CONTACT:

Scott Johnson, Railroad Safety Specialist, FRA Signal, Train Control, and Crossings Division, telephone: 406-210-3608, email: scott.j.johnson@dot.gov.

SUPPLEMENTARY INFORMATION: Under part 235 of title 49 Code of Federal Regulations (CFR) and 49 U.S.C. 20502(a), this document provides the public notice that by letter dated March 18, 2025, CSXT petitioned FRA seeking approval to discontinue or modify a signal system. FRA assigned the petition Docket Number FRA-2025-0045.

Specifically, CSXT requests to retire the Rigby West signal location at milepost (MP) PLD-15.10 in Scarborough, Maine, on its Portland Subdivision. CSXT additionally requests approval to retire track control operations and extend other than main track limits from MP PLD-15.10 to control point (CP) Cooks at MP PLD-16.30.

In support of the request, CSXT explains that, with the Rigby West signal in service, whenever train crews need to pull a train west out of Rigby Yard for headroom, they must contact the dispatcher and request the westbound signal be cleared. Therefore, retiring the Rigby West signal would reduce these radio communications, which would allow both dispatchers and train crews "to focus on critical operational and safety-related communications in and out of Rigby Yard." Radio communications would then "remain focused on essential dispatching and operational duties."

The request to extend other than main track limits would create more track space for switching/headroom operations.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at www.regulations.gov.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

Communications received by June 20, 2025 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

Privacy Act

Anyone can search the electronic form of any written communications and comments received into any of FRA's dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <https://www.transportation.gov/privacy>. See also <https://www.regulations.gov/privacy-notice> for the privacy notice of [regulations.gov](https://www.regulations.gov).

Issued in Washington, DC.

John Karl Alexy,

Associate Administrator for Railroad Safety, Chief Safety Officer.

[FR Doc. 2025-09151 Filed 5-20-25; 8:45 am]

BILLING CODE 4910-06-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA-2015-0084]

Notice of Petition for Extension of Waiver of Compliance

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: This document provides the public notice that the Southeastern Pennsylvania Transportation Authority (SEPTA) petitioned FRA to extend relief

related to SEPTA's participation in FRA's Confidential Close Call Reporting System (C³RS) Program.

DATES: FRA must receive comments on the petition by June 20, 2025. FRA will consider comments received after that date to the extent practicable.

ADDRESSES:

Comments: Comments related to this docket may be submitted by going to <https://www.regulations.gov> and following the online instructions for submitting comments.

Instructions: All submissions must include the agency name and docket number. All comments received will be posted without change to <https://www.regulations.gov>; this includes any personal information. Please see the Privacy Act heading in the **SUPPLEMENTARY INFORMATION** section of this document for Privacy Act information related to any submitted comments or materials.

Docket: For access to the docket to read background documents or comments received, go to <https://www.regulations.gov> and follow the online instructions for accessing the docket.

FOR FURTHER INFORMATION CONTACT:

Ronald O. Simpson, Railroad Safety Specialist, FRA Safety Partnerships Division, telephone: 314-202-2971, email: ronald.o.simpson@dot.gov.

SUPPLEMENTARY INFORMATION: Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that by letter received on March 13, 2025, SEPTA petitioned FRA for an extension of a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 240 (Qualification and Certification of Locomotive Engineers) and part 242 (Qualification and Certification of Conductors). FRA assigned the petition Docket Number FRA-2015-0084.

Specifically, SEPTA requests an extension of the relief required to continue its participation in FRA's C³RS Program. SEPTA seeks to continue shielding reporting employees from mandatory punitive sanctions that would otherwise arise as provided in §§ 240.117(e)(1) through (4); 240.305(a)(1) through (4) and (a)(6); 240.307; 242.403(b), (c), (e)(1) through (4), (e)(6) through (11), (f)(1) and (2); and 242.407. The C³RS Program encourages certified operating crew members to report close calls and protects the employees and the railroad from discipline or sanctions arising from the incidents reported per the C³RS Implementing Memorandum of Understanding (IMOU). The IMOU

includes the Brotherhood of Locomotive Engineers and Trainmen and the Transportation Division of SMART-TD.

In support of its request, SEPTA states that it has made many safety improvements since the waiver was last extended, including reviewing 183 close call submissions; developing a "Shop Movement Job Brief Form," which has reduced incidents in shop movements; and beginning a campaign to ensure equipment has proper inspection paperwork and testing before leaving initial terminals.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at www.regulations.gov.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

Communications received by June 20, 2025, will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

Privacy Act

Anyone can search the electronic form of any written communications and comments received into any of FRA's dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <https://www.transportation.gov/privacy>. See also <https://www.regulations.gov/privacy-notice> for the privacy notice of [regulations.gov](https://www.regulations.gov).

Issued in Washington, DC.

John Karl Alexy,

*Associate Administrator for Railroad Safety,
Chief Safety Officer.*

[FR Doc. 2025-09150 Filed 5-20-25; 8:45 am]

BILLING CODE 4910-06-P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Notice of OFAC Sanctions Action

AGENCY: Office of Foreign Assets Control, Department of the Treasury.

ACTION: Notice.

SUMMARY: The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing the names of one or more persons whose property and interests in property have been unblocked and who have been removed from OFAC's Specially Designated Nationals and Blocked Persons List (SDN List).

DATES: This action was issued on May 15, 2025. See **SUPPLEMENTARY INFORMATION** section for relevant dates.

FOR FURTHER INFORMATION CONTACT: OFAC: Associate Director for Global Targeting, 202-622-2420; Assistant Director for Sanctions Compliance, 202-622-2490; or <https://ofac.treasury.gov/contact-ofac>.

SUPPLEMENTARY INFORMATION:

Electronic Availability

The SDN List and additional information concerning OFAC sanctions programs are available on OFAC's website: <https://ofac.treasury.gov/>.

Notice of OFAC Action

On May 15, 2025, OFAC determined that the following persons would be removed from the SDN List and that their property and interests in property subject to U.S. jurisdiction are unblocked pursuant to Executive Order 13224 of September 23, 2001 ("Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten To Commit, or Support Terrorism") and the Hizballah International Financing Prevention Act of 2015, as amended by the Hizballah International Financing Prevention Amendments Act of 2018.

Individual

1. SERHAN, Fadi Hussein (a.k.a. SARHAN, Fadi Husayn; a.k.a. SIRHAN, Fadi), Own Building, Kanisat Marmkhael, Saliba Street, Corniche, Al-Mazraa, Beirut, Lebanon; Jaafar Building, Mazraa Street, Beirut, Lebanon; Jaafar Building, Mseytbi Street, Beirut, Lebanon; Jaafar Building, Salim Slam Street, Beirut, Lebanon; Jishi Building, Salim Slam Street, Beirut, Lebanon; Own Building, Main Street, Kfar Kila, Lebanon; Mazraa, Salim Slam St., Borj Al Salam Bldg., Beirut, Lebanon; DOB 01 Apr 1961; POB Kfar Kila, Lebanon; alt. POB Kfarkela, Lebanon; nationality Lebanon; Gender

Male; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886; Passport RL 0962973 (Lebanon) expires 08 Feb 2012; alt. Passport RL 3203273 expires 20 May 2020; VisaNumberID 87810564 (United States); alt. VisaNumberID F0962973 (individual) [SDGT] [HIFPAA].

Entity

1. VATECH SARL (a.k.a. VATECH LEBANON; a.k.a. VATECH VIDEO AND PRO AUDIO; a.k.a. "VATECH"), P.O. Box 14-5728, Jishi Building, Salim Slam Street, Mazraa, Beirut, Lebanon; P.O. Box 14-5728, Borj al Salam Building, Salim Slam Street, Beirut, Lebanon; Jaafar Building, Mazraa Street, Beirut, Lebanon; Moseitbi Street, Beirut, Lebanon; Jaafar Building, Salim Slam Street, Mazraa, Beirut, Lebanon; Jishi Building, Mazraa Street, Beirut, Lebanon; website www.vatech.com.lb; Additional Sanctions Information—Subject to Secondary Sanctions Pursuant to the Hizballah Financial Sanctions Regulations; Secondary sanctions risk: section 1(b) of Executive Order 13224, as amended by Executive Order 13886 [SDGT] (Linked To: SERHAN, Fadi Hussein).

Lisa M. Palluconi,

Acting Director, Office of Foreign Assets Control.

[FR Doc. 2025-09055 Filed 5-20-25; 8:45 am]

BILLING CODE 4810-AL-P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Superfund Tax on Chemical Substances; Request To Modify List of Taxable Substances; Notice of Filing for Tridecyl Alcohol

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of filing and request for comments.

SUMMARY: This notice of filing announces that a petition has been filed requesting that tridecyl alcohol be added to the list of taxable substances. This notice of filing also requests comments on the petition. This notice of filing is not a determination that the list of taxable substances is modified.

DATES: Written comments and requests for a public hearing must be received on or before July 21, 2025.

ADDRESSES: Commenters are encouraged to submit public comments or requests for a public hearing relating to this petition electronically via the Federal

eRulemaking Portal at <https://www.regulations.gov> (indicate public docket number IRS-2025-0056 or tridecyl alcohol) by following the online instructions by submitting comments. Comments cannot be edited or withdrawn once submitted to the Federal eRulemaking Portal. Alternatively, comments and requests for a public hearing may be mailed to: Internal Revenue Service, Attn: CC:PA:01:PR (Notice of Filing for Tridecyl Alcohol), Room 5203, P.O. Box 7604, Ben Franklin Station, Washington, DC 20044. All comments received are part of the public record and subject to public disclosure. All comments received will be posted without change to <https://www.regulations.gov>, including any personal information provided. You should submit only information that you wish to make publicly available. If a public hearing is scheduled, notice of the time and place for the hearing will be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Jacob W. Peeples at (202) 317-6855 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Request To Add Substance to the List

(a) *Overview.* A petition was filed pursuant to Rev. Proc. 2022-26 (2022-29 I.R.B. 90), as modified by Rev. Proc. 2023-20 (2023-15 I.R.B. 636), requesting that tridecyl alcohol be added to the list of taxable substances under section 4672(a) of the Internal Revenue Code (List). The petition requesting the addition of tridecyl alcohol to the List is based on weight and contains the information detailed in paragraph (b) of this document. The information is provided for public notice and comment pursuant to section 9 of Rev. Proc. 2022-26. The publication of petition information in this notice of filing is not a determination and does not constitute Treasury Department or IRS confirmation of the accuracy of the information published.

(b) *Petition Content.*

(1) *Substance name:* Tridecyl alcohol.

(2) *Petitioner:* Exxon Mobil Corporation, an exporter of tridecyl alcohol.

(3) *Proposed classification numbers:*

(i) *HTSUS number:* 3823.70.60.00.

(ii) *Schedule B number:* 3823.70.6000.

(iii) *CAS number:* 68526-86-3.

(4) *Petition filing dates:*

(i) *Petition filing date for purposes of making a determination:* May 1, 2025.

(ii) *Petition filing date for purposes of section 11.02 of Rev. Proc. 2022-26, as modified by section 3 of Rev. Proc. 2023-20:* July 1, 2022.

(5) *Description from petition:* Tridecyl alcohol is a branched alcohol used in applications such as surfactant.

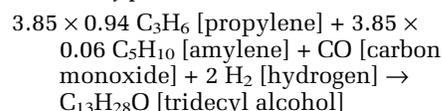
Tridecyl alcohol is made from propylene, amylene, carbon monoxide, and hydrogen. Taxable chemicals constitute 75.9 percent by weight of the materials used to produce this substance.

(6) *Process identified in petition as predominant method of production of substance:* The name of the production process that the petitioner has identified as the predominant method of production of the substance is Oxonation.

Tridecyl alcohol is derived from the oxo reaction with branched olefins. Refinery-connected polygas units generate many of these olefins as purified cuts or fractions.

Most commercial plants for hydroformylation of higher olefins use only cobalt hydrocarbyl or modified cobalt-phosphine catalysts. Separation of Rh catalysts from higher aldehydes or alcohols is more difficult and expensive. In most cases for the plasticizer and detergent alcohol ranges (C₆-C₁₅), producers hydrogenate the aldehydes, which have no commercial significance, to alcohols.

(7) *Stoichiometric material consumption equation, based on process identified as predominant method of production:*



(8) *Tax rate calculated by Petitioner, based on Petitioner's conversion factors for taxable chemicals used in production of substance:*

(i) *Tax rate:* \$7.40 per ton.

(ii) *Conversion factors:* 0.76 for propylene.

(9) *Public docket number:* IRS-2025-0056.

Michael Beker,

Senior Counsel (Energy, Credits, and Excise Tax), IRS Office of Chief Counsel.

[FR Doc. 2025-09135 Filed 5-20-25; 8:45 am]

BILLING CODE 4830-01-P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Superfund Tax on Chemical Substances; Request To Modify List of Taxable Substances; Notice of Filing for Neo Decanoic Acid

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of filing and request for comments.

SUMMARY: This notice of filing announces that a petition has been filed requesting that neo decanoic acid be added to the list of taxable substances. This notice of filing also requests comments on the petition. This notice of filing is not a determination that the list of taxable substances is modified.

DATES: Written comments and requests for a public hearing must be received on or before July 21, 2025.

ADDRESSES: Commenters are encouraged to submit public comments or requests for a public hearing relating to this petition electronically via the Federal eRulemaking Portal at <https://www.regulations.gov> (indicate public docket number IRS–2025–0054 or neo decanoic acid) by following the online instructions for submitting comments. Comments cannot be edited or withdrawn once submitted to the Federal eRulemaking Portal. Alternatively, comments and requests for a public hearing may be mailed to: Internal Revenue Service, Attn: CC:PA:01:PR (Notice of Filing for Neo Decanoic Acid), Room 5203, P.O. Box 7604, Ben Franklin Station, Washington, DC 20044. All comments received are part of the public record and subject to public disclosure. All comments received will be posted without change to <https://www.regulations.gov>, including any personal information provided. You should submit only information that you wish to make publicly available. If a public hearing is scheduled, notice of the time and place for the hearing will be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Jacob W. Peeples at (202) 317–6855 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Request To Add Substance to the List

(a) *Overview.* A petition was filed pursuant to Rev. Proc. 2022–26 (2022–29 I.R.B. 90), as modified by Rev. Proc. 2023–20 (2023–15 I.R.B. 636), requesting that neo decanoic acid be added to the list of taxable substances under section 4672(a) of the Internal Revenue Code (List). The petition requesting the addition of neo decanoic acid to the List is based on weight and contains the information detailed in paragraph (b) of this document. The information is provided for public notice and comment pursuant to section 9 of Rev. Proc. 2022–26. The publication of petition information in this notice of filing is not a determination and does not constitute Treasury Department or

IRS confirmation of the accuracy of the information published.

(b) *Petition Content.*

(1) *Substance name:* Neo decanoic acid.

(2) *Petitioner:* Exxon Mobil Corporation, an exporter of neo decanoic acid.

(3) *Proposed classification numbers:*

(i) *HTSUS number:* 2915.90.18.00.

(ii) *Schedule B number:* 2915.90.0000.

(iii) *CAS number:* 26896–20–8.

(4) *Petition filing dates:*

(i) *Petition filing date for purposes of making a determination:* May 1, 2025.

(ii) *Petition filing date for purposes of section 11.02 of Rev. Proc. 2022–26, as modified by section 3 of Rev. Proc. 2023–20:* July 1, 2022.

(5) *Description from petition:* Neo decanoic acid is a sterically hindered acid used as a building block for coating derivatives.

Neo decanoic acid is made from propylene, amylene, carbon monoxide, and water. Taxable chemicals constitute 66.2 percent by weight of the materials used to produce this substance.

(6) *Process identified in petition as predominant method of production of substance:* The name of the production process that the petitioner has identified as the predominant method of production of the substance is Koch synthesis.

(7) *Stoichiometric material consumption equation, based on process identified as predominant method of production:*

$$2.88 \times 0.94 \text{ C}_3\text{H}_6 \text{ [propylene]} + 2.88 \times 0.06 \text{ C}_5\text{H}_{10} \text{ [amylene]} + \text{CO [carbon monoxide]} + \text{H}_2\text{O [water]} \rightarrow \text{C}_{10}\text{H}_{20}\text{O}_2 \text{ [neo decanoic acid]}$$

(8) *Tax rate calculated by Petitioner, based on Petitioner's conversion factors for taxable chemicals used in production of substance:*

(i) *Tax rate:* \$6.43 per ton.

(ii) *Conversion factors:* 0.66 for propylene.

(9) *Public docket number:* IRS–2025–0054.

Michael Beker,

Senior Counsel (Energy, Credits, and Excise Tax), IRS Office of Chief Counsel.

[FR Doc. 2025–09132 Filed 5–20–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Superfund Tax on Chemical Substances; Request To Modify List of Taxable Substances; Notice of Filing for Ethylene Propylene Diene (EPDM) Rubber (x=5134, y=2250, z=98)

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of filing and request for comments.

SUMMARY: This notice of filing announces that a petition has been filed requesting that ethylene propylene diene (EPDM) rubber $((\text{C}_2\text{H}_4)_x(\text{C}_3\text{H}_6)_y(\text{C}_9\text{H}_{12})_z; (x=5134, y=2250, z=98))$ be added to the list of taxable substances. This notice of filing also requests comments on the petition. This notice of filing is not a determination that the list of taxable substances is modified.

DATES: Written comments and requests for a public hearing must be received on or before July 21, 2025.

ADDRESSES: Commenters are encouraged to submit public comments or requests for a public hearing relating to this petition electronically via the Federal eRulemaking Portal at <http://www.regulations.gov> (indicate public docket number IRS–2025–0058 or ethylene propylene diene (EPDM) rubber $((\text{C}_2\text{H}_4)_x(\text{C}_3\text{H}_6)_y(\text{C}_9\text{H}_{12})_z; (x=5134, y=2250, z=98))$) by following the online instructions for submitting comments. Comments cannot be edited or withdrawn once submitted to the Federal eRulemaking Portal. Alternatively, comments and requests for a public hearing may be mailed to: Internal Revenue Service, Attn: CC:PA:01:PR (Notice of Filing for Ethylene Propylene Diene (EPDM) Rubber (x=5134, y=2250, z=98)), Room 5203, P.O. Box 7604, Ben Franklin Station, Washington, DC 20044. All comments received are part of the public record and subject to public disclosure. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. You should submit only information that you wish to make publicly available. If a public hearing is scheduled, notice of the time and place for the hearing will be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Jacob W. Peeples at (202) 317–6855 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Request To Add Substance to the List

(a) *Overview.* A petition was filed pursuant to Rev. Proc. 2022–26 (2022–29 I.R.B. 90), as modified by Rev. Proc. 2023–20 (2023–15 I.R.B. 636), requesting that ethylene propylene diene (EPDM) rubber ((C₂H₄)_x(C₃H₆)_y(C₉H₁₂)_z; (x=5134, y=2250, z=98)) be added to the list of taxable substances under section 4672(a) of the Internal Revenue Code (List). The petition requesting the addition of ethylene propylene diene (EPDM) rubber ((C₂H₄)_x(C₃H₆)_y(C₉H₁₂)_z; (x=5134, y=2250, z=98)) to the List is based on weight and contains the information detailed in paragraph (b) of this document. The information is provided for public notice and comment pursuant to section 9 of Rev. Proc. 2022–26. The publication of petition information in this notice of filing is not a determination and does not constitute Treasury Department or IRS confirmation of the accuracy of the information published.

(b) Petition Content.

(1) *Substance name:* Ethylene propylene diene (EPDM) rubber ((C₂H₄)_x(C₃H₆)_y(C₉H₁₂)_z; (x=5134, y=2250, z=98)).

(2) *Petitioner:* Exxon Mobil Corporation, an exporter of ethylene propylene diene (EPDM) rubber ((C₂H₄)_x(C₃H₆)_y(C₉H₁₂)_z; (x=5134, y=2250, z=98)).

(3) Proposed classification numbers:

(i) *HTSUS number:* 4002.70.00.

(ii) *Schedule B number:* 4002.70.0000.

(iii) *CAS number:* 25034–71–3.

(4) Petition filing dates:

(i) *Petition filing date for purposes of making a determination:* May 1, 2025.

(ii) *Petition filing date for purposes of section 11.02 of Rev. Proc. 2022–26, as modified by section 3 of Rev. Proc. 2023–20:* July 1, 2022.

(5) Description from petition:

Ethylene propylene diene (EPDM) rubber ((C₂H₄)_x(C₃H₆)_y(C₉H₁₂)_z; (x=5134, y=2250, z=98)) is a synthetic rubber used in automotive parts (such as hoses and weather seals), wire and cable insulation, and oil additives, among others.

Ethylene propylene diene (EPDM) rubber ((C₂H₄)_x(C₃H₆)_y(C₉H₁₂)_z; (x=5134, y=2250, z=98)) is made from ethylene, propylene, butadiene, and cyclopentadiene. Taxable chemicals constitute 97.41 percent by weight of the materials used to produce this substance.

(6) *Process identified in petition as predominant method of production of substance:* The predominant method of producing ethylene propylene diene (EPDM) rubber ((C₂H₄)_x(C₃H₆)_y(C₉H₁₂)_z;

(x=5134, y=2250, z=98)) is copolymerization of ethylene and propylene with or without a small amount of a non-conjugated diene.

(7) *Stoichiometric material consumption equation, based on process identified as predominant method of production:*

5,134 C₂H₄ [ethylene] + 2,250 C₃H₆ [propylene] + 98 C₄H₆ [butadiene] + 98 C₅H₆ [cyclopentadiene] → (5,134 C₂H₄ + 2,250 C₃H₆ + 98 C₉H₁₂) [ethylene propylene diene rubber]

(8) *Tax rate calculated by Petitioner, based on Petitioner's conversion factors for taxable chemicals used in production of substance:*

(i) *Tax rate:* \$9.45 per ton.

(ii) *Conversion factors:* 0.57 for ethylene, 0.38 for propylene, 0.02 for butadiene.

(9) *Public docket number:* IRS–2025–0058.

Michael Beker,

Senior Counsel (Energy, Credits, and Excise Tax), IRS Office of Chief Counsel.

[FR Doc. 2025–09134 Filed 5–20–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY**Internal Revenue Service****Superfund Tax on Chemical Substances; Request To Modify List of Taxable Substances; Notice of Filing for Nonene**

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of filing and request for comments.

SUMMARY: This notice of filing announces that a petition has been filed requesting that nonene be added to the list of taxable substances. This notice of filing also requests comments on the petition. This notice of filing is not a determination that the list of taxable substances is modified.

DATES: Written comments and requests for a public hearing must be received on or before July 21, 2025.

ADDRESSES: Commenters are encouraged to submit public comments or requests for a public hearing relating to this petition electronically via the Federal eRulemaking Portal at <https://www.regulations.gov> (indicate public docket number IRS–2025–0055 or nonene) by following the online instructions for submitting comments. Comments cannot be edited or withdrawn once submitted to the Federal eRulemaking Portal. Alternatively, comments and requests

for a public hearing may be mailed to: Internal Revenue Service, Attn: CC:PA:01:PR (Notice of Filing for Nonene), Room 5203, P.O. Box 7604, Ben Franklin Station, Washington, DC 20044. All comments received are part of the public record and subject to public disclosure. All comments received will be posted without change to <https://www.regulations.gov>, including any personal information provided. You should submit only information that you wish to make publicly available. If a public hearing is scheduled, notice of the time and place for the hearing will be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT:

Jacob W. Peeples at (202) 317–6855 (not a toll-free number).

SUPPLEMENTARY INFORMATION:**Request To Add Substance to the List**

(a) *Overview.* A petition was filed pursuant to Rev. Proc. 2022–26 (2022–29 I.R.B. 90), as modified by Rev. Proc. 2023–20 (2023–15 I.R.B. 636), requesting that nonene be added to the list of taxable substances under section 4672(a) of the Internal Revenue Code (List). The petition requesting the addition of nonene to the List is based on weight and contains the information detailed in paragraph (b) of this document. The information is provided for public notice and comment pursuant to section 9 of Rev. Proc. 2022–26. The publication of petition information in this notice of filing is not a determination and does not constitute Treasury Department or IRS confirmation of the accuracy of the information published.

(b) Petition Content.

(1) *Substance name:* Nonene.

(2) *Petitioner:* Exxon Mobil Corporation, an exporter of nonene.

(3) Proposed classification numbers:

(i) *HTSUS number:* 2901.29.50.00.

(ii) *Schedule B number:* 2901.29.6000.

(iii) *CAS number:* 68526–55–63.

(4) Petition filing dates:

(i) *Petition filing date for purposes of making a determination:* May 1, 2025.

(ii) *Petition filing date for purposes of section 11.02 of Rev. Proc. 2022–26, as modified by section 3 of Rev. Proc. 2023–20:* July 1, 2022.

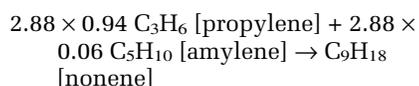
(5) *Description from petition:* Nonene is a reactive intermediates used to manufacture products used in lube oil additives, surfactants, agricultural chemicals, coatings and corrosion inhibitors.

Nonene is made from propylene and amylene. Taxable chemicals constitute 90.5 percent by weight of the materials used to produce this substance.

(6) *Process identified in petition as predominant method of production of substance:* The name of the production process that the petitioner has identified as the predominant method of production of the substance is Oligomerization.

Nonene (C₉H₁₈) and tetramer (C₁₂H₂₄) are olefins that are obtained by oligomerization of feedstock that contains propylene. Each product actually contains several isomeric olefins with varying degrees of branching and different positions of the olefinic double bond. Refinery-generated propylene is of sufficient quality to be used as the feedstock material. The most common process initiates the reaction with a supported phosphoric acid catalyst at temperatures ranging from 120 °C to 225 °C. Reaction temperature and feed composition determine the range of olefins in a given product stream. If the feedstock is a propylene-rich C3 stream, C9 and C12 olefins are the dominant products. Some processes that use a mixed C3/C4 feed generate a spectrum of products that also includes heptene (C7) and octene (C8). Distillation separates the mix into the desired product fractions. Nonene and tetramer have distillation ranges of 127 °C–149 °C and 182 °C–215 °C, respectively. Assuming 83% and 79% of theoretical yield for production of nonene and tetramer, respectively, 1.21 and 1.27 units of propylene are consumed per unit of nonene and tetramer produced, respectively.

(7) *Stoichiometric material consumption equation, based on process identified as predominant method of production:*



(8) *Tax rate calculated by Petitioner, based on Petitioner's conversion factors for taxable chemicals used in production of substance:*

(i) *Tax rate:* \$8.77 per ton.

(ii) *Conversion factors:* 0.9 for propylene.

(9) *Public docket number:* IRS–2025–0055.

Michael Beker,

Senior Counsel (Energy, Credits, and Excise Tax), IRS Office of Chief Counsel.

[FR Doc. 2025–09131 Filed 5–20–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Superfund Tax on Chemical Substances; Request To Modify List of Taxable Substances; Notice of Filing for Tri-Isononyl Tri-Mellitate

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of filing and request for comments.

SUMMARY: This notice of filing announces that a petition has been filed requesting that tri-isononyl tri-mellitate be added to the list of taxable substances. This notice of filing also requests comments on the petition. This notice of filing is not a determination that the list of taxable substances is modified.

DATES: Written comments and requests for a public hearing must be received on or before July 21, 2025.

ADDRESSES: Commenters are encouraged to submit public comments or requests for a public hearing relating to this petition electronically via the Federal eRulemaking Portal at <https://www.regulations.gov> (indicate public docket number IRS–2025–0057 or tri-isononyl tri-mellitate) by following the online instructions for submitting comments. Comments cannot be edited or withdrawn once submitted to the Federal eRulemaking Portal.

Alternatively, comments and requests for a public hearing may be mailed to: Internal Revenue Service, Attn: CC:PA:01:PR (Notice of Filing for Tri-Isononyl Tri-Mellitate), Room 5203, P.O. Box 7604, Ben Franklin Station, Washington, DC 20044. All comments received are part of the public record and subject to public disclosure. All comments received will be posted without change to <https://www.regulations.gov>, including any personal information provided. You should submit only information that you wish to make publicly available. If a public hearing is scheduled, notice of the time and place for the hearing will be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Jacob W. Peeples at (202) 317–6855 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Request To Add Substance to the List

(a) *Overview.* A petition was filed pursuant to Rev. Proc. 2022–26 (2022–29 I.R.B. 90), as modified by Rev. Proc. 2023–20 (2023–15 I.R.B. 636), requesting that tri-isononyl tri-mellitate be added to the list of taxable substances under section 4672(a) of the

Internal Revenue Code (List). The petition requesting the addition of tri-isononyl tri-mellitate to the List is based on weight and contains the information detailed in paragraph (b) of this document. The information is provided for public notice and comment pursuant to section 9 of Rev. Proc. 2022–26. The publication of petition information in this notice of filing is not a determination and does not constitute Treasury Department or IRS confirmation of the accuracy of the information published.

(b) *Petition Content.*

(1) *Substance name:* Tri-isononyl tri-mellitate.

(2) *Petitioner:* Exxon Mobil Corporation, an exporter of tri-isononyl tri-mellitate.

(3) *Proposed classification numbers:*

(i) *HTSUS number:* 2917.39.20.00.

(ii) *Schedule B number:* 2917.39.2000.

(iii) *CAS number:* 53894–23–8.

(4) *Petition filing dates:*

(i) *Petition filing date for purposes of making a determination:* May 1, 2025.

(ii) *Petition filing date for purposes of section 11.02 of Rev. Proc. 2022–26, as modified by section 3 of Rev. Proc. 2023–20:* July 1, 2022.

(5) *Description from petition:* Tri-isononyl tri-mellitate is a plasticizer used in automotive interiors, as well as wire and cable applications, that require resistance to very high temperatures, migration and extraction resistance over long durations.

Tri-isononyl tri-mellitate is made from propylene, amylene, carbon monoxide, hydrogen, and trimellitic anhydride. Taxable chemicals constitute 47.3 percent by weight of the materials used to produce this substance.

(6) *Process identified in petition as predominant method of production of substance:* The predominant method of producing tri-isononyl tri-mellitate is via Esterification.

This process can be readily carried out in heated kettles with agitation and provision for water takeoff.

Esterification catalysts (e.g., sulfuric acid or p-toluenesulfonic acid) speed the reaction and are neutralized, washed, and then removed. The purity requirements for commercial plasticizers are very high; phthalate esters are usually colorless and are mostly odorless. In the case of phthalates, the esterification is carried out through the reaction of phthalic anhydride and 2-ethylhexanol to produce dioctyl phthalate (DOP).

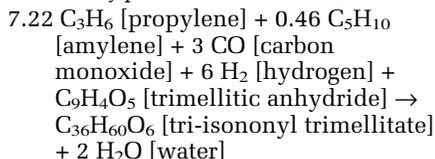
This reaction usually requires an excess of alcohol, which is readily recycled. Analogous syntheses yield aliphatic dicarboxylic acid esters, benzoates, and trimellitates.

The tri-isononyl tri-mellitate tri-ester is made by reacting primary isononyl (C9) alcohol with trimellitic anhydride. The ester is produced by esterification of 3 moles of isononyl C9 alcohol and 1 mole of trimellitic anhydride in the presence of a catalyst.

By using excess alcohol (up to 30% molar excess of C9 alcohol) and removing the water, the equilibrium is shifted towards the formation of the tri-ester. The reactants are charged into a reactor and heated up. The reaction rate is accelerated by using, for example, tetra-n-butyl titanate introduced at high temperature (140°C–250°C), while removing the water formed.

Excess alcohol is distilled from the ester by vacuum prior to neutralization and recycled into subsequent batches. The final ester is purified by neutralizing with a base such as an aqueous solution of sodium carbonate. The remaining excess water is distilled off and the ester is then filtered using filter agents. The degree of purity of the ester is min 99.0 wt%.

(7) *Stoichiometric material consumption equation, based on process identified as predominant method of production:*



(8) *Tax rate calculated by Petitioner, based on Petitioner's conversion factors for taxable chemicals used in production of substance:*

(i) *Tax rate:* \$5.06 per ton.

(ii) *Conversion factors:* 0.52 for propylene.

(9) *Public docket number:* IRS–2025–0057.

Michael Beker,

Senior Counsel (Energy, Credits, and Excise Tax), IRS Office of Chief Counsel.

[FR Doc. 2025–09133 Filed 5–20–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF VETERANS AFFAIRS

National Research Advisory Council, Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under the Federal Advisory Committee Act, 5 U.S.C. ch. 10, that the National Research Advisory Council (NRAC) will hold a meeting on Wednesday, June 4, 2025, via Teams. The teleconference number is 1–872–701–0185, Phone Conference ID: 192

450 229# or the meeting link is: https://teams.microsoft.com/l/meetup-join/19%3ameeting_YzI5OWVhMDgtNWMDZi00NjAzLTg3NWItZDRhNjk5YmE1MGIw%40thread.v2/0?context=%7b%22Tid%22%3a%22e95f1b23-abaf-45ee-821d-b7ab251ab3bf%22%2c%22Oid%22%3a%22bbe000de-64c3-4465-99a0-83e8fddd9836%22%7d.

The meeting will convene at 11:00 a.m. and end at 3:30 p.m. Eastern Standard Time. This meeting is open to the public and will include time reserved for public comments at the end of the meeting. The public comment period will be 30 minutes. Individual stakeholders will be afforded 3 to 5 minutes to express their comments.

The purpose of NRAC is to advise the Secretary on research conducted by the Veterans Health Administration, including policies and programs targeting the high priority of Veterans' health care needs.

On June 4, 2025, the agenda will include the annual Federal Advisory Committee Act and ethics trainings; agenda setting and objectives planning for fiscal year 2026; 18 U.S.C. 208, conflict of interest; presentations from the NRAC subcommittees; and public comments.

Members of the public may submit written statements for review by the NRAC in advance of the meeting. Public comments may be received no later than close of business May 28, 2025, for inclusion in the official meeting record. Please send statements to Amanda Garcia, Designated Federal Officer, Office of Research and Development (14RD), Department of Veterans Affairs, 811 Vermont Avenue NW, Washington, DC 20420, at 202–304–3540, or Amanda.Garcia@va.gov. Any member of the public seeking additional information should contact Amanda Garcia at the above phone number or email address noted above.

Dated: May 16, 2025.

LaTonya L. Small,

Federal Advisory Committee Management Officer.

[FR Doc. 2025–09107 Filed 5–20–25; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

Cooperative Studies Scientific Evaluation Committee; Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under the Federal

Advisory Committee Act, 5 U.S.C. ch. 10, that the Cooperative Studies Scientific Evaluation Committee (CSSEC) will hold a meeting on June 12, 2025, at the VA Office of Research & Development Conference Room (4042) at 811 Vermont Avenue NW, Washington, DC 20571, 9:30 a.m. to 4:15 p.m. EST.

The Committee provides expert advice on VA cooperative studies, multi-site clinical research activities, and policies related to conducting and managing these efforts. The session will be open to the public for the first 30 minutes of the meeting (approximately) for the discussion of administrative matters and the general status of the program. The remaining portion of the meeting will be closed to the public for the Committee's review, discussion, and evaluation of research and development applications.

During the closed portion of the meeting, the Committee's discussions and recommendations will address the qualifications of the personnel conducting the studies; staff and consultant critiques of research proposals and similar documents; and the medical records of study subjects, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. Additionally, premature disclosure of research information to the public could significantly obstruct implementation of approved research activities. As provided by Public Law 92–463 subsection 10(d), and amended by Public Law 94–409, closing the Committee meeting is in accordance with 5 U.S.C. 552b(c)(6) and (9)(B).

The Committee will not accept oral comments from the public for the open portion of the meeting. Members of the public who wish to attend the open teleconference should call 872–701–0185, conference ID 554 433 71#. Those who plan to attend, would like additional information, or would like to submit written comments should contact David Burnaska, Program Manager, Cooperative Studies Program (14RD), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420, at David.Burnaska@va.gov.

Dated: May 16, 2025.

LaTonya L. Small,

Federal Advisory Committee Management Officer.

[FR Doc. 2025–09096 Filed 5–20–25; 8:45 am]

BILLING CODE 8320–01–P



FEDERAL REGISTER

Vol. 90

Wednesday,

No. 97

May 21, 2025

Part II

The President

Executive Order 14298—Modifying Reciprocal Tariff Rates To Reflect Discussions With the People's Republic of China

Presidential Documents

Title 3—

Executive Order 14298 of May 12, 2025

The President

Modifying Reciprocal Tariff Rates To Reflect Discussions With 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.”

In 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), and Executive Order 14266 of April 9, 2025 (Modifying Reciprocal Tariff Rates To Reflect Trading Partner Retaliation and Alignment), pursuant to section 4(b) of Executive Order 14257, I ordered modifications of the Harmonized Tariff Schedule of the United States (HTSUS) to raise the applicable *ad valorem* duty rate for imports from the People's Republic of China (PRC) established in Executive Order 14257, in recognition of the fact that the State Council Tariff Commission of the PRC announced that it would retaliate against the United States in response to Executive Order 14257 and Executive Order 14259.

Section 4(c) of Executive Order 14257 provided that, “[s]hould any trading partner take significant steps to remedy non-reciprocal trade arrangements and align sufficiently with the United States on economic and national security matters, I may further modify the HTSUS to decrease or limit in scope the duties imposed under this order.” Since I signed Executive Order 14266, the United States has entered into discussions with the PRC to address the lack of trade reciprocity in our economic relationship and our resulting national and economic security concerns. Conducting these discussions is a significant step by the PRC toward remedying non-reciprocal trade arrangements and addressing the concerns of the United States relating to economic and national security matters.

Pursuant to section 4(c) of Executive Order 14257, I have determined that it is necessary and appropriate to address the national emergency declared in that order by modifying the HTSUS to suspend for a period of 90 days application of the additional *ad valorem* duties imposed on the PRC listed in Annex I to Executive Order 14257, as amended by Executive Order

14259 and Executive Order 14266, and clarified in the Presidential Memorandum of April 11, 2025 (Clarification of Exceptions Under Executive Order 14257 of April 2, 2025, as Amended), and to instead impose on articles of the PRC an additional *ad valorem* rate of duty as set forth herein, pursuant to the terms of, and except as otherwise provided in, Executive Order 14257, as modified by this order.

Sec. 2. *Suspension of Country-Specific Ad Valorem Rate of Duty.* 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 May 14, 2025, all articles imported into the customs territory of the United States from the PRC, including Hong Kong and Macau, shall be, consistent with law, subject to an additional *ad valorem* rate of duty of 10 percent subject to all applicable exceptions set forth in Executive Order 14257 and the Presidential Memorandum of April 11, 2025. This *ad valorem* rate of duty of 10 percent reflects (i) the modification of the application of the additional *ad valorem* rate of duty on articles of China (including articles of Hong Kong and Macau) set forth in Executive Order 14257, by suspending 24 percentage points of that rate for an initial period of 90 days, and the retention of the remaining *ad valorem* rate of 10 percent on those articles pursuant to the terms of said order; and (ii) the removal of the modified additional *ad valorem* rates of duty on those articles imposed by Executive Order 14259 and Executive Order 14266.

Sec. 3. *Tariff Modifications.* In recognition of the intentions of the PRC to facilitate addressing the national emergency declared in 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 May 14, 2025:

(a) heading 9903.01.25 of the HTSUS shall be amended by deleting the article description and by inserting “Articles the product of any country, except for products described in headings 9903.01.26–9903.01.33, and except as provided for in heading 9903.01.34, as provided for in subdivision (v) of U.S. note 2 to this subchapter” in lieu thereof;

(b) heading 9903.01.63 of the HTSUS shall be amended by deleting “125%” each place that it appears and by inserting “34%” in lieu thereof;

(c) subdivision (v)(xiii)(10) of U.S. note 2 to subchapter III of chapter 99 of the HTSUS shall be amended by deleting “125%”, and by inserting “34%” in lieu thereof; and

(d) heading 9903.01.63 and subdivision (v)(xiii)(10) of U.S. note 2 to subchapter III of chapter 99 of the HTSUS are hereby suspended for a period of 90 days beginning at 12:01 a.m. eastern daylight time on May 14, 2025.

Sec. 4. *De Minimis Tariff Decrease.* To ensure that the reduction in duties pursuant to section 2 of this order is made fully effective and the purpose of Executive Order 14257, as amended, is not undermined, I also deem it necessary and appropriate to:

(a) decrease the *ad valorem* rate of duty set forth in section 2(c)(i) of 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), as modified by Executive Order 14259 and Executive Order 14266, from 120 percent to 54 percent;

(b) retain in effect the per postal item containing goods duty of 100 dollars in section 2(c)(ii) of Executive Order 14256, as modified by Executive Order 14259 and Executive Order 14266, that has been in effect since 12:01 a.m. eastern daylight time on May 2, 2025, unless and until otherwise modified by a subsequent executive action, notwithstanding the increase contemplated effective June 1, 2025, pursuant to Executive Order 14256, as modified by Executive Order 14259 and Executive Order 14266; and

(c) modify the HTSUS, 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 May 14, 2025, as follows:

(i) subdivision (w) of U.S. note 2 to subchapter III of chapter 99 of the HTSUS shall be amended by deleting “120 percent”, and by inserting “54 percent” in lieu thereof; and

(ii) subdivision (w) of U.S. note 2 to subchapter III of chapter 99 of the HTSUS shall be amended by deleting “, and before 12:01 a.m. eastern daylight time on June 1, 2025. For merchandise entered for consumption on or after 12:01 a.m. eastern daylight time on June 1, 2025, the applicable specific duty rate is \$200 per postal item containing such goods.”

Sec. 5. *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 National Security Affairs, the Assistant to the President for Economic Policy, the Senior Counselor to the President for Trade and Manufacturing, and the Chair of the United States 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. 6. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

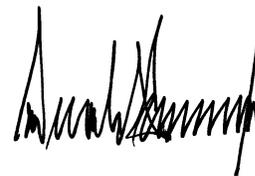
(i) the authority granted by law to an executive department, agency, or the head thereof; or

(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.

(d) The costs for publication of this order shall be borne by the Department of Commerce.

A handwritten signature in black ink, appearing to be a stylized name, possibly 'Donald Trump', written in a cursive style.

THE WHITE HOUSE,
May 12, 2025.

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H.J. Res. 24/P.L. 119-7

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H.J. Res. 42/P.L. 119-8

Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Energy relating to “Energy Conservation Program for Appliance Standards: Certification Requirements, Labeling Requirements, and

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H.J. Res. 75/P.L. 119-9

Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of Energy Efficiency and Renewable Energy, Department of Energy relating to “Energy Conservation Program: Energy Conservation Standards for Commercial Refrigerators, Freezers, and Refrigerator-Freezers”. (May 9, 2025; 139 Stat. 52)

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