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Title 3—

Proclamation 10947 of June 3, 2025

The President

Adjusting Imports of Aluminum and Steel Into the United States

By the President of the United States of America

A Proclamation

1. On January 11, 2018, the Secretary of Commerce (Secretary) transmitted to me a report on the Secretary's investigation into the effect of imports of steel mill articles (steel articles) on the national security of the United States under section 232 of the Trade Expansion Act of 1962, as amended (19 U.S.C. 1862) (section 232). The Secretary found and advised me of his opinion that steel articles are being imported into the United States in such quantities and under such circumstances as to threaten to impair the national security of the United States.
2. In Proclamation 9705 of March 8, 2018 (Adjusting Imports of Steel Into the United States), and Proclamation 9980 of January 24, 2020 (Adjusting Imports of Derivative Aluminum Articles and Derivative Steel Articles Into the United States), I concurred with the Secretary's findings that steel articles, as defined in clause 1 of Proclamation 9705, and derivative steel articles, as described in clause 3 of Proclamation 9980, are being imported into the United States in such quantities and under such circumstances as to threaten to impair the national security of the United States, and I decided to adjust the imports of those steel articles and derivative steel articles by imposing a 25 percent *ad valorem* tariff on such articles imported from most countries. In Proclamation 10896 of February 10, 2025 (Adjusting Imports of Steel Into the United States), I decided to adjust the imports of steel articles and derivative steel articles by imposing a 25 percent *ad valorem* tariff on such articles imported from all countries.
3. On January 19, 2018, the Secretary transmitted to me a report on the Secretary's investigation into the effect of imports of aluminum articles on the national security of the United States under section 232. The Secretary found and advised me of his opinion that aluminum articles are being imported into the United States in such quantities and under such circumstances as to threaten to impair the national security of the United States.
4. In Proclamation 9704 of March 8, 2018 (Adjusting Imports of Aluminum Into the United States), and Proclamation 9980, I concurred with the Secretary's findings that aluminum articles, as defined in clause 1 of Proclamation 9704, and derivative aluminum articles, as described in clause 3 of Proclamation 9980, are being imported into the United States in such quantities and under such circumstances as to threaten to impair the national security of the United States, and decided to adjust the imports of aluminum articles and derivative aluminum articles by imposing a 10 percent *ad valorem* tariff on such articles imported from most countries. In Proclamation 10895 of February 10, 2025 (Adjusting Imports of Aluminum Into the United States), I decided to adjust the imports of aluminum articles and derivative aluminum articles by imposing a 25 percent *ad valorem* tariff on such articles imported from all countries.
5. In Proclamation 10896 and Proclamation 10895, I instructed the Secretary to continue to monitor imports of steel articles and derivative steel articles, and aluminum articles and derivative aluminum articles, respectively, and

to review the status of such imports with respect to the national security of the United States. The Secretary has done so and has advised me accordingly.

6. After considering current information newly provided by the Secretary, among other things, I have determined that it is necessary to increase the previously described steel and aluminum tariffs to adjust the imports of steel and aluminum articles and their derivative articles so that such imports will not threaten to impair the national security. In my judgment, the increased tariffs will more effectively counter foreign countries that continue to offload low-priced, excess steel and aluminum in the United States market and thereby undercut the competitiveness of the United States steel and aluminum industries. Although the previously imposed steel and aluminum tariffs have helped provide critical price support in the United States market, they have not yet enabled these industries to develop and maintain the rates of capacity production utilization that are necessary for the industries' sustained health and for projected national defense needs. I have determined that increasing the previously imposed tariffs will provide greater support to these industries and reduce or eliminate the national security threat posed by imports of steel and aluminum articles and their derivative articles.

7. Accordingly, I have determined that it is necessary and appropriate to increase the tariff rate for imports of steel articles and derivative steel articles, and aluminum articles and derivative aluminum articles, from 25 percent *ad valorem* to 50 percent *ad valorem* effective as of 12:01 a.m. eastern daylight time on June 4, 2025. I have also determined that it is necessary and appropriate to modify the way in which the tariff measures described in Executive Order 14289 of April 29, 2025 (Addressing Certain Tariffs on Imported Articles), apply to steel articles and derivative steel articles, and aluminum articles and derivative aluminum articles, to ensure the effectiveness of the tariff changes described in this proclamation and the alignment of policy priorities between this proclamation and Executive Order 14289. I have further determined that it is necessary and appropriate to allow for the implementation of the U.S.-UK Economic Prosperity Deal of May 8, 2025 (EPD), and to accordingly provide different treatment, as described below, for imports of steel and aluminum articles, and their derivatives, from the United Kingdom.

8. Section 232 authorizes the President to adjust the imports of an article and its derivatives that are being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security.

9. Section 604 of the Trade Act of 1974, as amended (19 U.S.C. 2483), authorizes the President to embody in the Harmonized Tariff Schedule of the United States (HTSUS) the substance of statutes affecting import treatment, and actions thereunder, including the removal, modification, continuance, or imposition of any rate of duty or other import restriction.

NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States of America, by the authority vested in me by the Constitution and the laws of the United States of America, including section 232; the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*); section 301 of title 3, United States Code; and section 604 of the Trade Act of 1974, as amended, do hereby proclaim as follows:

(1) As set forth in Annexes I and II to this proclamation, as of 12:01 a.m. eastern daylight time on June 4, 2025, the tariffs proclaimed by Proclamation 9704, as amended; Proclamation 9705, as amended; Proclamation 9980, as amended; Proclamation 10895; and Proclamation 10896 are modified to increase the respective tariff rates from an additional 25 percent *ad valorem* to an additional 50 percent *ad valorem*.

(2) The modifications to the HTSUS made by clause 1 of this proclamation shall be 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 June 4, 2025, and shall continue in effect, unless such actions are expressly reduced, modified, or terminated.

(3) Any imports of articles set forth in Annex II to this proclamation that were admitted into a United States foreign trade zone under “privileged foreign status” as defined in 19 CFR 146.41 before 12:01 a.m. eastern daylight time on June 4, 2025, shall be subject upon entry for consumption made on or after 12:01 a.m. eastern daylight time on June 4, 2025, to the provisions of the tariff in effect at the time of the entry for consumption.

(4) Any article set forth in Annex I to this proclamation, except those eligible for admission under “domestic status” as defined in 19 CFR 146.43, that is subject to a duty imposed by this proclamation and that is admitted into a United States foreign trade zone on or after June 4, 2025, may be admitted only under “privileged foreign status” as defined in 19 CFR 146.41, and will be subject upon entry for consumption to any *ad valorem* rates of duty related to the classification under the applicable HTSUS sub-heading.

(5) Effective as of 12:01 a.m. eastern daylight time on June 4, 2025, Executive Order 14289 is amended by revising section 3(a)(ii) to read as follows: “(ii) An article subject to tariffs pursuant to the actions listed in section 2(d) or 2(e) of this order shall not be subject to additional tariffs on that article pursuant to the actions listed in section 2(b) or 2(c) of this order.” As set forth in Annex III of this proclamation, this amendment shall be 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 June 4, 2025, and shall continue in effect, unless such actions are expressly reduced, modified, or terminated.

(6) Notwithstanding any prior proclamation or Executive Order, the non-aluminum, non-steel content of all aluminum and steel articles and derivative articles shall be subject to tariffs pursuant to 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), as amended, and any other applicable tariffs. The additional *ad valorem* duties described in clause 1 and clause 7 of this proclamation shall apply only to the steel content of articles in Chapter 73 of the HTSUS and only to the aluminum content of articles in Chapter 76 of the HTSUS. U.S. Customs and Border Protection (CBP) shall issue authoritative guidance mandating strict compliance with declaration requirements for steel and aluminum content in imported articles and outlining maximum penalties for noncompliance, including that importers who submit underreported declarations may be subject to severe consequences, including but not limited to significant monetary penalties, loss of import privileges, and criminal liability, consistent with United States law.

(7) Notwithstanding clause 1 of this proclamation, the applicable rates of duty for articles of the United Kingdom that would otherwise be applicable pursuant to Proclamation 9704, as amended; Proclamation 9705, as amended; Proclamation 9980, as amended; Proclamation 10895; and Proclamation 10896 shall remain at 25 percent *ad valorem*. On or after July 9, 2025, the Secretary may adjust the applicable rates of duty and construct import quotas for steel and aluminum consistent with the terms of the EPD, or he may increase the applicable rates of duty to 50 percent if he determines that the United Kingdom has not complied with relevant aspects of the EPD.

(8) The Secretary shall continue to monitor imports of the articles and derivative articles described in Annexes I and II to this proclamation, and shall, from time to time, in consultation with any senior executive branch officials the Secretary deems appropriate, review the status of such imports with respect to the national security of the United States. The Secretary shall inform the President of any circumstances that, in the Secretary’s opinion, might indicate the need for further action by the President under

section 232. The Secretary shall also inform the President of any circumstances that, in the Secretary's opinion, might indicate that the duty rate provided for in this proclamation, or any proclamation issued pursuant thereto, is no longer necessary.

(9) No drawback shall be available with respect to the duties imposed pursuant to this proclamation.

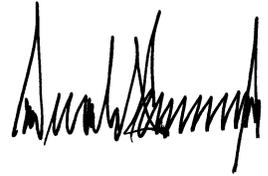
(10) The Secretary may issue regulations and guidance consistent with this proclamation, including to address operational necessity.

(11) The Secretary, in consultation with the United States International Trade Commission and CBP, shall determine whether any modifications to the HTSUS are necessary to effectuate this proclamation and may make such modifications through notice in the Federal Register if needed.

(12) CBP may take any necessary or appropriate measures to administer the tariffs imposed by this proclamation.

(13) Any provision of previous proclamations and Executive Orders that is inconsistent with the actions taken in this proclamation is superseded to the extent of such inconsistency.

IN WITNESS WHEREOF, I have hereunto set my hand this third day of June, 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.



Annex I

- A. “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 June 4, 2025:
- (1) headings 9903.85.02, 9903.85.04, 9903.85.07 and 9903.85.08 of the Harmonized Tariff Schedule of the United States (HTSUS) are each amended by deleting “25%” each place that it appears and by inserting “50%” in lieu thereof”; and
 - (2) the article description of heading 9903.85.09 is modified by deleting “subdivision (j) or subdivision (k)” and inserting “subdivisions (j), (k), (r) or (s)” in lieu thereof.
- B. “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 June 4, 2025, the following new subdivisions (n) through (t) to note 19 to subchapter III of chapter 99 of the HTSUS is inserted in alphabetical order:

“(n) Heading 9903.85.12 provides the ordinary customs duty treatment applicable to all entries of aluminum products of the United Kingdom, as enumerated in subdivision (o) of this note. For any such products that are eligible for special tariff treatment under any of the free trade agreements or preference programs listed in general note 3(c)(i) to the tariff schedule, the duty provided in heading 9903.85.12 shall be collected in addition to any special rate of duty otherwise applicable under the appropriate tariff subheading. Goods for which entry is claimed under a provision of chapter 98 and which are subject to the additional duties prescribed herein shall be eligible for and subject to the terms of such provision and applicable U.S. Customs and Border Protection (“CBP”) regulations, except that duties under subheading 9802.00.60 shall be assessed based upon the full value of the imported article. No claim for entry or for any duty exemption or reduction shall be allowed for the aluminum products enumerated in subdivision (o) of this note under a provision of chapter 99 that may set forth a lower rate of duty or provide duty-free treatment, taking into account information supplied by CBP, but any additional duty prescribed in any provision of this subchapter or subchapter IV of chapter 99 shall be imposed in addition to the duty in heading 9903.85.12. All antidumping, countervailing, or other duties and charges applicable to such goods shall continue to be imposed in addition to the duty in heading 9903.85.12.

For goods classified in chapter 76, the additional ad valorem duty imposed by headings 9903.85.12 shall only apply to the declared value of the aluminum content of the article. The quantity of the aluminum content shall be reported in kg for headings 9903.85.12, in addition to the units provided in chapters 1 through 97 for the aluminum article, in accordance with Statistical Note 1(b) of Chapter 99.

“(o) The rates of duty set forth in heading 9903.85.12 apply to all entries of aluminum products of the United Kingdom classifiable in the headings and subheadings enumerated in this subdivision:

- (i) unwrought aluminum provided for in heading 7601;

- (ii) bars, rods and profiles provided for in heading 7604;
- (iii) wire provided for in heading 7605;
- (iv) plates, sheets and strip provided for in 7606;
- (v) foil provided for in heading 7607;
- (vi) tubes, pipes and tube or pipe fittings provided for in headings 7608 and 7609; and
- (vii) castings and forgings of aluminum provided for in subheading 7616.99.51.

Any reference above to aluminum products classifiable in any heading or subheading of chapter 76, as the case may be, shall mean that any good provided for in the article description of such heading or subheading and of all its subordinate provisions (both legal and statistical) is covered by the provisions of this note and related tariff provisions.

“(p) Headings 9903.85.13, 9903.85.14 and 9903.85.15 provide the ordinary customs duty treatment applicable to all entries of derivative aluminum products of the United Kingdom classifiable in the headings or subheadings enumerated in subdivisions (q), (r) and (s), respectively, of this note. For any such derivative aluminum products that are eligible for special tariff treatment under any of the free trade agreements or preference programs listed in general note 3(c)(i) to the tariff schedule, the duty provided in such subheadings shall be collected in addition to any special rate of duty otherwise applicable under the appropriate tariff subheading. Derivative aluminum products for which entry is claimed under a provision of chapter 98 and which are subject to the additional duties prescribed herein shall be eligible for and subject to the terms of such provisions and applicable CBP regulations, except that duties under subheading 9802.00.60 shall be assessed based upon the full value of the imported article. No claim for entry or for any duty exemption or reduction shall be allowed for such derivative aluminum products under a provision of chapter 99 that may set forth a lower rate of duty or provide duty-free treatment, taking into account information supplied by CBP, but any additional duty prescribed in any provision of this subchapter or subchapter IV of chapter 99 shall be imposed in addition to the duty in headings 9903.85.13, 9903.85.14 or 9903.85.15. All anti-dumping, countervailing, or other duties and charges applicable to such goods shall continue to be imposed. Entries of derivative aluminum products under headings 9903.85.13, 9903.85.14 and 9903.85.15 shall also be subject to the additional duties imposed on entries of derivative iron and steel products by headings 9903.81.96, 9903.81.97, 9903.81.98 and 9903.81.99, provided that the derivative aluminum products otherwise satisfy all conditions necessary for application of the additional duties on entries of derivative iron and steel products.

For goods classified in chapter 76, the additional ad valorem duty imposed by headings 9903.85.13 and 9903.85.14 shall only apply to the declared value of the aluminum content of the derivative article. The quantity of the aluminum content shall be reported in kg for headings 9903.85.13 and 9903.85.14, in addition to the units provided in chapters 1 through 97 for the derivative aluminum article, in accordance with Statistical Note 1(b) of Chapter 99.

“(q) The rates of duty set forth in heading 9903.85.13 apply to all entries of derivative aluminum products of the United Kingdom classifiable in the subheadings enumerated in this subdivision:

(A) stranded wire, cables, plaited bands and the like, including slings and similar articles, of aluminum and with steel core, not electrically insulated; the foregoing fitted with fittings or made up into articles (described in subheading 7614.10.50);

(B) stranded wire, cables, plaited bands and the like, including slings and similar articles, of aluminum and not with steel core, not electrically insulated; the foregoing comprising electrical conductors, not fitted with fittings or made up into articles (described in subheading 7614.90.20);

(C) stranded wire, cables, plaited bands and the like, including slings and similar articles, of aluminum and not with steel core, not electrically insulated; the foregoing not comprising electrical conductors, not fitted with fittings or made up into articles (described in subheading 7614.90.40);

(D) stranded wire, cables, plaited bands and the like, including slings and similar articles, of aluminum and not with steel core, not electrically insulated; the foregoing fitted with fittings or made up into articles (described in subheading 7614.90.50);

(E) bumper stampings of aluminum, the foregoing comprising parts and accessories of the motor vehicles of heading 8701 to 8705 (described in subheading 8708.10.30); and

(F) body stampings of aluminum, for tractors suitable for agricultural use (described in subheading 8708.29.21).

“(r) The rates of duty set forth in heading 9903.85.14 apply to all entries of derivative aluminum products of the United Kingdom classifiable in the following provisions of the HTSUS, unless the derivative aluminum product was processed in another country from aluminum articles that were smelted and cast in the United States: 7610.10.00; 7610.90.00; 7612.90.10; 7615.10.2015; 7615.10.2025; 7615.10.3015; 7615.10.3025; 7615.10.5020; 7615.10.5040; 7615.10.7125; 7615.10.7130; 7615.10.7155; 7615.10.7180; 7615.10.9100; 7615.20.0000; 7616.10.9090; 7616.99.1000; 7616.99.5130; 7616.99.5140; 7616.99.5190.

“(s) The rates of duty set forth in heading 9903.85.15 apply to all entries of derivative aluminum products of the United Kingdom classifiable in the following provisions of the HTSUS, unless the derivative aluminum product was processed in another country from aluminum articles that were smelted and cast in the United States: 2203.00.00; 6603.90.8100; 8302.10.3000; 8302.10.6030; 8302.10.6060; 8302.10.6090; 8302.20.0000; 8302.30.3010; 8302.30.3060; 8302.41.3000; 8302.41.6015; 8302.41.6045; 8302.41.6050; 8302.41.6080; 8302.42.3010; 8302.42.3015; 8302.42.3065; 8302.49.6035; 8302.49.6045; 8302.49.6055; 8302.49.6085; 8302.50.0000; 8302.60.3000; 8302.60.9000; 8305.10.0050; 8306.30.0000; 8414.59.6590; 8415.90.8025; 8415.90.8045; 8415.90.8085; 8418.99.8005; 8418.99.8050; 8418.99.8060; 8419.50.5000; 8419.90.1000; 8422.90.0640; 8424.90.9080; 8473.30.2000; 8473.30.5100; 8479.89.9599; 8479.90.8500; 8479.90.9596; 8481.90.9060; 8481.90.9085; 8486.90.0000; 8487.90.0080; 8503.00.9520; 8508.70.0000; 8513.90.2000; 8515.90.2000; 8516.90.5000; 8516.90.8050; 8517.71.0000; 8517.79.0000; 8529.90.7300; 8529.90.9760; 8536.90.8585; 8538.10.0000; 8541.90.0000; 8543.90.8885; 8547.90.0020; 8547.90.0030; 8547.90.0040; 8708.10.3050; 8708.10.60; 8708.29.5160; 8708.80.6590; 8708.99.6890;

8716.80.5010; 8807.30.0060; 9013.90.8000; 9031.90.9195; 9401.99.9081; 9403.10.00; 9403.20.00; 9403.99.1040; 9403.99.9010; 9403.99.9015; 9403.99.9020; 9403.99.9040; 9403.99.9045; 9405.99.4020; 9506.11.4080; 9506.51.4000; 9506.51.6000; 9506.59.4040; 9506.70.2090; 9506.91.0010; 9506.91.0020; 9506.91.0030; 9506.99.0510; 9506.99.0520; 9506.99.0530; 9506.99.1500; 9506.99.2000; 9506.99.2580; 9506.99.2800; 9506.99.5500; 9506.99.6080; 9507.30.2000; 9507.30.4000; 9507.30.6000; 9507.30.8000; 9507.90.6000; 9603.90.8050.

“For any derivative aluminum product that is classified in one of the HTSUS provisions listed in this subdivision, the additional ad valorem duty imposed by heading 9903.85.15 shall only apply to the declared value of the aluminum content of the derivative article. The quantity of the aluminum content shall be reported in kg for heading 9903.85.15, in addition to the units provided in chapters 1 through 97 for the derivative aluminum article, in accordance with Statistical Note 1(b) of Chapter 99.

“(t) Any importer entering the aluminum products covered by this note under heading 9903.85.12 or derivative aluminum products under headings 9903.85.13, 9903.85.14, or 9903.85.15 shall provide any information that may be required, and in such form as is deemed necessary by CBP in order to permit the administration of these headings.”

C. Subchapter III of chapter 99 of the HTSUS is modified by inserting new headings 9903.85.12 through 9903.85.15 in numerical sequence, with the material in the new heading inserted in the columns of the HTSUS labeled “Heading/Subheading,” “Article Description,” “Rates of Duty 1-General,” “Rates of Duty 1-Special” and “Rates of Duty 2,” respectively:

Heading/ Subheading	Article Description	Rates of Duty		
		1		2
		General	Special	
“9903.85.12	Except as provided in headings 9903.85.67 or 9903.85.69, products of aluminum of the United Kingdom provided for in the tariff headings or subheadings enumerated in subdivision (o) of note 19 to this subchapter.....	The duty provided in the applicable subheading + 25%	The duty provided in the applicable subheading + 25%	The duty provided in the applicable subheading + 25%
9903.85.13	Except as provided in headings 9903.85.68 or 9903.85.70, derivative aluminum products of the United Kingdom provided for in the tariff headings or subheadings enumerated in subdivision (q) of note 19 to this			

	subchapter.....	The duty provided in the applicable subheading + 25%	The duty provided in the applicable subheading + 25%	The duty provided in the applicable subheading + 25%
9903.85.14	Except as provided in headings 9903.85.09, 9903.85.68 or 9903.85.70, derivative aluminum products of the United Kingdom, provided for in the tariff provisions enumerated in subdivision (r) of note 19 to this subchapter.....	The duty provided in the applicable subheading + 25%	The duty provided in the applicable subheading + 25%	The duty provided in the applicable subheading + 25%
9903.85.15	Except as provided in heading 9903.85.09, 9903.85.68 or 9903.85.70, derivative aluminum products, provided for in the tariff provisions enumerated in subdivision (s) of note 19 to this subchapter.....	The duty provided in the applicable subheading + a duty of 25% upon the value of the aluminum content	The duty provided in the applicable subheading + a duty of 25% upon the value of the aluminum content	The duty provided in the applicable subheading + a duty of 25% upon the value of the aluminum content”.

D. (a) Subdivision (f) of note 19 to subchapter III of chapter 99 of the HTSUS is modified by deleting “of all countries” in the first sentence of the first paragraph and inserting “of all countries, other than aluminum products of the United Kingdom, as provided in subdivision (o) of this note and heading 9903.85.12 of this chapter,” in lieu thereof, and by inserting a new second paragraph:

“For goods classified in chapter 76, the additional ad valorem duty imposed by headings 9903.85.02 shall only apply to the declared value of the aluminum content of the article. The quantity of the aluminum content shall be reported in kg for headings 9903.85.02, in addition to the units provided in chapters 1 through 97 for the aluminum article, in accordance with Statistical Note 1(b) of Chapter 99.”

(b) Subdivision (h) of note 19 to subchapter III of chapter 99 of the HTSUS is modified by deleting “from all countries” in the first sentence of the first paragraph and inserting “from all countries, other than derivative aluminum products of the United Kingdom, as provided in subdivisions (q), (r) and (s) of this note and headings 9903.85.13, 9903.85.14 and 9903.85.15 of this chapter,” in lieu thereof, and by inserting a new second paragraph:

“For goods classified in chapter 76, the additional ad valorem duty imposed by headings 9903.85.04, and 9903.85.07 shall only apply to the declared value of the aluminum content of the derivative article. The quantity of the aluminum content shall be reported in kg for headings 9903.85.04 and 9903.85.07, in addition to the units provided in chapters 1 through 97 for the derivative aluminum article, in accordance with Statistical Note 1(b) of Chapter 99.”

Annex II

- A. “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 June 4, 2025:
- (1) headings 9903.81.87, 9903.81.88, 9903.81.89, 9903.81.90, 9903.81.91, 9903.81.93, of the Harmonized Tariff Schedule of the United States (HTSUS) are each amended by deleting “25%” each place that it appears and by inserting “50%” in lieu thereof; and
- (2) the article description of heading 9903.81.92 is modified by deleting “subdivision (m) or subdivision (n)” and by inserting “subdivisions (m), (n), (t) or (u)” in lieu thereof.
- B. “Headings 9903.81.88, and 9903.81.93, of the HTSUS are each amended by deleting “March 12, 2025” each place that it appears and by inserting “June 4, 2025” in lieu thereof.”
- C. “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 June 4, 2025, the following new subdivisions (p) through (v) to note 16 of subchapter III of Chapter 99 of the HTSUS are inserted in alphabetical order:

“(p) Headings 9903.81.94 and 9903.81.95 provide the ordinary customs duty treatment of iron or steel products, as enumerated in subdivision (q) of this note, of the United Kingdom other than products of the United States. For any such products that are eligible for special tariff treatment under any of the free trade agreements or preference programs listed in general note 3(c)(i) to the tariff schedule, the duty provided in heading 9903.81.94 shall be collected in addition to any special rate of duty otherwise applicable under the appropriate tariff subheading. Goods for which entry is claimed under a provision of chapter 98 and which are subject to the additional duties prescribed herein shall be eligible for and subject to the terms of such provision and applicable U.S. Customs and Border Protection (“CBP”) regulations, except that duties under subheading 9802.00.60 shall be assessed based upon the full value of the imported article. No claim for entry or for any duty exemption or reduction shall be allowed for the iron or steel products enumerated in subdivision (q) of this note under a provision of chapter 99 that may set forth a lower rate of duty or provide duty-free treatment, taking into account information supplied by CBP, but any additional duty prescribed in any provision of this subchapter or subchapter IV of chapter 99 shall be imposed in addition to the duty in heading 9903.81.94. All antidumping, countervailing, or other duties and charges applicable to such goods shall continue to be imposed in addition to the duty in heading 9903.81.94.

For goods classified in chapter 73, the additional ad valorem duty imposed by headings 9903.81.94 and 9903.81.95 shall only apply to the declared value of the steel content of the article. The quantity of the steel content shall be reported in kg for headings 9903.81.94 and 9903.81.95, in addition to the units provided in chapters 1 through 97 for the steel article, in accordance with Statistical Note 1(b) of Chapter 99.

“(q) The rates of duty set forth in heading 9903.81.94 apply to all imported products of iron or steel classifiable in the provisions of the HTSUS enumerated in this subdivision:

“(i) flat-rolled products provided for in headings 7208, 7209, 7210, 7211, 7212, 7225 or 7226;

“(ii) bars and rods provided for in headings 7213, 7214, 7215, 7227, or 7228; angles, shapes and sections of 7216 (except subheadings 7216.61.00, 7216.69.00 or 7216.91.00); wire provided for in headings 7217 or 7229; sheet piling provided for in subheading 7301.10.00; rails provided for in subheading 7302.10; fish-plates and sole plates provided for in subheading 7302.40.00; and other products of iron or steel provided for in subheading 7302.90;

“(iii) tubes, pipes and hollow profiles provided for in heading 7304 or 7306; tubes and pipes provided for in heading 7305;

“(iv) ingots, other primary forms and semifinished products provided for in headings 7206, 7207 or 7224; and

“(v) products of stainless steel provided for in headings 7218, 7219, 7220, 7221, 7222 or 7223.

“Any reference above to iron or steel products classifiable in any heading or subheading of chapter 72 or 73, as the case may be, shall mean that any good provided for in the article description of such heading or subheading and of all its subordinate provisions (both legal and statistical) is covered by the provisions of this note and related tariff provisions.

“(r) Headings 9903.81.96, 9903.81.97, 9903.81.98, and 9903.81.99 provide the ordinary customs duty treatment of the derivative iron or steel products, as enumerated in subdivisions (s), (t) and (u), respectively, of this note for products of the United Kingdom other than products of the United States. For any such derivative iron or steel products that are eligible for special tariff treatment under any of the free trade agreements or preference programs listed in general note 3(c)(i) to the tariff schedule, the duty provided in such headings shall be collected in addition to any special rate of duty otherwise applicable under the appropriate tariff subheading. Goods for which entry is claimed under a provision of chapter 98 and which are subject to the additional duties prescribed herein shall be eligible for and subject to the terms of such provision and applicable CBP regulations, except that duties under subheading 9802.00.60 shall be assessed based upon the full value of the imported article. No claim for entry or for any duty exemption shall be allowed for the derivative iron or steel articles enumerated in subdivisions (s), (t) or (u) of this note under a provision of chapter 99 that may set forth a lower rate of duty or provide duty-free treatment, taking into account information supplied by CBP, but any additional duty prescribed in any provision of this subchapter or subchapter IV of chapter 99 shall be imposed in addition to the duty in headings 9903.81.96, 9903.81.97, or 9903.81.98. All antidumping, countervailing, or other duties and charges applicable to such goods shall continue to be imposed. Entries of derivative iron or steel products under headings 9903.81.96, 9903.81.97, 9903.81.98 and 9903.81.99 shall also be subject to the additional duties imposed on entries of derivative aluminum products by headings 9903.85.04, 9903.85.07 and 9903.85.08, provided that the derivative iron or steel products otherwise satisfy all conditions necessary for application of the additional duties on entries of derivative aluminum products.

For goods classified in chapter 73, the additional ad valorem duty imposed by headings 9903.81.96, 9903.81.97 and 9903.81.99 shall only apply to the declared value of the steel content of the derivative article. The quantity of the steel content shall be reported in kg for headings

9903.81.96, 9903.81.97 and 9903.81.99, in addition to the units provided in chapters 1 through 97 for the derivative steel article, in accordance with Statistical Note 1(b) of Chapter 99.

“(s) The rates of duty set forth in heading 9903.81.96 apply to all imported derivative iron or steel products classifiable in the provisions of the HTSUS enumerated in this subdivision:

“(A) nails, tacks (other than thumb tacks), drawing pins, corrugated nails, staples (other than those of heading 8305) and similar articles, of iron or steel, whether or not with heads of other material (excluding such articles with heads of copper), suitable for use in powder-actuated handtools, threaded (described in subheading 7317.00.30)

“(B) nails, tacks (other than thumb tacks), drawing pins, corrugated nails, staples (other than those of heading 8305) and similar articles, of iron or steel, whether or not with heads of other material (excluding such articles with heads of copper), of one piece construction, whether or not made of round wire; the foregoing described in statistical reporting numbers 7317.00.5503, 7317.00.5505, 7317.00.5507, 7317.00.5560, 7317.00.5580 or 7317.00.6560 only and not in other statistical reporting numbers of subheadings 7317.00.55 and 7317.00.65

“(C) bumper stampings of steel, the foregoing comprising parts and accessories of the motor vehicles of headings 8701 to 8705 (described in subheading 8708.10.30); and

“(D) body stampings of steel, for tractors suitable for agricultural use (described in subheading 8708.29.21).

“(t) The rates of duty set forth in heading 9903.81.97 apply to all imported derivative iron or steel products that are classified in the following subheadings of the HTSUS, unless the derivative iron or steel product was processed in another country from steel articles that were melted and poured in the United States: 7301.20.10; 7301.20.50; 7302.30.00; 7307.21.10; 7307.21.50; 7307.22.10; 7307.22.50; 7307.23.00; 7307.29.00; 7307.91.10; 7307.91.30; 7307.91.50; 7307.92.30; 7307.92.90; 7307.93.30; 7307.93.60; 7307.93.90; 7307.99.10; 7307.99.30; 7307.99.50; 7308.10.00; 7308.20.00; 7308.30.10; 7308.30.50; 7308.40.00; 7308.90.30; 7308.90.60; 7308.90.70; 7308.90.95; 7309.00.00; 7310.10.00; 7310.21.00; 7310.29.00; 7311.00.00; 7312.10.05; 7312.10.10; 7312.10.20; 7312.10.30; 7312.10.50; 7312.10.60; 7312.10.70; 7312.10.80; 7312.10.90; 7312.90.00; 7313.00.00; 7314.12.10; 7314.12.20; 7314.12.30; 7314.12.60; 7314.12.90; 7314.14.10; 7314.14.20; 7314.14.30; 7314.14.60; 7314.14.90; 7314.19.01; 7314.20.00; 7314.31.10; 7314.31.50; 7314.39.00; 7314.41.00; 7314.42.00; 7314.49.30; 7314.49.60; 7314.50.00; 7315.11.00; 7315.12.00; 7315.19.00; 7315.20.10; 7315.20.50; 7315.81.00; 7315.82.10; 7315.82.30; 7315.82.50; 7315.82.70; 7315.89.10; 7315.89.30; 7315.89.50; 7315.90.00; 7316.00.00; 7317.00.10; 7317.00.20; 7317.00.55; 7317.00.65; 7317.00.75; 7318.11.00; 7318.12.00; 7318.13.00; 7318.14.10; 7318.14.50; 7318.15.20; 7318.15.40; 7318.15.50; 7318.15.60; 7318.15.80; 7318.16.00; 7318.19.00; 7318.21.00; 7318.22.00; 7318.23.00; 7318.24.00; 7318.29.00; 7319.40.20; 7319.40.30; 7319.40.50; 7319.90.10; 7319.90.90; 7320.10.30; 7320.10.60; 7320.10.90; 7320.20.10; 7320.20.50; 7320.90.10; 7320.90.50; 7321.11.10; 7321.11.30; 7321.11.60; 7321.12.00; 7321.19.00; 7321.81.10; 7321.81.50; 7321.82.10; 7321.82.50; 7321.89.00; 7321.90.10; 7321.90.20; 7321.90.40; 7321.90.50; 7321.90.60; 7322.19.00; 7322.90.00; 7323.10.00; 7323.93.00; 7323.94.00; 7323.99.10; 7323.99.30; 7323.99.50; 7323.99.70; 7323.99.90; 7324.10.00; 7324.29.00; 7324.90.00; 7325.91.00; 7325.99.10; 7325.99.50; 7326.11.00; 7326.19.00; 7326.20.00; 7326.90.10; 7326.90.25; 7326.90.35; 7326.90.45; 7326.90.60; 7326.90.86.

“For subheadings 7317.00.55 and 7317.00.65, this provision shall apply to those statistical reporting numbers not specifically enumerated in subdivision (s) above.

“(u) The rates of duty in heading 9903.81.98 apply to all imported derivative iron or steel products that are classified in the following subheadings of the HTSUS, including products admitted into a U.S. foreign trade zone under “privileged foreign status” as defined by 19 CFR 146.41, prior to 12:01 a.m. eastern daylight time on June 4, 2025, unless the derivative iron or steel product was processed in another country from steel articles that were melted and poured in the United States: 8431.31.00; 8431.42.00; 8431.49.10; 8431.49.90; 8432.10.00; 8432.90.00; 8547.90.00; 9403.20.00; 9405.99.20; 9405.99.40; 9406.20.00; 9406.90.01.

“For any derivative steel article that is classified in one of the subheadings of the HTSUS that is listed in this subdivision, the additional ad valorem duty imposed by heading 9903.81.98 shall only apply to the declared value of the steel content of the derivative article. The quantity of the steel content shall be reported in kg for heading 9903.81.98, in addition to the units provided in chapters 1 through 97 for the derivative steel article, in accordance with Statistical Note 1(b) of Chapter 99.

“(v) Any importer entering the iron or steel products covered by this note under headings 9903.81.94 or 9903.81.95, or any importer of the derivative iron or steel products covered by this note under headings 9903.81.96, 9903.81.97, 9903.81.98, or 9903.81.99 shall provide any information that may be required, and in such form, as is deemed necessary by CBP in order to permit the administration of these headings.”

E. “Subchapter III of chapter 99 of the HTSUS is modified by inserting new headings 9903.81.94, 9903.81.95, 9903.81.96, 9903.81.97, 9903.81.98, and 9903.81.99 in numerical sequence, with the material in the new heading inserted in the columns of the HTSUS labeled “Heading/Subheading”, “Article Description”, “Rates of Duty 1-General”, “Rates of Duty 1-Special” and “Rates of Duty 2”, respectively:

Heading/ Subheading	Article Description	Rates of Duty		
		1		2
		General	Special	
“9903.81.94	Except for derivative iron or steel products described in headings 9903.81.96, 9903.81.97 or 9903.81.98, products of iron or steel of the United Kingdom provided for in the tariff headings or subheadings enumerated in subdivision (q) of note 16 to this subchapter	The duty provided in the applicable subheading + 25%	The duty provided in the applicable subheading + 25%	The duty provided in the applicable subheading + 25%
9903.81.95	Products of iron or steel of the United Kingdom provided for in the			

	<p>tariff headings or subheadings enumerated in subdivision (q) of note 16 to this subchapter, admitted to a U.S. foreign trade zone under “privileged foreign status” as defined by 19 CFR 146.41, prior to 12:01 a.m. eastern daylight time on June 4, 2025</p>	<p>The duty provided in the applicable subheading + 25%</p>	<p>The duty provided in the applicable subheading + 25%</p>	<p>The duty provided in the applicable subheading + 25%</p>
<p>9903.81.96</p>	<p>Derivative iron or steel products of the United Kingdom provided for in the tariff subheadings enumerated in subdivision (s) of note 16 to this subchapter</p>	<p>The duty provided in the applicable subheading + 25%</p>	<p>The duty provided in the applicable subheading + 25%</p>	<p>The duty provided in the applicable subheading + 25%</p>
<p>9903.81.97</p>	<p>Except as provided in heading 9903.81.92, derivative iron or steel products of the United Kingdom provided for in the tariff subheadings enumerated in subdivision (t) of note 16 to this subchapter</p>	<p>The duty provided in the applicable subheading + 25%</p>	<p>The duty provided in the applicable subheading + 25%</p>	<p>The duty provided in the applicable subheading + 25%</p>
<p>9903.81.98</p>	<p>Except as provided in heading 9903.81.92, derivative iron or steel products of the United Kingdom provided for in the tariff subheadings enumerated in subdivision (u) of note 16 to this subchapter</p>	<p>The duty provided in the applicable subheading + 25%</p>	<p>The duty provided in the applicable subheading + 25%</p>	<p>The duty provided in the applicable subheading + 25%</p>

<p>9903.81.99</p>	<p>Except as provided in headings 9903.81.98 or 9903.81.92, derivative products of iron or steel of the United Kingdom, as specified in subdivisions (s) and (t) of note 16 to this subchapter, admitted to a U.S. foreign trade zone under “privileged foreign status” as defined by 19 CFR 146.41, prior to 12:01 a.m. eastern daylight time on June 4, 2025 </p>	<p>The duty provided in the applicable subheading + 25%</p>	<p>The duty provided in the applicable subheading + 25%</p>	<p>The duty provided in the applicable subheading + 25%”.</p>
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F. “(a) Subdivision (i) of note 16 to subchapter III of chapter 99 of the HTSUS is modified by deleting “of all countries” in the first sentence of the first paragraph and inserting “of all countries, other than iron or steel products of the United Kingdom, as provided in subdivisions (p) and (q) of this note and headings 9903.81.94 and 9903.81.95 of this chapter,” in lieu thereof, and by inserting a new second paragraph:

“For goods classified in chapter 73, the additional ad valorem duty imposed by headings 9903.81.87 and 9903.81.88 shall only apply to the declared value of the steel content of the article. The quantity of the steel content shall be reported in kg for headings 9903.81.87 and 9903.81.88, in addition to the units provided in chapters 1 through 97 for the steel article, in accordance with Statistical Note 1(b) of Chapter 99.”

“(b) Subdivision (k) of note 16 to subchapter III of chapter 99 of the HTSUS is modified by deleting “for all countries” in the first sentence of the first paragraph and inserting “for all countries, other than derivative iron or steel products of the United Kingdom, as provided in subdivisions (r), (s), (t) and (u) of this note and headings 9903.81.96 through 9903.81.99 of this chapter,” in lieu thereof, and by inserting a new second paragraph:

“For goods classified in chapter 73, the additional ad valorem duty imposed by headings 9903.81.89, 9903.81.90 and 9903.81.93 shall only apply to the declared value of the steel content of the derivative article. The quantity of the steel content shall be reported in kg for headings 9903.81.89, 9903.81.90 and 9903.81.93, in addition to the units provided in chapters 1 through 97 for the derivative steel article, in accordance with Statistical Note 1(b) of Chapter 99.”

ANNEX III

**TO MODIFY CHAPTER 99 OF THE HARMONIZED
TARIFF SCHEDULE OF THE UNITED STATES**

“A. 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 June 4, 2025:

1. subdivision (j) of note 2 to subchapter III of chapter 99 of the HTSUS is modified by striking the following clause at the end of the fifth paragraph after “and 9903.01.13”:

“, except that entries of products of Canada shall not be subject to: (1) the additional duties imposed on entries of products of aluminum under heading 9903.85.02; (2) the additional duties imposed on entries of derivative aluminum products under headings 9903.85.04, 9903.85.07 and 9903.85.08; (3) the additional duties imposed on entries of iron or steel products under headings 9903.81.87 and 9903.81.88; and (4) the additional duties imposed on entries of derivative iron or steel products under headings 9903.81.89, 9903.81.90, 9903.81.91 and 9903.81.93”; and

2. subdivision (a) of note 2 to subchapter III of chapter 99 of the HTSUS is modified by striking the following clause at the end of the fifth paragraph after “by heading 9903.01.01”:

“, except that entries of products of Mexico shall not be subject to: (1) the additional duties imposed on entries of products of aluminum under heading 9903.85.02; (2) the additional duties imposed on entries of derivative aluminum products under headings 9903.85.04, 9903.85.07 and 9903.85.08; (3) the additional duties imposed on entries of iron or steel products under headings 9903.81.87 and 9903.81.88; and (4) the additional duties imposed on entries of derivative iron or steel products under headings 9903.81.89, 9903.81.90, 9903.81.91 and 9903.81.93”.

“B. Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern time on June 4, 2025:

1. subdivision (l) of note 2 to subchapter III of chapter 99 of the HTSUS is modified by striking the fifth and sixth paragraphs and inserting:

“Products of Canada that are provided for in headings 9903.01.14 and 9903.01.15 shall continue to be subject to antidumping, countervailing, or other duties, taxes, fees, exactions and charges that apply to such products.” in lieu thereof; and

2. subdivision (c) of note 2 to subchapter III of chapter 99 of the HTSUS is modified by striking the fifth and sixth paragraphs and inserting:

“Products of Mexico that are provided for in headings 9903.01.04 and 9903.01.05 shall continue to be subject to antidumping, countervailing, or other duties, taxes, fees, exactions and charges that apply to such products.”.

“C. Effective with respect to goods entered for consumption, or withdrawn for warehouse for consumption, on or after 12:01 eastern daylight time on June 4, 2025, subdivision (f) of note 19 to subchapter III of chapter 99 of the HTSUS is modified by inserting the following clause at the end of the last sentence after “heading 9903.85.02”:

“, except that aluminum products shall not be subject to: (1) the additional duties imposed on entries of articles the product of Canada under heading 9903.01.10; and (2) the additional duties imposed on entries of articles the product of Mexico under heading 9903.01.01.”.

“D. Effective with respect to goods entered for consumption, or withdrawn for warehouse for consumption, on or after 12:01 eastern daylight time on June 4, 2025, subdivision (h) of note 19 to subchapter III of chapter 99 of the HTSUS is modified by inserting the following clause at the end of the penultimate sentence after “imposed”:

“, except that aluminum derivative products under headings 9903.85.04, 9903.85.07, and 9903.85.08 shall not be subject to: (1) the additional duties imposed on entries of articles the product of Canada under heading 9903.01.10; and (2) the additional duties imposed on entries of articles the product of Mexico under heading 9903.01.01.”.

“E. Effective with respect to goods entered for consumption, or withdrawn for warehouse for consumption, on or after 12:01 eastern daylight time on June 4, 2025, subdivision (i) of note 16 to subchapter III of chapter 99 of the HTSUS is modified by inserting the following clause at the end of the last sentence after “heading 9903.81.87”:

“, except that steel products shall not be subject to: (1) the additional duties imposed on entries of articles the product of Canada under heading 9903.01.10; and (2) the additional duties imposed on entries of articles the product of Mexico under heading 9903.01.01”.

“F. Effective with respect to goods entered for consumption, or withdrawn for warehouse for consumption, on or after 12:01 eastern daylight time on June 4, 2025, subdivision (k) of note 16 to subchapter III of chapter 99 of the HTSUS is modified by inserting the following clause at the end of the penultimate sentence after “imposed”:

“, except that steel derivative products under headings 9903.81.89, 9903.81.90, 9903.81.91 and 9903.81.93 shall not be subject to: (1) the additional duties imposed on entries of articles the product of Canada under heading 9903.01.10; and (2) the additional duties imposed on entries of articles the product of Mexico under heading 9903.01.01.”.

“G. Effective with respect to goods entered for consumption, or withdrawn for warehouse for consumption, on or after 12:01 eastern daylight time on June 4, 2025, subdivision (a) of note 33

to subchapter III of chapter 99 of the HTSUS is modified by striking the clause at the end of the last sentence after “heading 9903.94.01” and inserting:

“, except that entries of passenger vehicles (sedans, sport utility vehicles, crossover utility vehicles, minivans, and cargo vans) and entries of light trucks shall not be subject to: (1) the additional duties imposed on entries of products of aluminum under heading 9903.85.02 and 9903.85.12; (2) the additional duties imposed on entries of derivative aluminum products under headings 9903.85.04, 9903.85.07, 9903.85.08, 9903.85.13, 9903.85.14, and 9903.85.15; (3) the additional duties imposed on entries of iron or steel products under headings 9903.81.87, 9903.81.88, 9903.81.94 and 9903.81.95; (4) the additional duties imposed on entries of derivative iron or steel products under headings 9903.81.89, 9903.81.90, 9903.81.91, 9903.81.93, 9903.81.96, 9903.81.97, 9903.81.98 and 9903.81.99; (5) the additional duties imposed on entries of articles the product of Canada under heading 9903.01.10; and (6) the additional duties imposed on entries of articles the product of Mexico under heading 9903.01.01.” in lieu thereof.

“H. Effective with respect to goods entered for consumption, or withdrawn for warehouse for consumption, on or after 12:01 eastern daylight time on June 4, 2025, subdivision (f) of note 33 to subchapter III of chapter 99 of the HTSUS is modified by striking the clause at the end of the last sentence after “heading 9903.94.05” and inserting:

“, except that entries of parts of passenger vehicles (sedans, sport utility vehicles, crossover utility vehicles, minivans, and cargo vans) and entries of parts of light trucks shall not be subject to: (1) the additional duties imposed on entries of products of aluminum under heading 9903.85.02 and 9903.85.12; (2) the additional duties imposed on entries of derivative aluminum products under headings 9903.85.04, 9903.85.07, 9903.85.08, 9903.85.13, 9903.85.14, and 9903.85.15; (3) the additional duties imposed on entries of iron or steel products under headings 9903.81.87, 9903.81.88, 9903.81.94 and 9903.81.95; (4) the additional duties imposed on entries of derivative iron or steel products under headings 9903.81.89, 9903.81.90, 9903.81.91, 9903.81.93, 9903.81.96, 9903.81.97, 9903.81.98 and 9903.81.99; (5) the additional duties imposed on entries of articles the product of Canada under heading 9903.01.10; and (6) the additional duties imposed on entries of articles the product of Mexico under heading 9903.01.01.” in lieu thereof.

Rules and Regulations

Federal Register

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

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

DEPARTMENT OF HOMELAND SECURITY

6 CFR Part 139

[Docket ID No. DHS–2024–0033]

RIN 1601–AB17

Protection of Federal Property

AGENCY: Department of Homeland Security.

ACTION: Final rule.

SUMMARY: The Department of Homeland Security (DHS) adopts this regulation to govern the protection of Federal property. DHS developed this regulation in consultation with the U.S. General Services Administration (GSA). Consistent with DHS’ statutory authority, these regulations provide charging options for violations occurring on and adjacent to Federal property, update prohibited conduct to incorporate advancing technology, provide clearer public notice, and apply the regulations more uniformly to property owned, operated or secured by the Federal Government. This final rule makes no substantive changes from the proposed rule that was published in the **Federal Register** on January 15, 2025.

DATES: This rule is effective as of January 1, 2026.

FOR FURTHER INFORMATION CONTACT: John Havranek, Principal Deputy General Counsel, Office of the General Counsel, 202–447–0800, fpsnprm@fps.dhs.gov.

SUPPLEMENTARY INFORMATION:

Table of Contents

- I. Background
- II. Conclusion
- III. Statutory and Regulatory Requirements

I. Background

The Homeland Security Act of 2002, Public Law 107–296, 116 Stat 2135 (Nov. 25, 2002) (the Act), expressly transfers the authority for law enforcement and related security functions for Federal properties from

the GSA to the Secretary of DHS and requires the Secretary to “protect the buildings, grounds, and property that are owned, occupied, or secured by the Federal Government (including any agency, instrumentality, or wholly owned or mixed-ownership corporation thereof) and the persons on the property.” 40 U.S.C. 1315(a). The Act further authorizes the Secretary to designate officers and agents “for duty in connection with the protection of property owned or occupied by the Federal Government and persons on the property, including duty in areas outside the property to the extent necessary to protect the property and persons on the property.” 40 U.S.C. 1315(b)(1). Thus, in addition to moving the protective mission into DHS, the statute further expanded DHS’s protective coverage to include duties in areas outside Federal property to the extent necessary to protect Federal property and persons thereon, as well as authorizing off-property investigations related to the protection of Federal property and the individuals on that property. 40 U.S.C. 1315(b)(2)(E).¹

In furtherance of the Secretary’s responsibilities under the Act, and in consultation with the Administrator of GSA, on January 15, 2025, DHS published the proposed rule for the protection of Federal property in the **Federal Register** (90 FR 4398) (January 1, 2025).² No substantive comments were received during the 60-day public comment period.³

The proposed rule better executes the Secretary’s statutory mission as described above and executed by the Federal Protective Service (FPS), by creating new DHS regulations that conform with the Secretary’s statutory authority at 40 U.S.C. 1315. Specifically, the proposed regulations promulgate criminal regulations consistent with the Secretary’s statutory authority; expand charging options to cover GSA and non-GSA property, promote charging consistency in both GSA and non-GSA Federal facilities protected by DHS;

¹ See 40 U.S.C. 318 (2000) (authorizing appointment of special policeman for GSA in connection with the policing of Federal property with authority as sheriffs and constables upon that property.)

² 40 U.S.C. 1315(c)(1).

³ DHS received one out-of-scope written submission during the comment period, available at: <https://www.regulations.gov/document/DHS-2024-0033-0001/comment>.

modernize the personal conduct regulations to address technological advances and changing threat environment, provide clearer guidance and notice of prohibited conduct to the public; and permit the charging of regulatory violations occurring near or adjacent to Federal property.

Prior to the proposed rule, DHS relied upon the criminal regulations governing personal conduct on Federal property found in 41 CFR part 102–74, subpart C, of the Federal Management Regulation (FMR). The current FMR, however, is only applicable to GSA-property (not all property protected by FPS) and applies only when the conduct is committed on the property itself and not adjacent thereto. Accordingly, the FMR are not as comprehensive and do not fully conform to the Secretary’s authority under 40 U.S.C. 1315 to protect Federal property falling within DHS’s jurisdiction. The proposed rule closes these enforcement gaps. Informed by lessons learned from terrorist attacks and other criminal misconduct, and based off 41 CFR part 102–74, subpart C, the proposed rule addresses the day-to-day criminal activity encountered by DHS on Federal property and provides FPS officials a more current, flexible, and consistent law enforcement tool.

The proposed rule provided for 60-days of public comment, and no substantive comments were received during the 60-day public comment period.⁴ Additional explanation about the proposed rule changes can be found in the preamble at 90 FR 4398, 4401–4413. DHS maintains the same rationale from the proposed rule and applies such reasoning to this final rule.

II. Final Rule

DHS is adopting as final the proposed rule, published in the **Federal Register** (90 FR 4398) on January 15, 2025, without substantive changes.

DHS makes a minor change to the “service animal” definition and prohibition of “animals” section to make clear the definition aligns with DOJ’s Nondiscrimination on the Basis of Disability in State and Local Government Services regulations by adding cross-references to 28 CFR part 35. In addition, for consistency with the

⁴ DHS received one out-of-scope written submission during the comment period, available at: <https://www.regulations.gov/document/DHS-2024-0033-0001/comment>.

Administration's priority to facilitate the smooth administration of operations on Federal properties, DHS at this time is not finalizing the proposed exception to solicitation in § 139.55(b)(3) and corresponding definition in § 139.15.

III. Statutory and Regulatory Requirements

Given that DHS is making no changes at the final rule stage and received no substantive comments, DHS maintains the same findings in "Section V. Regulatory Analyses" from the proposed rule and applies such findings to this final rule.

Since publication of the proposed rule, new Executive Order (E.O.) 14192 (Unleashing Prosperity Through Deregulation) directs agencies to significantly reduce the private expenditures required to comply with Federal regulations and provides that "for each new regulation issued, at least 10 prior regulations be identified for elimination. This practice is to ensure that the cost of planned regulations is responsibly managed and controlled through a rigorous regulatory budgeting process."⁵

The Office of Management and Budget (OMB) has not designated this rule a "significant regulatory action," under section 3(f) of E.O. 12866. Accordingly, it is not an E.O. 14192 regulatory action and OMB has not reviewed it.

List of Subjects in 6 CFR Part 139

Aircraft, Alcohol and alcoholic beverages, Animals, Buildings and facilities, Civil disorders, Crime, Explosives, Federal buildings and facilities, Firearms, Gambling, Government employees, Government property, Government property management, Homeland security, Law enforcement, Law enforcement officers, Penalties, Public buildings, Safety, Security measures, Terrorism, Tobacco, Unmanned aircraft.

■ For the reasons set forth in the preamble, DHS adds part 139, under the authority of 40 U.S.C. 1315(c), to chapter I of title 6 of the Code of Federal Regulations to read as follows:

PART 139—CONDUCT ON FEDERAL PROPERTY

Subpart A—General

Sec.

- 139.1 Purpose.
- 139.5 Scope, applicability, and agency cooperation.
- 139.10 Assessments for protective services.
- 139.15 Definitions.

Subpart B—Personal Conduct Affecting Federal Property

- 139.20 Admissions and inspections related to Federal property.
- 139.25 Preservation of Federal property.
- 139.30 Conformance with signs and directions.
- 139.35 Prohibited conduct.
- 139.40 Gambling.
- 139.45 Narcotics, other drugs, and drug paraphernalia.
- 139.50 Alcoholic beverages.
- 139.55 Soliciting, vending, and debt collection.
- 139.60 Posting and distributing materials.
- 139.65 Photography and recording.
- 139.70 Vehicle operation and removal.
- 139.75 Firearms, dangerous weapons, and explosives.
- 139.80 Animals.
- 139.85 Penalties.

Authority: 6 U.S.C. 203(3) and 232(a); 40 U.S.C. 586(c) and 1315.

PART 139—CONDUCT ON FEDERAL PROPERTY

Subpart A—General

§ 139.1 Purpose.

The regulations in this part provide for the protection and administration of the buildings, grounds, and property or portions thereof that are owned, occupied, or secured by the Federal Government (including any agency, instrumentality, or wholly owned or mixed-ownership corporation thereof) and the persons on the property.

§ 139.5 Scope, applicability, and agency cooperation.

(a) *Scope.* This part applies to all Federal property under the protection responsibility of the Secretary of Homeland Security and all persons on such property, as well as areas outside such Federal property to the extent necessary to protect the property and persons on the property.

(b) *Applicability.* This part shall not be construed to nullify any other Federal, state, or local laws or regulations applicable to any area in which Federal property is situated; preclude or limit the authority of any Federal law enforcement agency; or restrict the authority of the Administrator of General Services or other Federal Government entity to promulgate regulations affecting property under its jurisdiction, custody, or control.

(c) *Cooperation.* Federal tenants must cooperate to the fullest extent possible with all applicable provisions set out in this part; promptly report all crimes and suspicious circumstances occurring on Federal property first to the Federal Protective Service MegaCenter at 1–877–4FPS–411, and, as appropriate, the

local responding law enforcement authority; provide training to employees regarding protection and responses to emergency situations; and make recommendations for improving the effectiveness of protection on Federal property.

(d) *Notice.* The Facility Security Committee or highest-ranking official of the sole Federal agency occupant or a designee must ensure a notice is posted in a conspicuous place at each Federal facility under the protection responsibility of the Secretary of Homeland Security. The posted notice:

(1) Shall be 11 inches by 14 inches;

(2) Shall describe the rules and regulations governing personal conduct contained in this part; and

(3) Shall be prescribed in accordance with directions provided by the Department of Homeland Security (DHS) and found on its website at: <https://www.dhs.gov/fps-visitors>.

(e) *Effective date.* The regulations in this part are effective January 1, 2026.

§ 139.10 Assessments for protective services.

The Secretary of Homeland Security is authorized to charge Federal agencies under the Secretary's protection responsibility for security services provided by the Federal Protective Service.

§ 139.15 Definitions.

For purposes of this part—

Aircraft means any contrivance invented, used, or designed to navigate, or fly in, the air.

Audio recording means the use of any microphone, device, material, or equipment to capture a sound, including any tape recorder, digital recorder, or other recording device.

Building means an enclosed structure (above or below grade).

Building manager/property manager/facility manager means the individual employed by or through contract with a Federal agency that has real property management and operations authority.

Camping means the use of Federal property for living accommodation purposes. The following activities constitute camping when it reasonably appears, based on the totality of the circumstances, that the participant, in conducting these activities, is in fact using the area as a living accommodation: sleeping or preparing to sleep, including the laying down of bedding for the purpose of sleeping; storing personal belongings; making any fire; using a tent, shelter, other structure, or vehicle for sleeping; doing any digging or earth breaking; or carrying on cooking activities.

⁵ 90 FR 9065 (Feb. 6, 2025).

Commercial purpose means to undertake an activity with the objective of furthering, promoting, or selling a good or service regardless of whether the activity is intended to produce a profit.

Crime of violence means any offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another.

Damaging means injuring, mutilating, defacing, destroying, or impairing the use of any property owned, occupied, or secured by the Federal Government without the consent of the Federal Government.

Dangerous weapon means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of causing, death or serious bodily injury, except that a pocketknife with a blade of less than two and a half inches in length is not a dangerous weapon.

Designated Official is the highest-ranking official of the primary Federal occupant agency of a Federal facility, or, alternatively, a designee selected by agreement of Federal occupant agency officials.

Emergency means a situation that causes or has the potential to cause imminent danger to life or property, including, but not limited to, terrorist attacks, bombings and bomb threats, shootings, civil disturbances, fires, explosions, electrical failures, loss of water pressure or other critical infrastructure failures, chemical and gas leaks, medical emergencies, natural disasters, or other threats to public safety and security.

Facility Security Committee means a group of representatives from Federal tenants in the facility responsible for addressing facility-specific security issues and approving the implementation of security measures and practices. The Facility Security Committee (FSC) consists of representatives of all Federal tenants in the facility, the Federal Protective Service or the Government agency or internal agency component responsible for physical security for the specific facility, and the owning or leasing department or agency with jurisdiction, custody, or control over the property. In the case of new construction or pending lease actions, the FSC will also include the project team and the planned tenant(s).

Federal facility means a federally owned or leased building, structure, or the land it resides on, in whole or in part, that is regularly occupied by Federal employees or Federal contractor workers for nonmilitary activities. The

term “Federal facility” also means any building or structure acquired by a contractor through ownership or leasehold interest, in whole or in part, solely for the purpose of executing a nonmilitary Federal mission or function under the direction of an agency. The term “Federal facility” does not include public domain land, including improvements thereon; withdrawn lands; or buildings or facilities outside of the United States.

Federal Government means the United States Government, including any agency, instrumentality, or wholly owned or mixed-ownership corporation thereof.

Federal grounds mean all parts outside a Federal facility (e.g., lands, walkways, and roadways) that are owned, occupied, or secured by the Federal Government.

Federal property means any facility, grounds, or other property, to include vehicles, equipment, and any movable article, that is owned, occupied, or secured by the Federal Government and under the protection responsibility of the Secretary of Homeland Security.

Federal tenant means a Federal department or agency that occupies space and pays rent on space in any Federal facility under the protection responsibility of the Secretary of Homeland Security.

Gambling per se means a game of chance where the participant risks something of value for the chance to gain or win a prize.

Image recording means use of any camera, device, material, or equipment to capture an image, including any photograph, sketch, picture, drawing, map, or graphical representation.

Littering means discarding wastepaper, cans, bottles, or other refuse or rubbish on the ground or in any other area not designated for disposal.

Nuisance means a condition, activity, or situation, to include a loud noise or foul odor, that interferes with the use or enjoyment of Federal property.

Open container means a bottle, can, or any other receptacle containing an alcoholic beverage that is open, has a broken seal, or from which the contents are partially removed.

Personal property means any article or item, including but not limited to outer clothing, purses, backpacks, briefcases, suitcases, packages, and other containers within the possession, custody, or control of a person.

Personal transportation device means any method of conveyance, whether motorized or non-motorized, including but not limited to any personal transportation vehicle, skateboards, roller skates (including inline skates),

roller shoes, roller skis, scooters, bicycles, non-medical use personal transporters, and similar devices or vehicles.

Protective Security Officer means a security guard employed by a private security contractor who provides contract security services to the Federal Protective Service (FPS). The contract security services provided by a Protective Security Officer include, but are not limited to, the performance of security screenings and inspections of persons, personal property, and vehicles entering Federal property; confronting individuals who have violated or are suspected of violating building rules and regulations; and reporting all such security-related information to FPS.

Public area means any part or section on Federal property that is ordinarily open to members of the public.

Secretary means the Secretary of the Department of Homeland Security or any person, officer, or entity within the Department to whom the Secretary's authority under 40 U.S.C. 1315 is delegated.

Secure area means any part or section on Federal property marked by signage where persons present themselves to enter the property and submit to the security inspection and screening process.

Security personnel means persons authorized to ensure compliance with this part, including FPS law enforcement officers, protective security officers (PSO), court security officers, or other security personnel charged by the Federal Government with security duties under this part such as other DHS component armed security guards performing similar duties as contract PSOs.

Service animal has the meaning given in 28 CFR 35.104. Generally, service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.

Tobacco product means any item made or derived from tobacco that is intended for human consumption, including any component, part, or accessory of a tobacco product (except for raw materials other than tobacco used in manufacturing a component, part, or accessory of a tobacco product). Tobacco product does not mean any item specifically excluded by the Food, Drug, and Cosmetic Act, 21 U.S.C. 301 *et seq.*

Unmanned aircraft means an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

Unmanned aircraft system means an unmanned aircraft and associated elements (including communication links and components that control the unmanned aircraft) that are required for the operator to operate safely and efficiently in the national airspace system.

Vehicle means any method of conveyance, whether motorized or non-motorized, including but not limited to any motorcycle, automobile, truck, tractor, bus, motorhome, agricultural machinery, construction equipment, and other similar vehicle, even if autonomously operated.

Water area means any area where water is retained or collected such as a fountain, basin, pool, pond, septic or sewer, reservoir, or other manmade water feature maintained on Federal property.

Subpart B—Personal Conduct Affecting Federal Property

§ 139.20 Admissions and inspections related to Federal property.

When a Facility Security Committee (FSC) or the highest-ranking official of the sole Federal agency occupant or designee requires inspections at a Federal facility, then no person required to be screened may enter a secure area without submitting to the screening and inspection of that person and all accessible personal property or vehicles. Security personnel shall conduct inspections and screening as follows:

(a) Security personnel shall inspect any person, article of personal property, or vehicle, when entering in or present on Federal property, for firearms, explosives, dangerous weapons, and the component parts thereof.

(b) Once a person, article of personal property, or vehicle enters a secure area, the inspection process will not terminate until completed by security personnel.

(c) Security personnel may deny admission, remove, or take other appropriate law enforcement action with respect to any person, article of personal property, or vehicle that fails to comply with security procedures, delays or impairs the inspection process, or presents a threat to either security personnel or other persons in or on Federal property.

§ 139.25 Preservation of Federal property.

All persons are prohibited from the following conduct affecting Federal property:

(a) Littering;

(b) Damaging or otherwise changing the appearance of Federal property in any way except through authorized normal and customary use;

(c) Removing Federal property without proper authority;

(d) Creating any hazard or threat of hazard on Federal property to persons or things;

(e) Throwing articles of any kind from or at Federal property;

(f) Climbing on any statue, fountain, or part of a Federal facility, or any tree, shrub, or plant on Federal property; and

(g) Using, operating, parking, locking, or storing any vehicle or personal transportation device on Federal property, except as either required by individuals with mobility impairments, or otherwise specifically allowed in designated areas.

§ 139.30 Conformance with signs and directions.

Any person on Federal property must at all times comply with official signs of a prohibitory, regulatory, or directive nature and with the lawful direction of security personnel.

§ 139.35 Prohibited conduct.

All persons are prohibited from engaging in the following conduct, on Federal property or in areas outside Federal property, that affects, threatens, or endangers Federal property or persons on the Federal property—

(a) Disorderly conduct, which includes, but is not limited to, assaulting, fighting, harassing, intimidating, threatening or other violent behavior, lewd acts, or the inappropriate disposal of feces, urine, and other bodily fluids.

(b) Wearing a mask, hood, disguise, or device that conceals the identity of the wearer when attempting to avoid detection or identification while violating any Federal, state, or local law, ordinance, or regulation.

(c) Creating a loud or unusual noise, noxious odor, or other nuisance.

(d) Obstructing the usual use, enjoyment, or access to Federal property, including but not limited to use of entrances, exits, exterior areas, plazas, courtyards, foyers, lobbies, corridors, offices, elevators, escalators, stairways, parking areas, garages, loading docks, and areas on Federal property designated as closed during an emergency.

(e) Impeding or disrupting the security inspection process administered by security personnel, the performance of official duties by Federal employees, or the ability of the general public to obtain services provided by the Federal Government.

(f) Threatening by any means, including but not limited to by mail, facsimile, telephone, or electronic communications, to commit any crime of violence.

(g) Bathing, wading, or swimming in or polluting any water area, except where authorized by the Federal agency responsible for the property.

(h) Camping, except in designated areas and as expressly authorized by the Facility Security Committee, Designated Official, or Federal agency responsible for the property.

(i) Trespassing, entering, or remaining in or upon areas of Federal property closed to the public.

(j) Consuming a tobacco product in all interior space owned, rented, or leased by the Federal Government, as well as all courtyards, terraces, and plazas within 25 feet of doorways and air intake ducts under the custody, control, or jurisdiction of the Federal Government.

(k) Causing an unmanned aircraft or system to take off or land on Federal property without express permission from the Facility Security Committee, Designated Official, or Federal agency responsible for the property.

(l) Using an unmanned aircraft or system to cause interference, damage, destruction, harm, or a hazard to Federal property or persons on the property.

(m) Tampering with, accessing, damaging, or interfering with the operation of a computer, digital network, industrial control system or Supervisory Control and Data Acquisition (SCADA) system without proper authorization.

(n) No person, except authorized security personnel or sworn law enforcement officers, may wear, display, present, or possess any indicia of law enforcement or security authority, to include any badge, insignia, emblem, identification card, uniform or part of a uniform, or any imitation thereof.

§ 139.40 Gambling.

(a) *General rule.* Any person on Federal property is prohibited from—

(1) Participating in games for money or other personal property;

(2) Operating gambling devices;

(3) Conducting a lottery or pool; or

(4) Selling or purchasing gambling tickets.

(b) *Exceptions.* This section is not intended to prohibit:

(1) Vending or exchange of chances by licensed blind operators of vending facilities for any lottery set forth in a State law and authorized by section 2(a)(5) of the Randolph-Sheppard Act (20 U.S.C. 107 *et seq.*); and

(2) Prize drawings for personal property at otherwise permitted functions on Federal property, provided that the game or drawing does not constitute gambling *per se*.

§ 139.45 Narcotics, other drugs, and drug paraphernalia.

(a) *Narcotics and other drugs.* Except when a patient uses a narcotic or drug as prescribed by a licensed health care provider in accordance with Federal law, any person on Federal property is prohibited from being under the influence of, using, possessing, or operating a vehicle while under the influence of any controlled substance as defined in 21 U.S.C. 802, 812, 841.

(b) *Drug paraphernalia.* Any person on Federal property is prohibited from possessing drug paraphernalia as defined in 21 U.S.C. 863.

§ 139.50 Alcoholic beverages.

(a) *General rule.* Any person on Federal property is prohibited from either consuming, or otherwise being under the influence of alcoholic beverages, possessing an open container of alcohol, or operating a vehicle while under the influence of alcohol.

(b) *Exception.* The head of the occupant agency for the designee in the space where the alcohol is to be served may grant a written exemption to the prohibition against the consumption of alcoholic beverages on Federal property. A copy of any granted exemption must be provided to the building manager and the officials responsible for the security of the property before the event at which alcohol will be consumed is held.

§ 139.55 Soliciting, vending, and debt collection.

(a) *General rule.* Soliciting, begging, or demanding gifts, money, goods, or services on Federal property is prohibited, unless otherwise provided in paragraph (b) of this section. Any person on Federal property is specifically prohibited from:

- (1) Soliciting on behalf of:
 - (i) Charitable organizations.
 - (ii) Political campaigns.
 - (iii) Commercial enterprises.
- (2) Vending merchandise of any kind.
- (3) Displaying or distributing commercial advertising.
- (4) Collecting private debts, including repossession of vehicles.

(b) *Exceptions.* The following activities are allowed:

- (1) Soliciting on behalf of charitable organizations as authorized by 5 CFR part 950 and sponsored or approved by the occupant agency.
- (2) Posting concessions or personal notices by employees on authorized bulletin boards.
- (3) Lessee, or its agents and employees, with respect to space leased for commercial, cultural, educational, or recreational use under 40 U.S.C. 581(h).

Public areas of General Services Administration (GSA)-controlled property may be used for other activities in accordance with 41 CFR part 102–74, subpart D.

(4) Collection of non-monetary items that are sponsored or approved by the Federal occupant agencies.

(5) Commercial activities sponsored by recognized Federal employee associations and on-site childcare centers.

§ 139.60 Posting and distributing materials.

(a) *General rule.* Any person on Federal property is prohibited from the following activities:

(1) Posting or affixing materials, such as pamphlets, handbills, or flyers on Federal property, including vehicles, bulletin boards, and other equipment.

(2) Distributing materials, such as pamphlets, handbills or flyers, or free samples, including samples of tobacco products.

(b) *Exceptions.* (1) The posting or distribution of materials is allowed when conducted as part of an authorized Federal activity.

(2) An individual may distribute materials in public areas on Federal property, provided the person first obtains a permit from the building manager, as specified in 41 CFR 102–74, subpart D, and the person does not leave behind any of the materials.

§ 139.65 Photography and recording.

(a) *General.* Any person on Federal property may not photograph or create video, image, or audio recordings of Federal facilities and grounds in a manner that either impedes or disrupts access to or operations on Federal property, or is prohibited by a security regulation, rule, order, or directive. Photography and recording on Federal property are allowed as provided paragraph (b) of this section.

(b) *Exceptions.* The following activities are allowed:

(1) Any person, including persons affiliated with the media and commercial entities, may photograph or record video, images, and audio of publicly accessible exterior areas of Federal facilities and grounds from public areas, including public streets, sidewalks, parks, and plazas, when not impeding or disrupting access to or operations on the Federal property.

(2) Any person, including persons affiliated with the media and commercial entities, may photograph or record video, images, and audio of publicly accessible interior areas of Federal facilities and grounds from public areas, including public

entrances, lobbies, foyers, corridors, or auditoriums, when not impeding or disrupting access to or operations on the Federal property.

(3) Any person, including persons affiliated with the media and commercial entities, may only photograph or record video, images, and audio of interior areas occupied by a Federal tenant with the express permission of the occupying tenant. Persons must obtain written permission in advance from the occupying tenant when photographing or recording tenant-occupied space for a commercial purpose.

§ 139.70 Vehicle operation and removal.

(a) *Safe operation.* All vehicle operators on Federal property must:

- (1) Drive/operate in a careful and safe manner at all times;
- (2) Possess a valid driver's/operator's license;
- (3) Comply with the lawful signals and directions of security personnel; and
- (4) Comply with traffic and safety signals and posted signs.

(b) *Prohibited operations.* All vehicle operators on Federal property or in areas outside Federal property that affect, threaten, or endanger Federal property or persons on the property, are prohibited from:

- (1) Blocking entrances, driveways, walks, loading platforms, fire hydrants, docking areas, or other passageways; and
- (2) Parking on or adjacent to Federal property in unauthorized locations, or contrary to the direction of posted signs consistent with 41 CFR 102–74.265 through 102–74.310.

(c) *Responsibility.* Registered vehicle owners will be responsible for violations of this section when the vehicle operator is not present.

(d) *Enforcement.* Security personnel may stop any vehicle that is observed operating on Federal property in violation of this section.

(e) *Removal and seizure.* Any vehicle used in violation of this section may be seized, removed, immobilized, towed, stored, marked with warning tags or notices, and booted in addition to any law enforcement actions or citations. All expenses incurred because of any seizure, removal, immobilization, towing, storage, marking, booting, or other law enforcement actions will be the responsibility of the owner, driver, operator, or other person using or operating the vehicle that is in violation of this section.

§ 139.75 Firearms, dangerous weapons, and explosives.

(a) Any person on Federal property is prohibited from knowingly carrying or otherwise possessing a firearm or other dangerous weapon, as defined by 18 U.S.C. 921 and 930, whether carried or otherwise possessed either openly or concealed, unless authorized by 18 U.S.C. 930(d).

(b) Any person on Federal property is prohibited from knowingly carrying or otherwise possessing explosives, as defined by 18 U.S.C. 841, or items intended to be used to fabricate an explosive or incendiary device, whether carried or otherwise possessed either openly or concealed, except for official purposes as authorized by the Facility Security Committee, Designated Official, FPS, or other primary law enforcement agency responsible for the security of the Federal property.

§ 139.80 Animals.

(a) *General rule.* All persons are prohibited from bringing animals in or on Federal property for other than official purposes.

(b) *Exception.* Persons with disabilities, as defined under the Americans with Disabilities Act of 1990, may, consistent with 28 CFR 35.136, bring a service animal or miniature horse that is trained to do work or perform tasks for the benefit of that individual. The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for purposes of the exception in this paragraph (b). Persons with disabilities may be required to state whether the animal is a service animal required because of a disability.

§ 139.85 Penalties.

A person who violates any provision of this subpart may be punished by a fine under title 18, United States Code, imprisoned for not more than 30 days, or both.

Kristi Noem,

Secretary of Homeland Security.

[FR Doc. 2025-10223 Filed 6-6-25; 8:45 am]

BILLING CODE 9111-CC-P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA-2025-0129; Airspace Docket No. 25-ANE-2]

RIN 2120-AA66

Establishment of Class E Airspace; Blue Hill, ME

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes Class E airspace extending upward from 700 feet above the surface for Blue Hill, ME, by adding airspace for Blue Hill Memorial Hospital Heliport, Blue Hill, ME. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations at this heliport.

DATES: Effective 0901 UTC, October 2, 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 a day, 365 days a year.

FAA Order JO 7400.11J, Airspace Designations, and Reporting Points, as well as subsequent amendments, can be viewed online at www.faa.gov/air_traffic/publications/. For further information, you may also contact the Rules and Regulations Group, Policy Directorate, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; Telephone: (202) 267-8783.

FOR FURTHER INFORMATION CONTACT: Marc Ellerbee, Operations Support Group, Eastern Service Center, Federal

Aviation Administration, 1701 Columbia Avenue, College Park, GA 30337; Telephone: (404) 305-5589.

SUPPLEMENTARY INFORMATION:**Authority for This Rulemaking**

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority, as it establishes Class E5 airspace in Blue Hill, ME.

History

The FAA published a notice of proposed rulemaking for Docket No. FAA 2025-0129 in the **Federal Register** (90 FR 15125; April 8, 2025), proposing to establish Class E airspace extending upward from 700 feet above the surface at Blue Hill Memorial Hospital Heliport, Blue Hill, ME. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Incorporation by Reference

Class E airspace designations are published in paragraph 6005 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document 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, which lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points, is publicly available as listed in the **ADDRESSES** section of this document.

The Rule

This action amends 14 CFR part 71 by establishing Class E airspace by adding airspace extending upward from 700 feet above the surface within a 6-mile radius of the Blue Hill Memorial Hospital Heliport, Blue Hill, ME. This action provides the controlled airspace required to support the new RNAV (GPS) standard instrument approach procedure for instrument flight rules

(IFR) operations at the heliport. Controlled airspace is necessary for the safety and management of IFR operations in the area.

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 will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

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

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

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

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

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

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

§ 71.1 [Amended]

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

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

* * * * *

ASO ME E5 Blue Hill, ME [New]

Blue Hill Memorial Hospital Heliport
(Lat. 44°24'43" N, long. 68°35'17" W)

That airspace extending upward from 700 feet above the surface within a 6-mile radius of Blue Hill Memorial Hospital Heliport, Blue Hill, ME.

* * * * *

Issued in College Park, Georgia, on June 3, 2025.

Patrick Young,

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

[FR Doc. 2025–10366 Filed 6–6–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2025–1171; Airspace Docket No. 25–ANE–6]

RIN 2120–AA66

Amendment of Class D Airspace; Bedford, MA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action updates an airspace legal description by correcting the airport name at Laurence G. Hanscom Field, Bedford, MA. This action also replaces the reference to “Airport/Facility Directory” within the legal description with “Chart Supplement”. This action does not change the airspace boundaries or operating requirements.

DATES: Effective date 0901 UTC, October 2, 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 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. An electronic copy of this document may also be downloaded from the Office of the Federal Register’s website at www.federalregister.gov.

FAA Order JO 7400.11J, Airspace Designations and Reporting Points, and

subsequent amendments can be viewed online at www.faa.gov/air_traffic/publications/. You may also contact the Rules and Regulations Group, Policy Directorate, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; Telephone: (202) 267–8783.

FOR FURTHER INFORMATION CONTACT:

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

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA’s authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency’s authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of 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 amends the legal description for Class D airspace extending upward from the surface at Laurence G. Hanscom Field, Bedford, MA.

Incorporation by Reference

Class D airspace is published in paragraph 5000 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, which lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points, is publicly available as listed in the **ADDRESSES** section of this document.

The Rule

An airspace review revealed that updates were needed for both the airport name and the FAA publication referenced in the Class D airspace legal description at Laurence G. Hanscom Field, Bedford, MA. Accordingly, this action amends 14 CFR part 71 by correcting the airport name and replacing “Airport/Facility Directory” with “Chart Supplement” to comply with current FAA policy.

Good Cause for Bypassing Notice and Comment

The Administrative Procedure Act (APA) authorizes agencies to dispense with ordinary notice and comment requirements for rules when the agency for “good cause” finds that those procedures are “impracticable, unnecessary, or contrary to the public interest.” 5 U.S.C. 553(b)(B). Under this section, an agency, upon finding good cause, may issue a final rule without first publishing a proposed rule. This rule constitutes an administrative change that constitutes “a routine determination, insignificant in nature and impact, and inconsequential to the industry and to the public.” *Mack Trucks, Inc. v. EPA*, 682 F.3d 87, 94 (D.C. Cir. 2012) (quoting *Util. Solid Waste Activities Grp. v. EPA*, 236 F.3d 749, 755 (D.C. Cir. 2001)); see also Attorney General’s Manual on the Administrative Procedure Act (1947), at 31; U.S. Department of Transportation (DOT) Order 2100.6B, paragraph 11.j(1)(b) (saying proposed rules are not required for “[r]ules for which notice and comment is unnecessary to inform the rulemaking, such as rules correcting de minimis technical or clerical errors or rules addressing other minor and insubstantial matters, provided the reasons to forgo public comment are explained in the preamble to the final rule.”). This amendment will not impose any additional substantive restrictions or requirements on the persons affected by these regulations, as it does not affect the airspace boundaries or operating requirements. Accordingly, the FAA finds good cause that notice and public comment under 5 U.S.C. 553(b) are unnecessary.

Regulatory Notices and Analyses

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

Environmental Review

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

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

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

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

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

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

§ 71.1 [Amended]

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

Paragraph 5000 Class D Airspace.

* * * * *

ANE MA D Bedford, MA [Amended]

Laurence G. Hanscom Field, MA
(Lat. 42°28′12″ N, long. 71°17′20″ W)

That airspace extending upward from the surface to and including 2,600 feet MSL within a 4.7-mile radius of Laurence G. Hanscom Field, excluding that airspace within the Boston, MA, Class B airspace area. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

* * * * *

Issued in College Park, Georgia, on June 3, 2025.

Patrick Young,

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

[FR Doc. 2025–10349 Filed 6–6–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket Number USCG–2024–0899]

RIN 1625–AA08

Special Local Regulation; San Diego and Mission Bay, San Diego, CA

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is amending its special local regulations for recurring marine events in the San Diego Captain of the Port Zone. This final rule will amend the regulations to accurately reflect the dates of existing recurring marine events in the Sector San Diego area of responsibility (AOR).

DATES: This rule is effective July 9, 2025.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG–2024–0899 in the search box and click “Search.” Next, in the Document Type column, select “Supporting & Related Material.”

FOR FURTHER INFORMATION CONTACT: If you have questions about this proposed rulemaking, call or email Lieutenant Shelley Turner, Waterways Management, U.S. Coast Guard; telephone 619–278–7656, email MarineEventsSD@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 Information and Regulatory History

The Captain of the Port Sector San Diego (COTP) determined that the table of recurring special local regulations for marine events, found in Table 1 to 33 CFR 100.1101, did not accurately reflect the effective period of enforcement for three special local regulations listed in the table. This rule will ensure that the table reflects the most current information regarding recurring marine events in the Sector San Diego AOR.

In response, on April 4, 2025, the Coast Guard published a notice of proposed rulemaking (NPRM) titled Special Local Regulation; San Diego and Mission Bay, San Diego, CA (90 FR

14739). There we stated why we issued the NPRM and invited comments on our proposed regulatory action related to this fireworks display. During the comment period that ended May 5, 2025, we received no comments.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under the authority in 46 U.S.C. 70041. The COTP has determined that the recurring marine events found in Table 1 to 33 CFR 100.1101 present a safety concern on navigable waters. The purpose of this rule is to ensure safety of life on the navigable waters in the safety zone before, during, and after the scheduled events.

IV. Discussion of Comments, Changes, and the Rule

As noted above, we received no comments on our NPRM published April 4, 2025. There are no changes in the regulatory text of this rule from the proposed rule in the NPRM.

This rule will make the following changes in Table 1 to 33 CFR 100.1101:

1. Changing the date of Item 3 (San Diego Crew Classic) to “a weekend in March or April.”
2. Changing the date of Item 7 (San Diego Sharkfest Swim) to “a weekend in September or October.”
3. Changing the date of Item 17 (San Diego Fleet Week Veterans Day Boat Parade) to “one day in November on or around Veterans Day.”

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. Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility.

The Office of Management and Budget (OMB) has not designated this rule a “significant regulatory action,” under section 3(f) of Executive Order 12866. Accordingly, OMB has not reviewed it.

This regulatory action determination is based on the size, location, duration and time of day of the regulated area. These areas are limited in size and duration and typically have minimal

impact to vessel traffic on the navigable waterway. In addition, the Coast Guard provides advance notice of the regulated areas via Local Notice to Mariners and Broadcast Notice to Mariners. The rule would allow vessels to seek permission to enter the regulated area.

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 received no comments from the Small Business Administration on this rulemaking. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will 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 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 will 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.

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 Fairness 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 will 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 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 Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves revising existing regulations for recurring marine events in the Sector San Diego AOR. It is categorically excluded from further review under paragraph L61 of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Memorandum for the Record supporting this determination is available in the docket. For instructions

on locating the docket, see the ADDRESSES section of this preamble.

List of Subjects in 33 CFR Part 100

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

For the reasons discussed in the preamble, the Coast Guard is amending 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. In § 100.1101, amend Table 1 to § 100.1101, by revising items 3, 7, and 17, to read as follows:

§ 100.1101 Southern California Annual Marine Events for the San Diego Captain of the Port Zone.

* * * * *

TABLE 1 TO § 100.1101 [All coordinates referenced use datum NAD 83]

Table with 7 columns and 3 main sections: 3. San Diego Crew Classic, 7. San Diego Sharkfest Swim, and 17. San Diego Fleet Week Veterans Day Boat Parade. Each section lists Sponsor, Event Description, Date, Location, and Regulated Area.

P.C. Dill, Captain, U.S. Coast Guard, Captain of the Port Sector San Diego. [FR Doc. 2025–10385 Filed 6–6–25; 8:45 am] BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2025–0412]

RIN 1625–AA00

Safety Zone; Firework Display; Appomattox River, Hopewell, VA

AGENCY: Coast Guard, DHS. ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for navigable waters within a 250-yard radius of a fireworks barge located in the Appomattox River, near City Point, in Hopewell, VA. The purpose of this rulemaking is to ensure the safety of persons and vessels, and to protect the marine environment within the navigable waters proximate to fireworks displays, before, during, and after the scheduled events. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port, Sector Virginia.

DATES: This rule is effective from 9 p.m. to 10 p.m. on June 28, 2025.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to https://www.regulations.gov, type USCG–2025–0412 in the search box and click “Search.” Next, in the Document Type

column, select “Supporting & Related Material.”

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, call or email LCDR Justin Strassfield, Sector Virginia, Waterways Management Division, U.S. Coast Guard, Telephone: (571) 608–2969; or virginiawaterways@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

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

II. Background Information and Regulatory History

The Coast Guard is issuing this temporary rule under the authority in 5 U.S.C. 553(b)(B). This statutory 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.” The Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it is impracticable to publish an NPRM for a safety zone which must be established by June 28, 2025, to prevent harm from potential navigation and safety hazards created by this event. There is not sufficient time to allow for a notice and comment period prior to the event.

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 is impracticable because prompt action is needed to be assured the rule will be in effect at the start of the event.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034. The Captain of the Port, Sector Virginia (COTP) has determined that potential hazards associated with fireworks events (people being hit by projectiles or falling debris and vessels being set on fire or subject to explosions) present a safety concern for anyone within the safety zone. The purpose of this rule is to ensure safety of vessels and people in the navigable waters who might otherwise be in the safety zone before, during, and after the scheduled event.

IV. Discussion of the Rule

This rule establishes a safety zone from 9 p.m. until 10 p.m. on June 28, 2025. The safety zone will include all navigable waters within 250 yards of the fireworks barge located at latitude 37°18'52" N, longitude 077°17'12.5" W, located near City Point in Hopewell, VA. The duration of the zone is intended to protect personnel, vessels, and the marine environment in these navigable waters before, during, and after the fireworks display. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative. Advance notifications will be made to affected users of the waterway via Broadcast

Notice to Mariners and Local Notice to Mariners.

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, this rule has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on the on the size, location, duration, and time-of-day of the safety zone. The Coast Guard will issue a Broadcast Notice to Mariners via VHF-FM marine channel 16 to alert them about the zone, and the rule will allow vessels to seek permission to enter the zone.

B. Impact on Small Entities

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

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule will 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.

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

environment. This rule involves a safety zone lasting 1 hour that will prohibit entry within 250 yards of a fireworks barge. It is categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023-01-001-01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

List of Subjects in 33 CFR Part 165

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

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

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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

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

■ 2. Add § 165.T05-0412 to read as follows:

§ 165.T05-0412 Safety Zone; Firework Display; Appomattox River, Hopewell, VA.

(a) *Location.* The following area is a safety zone: all waters at the confluence of the Appomattox and James Rivers within a 250-yard radius of approximate position of the fireworks barge at latitude 37°18'52" N, longitude 077°17'12.5" W, located near City Point in Hopewell, VA. These coordinates are based on WGS 84.

(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 Virginia (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 by VHF FM Channel 16. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Enforcement period.* This safety zone will be enforced from 9 p.m. to 10 p.m. on June 28, 2025.

Dated: June 2, 2025.

Peggy M. Britton,

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

[FR Doc. 2025-10383 Filed 6-6-25; 8:45 am]

BILLING CODE 9110-04-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 716

[EPA-HQ-OPPT-2023-0360; FRL-11164.2-02-OCSPP]

RIN 2070-AL31

Certain Existing Chemicals; Request To Submit Unpublished Health and Safety Data Under the Toxic Substances Control Act (TSCA); Extension of Submission Deadline

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA or Agency) is amending the deadline for reporting pursuant to the Toxic Substances Control Act (TSCA) Health and Safety Data Reporting rule, which requires manufacturers (including importers) of 16 specified chemical substances to submit lists and copies of certain unpublished health and safety studies to the EPA. Specifically, the EPA is amending the reporting deadline for all 16 chemical substances subject to the rule to May 22, 2026, through final action.

DATES: This rule is effective on June 9, 2025.

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA-HQ-OPPT-2023-0360, is available online at <https://www.regulations.gov>. Additional information about dockets generally, along with instructions for visiting the docket in-person, is available at <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT: *For technical information:* Stephanie Griffin, Data Gathering, Management, and Policy Division (7406M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; telephone number: (202) 564-1463; email address: griffin.stephanie@epa.gov.

For general information contact: The TSCA-Hotline, ABVI-Goodwill, 422

South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554-1404; email address: TSCA-Hotline@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Executive Summary

A. Does this action apply to me?

You may be potentially affected by this action if you manufacture (including import) any of the chemical substances that are listed in 40 CFR 716.120(d) of the regulatory text of this document. The following list of North American Industrial Classification System (NAICS) codes affected by this rule are those that align with these activities:

- Chemical manufacturers (including importers), (NAICS code 325); and
- Petroleum refineries (NAICS code 324110).

This action applies to manufacturers in these NAICS codes who are currently manufacturing (including importing) a listed chemical substance (or will do so during the chemical's reporting period) or who have manufactured (including imported) or proposed to manufacture (including import) a listed chemical substance within the last 10 years.

This action may also affect manufacturers of substances for commercial purposes that coincidentally produce the substance during the manufacture, processing, use, or disposal of another substance or mixture, including byproducts and impurities. Such byproducts and impurities may, or may not, in themselves have commercial value. They are nonetheless produced for the purpose of obtaining a commercial advantage because they are part of the manufacture of a chemical product for a commercial purpose.

B. What action is the Agency taking?

The EPA is amending the data submission period for the TSCA section 8(d) rule by changing the reporting deadline for all 16 chemical substances to May 22, 2026.

C. Why is the Agency taking this action?

The EPA promulgated a final rule in the **Federal Register** of December 13, 2024 (89 FR 100756 (FRL-11164-02-OCSPP)), to require manufacturers (including importers) of 16 specific chemical substances to submit copies and lists of certain unpublished health and safety studies to the EPA. The 16 chemical substances were added to 40 CFR 716.120 to support ongoing and upcoming activities under TSCA section 6. On March 13, 2025, the EPA modified the submission deadlines from March

13, 2025, to June 11, 2025, for vinyl chloride (CASRN 75–01–4) and from March 13, 2025, to September 9, 2025, for the remaining 15 chemical substances (90 FR 11899 (FRL–11164.1–02–OCSPP)). The EPA now recognizes a need to further extend these reporting deadlines as explained below.

The Agency is taking this action for several reasons. First, the EPA needs additional time to provide guidance on particular implementation problems that entities subject to the rule have raised to the Agency as described in the EPA's previous March 13, 2025, final rule to modify the reporting deadlines for the chemical substances subject to this rule. Despite best efforts to act expeditiously, the Agency has not yet finalized this guidance, which will address topics such as submitting harmonized templates, which are required for submissions containing Confidential Business Information. In this action, however, the EPA is not reopening or reconsidering provisions of the underlying rule other than the submission deadline.

When the EPA previously extended the reporting deadlines for the 16 chemical substances subject to this rule, the Agency bifurcated the deadlines such that the modified deadline for vinyl chloride was June 11, 2025, and the modified deadline for the remaining 15 chemical substances was September 9, 2025 (90 FR 11899, March 13, 2025 (11164.1–02–OCSPP)). In the final rule to modify these deadlines, the EPA explained that it anticipated that companies were more likely to have already reviewed their records for studies of vinyl chloride, as compared with the other chemical substances subject to this rule, because the Agency published a draft scope for the TSCA risk evaluation of vinyl chloride for public comment on January 16, 2025 (90 FR 4738 (FRL–12439–01–OCSPP)). Accordingly, the EPA expected that companies with unpublished health and safety studies on vinyl chloride would likely have prioritized this chemical substance in terms of searching for records to support commenting on the draft scope.

However, the EPA has been unable as yet to resolve the issues for which additional guidance is needed and continues to have substantial concerns that the scope of the reporting required will be difficult for companies to provide. As such, the EPA believes that providing a later reporting deadline for vinyl chloride, as well as for the other chemical substances subject to this rule, will ensure consistency of reporting requirements for all 16 chemical substances subject to this rule as well as

provide the EPA sufficient time to incorporate data received in response to this rule for any of the Agency's associated TSCA section 6 responsibilities. Thus, the EPA finds it prudent to delay the deadline for the reporting requirements subject to this rule for all 16 chemical substances.

D. What is the Agency's authority for taking this action?

The Health and Safety Data Reporting rule for these 16 chemical substances is promulgated under TSCA section 8(d) (15 U.S.C. 2607(d)) and codified at 40 CFR part 716. The EPA's statutory authority to modify the deadlines for the final TSCA section 8(d) rule is the same statutory authority relied upon to promulgate the underlying rule. The EPA's authority for the rulemaking procedures used in this direct final rule is Administrative Procedure Act (APA) section 553(b)(B), 5 U.S.C. 553(b)(B), which permits an agency to forego notice and an opportunity for public comment if the agency finds good cause that such procedures are impracticable, unnecessary, or contrary to the public interest.

The EPA finds that notice and public comment is impracticable here because there is insufficient time for notice and comment on an extension to the deadline prior to the reporting deadline for vinyl chloride of June 11, 2025. Though more time is available ahead of the September 9, 2025 deadline for the other 15 chemical substances, it is nonetheless a limited period in which to conduct a notice and comment rulemaking. Relatedly, notice and public comment would be contrary to the public interest because if notice and comment timeframes prevented the Agency from extending the reporting deadline, many TSCA section 8(d) submissions might be provided without sufficient time or guidance to properly prepare them, impairing the ability of the Agency to carry out its prioritization and risk evaluation requirements and defeating the purpose of the rule, which is to effectuate the public interest by providing the EPA with sound data to analyze risk and protect human health and the environment. The EPA further notes that extending the submission period avoids the risk of covered entities collecting unresponsive materials that may not be required or may be required in a different format once the Agency issues related guidance on issues such as the use of harmonized templates.

This final rule is effective immediately upon publication. APA section 553(d)(1), 5 U.S.C. 553(d)(3), provides that agencies may make a final

rule effective immediately “for good cause found and published with the rule.” The EPA finds that the good cause discussed above applies equally to having an immediately effective date for this rule, especially considering the imminent reporting deadline for vinyl chloride. The EPA notes that the volume of reporting required means that covered entities require significant lead time prior to the compliance date to collect, process, and format the necessary information, meaning that an immediate effective date is appropriate for the 15 additional chemical substances as well.

II. Statutory and Executive Order Reviews

Additional information about these statutes and Executive orders can be found at <https://www.epa.gov/laws-regulations/and-executive-orders>.

A. Executive Order 12866: Regulatory Planning and Review

This action is not a significant regulatory action and was therefore not submitted to the Office of Management and Budget (OMB) for review under Executive Order 12866 (58 FR 51735, October 4, 1993).

B. Executive Order 14192: Unleashing Prosperity Through Deregulation

This action is considered an Executive Order 14192 deregulatory action. This final rule provides burden reduction by relieving immediate pressure on manufacturers for rule familiarization, data collection and preparation, and electronic reporting. This longer timeframe will also reduce opportunity costs on affected firms.

C. Paperwork Reduction Act (PRA)

This action does not contain any new information collection burden under the PRA, 44 U.S.C. 3501 *et seq.* OMB previously approved the information collection activities contained in the existing regulations and assigned OMB control number 2070–0224 (EPA ICR No. 2701.01). This action does not create any new reporting or recordkeeping obligations and does not otherwise change the burden estimates that were approved.

D. Regulatory Flexibility Act (RFA)

This action is not subject to the RFA, 5 U.S.C. 601 *et seq.* The RFA applies only to rules subject to notice and comment rulemaking requirements under the APA, 5 U.S.C. 553, or any other statute. This rule is not subject to notice and comment requirements under the APA because the Agency has

invoked the APA “good cause” exemption (see Unit I).

E. Unfunded Mandates Reform Act (UMRA)

This action does not contain an unfunded mandate of \$100 million (in 1995 dollars and adjusted annually for inflation) or more as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. The action imposes no enforceable duty on any State, local, or Tribal governments or the private sector.

F. Executive Order 13132: Federalism

This action does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999) because it 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.

G. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

This action does not have Tribal implications as specified in Executive Order 13175 (65 FR 67249, November 9, 2000) because it will not have substantial direct effects on Tribal governments, on the relationship between the Federal Government and the Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes.

H. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks

This action is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it does not address environmental health or safety risks disproportionately affecting children. Because this action does not concern human health, EPA’s 2021 Policy on Children’s Health also does not apply.

I. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution or Use

This action is not a “significant energy action” as defined in Executive Order 13211 (66 FR 28355, May 22, 2001) because it is not likely to have any adverse effect on the supply, distribution or use of energy.

J. National Technology Transfer and Advancement Act (NTTAA)

This action does not involve technical standards under the NTTAA section 12(d), 15 U.S.C. 272.

K. Congressional Review Act (CRA)

This action is subject to the CRA, 5 U.S.C. 801 *et seq.*, and EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 716

Environmental protection, Chemicals, Hazardous substances, Health and

safety, Reporting and recordkeeping requirements.

Dated: June 4, 2025.

Nancy B. Beck,

Principal Deputy Assistant Administrator, Office of Chemical Safety and Pollution Prevention.

Therefore, for the reasons stated in the preamble, EPA is amending 40 CFR chapter I as follows:

PART 716—HEALTH AND SAFETY DATA REPORTING

■ 1. The authority citation for part 716 continues to read as follows:

Authority: 15 U.S.C. 2607(d).

■ 2. Amend § 716.120 in table 3 to paragraph (d), under the heading “OPPT 2024 Chemicals”, by revising the entries for “Acetaldehyde”, “Acrylonitrile”, “2-anilino-5-[(4-methylpentan-2-yl)amino]cyclohexa-2,5-diene-1,4-dione (6PPD-quinone)”, “Benzenamine”, “Benzene”, “Bisphenol A”, “Ethylbenzene”, “Hydrogen fluoride”, “4,4-Methylene bis(2-chloraniline)”, “N-(1,3-Dimethylbutyl)-N’-phenyl-p-phenylenediamine (6PPD)”, “Naphthalene”, “Styrene”, “4-tert-octylphenol(4-(1,1,3,3-Tetramethylbutyl)-phenol)”, “Tribomomethane (Bromoform)”, “Triglycidyl isocyanurate”, and “Vinyl chloride” to read as follows:

§ 716.120 Substances and listed mixtures to which this subpart applies.

* * * * *
(d) * * *

TABLE 3 TO PARAGRAPH (d)

Category	CASRN	Special exemptions	Effective date	Sunset date
* * *	* * *	* * *	* * *	* * *
OPPT 2024 Chemicals:				
Acetaldehyde	75–07–0	§ 716.21(a)(11) applies; § 716.20(a)(9) does not apply.	January 13, 2025	May 22, 2026.
Acrylonitrile	107–13–1	§ 716.21(a)(11) applies; § 716.20(a)(9) does not apply.	January 13, 2025	May 22, 2026.
2-anilino-5-[(4-methylpentan-2-yl)amino]cyclohexa-2,5-diene-1,4-dione (6PPD-quinone).	2754428–18–5	§ 716.21(a)(11) applies; § 716.20(a)(9) does not apply.	January 13, 2025	May 22, 2026.
Benzenamine	62–53–3	§ 716.21(a)(11) applies; § 716.20(a)(9) does not apply applies; § 716.20(a)(9) does not apply.	January 13, 2025	May 22, 2026.
Benzene	71–43–2	§ 716.21(a)(11) applies; § 716.20(a)(9) does not apply.	January 13, 2025	May 22, 2026.
Bisphenol A	80–05–7	§ 716.21(a)(11) applies; § 716.20(a)(9) does not apply.	January 13, 2025	May 22, 2026.
Ethylbenzene	100–41–4	§ 716.21(a)(11) applies; § 716.20(a)(9) does not apply.	January 13, 2025	May 22, 2026.
Hydrogen fluoride	7664–39–3	§ 716.21(a)(11) applies; §§ 716.20, 716.20(a)(9) does not apply.	January 13, 2025	May 22, 2026.
4,4-Methylene bis(2-chloraniline)	101–14–4	§ 716.21(a)(11) applies; § 716.20, 716.20(a)(9) does not apply.	January 13, 2025	May 22, 2026.

TABLE 3 TO PARAGRAPH (d)—Continued

Category	CASRN	Special exemptions	Effective date	Sunset date
N-(1,3-Dimethylbutyl)-N'-phenyl-p-phenylenediamine (6PPD).	793-24-8	§ 716.21(a)(11) applies; § 716.20(a)(9) does not apply.	January 13, 2025	May 22, 2026.
Naphthalene	91-20-3	§ 716.21(a)(11) applies; § 716.20(a)(9) does not apply.	January 13, 2025	May 22, 2026.
Styrene	100-42-5	§ 716.21(a)(11) applies; § 716.20(a)(9) does not apply.	January 13, 2025	May 22, 2026.
4-tert-octylphenol(4-(1,1,3,3-Tetramethylbutyl)-phenol).	140-66-9	§ 716.21(a)(11) applies; § 716.20, 716.20(a)(9) does not apply.	January 13, 2025	May 22, 2026.
Tribromomethane (Bromoform)	75-25-2	§ 716.21(a)(11) applies; § 716.20(a)(9) does not apply.	January 13, 2025	May 22, 2026.
Triglycidyl isocyanurate	2451-62-9	§ 716.21(a)(11) applies; § 716.20(a)(9) does not apply.	January 13, 2025	May 22, 2026.
Vinyl chloride	75-01-4	§ 716.21(a)(11) applies; § 716.20(a)(9) does not apply.	January 13, 2025	May 22, 2026.
*	*	*	*	*

[FR Doc. 2025-10410 Filed 6-6-25; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF THE INTERIOR

Office of the Secretary

43 CFR Part 4

[Docket No. DOI-2022-0010; Deposit Account]

RIN 1094-AA57

Practices Before the Department of the Interior; Delay of Effective Date

AGENCY: Office of Hearings and Appeals, Interior.

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

SUMMARY: In accordance with the memorandum of January 20, 2025, from President Donald J. Trump, entitled “Regulatory Freeze Pending Review,” this action provides a fourth notification to delay the effective date of the interim final rule published on January 10, 2025, until July 21, 2025.

DATES: As of June 4, 2025, the effective date of the rule published at 90 FR 2332 on January 10, 2025, which was delayed at 90 FR 9222 (Feb. 10, 2025), 90 FR 12461 (March 18, 2025), and 90 FR 18927 (May 5, 2025), is further delayed to a new effective date of July 21, 2025, and the correction published at 90 FR 23290 (June 2, 2025) is delayed to July 21, 2025.

FOR FURTHER INFORMATION CONTACT: Julia Bartels, telephone: (703) 235-3750,

email: Julia_Bartels@oha.doi.gov.

Individuals in the United States who are deaf, blind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or Tele Braille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION: The interim final rule “Practices Before the Department of the Interior,” published on January 10, 2025, at 90 FR 2332, included a 30-day public comment period that ended on February 10, 2025. The effective date of the interim final rule was February 10, 2025. The Office of Hearings and Appeals (OHA) is taking this action in accordance with Memorandum M-25-10 of January 20, 2025, from the Executive Office of the President, Office of Management and Budget, “Implementation of Regulatory Freeze,” regarding the postponement of effective dates of certain published regulations. The memorandum directed the heads of executive departments and agencies to consider postponing for 60 days from the date of the memorandum the effective date for any rules that have been published in the **Federal Register**, or any rules that have been issued in any manner but have not taken effect, for the purpose of reviewing any questions of fact, law, and policy that the rule may raise. On February 7, 2025, OHA delayed the effective date (90 FR 9222) for the interim final rule to March 21, 2025. On March 18, 2025, OHA published a second document further

delaying the effective date (90 FR 12461) to May 5, 2025. On May 5, 2025, OHA published a third document further delaying the effective date (90 FR 18927) to June 4, 2025. OHA is further delaying the effective date to July 21, 2025, to provide for further Department review.

OHA is extending the effective date of the interim final rule without opportunity for public comment and making the extension effective immediately, based on the good cause exemptions in 5 U.S.C. 553(b)(B) and 553(d)(3), in that seeking public comment on the extension is impracticable, unnecessary, and contrary to the public interest. This forth delay of the effective date until July 21, 2025, is necessary to give Department officials the opportunity for further review and consideration of new regulations, consistent with the memorandum of the President, dated January 20, 2025. Given the imminence of the effective date of the interim final rule, seeking prior public comment on this delay is impractical, and contrary to the public interest in the orderly promulgation and implementation of regulations. For the foregoing reasons, the good cause exception in 5 U.S.C. 553(d)(3) also applies to OHA’s decision to make this action effective immediately.

Tyler Hassen,

Acting Assistant Secretary—Policy, Management and Budget.

[FR Doc. 2025-10374 Filed 6-4-25; 8:45 am]

BILLING CODE 4334-CC-P

Proposed Rules

Federal Register

Vol. 90, No. 109

Monday, June 9, 2025

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

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2024-2559; Airspace Docket No. 24-AEA-11]

RIN 2120-AA66

Amendment of Class D and Class E Airspace; Morgantown, WV: Withdrawal

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Proposed rule, withdrawal.

SUMMARY: This action withdraws the notice of proposed rulemaking (NPRM) published in the **Federal Register** on March 31, 2025, proposing to amend Class D and Class E airspace at Morgantown, WV. The FAA has determined that withdrawal of that NPRM is warranted as new airspace data have been received which significantly change the requirements for the proposed airspace. FAA expects to publish a new NPRM to amend the Class D and Class E airspace at Morgantown, WV, after assessing the new data.

DATES: The proposed rule published in the **Federal Register** on March 31, 2025 (90 FR 14221) is withdrawn as of June 9, 2025.

FOR FURTHER INFORMATION CONTACT: Rebecca Shelby, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222-5857.

SUPPLEMENTARY INFORMATION:

History

The FAA published an NPRM in the **Federal Register** on March 31, 2025 (90 FR 14221) under Docket No. FAA-2024-2559 proposing to amend 14 CFR part 71 by modifying the Class D and Class E surface airspace, and Class E airspace extending upward from 700 feet above the surface at Morgantown Municipal Airport-Walter L. Bill Hart

Field, Morgantown, WV. Subsequent to publication, new airspace data was received changing the airspace requirements. Therefore, the FAA is withdrawing the NPRM, and expects to publish a new NPRM after fully evaluating the new data to amend the Class D and Class E surface airspace, and Class E airspace extending upward from 700 feet above the surface at Morgantown Municipal Airport-Walter L. Bill Hart Field, Morgantown, WV, to support the new instrument procedures being developed.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Withdrawal

Accordingly, pursuant to the authority delegated to me, the NPRM for Docket No. FAA-2025-05492, Airspace Docket No. 24-AEA-11, as published in the **Federal Register** on March 31, 2025 (90 FR 14221), is hereby withdrawn.

Issued in Fort Worth, TX, on June 3, 2025.

Dallas W. Lantz,

Acting Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2025-10375 Filed 6-6-25; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

17 CFR Parts 230, 239, 240, and 249

[Release Nos. 33-11376; 34-103176; File No. S7-2025-01]

RIN 3235-AN35

Concept Release on Foreign Private Issuer Eligibility

AGENCY: Securities and Exchange Commission.

ACTION: Concept release; request for comments.

SUMMARY: The Securities and Exchange Commission (“Commission”) is publishing this concept release to solicit comments on the definition of a foreign private issuer (“FPI”). There have been several developments within the FPI population since the Commission last conducted a broad review of reporting FPIs and the eligibility criteria for FPI status. These developments have prompted us to consider whether the current FPI definition should be revised

so that it better represents the issuers that the Commission intended to benefit from current FPI accommodations while continuing to protect investors and promote capital formation.

DATES: Comments should be received on or before September 8, 2025.

ADDRESSES: Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission’s internet comment form (<https://www.sec.gov/rules/submitcomments.htm>); or
- Send an email to rule-comments@sec.gov. Please include File Number S7-2025-01 on the subject line.

Paper Comments

- Send paper comments to Vanessa A. Countryman, Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.

All submissions should refer to File Number S7-2025-01. 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 of submission. The Commission will post all comments on the Commission’s website (<https://www.sec.gov/rules/proposed.shtml>). All comments received will be posted without change. Comments are also 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. Operating conditions may limit access to the Commission’s Public Reference Room. Do not include personally identifiable information in submissions; you should submit only information that you wish to make available publicly. The Commission may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection.

FOR FURTHER INFORMATION CONTACT: Kelsey Glover, Special Counsel, or Kateryna Kuntsevich, Special Counsel, in the Office of International Corporate Finance, Division of Corporation Finance, at (202) 551-3450, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549.

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I. Introduction

The Commission has long recognized that foreign issuers¹ face unique challenges in accessing U.S. capital markets and over the years has sought to provide such issuers with regulatory flexibilities² that preserve access for

¹ See *infra* section II.A for the definition of a “foreign issuer.”

² See Release No. 34–323 (July 15, 1935) (“An endeavor has been made to adapt the requirements for domestic issuers to the peculiar circumstances of foreign issuers. In view of the disparity between the laws and practices existing in the several countries it was necessary to introduce great flexibility in the requirements.”); Release No. 34–324 (July 15, 1935), Release No. 34–325 (July 15, 1935), and Release No. 34–412 (Nov. 6, 1935) (together, the “1935 Releases”); *Registration of Foreign Securities*, Release No. 34–7746 (Nov. 16, 1965) [30 FR 14737 (Nov. 27, 1965)] (describing an in-depth study of foreign regulatory requirements that the Commission undertook prior to adopting various foreign issuer accommodations, including an assessment of the extent of the trading market for foreign securities in the United States, the disclosure and reporting requirements and practices in many of the countries whose issuers have securities traded in the United States, the requirements of many leading foreign stock exchanges, and the nature of the information presently furnished to the Commission and noting that “the Commission will continue to observe developments in foreign disclosure practices to determine whether the proposed rules and forms should be modified in the future”); *Rules, Registration and Annual Report Form for Foreign Private Issuers*, Release No. 34–16371 (Nov. 29, 1979) [44 FR 70132 (Dec. 6, 1979)] (“Form 20–F Adopting Release”) (“[T]he Commission recognizes

U.S. investors to such issuers’ securities while maintaining appropriate investor protections. Foreign issuers that qualify for FPI status³ under the Federal securities laws benefit from accommodations that provide full or partial relief from requirements for domestic issuers. When the Commission adopted the regulatory framework governing FPIs, it did so with a recognition that foreign issuers were subject to different circumstances than domestic issuers due to the laws and practices imposed by their home country jurisdictions and, as a result, certain accommodations were necessary, and that FPIs’ securities would be traded in foreign markets.⁴ Updates to the FPI accommodations since their adoption have reflected an understanding that, while legal and regulatory requirements differ across home country jurisdictions, most eligible FPIs would be subject to meaningful disclosure and other regulatory requirements in their home country jurisdictions.⁵

that there are differences in various national laws and businesses and accounting customs which the Commission should take into account when assessing disclosure requirements for foreign issuers.”); *Foreign Issuer Reporting Enhancements*, Release No. 33–8900 (Feb. 29, 2008) [73 FR 13403, 13405 (Mar. 12, 2008)] (“[W]e acknowledged that differences in the national laws and accounting regulations applicable to foreign private issuers should be considered when establishing disclosure requirements for foreign private issuers. . . . Foreign private issuers are subject to different legal and regulatory requirements in their home jurisdictions, and as a result frequently follow different corporate governance practices from domestic companies.”).

³ A “foreign private issuer” is a foreign issuer other than a foreign government, except for an issuer that as of the last business day of its most recently completed second fiscal quarter has more than 50% of its outstanding voting securities directly or indirectly held of record by U.S. residents and meets any of the following: a majority of its executive officers or directors are citizens or residents of the United States, more than 50% of its assets are located in the United States, or its business is principally administered in the United States. 17 CFR 230.405; 17 CFR 240.3b–4.

⁴ See Release No. 34–323, *supra* note 2; Release No. 34–412, *supra* note 2 (concerning foreign issuer exemptions from reporting requirements under 15 U.S.C. 78p (“section 16”) of the Exchange Act, the Commission noted that “comparatively few foreign corporations have stock listed on American exchanges, and even in such cases the principal market is rarely in this country.”).

⁵ See, e.g., *supra* note 2; *Adoption of Rules Relating to Foreign Securities*, Release No. 34–8066 (Apr. 28, 1967) [32 FR 7845 (May 30, 1967)] (“[T]o assure that American investors would have available adequate information about [foreign] issuers, the Commission made an extensive study of the disclosure and reporting requirements and practices in many of the countries whose issuers have securities traded in the United States, and the requirements of many leading foreign stock exchanges. . . the Commission noted the improvement in the reporting of financial information by foreign issuers, resulting from changes in foreign corporate laws, stock exchange

A recent broad review by the Commission staff of FPIs that are subject to reporting obligations under 15 U.S.C. 78m(a) (“section 13(a)”) or 15 U.S.C. 78o(d) (“section 15(d)”) of the Securities Exchange Act of 1934 (the “Exchange Act”)⁶ shows significant changes in that population since 2003.⁷ In particular, the composition of home country jurisdictions of FPIs that file annual reports on Form 20–F (“20–F FPIs”) has shifted dramatically in recent decades. The home country jurisdictions represented by current FPIs that file annual reports on either Form 20–F or Form 40–F⁸ (“reporting FPIs”)⁹ have varying levels of disclosure requirements, including some that rely on the FPI regulatory framework in the United States to be the primary set of regulations governing their issuers.¹⁰ Additionally, the majority of 20–F FPIs today have their equity securities almost exclusively traded in U.S. capital markets.¹¹ Because the FPI population has changed such that it may no longer reflect the issuers that the Commission intended to benefit from current FPI accommodations, we are soliciting comments on whether the current FPI definition should be amended.

We begin this concept release with an overview of the FPI definition and regulatory framework. We then outline some of the recent changes that have been observed in the FPI population. We next discuss potential concerns these developments raise and solicit comments on whether and how the

requirements, and voluntary disclosure by the companies themselves.”).

⁶ 15 U.S.C. 78a *et seq.*

⁷ See *infra* section III for further discussion. See also Evan Avila and Mattias Nilsson, *Trends in the Foreign Private Issuer Population 2003–2023: A Descriptive Analysis of Issuers Filing Annual Reports on Form 20–F* (Dec. 2024) (the “FPI Trends White Paper”), available at https://www.sec.gov/files/dera_wp_fpi-trends-2412.pdf. The data used and analysis provided by the Commission staff in this release are consistent with the data used and analysis provided in the FPI Trends White Paper.

⁸ Form 40–F is filed by Canadian issuers that are eligible for and elect to take advantage of the Multijurisdictional Disclosure System (“MJDS”). Under the MJDS, eligible Canadian issuers may satisfy certain securities registration and reporting requirements of the Commission by providing disclosure documents prepared in accordance with the requirements of Canadian securities regulatory authorities. See *Multijurisdictional Disclosure and Modifications to the Current Registration and Reporting System for Canadian Issuers*, Release No. 33–6902 (June 21, 1991) [56 FR 30036 (July 1, 1991)] (“MJDS Adopting Release”).

⁹ Some FPIs voluntarily file their annual reports on Form 10–K instead of Form 20–F or Form 40–F. Those FPIs may take advantage of some, but not all, of the FPI accommodations. See *infra* section II.B for more information about the FPI accommodations.

¹⁰ See *infra* section IV.A for further discussion.

¹¹ See *infra* sections III and IV.A for further discussion.

current FPI definition might be revised to address those concerns.¹²

While we pose a number of general and specific questions throughout this release, we also welcome comments on any other aspects of the current FPI definition or our review of the FPI population discussed in this release, and we particularly welcome comments and data on any costs, burdens, or benefits that may result from possible regulatory responses identified in this release or otherwise proposed by commenters. Interested persons are also invited to comment on whether alternative approaches, or a combination of approaches, would better address any potential concerns associated with the current FPI definition.

II. The Current FPI Definition and Regulatory Accommodations

A. History of the FPI Definition and Regulatory Framework

The Commission established the initial regulatory framework for foreign issuers in 1935.¹³ That framework has continued to evolve in order to preserve appropriate investor protections while addressing FPIs' needs for certain accommodations from the Commission's rules to reduce burdens on those issuers arising from duplicative or conflicting domestic and foreign disclosure requirements.¹⁴ The initial regulatory framework did not include a definition for FPIs and instead applied to (1) a national of a foreign country other than a North American country or Cuba, (2) a national of a North American country or Cuba whose securities were guaranteed by any foreign government (only for the permanent registration of bonds or other evidence of indebtedness), or (3) any corporation or unincorporated association, foreign or domestic, which is directly or indirectly owned or controlled by any foreign government.¹⁵ The 1935 Releases also included a broad reference to foreign issuers in the context of exempting them from section 16 beneficial ownership reporting requirements,¹⁶ but did not

adopt a specific definition of a "foreign issuer."¹⁷

The Commission established the foundation of the current FPI definition in 1983 when it adopted a bifurcated test to determine whether a foreign issuer is an "essentially U.S. issuer" depending upon its percentage of U.S. ownership and the location of its business operations.¹⁸ The Commission adopted further amendments in 1999 to base the U.S. ownership portion of the definition more closely on the percentage of securities beneficially owned by U.S. residents, rather than record ownership.¹⁹ The current definitions of "foreign issuer" and "foreign private issuer" are contained in 17 CFR 230.405 ("Rule 405") of the Securities Act of 1933 (the "Securities Act")²⁰ and 17 CFR 240.3b-4 ("Rule 3b-4") of the Exchange Act.

A "foreign issuer" is any issuer which is a foreign government, a national of any foreign country, or a corporation or other organization incorporated or organized under the laws of any foreign country.²¹ A foreign issuer that has 50 percent or less of its outstanding voting securities held of record directly or indirectly by U.S. residents would qualify for FPI status under the "shareholder test." A foreign issuer with more than 50 percent of its outstanding voting securities held by U.S. residents would qualify for FPI status under the "business contacts test" if it has none of the following contacts with the United States: (1) a majority of its executive officers or directors are U.S. citizens or residents; (2) more than 50 percent of its assets are located in the United States; or (3) its business is administered principally in the United States.²² For a reporting issuer,²³ FPI eligibility is determined annually as of the end of a foreign issuer's second fiscal quarter. A foreign issuer filing an initial registration statement under the Securities Act or Exchange Act

determines its FPI status as of a date within 30 days prior to filing.²⁴

The Commission has sought to balance the information needs of U.S. investors with a recognition of the benefit to those investors of having opportunities for investment in foreign securities²⁵—a benefit that could be diminished without accommodations that take into account the disclosure requirements, accounting standards, and other regulatory and legal requirements that the FPI is subject to in its home country.²⁶ At the time the current FPI accommodations were adopted, the Commission's understanding was that most eligible FPIs would be subject to meaningful disclosure and other regulatory requirements in their home country jurisdictions, and that FPIs' securities would be traded in foreign markets.²⁷ As global markets evolve, the Commission periodically assesses whether the FPI regulatory framework continues to appropriately serve U.S. investors and U.S. capital markets, with its most recent broad review of the framework conducted in 2008.²⁸

B. Summary of Current FPI Accommodations

Over the years, the Commission has implemented a number of specific accommodations from which eligible FPIs may currently benefit as compared to domestic issuers, including, for example, the following:

- 20-F FPIs have until four months after the fiscal year-end to file annual reports on Form 20-F,²⁹ whereas annual reports on Form 10-K must be filed within 60, 75, or 90 days after the fiscal year-end.³⁰
- Reporting FPIs are not required to file quarterly reports, whereas domestic issuers must file quarterly reports on Form 10-Q.³¹
- FPIs may present their financial statements using (1) International

²⁴ 17 CFR 230.405; 17 CFR 240.3b-4.

²⁵ 1999 International Disclosure Standards Release, *supra* note 19, at 53901 ("[W]e historically have sought to balance the information needs of investors with the public interest served by opportunities to invest in a variety of securities, including foreign securities.").

²⁶ *See supra* note 2.

²⁷ *See supra* note 4; *supra* note 5.

²⁸ *See* Form 20-F Adopting Release, *supra* note 2; *Foreign Issuer Reporting Enhancements*, Release No. 33-8959 (Sept. 23, 2008) [73 FR 58300 (Oct. 6, 2008)].

²⁹ General Instruction A.(b) to Form 20-F. Canadian FPIs that file annual reports on Form 40-F under the MJDS ("MJDS issuers") must file their reports "on the same day the information included therein is due to be filed with any securities commission or equivalent regulatory authority in Canada." *See* General Instruction D.(3) to Form 40-F.

³⁰ General Instruction A.(2) to Form 10-K.

³¹ 17 CFR 240.13a-13.

¹⁷ *See* the 1935 Releases, *supra* note 2.

¹⁸ *Foreign Securities*, Release No. 33-6493 (Oct. 6, 1983) [48 FR 46736 (Oct. 14, 1983)] ("1983 Release").

¹⁹ *International Disclosure Standards*, Release No. 33-7745 (Sept. 28, 1999) [64 FR 53900 (Oct. 5, 1999)] ("1999 International Disclosure Standards Release"). The 1999 amendments, in effect, changed the test of whether more than 50% of an issuer's outstanding voting securities are held by residents of the United States from a record ownership test to one that more closely reflects the beneficial ownership of the issuer's securities.

²⁰ 15 U.S.C. 77a *et seq.*

²¹ 17 CFR 230.405; 17 CFR 240.3b-4.

²² *Id.*

²³ As used in this release, the term "reporting issuer" refers to any issuer that is subject to Exchange Act section 13(a) or 15(d) reporting obligations. *See supra* section I for the definition of a "reporting FPI."

¹² The FPI definition was last amended in 1999. *See supra* note 3 and *infra* section II.A for more detail.

¹³ *See* the 1935 Releases, *supra* note 2.

¹⁴ *See supra* note 2; *supra* note 5.

¹⁵ *See* the 1935 Releases, *supra* note 2.

¹⁶ Section 16 generally requires, among other things, that specified officers, directors and principal security holders of an issuer with a class of equity securities registered under 15 U.S.C. 78l ("section 12") of the Exchange Act report initial beneficial ownership and changes in ownership of certain issuer securities and subjects them to disgorgement of profit realized from transactions in these securities that occur within a period of less than six months.

Financial Reporting Standards (“IFRS”) as issued by the International Accounting Standards Board (“IASB”), (2) generally accepted accounting principles in the United States (“U.S. GAAP”), or (3) a comprehensive set of accounting principles other than U.S. GAAP and IFRS as issued by the IASB (“home country GAAP”) with a reconciliation to U.S. GAAP, whereas domestic issuers are required to use U.S. GAAP.³²

- FPIs are exempt from obligations under section 16.³³
- FPIs are exempt from proxy requirements that apply to domestic issuers and that specify procedures and required documentation for soliciting shareholder votes.³⁴
- FPIs are exempt from say-on-pay rules that require domestic issuers to periodically enable shareholders to make certain advisory votes.³⁵
- Reporting FPIs furnish current reports on Form 6–K promptly after the information in the report is made public³⁶ rather than file or furnish current reports on Form 8–K, either within four business days after occurrence of the event or as otherwise specified in Form 8–K, as domestic issuers are required to do.³⁷ The current Form 6–K requirements for reporting FPIs are limited to the disclosures that a reporting FPI already (1) makes or is required to make public pursuant to the law of the jurisdiction of its domicile or in which it is incorporated or organized, (2) files or is required to file with a stock exchange on which its securities are traded and that were made public by that exchange, or (3) distributes or is required to distribute to its security holders.³⁸

- Interim financial statements included in a registration statement are not required to be updated as soon for FPIs as for domestic issuers. The registration statement of an FPI dated

³² 17 CFR 210.4–01(a); Item 17(c) of Form 20–F. FPIs presenting their financial statements in accordance with IFRS as issued by the IASB do not need to provide a reconciliation to U.S. GAAP. However, the use of IFRS not as issued by the IASB is considered equivalent to home country GAAP and must be reconciled to U.S. GAAP.

³³ 17 CFR 240.3a12–3(b). See *supra* note 16; 15 U.S.C. 78p.

³⁴ 17 CFR 240.3a12–3(b); Regulation 14A (17 CFR 240.14a–1 through 240.14b–2). FPIs also are not subject to information statement requirements. See Regulation 14C (17 CFR 240.14c–1 through 240.14c–101).

³⁵ 17 CFR 240.3a12–3(b). See *Shareholder Approval of Executive Compensation and Golden Parachute Compensation*, Release No. 33–9178 (Jan. 25, 2011) [76 FR 6010 (Feb. 2, 2011)], for more information about the say-on-pay and frequency rules that apply to domestic issuers.

³⁶ 17 CFR 240.13a–16; 17 CFR 240.15d–16.

³⁷ 17 CFR 240.13a–11; 17 CFR 240.15d–11.

³⁸ General Instruction A to Form 6–K.

more than nine months after the end of the last audited financial year requires consolidated interim financial statements, which may be unaudited, covering at least the first six months of the subsequent financial year.³⁹ In contrast, a registration statement of a domestic issuer generally requires interim financial statements dated no more than 134 days⁴⁰ before the effective date of a registration statement.⁴¹

- Certifications mandated by the Sarbanes-Oxley Act of 2002⁴² are only required from reporting FPIs in their annual filings, whereas domestic issuers must also include such certifications on a quarterly basis.⁴³

- FPIs are not subject to Regulation Fair Disclosure,⁴⁴ which addresses the selective disclosure of material nonpublic information.⁴⁵

- Non-GAAP financial measures disclosed by FPIs are exempt from compliance with Regulation G⁴⁶ if certain conditions are met.⁴⁷

- Non-GAAP financial measures disclosed by FPIs that would otherwise be prohibited under 17 CFR

³⁹ Item 8.A.5 of Form 20–F.

⁴⁰ For large accelerated filers and accelerated filers, a registration statement requires financial statements dated no more than 129 days before the effective date of a registration statement. 17 CFR 210.3–12; 17 CFR 210.8–08.

⁴¹ The requirements for the age of annual financial statements of FPIs and domestic issuers are more similar than those for interim financial statements. For an FPI, a registration statement may become effective with audited annual financial statements as old as 15 months, except in certain circumstances. Item 8.A.4. of Form 20–F. For a domestic issuer, a registration statement may become effective with audited annual financial statements as old as one year and 45 days to 90 days, depending on certain circumstances. 17 CFR 210.3–12.

⁴² 15 U.S.C. 7214 (as amended by Pub. L. 116–222).

⁴³ 17 CFR 240.3a–14; 17 CFR 240.15d–14; *Certification of Disclosure in Companies’ Quarterly and Annual Reports*, Release No. 33–8124 (Aug. 29, 2002) [67 FR 57276 (Sept. 9, 2002)].

⁴⁴ 17 CFR 243.101(b).

⁴⁵ 17 CFR part 243. Regulation Fair Disclosure aims to prevent selective disclosure of material nonpublic information to market professionals and certain shareholders by requiring domestic issuers to disclose such information to the public simultaneously or promptly.

⁴⁶ 17 CFR part 244.

⁴⁷ 17 CFR 244.100(c). Regulation G does not apply to a non-GAAP financial measure disclosed by FPIs whose securities are listed or quoted on a securities exchange or inter-dealer quotation system outside the United States provided that the non-GAAP financial measure is not derived from or based on a measure calculated and presented in accordance with U.S. GAAP, and the disclosure is made by or on behalf of the FPI outside the United States, or is included in a written communication that is released by or on behalf of the registrant outside the United States.

229.10(e)(1)(ii) are permitted in a filing if certain conditions are met.⁴⁸

- FPIs are exempt from compliance with Regulation Blackout Trading Restriction if certain conditions are met.⁴⁹

- The disclosure requirements for annual reports filed by reporting FPIs differ from the requirements for annual reports filed by domestic issuers.⁵⁰ In regard to 20–F FPIs, some of these differences include:

- Distinct disclosure requirements pertaining to descriptions of the issuer’s business, material developments, legal proceedings, liquidity and capital resources, and results of operations;⁵¹

- No specific requirement that 20–F FPIs disclose material changes to board nomination procedures or recent sales of unregistered securities;

- Absent a separate disclosure requirement in the FPI’s home country, 20–F FPIs are not required to disclose the age or date of birth of directors, or make certain executive compensation disclosures including individualized executive compensation details; and

⁴⁸ Note to paragraph (e) of 17 CFR 229.10. To be permitted in a filing of an FPI, such non-GAAP financial measures must relate to the generally accepted accounting principles (“GAAP”) used in the registrant’s primary financial statements included in its filing with the Commission, be required or expressly permitted by the standard-setter that is responsible for establishing the GAAP used in the registrant’s primary financial statements, and be included in the annual report prepared by the registrant for use in the jurisdiction in which it is domiciled, incorporated, or organized or for distribution to its security holders.

⁴⁹ 17 CFR part 245. Regulation Blackout Trading Restriction is a set of rules adopted pursuant to the Sarbanes-Oxley Act. It relates to restrictions on insider trades during pension fund blackout periods and applies to the directors and officers of FPIs where 50% or more of the participants or beneficiaries located in the United States in individual account plans maintained by the FPI are subject to a temporary trading suspension in the FPI’s equity securities, and the affected participants and beneficiaries represent an appreciable portion of the FPI’s worldwide employees.

⁵⁰ The requirements for FPI annual reports on Form 20–F were revised in 1999 to conform to the international disclosure standards endorsed by the International Organization of Securities Commissions (“IOSCO”) in Sept. 1998. See *International Disclosure Standards*, Release No. 33–7637 (Sept. 28, 1999) [64 FR 61962 (Nov. 15, 1999)].

⁵¹ These distinctions may not result in actual differences in issuer disclosure. For example, 17 CFR 229.101 requires domestic issuers to disclose “information material to an understanding of the general development of the business” while Item 4.A.4 of Form 20–F requires disclosure regarding “important events in the development of the company’s business.” As another example, when disclosing legal proceedings, domestic issuers are required to provide specific details as set forth in 17 CFR 229.103 including the name of the court or agency in which the proceedings are pending, the date instituted, the principal parties, a description of the factual basis alleged to underlie the proceedings, and the relief sought, whereas 20–F FPIs are subject to a more general requirement to “provide information” pertaining to legal proceedings under Item 8.A.7 of Form 20–F.

- Only the 20-F FPI registrant is required to sign the annual report, whereas domestic annual reports must be signed by the registrant, principal executive officer, principal financial officer, principal accounting officer, and a majority of the board.

- FPIs may file Securities Act registration statements on Forms F-1, F-3, and F-4,⁵² which differ in structure and disclosure requirements from the corresponding Forms S-1, S-3, and S-4⁵³ used by domestic issuers to register securities offerings.

- FPIs may register securities on Form 20-F,⁵⁴ which differs in structure and disclosure requirements from the corresponding Form 10⁵⁵ used by domestic issuers, pursuant to section 12(b) or (g) of the Exchange Act.⁵⁶

- An FPI is exempt from section 12(g) registration⁵⁷ if either, pursuant to Rule 12g3-2(a),⁵⁸ it has fewer than 300 recordholders that are resident in the United States as of its most recent fiscal year-end, or, pursuant to Rule 12g3-2(b),⁵⁹ the issuer satisfies foreign listing and electronic publishing conditions and does not register a class of securities under section 12 or incur a section 15(d) reporting obligation.

- FPIs may rely upon an exclusion from Securities Act registration for certain offerings and sales of securities that occur outside the United States, including a related safe harbor under 17 CFR 230.135e pertaining to press conferences and press releases issued in connection with such offerings.⁶⁰

- An FPI can terminate its section 12(g) registration if its U.S. trading volume falls below a certain level, or if the FPI has fewer than 300 recordholders resident in the United States,⁶¹ whereas a domestic issuer typically may only terminate its section

12(g) registration if it has fewer than 300 recordholders of such class of securities.⁶²

- An FPI can terminate its section 15(d) reporting obligations, whereas domestic issuers may only suspend their duty to file reports under section 15(d).⁶³

Additionally, only a limited subset of FPIs is required to appoint an agent and formally consent to service of process.⁶⁴

III. Recent Developments in the FPI Population

The staff recently conducted a broad review of reporting FPIs. The review focused primarily on 20-F FPIs from fiscal year 2003 through fiscal year 2023.⁶⁵ The staff examined issuers' jurisdictions of incorporation and headquarters, global market capitalizations, trading volumes, and other characteristics for the subsets of such issuers for which such data was available. In section III.A, we present the staff's findings on how the total number of reporting FPIs changed from 2003 to 2023. In section III.B, we present the staff's findings on changes in the distribution of 20-F FPIs' jurisdictions of incorporation and headquarters since 2003, which demonstrate that 20-F FPIs now represent a different composition of home country jurisdictions that have varying levels of disclosure

⁶² 17 CFR 240.12g-4. A domestic issuer with total assets that have not exceeded \$10 million on the last day of each of the issuer's most recent three fiscal years may terminate registration of a class of securities with fewer than 500 recordholders.

⁶³ Rule 12h-6, *supra* note 61; 17 CFR 240.12h-3. Following suspension of a duty to file reports under section 15(d), if the number of recordholders for a class of securities of a domestic issuer increases above the 300- or 500-person threshold (as applicable), such issuer must resume periodic reporting. An FPI that has terminated its duty to file reports pursuant to Rule 12h-6 will not be required to resume periodic reporting absent a new registration.

⁶⁴ See 17 CFR 249.250; 17 CFR 239.42 ("Form F-X"). Form F-X is required to be filed by certain foreign issuers to appoint an agent for service of process, including MJDS issuers, foreign issuers filing certain tender offer documents, and foreign issuers filing Form CB in connection with a tender offer, rights offering, or business combination. See *supra* note 8, *supra* note 29 and section IV.B.5 for more information regarding the MJDS. Formal appointment of an agent and consent to service of process is unnecessary for most actions involving domestic issuers, whereas foreign legal barriers including blocking statutes, data privacy laws and other laws in foreign jurisdictions can present unique challenges for regulatory authorities in enforcement cases against FPIs.

⁶⁵ The earliest filings included in the staff's review are from fiscal year 2003 because this is the first year for which Forms 20-F are consistently available from the Commission's Electronic Data Gathering, Analysis, and Retrieval ("EDGAR") system for all 20-F FPIs. Prior to 2002, FPIs filed paper copies of their Forms 20-F, which are not as readily analyzed using automated techniques.

requirements. Finally, in section III.C, we present the staff's review of 20-F FPIs' equity trading markets. In particular, the staff observed that the majority of 20-F FPIs today have their equity securities almost exclusively traded in U.S. capital markets.⁶⁶ Across these analyses, the staff also observed that the documented trends are driven by 20-F FPIs with relatively small market capitalizations. Accordingly, the 20-F FPIs driving the trends identified by the staff represent a relatively smaller percentage of the overall population of 20-F FPIs in terms of aggregate global market capitalization than in terms of absolute numbers.

A. FPI Population Overview⁶⁷

The staff found that 967 FPIs filed annual reports on Form 20-F covering fiscal year 2023,⁶⁸ whereas 146 FPIs filed on Form 40-F under MJDS for fiscal year 2023.⁶⁹ To provide insight into how the size of the reporting FPI population has shifted over time, Figure 1 below shows the number of reporting FPIs each year by their type of annual filing (Form 20-F or Form 40-F) from fiscal year 2003 through fiscal year 2023.⁷⁰ As shown in Figure 1, the number of 20-F FPIs has followed a U-shaped trend over this period. After initially rising slightly from 937 to 950 issuers in fiscal year 2004, the number of issuers exhibited a clear downward trend until reaching its lowest point of 656 issuers in fiscal year 2016, after which the number of 20-F FPIs steadily increased to 967 issuers by fiscal year 2023. By contrast, the count of issuers reporting on Form 40-F (*i.e.*, MJDS

⁶⁶ By "almost exclusively traded in U.S. capital markets," we are referring to 20-F FPIs that have had less than 1% of their equity security trading volume outside U.S. capital markets (or equivalently 99% or more of such volume in U.S. capital markets) in a 12-month period centered around their fiscal year-end dates, which for fiscal year 2023 included almost 55% of all 20-F FPIs. See section III.C below for details on this analysis.

⁶⁷ This section is based on data and analysis contained in section 3 of the FPI Trends White Paper.

⁶⁸ For this analysis, the staff followed the convention of assigning a given fiscal year to any issuer's annual report with a fiscal year-end between June 1st of that calendar year through May 30th of the following calendar year.

⁶⁹ These numbers are estimated as the number of unique registrants, identified by Central Index Key ("CIK"), that filed either a Form 20-F or Form 40-F with financial statements pertaining to fiscal year 2023. We note that the analysis in this section does not include registered FPIs electing to file on Form 10-K.

⁷⁰ For each fiscal year, the staff counted the number of unique FPIs, identified by CIK, filing an annual report either on Form 20-F or Form 40-F pertaining to that fiscal year.

⁵² 17 CFR 239.31; 17 CFR 239.33; 17 CFR 239.34.

⁵³ 17 CFR 239.11; 17 CFR 239.13; 17 CFR 239.25.

⁵⁴ 17 CFR 249.220f.

⁵⁵ 17 CFR 249.210.

⁵⁶ See General Instruction A.(a) to Form 20-F. MJDS issuers may also register securities on Form 40-F pursuant to section 12 of the Exchange Act. See General Instruction A.(2) to Form 40-F; MJDS Adopting Release *supra* note 8.

⁵⁷ 15 U.S.C. 78l(g). Section 12(g) sets forth the registration requirements for securities under the Exchange Act. An issuer that is not a bank or bank holding company must register a class of equity securities (other than exempted securities) within 120 days after its fiscal year-end if, on the last day of its fiscal year, the issuer has total assets of more than \$10 million and the class of equity securities is "held of record" by either 2,000 persons, or 500 persons who are not accredited investors. Different registration thresholds apply for banks and bank holding companies.

⁵⁸ 17 CFR 240.12g3-2(a).

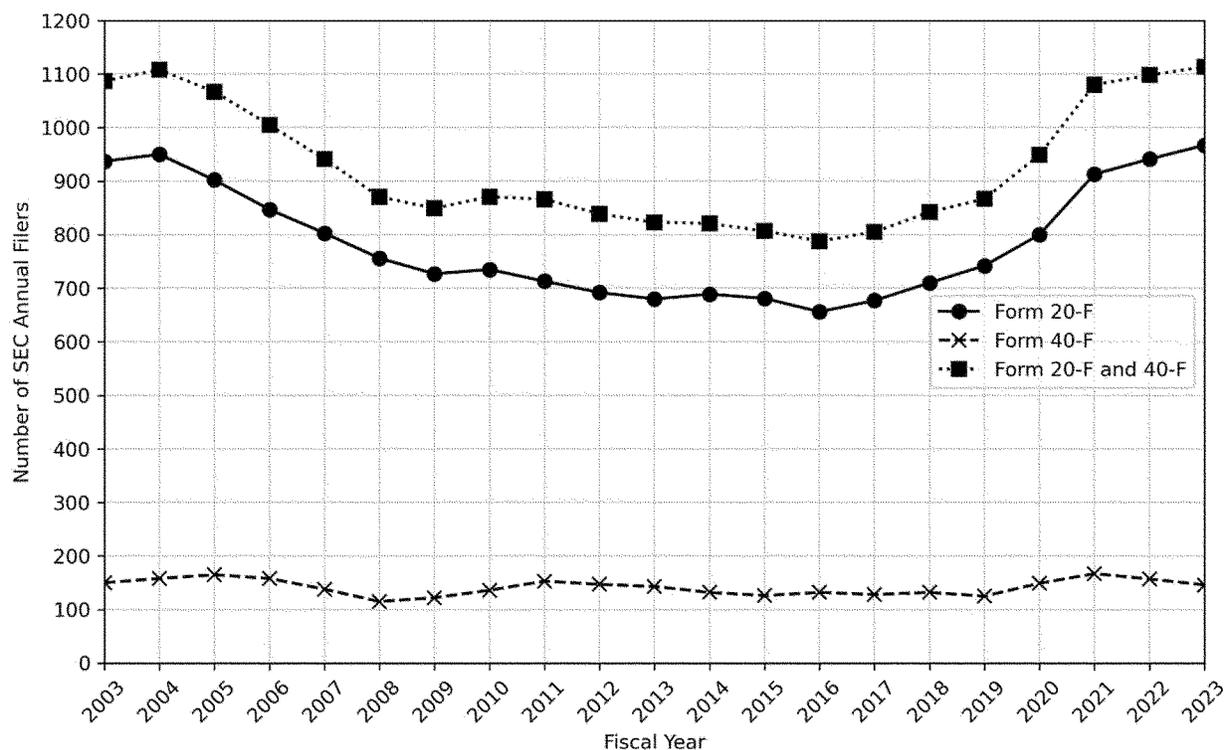
⁵⁹ 17 CFR 240.12g3-2(b).

⁶⁰ 17 CFR 230.903; 17 CFR 230.904; 17 CFR 230.135e.

⁶¹ 17 CFR 240.12h-6 ("Rule 12h-6").

issuers)⁷¹ fluctuates throughout the period without any discernible trend.

Figure 1. Reporting FPI Counts by Type of Annual Filing, Fiscal Years (“FYs”) 2003–2023



In the analysis that follows, the staff focused on 20-F FPIs, as this subpopulation of FPIs is the subject of the considerations regarding the current FPI definition discussed in this release. In particular, the staff excluded MJDS issuers because the Commission had previously compared Canadian securities regulations to U.S. regulations in adopting the MJDS and determined, at that time, that permitting certain Canadian issuers to register securities under the MJDS using their home country jurisdiction disclosure documents was in the “public interest and fully adequate for the protection of U.S. investors.”⁷² Since then, the Commission has continued to monitor the operation of the MJDS, including any changes to law and policy that may necessitate updates to the MJDS

requirements. The staff also excluded (1) FPIs electing to file on domestic forms (*e.g.*, filing their annual reports on Form 10-K) because they are already restricted from taking advantage of a number of the FPI accommodations⁷³ and (2) FPIs that are not subject to reporting obligations under section 13(a) or section 15(d) of the Exchange Act.⁷⁴ As a measure of the economic significance of the 20-F FPI population, the aggregate market capitalization for these issuers as of fiscal year 2023 was approximately \$9 trillion, the mean market capitalization per issuer was approximately \$9.5 billion, and the median market capitalization per issuer was approximately \$256 million.⁷⁵

The decline and subsequent increase of 20-F FPIs documented in Figure 1 above suggests that there has been

significant turnover within this population of FPIs in recent decades. To provide additional insights into the nature of this turnover, the following two subsections present the staff’s findings on the jurisdictions of incorporation and headquarters and equity trading markets of 20-F FPIs.

B. FPI Jurisdictions of Incorporation and Headquarters⁷⁶

The staff’s analysis of the jurisdictional makeup of 20-F FPIs demonstrates a significant shift in recent decades. For example, in fiscal year 2023, the most common jurisdiction of incorporation among 20-F FPIs was the Cayman Islands, and the most common jurisdiction of headquarters for these issuers was mainland China. In contrast, in fiscal year 2003, the most common

⁷¹ See *supra* note 8 and *supra* note 29 for more information regarding the MJDS.

⁷² MJDS Adopting Release, *supra* note 8. The Commission is not soliciting comment on changes to MJDS in this release.

⁷³ There is a comparatively small number of FPIs electing to file on Form 10-K any given year. For example, using a textual search of all Forms 10-K filed in calendar year 2023, the staff identified only nine such FPIs. See *supra* section II.B for a summary of the current accommodations for FPIs. FPIs filing on domestic forms would not be eligible to take advantage of the accommodations specific to reporting FPIs.

⁷⁴ For example, some FPIs may trade American Depositary Receipts (“ADRs”) on the U.S. over-the-counter (“OTC”) markets in reliance on Rule 12g3-2(b). See *supra* note 59. FPIs may be exempt from Exchange Act reporting requirements when trading on the U.S. OTC markets if they maintain a listing of the subject class of securities on one or more exchanges in a foreign jurisdiction that constitutes the primary trading market for those securities, and electronically publish certain information on an ongoing basis. See also *supra* note 58.

⁷⁵ For each company, market capitalization is measured as global U.S. dollar market value of all traded common equity securities as of the fiscal

year-end date or, if there is no data available for that date, from the next closest trading day with available data. This data was collected from LSEG Workspace, a database of worldwide financial data owned by the London Stock Exchange Group. FPIs that have no available market capitalization (28 FPIs) are excluded from these calculations. The main reason for missing market capitalization data is that the FPI has no publicly traded equity securities at the fiscal year-end date.

⁷⁶ This section is based on data and analysis contained in section 3 of the FPI Trends White Paper.

jurisdictions for both incorporation and headquarters for 20-F FPIs were Canada (non-MJDS issuers) and the United Kingdom. Below, we provide more detail on this analysis.

Tables 1 and 2 below present the top 20 jurisdictions of incorporation and headquarters, respectively, for 20-F FPIs in fiscal year 2023.⁷⁷ The tables also provide statistics on the global market capitalization (aggregate, mean, and median) of 20-F FPIs from each jurisdiction. Table 1 shows that the Cayman Islands is the most common jurisdiction of incorporation in fiscal

year 2023, with more than 30 percent of 20-F FPIs being incorporated in the Cayman Islands. The 20-F FPIs incorporated in the Cayman Islands tend to be smaller than the typical 20-F FPI overall, with a median (mean) market capitalization of approximately \$104 million (approximately \$3.3 billion).⁷⁸ As a result, despite the Cayman Islands representing the jurisdiction of incorporation of over 30 percent of 20-F FPIs, the aggregate global market capitalization for the 20-F FPIs incorporated in the Cayman Islands represents around 11.6 percent

of the aggregate global market capitalization of all 20-F FPIs. Table 2 below shows that mainland China was the most common jurisdiction of headquarters for 20-F FPIs in fiscal year 2023, with more than 20 percent of such FPIs being headquartered in China. However, because the average 20-F FPI headquartered in China is smaller than the average 20-F FPI, the aggregate global market capitalization for such FPIs represents around five percent of the aggregate global market capitalization of all 20-F FPIs.⁷⁹

TABLE 1—TOP 20 JURISDICTIONS OF INCORPORATION OF 20-F FPIs IN FY 2023

Jurisdiction	Count	Fraction of all FPIs (%)	Aggregate market cap (\$MM)	Mean market cap (\$MM)	Median market cap (\$MM)	Fraction of total FPI market cap (%)
Cayman Islands	322	33.3	\$1,047,823	\$3,274	\$104	11.6
Israel	97	10.0	116,454	1,201	121	1.3
Canada (non-MJDS) ^a	75	7.8	24,097	326	24	0.3
British Virgin Islands	62	6.4	13,008	220	29	0.1
United Kingdom	44	4.6	1,593,934	39,848	13,072	17.7
Marshall Islands	37	3.8	19,421	555	217	0.2
Netherlands	31	3.2	637,474	21,249	827	7.1
Brazil	29	3.0	494,825	17,672	7,892	5.5
Bermuda	29	3.0	62,567	2,157	877	0.7
Australia	23	2.4	497,161	21,616	171	5.5
Switzerland	17	1.8	473,843	29,615	451	5.3
Japan	15	1.6	930,908	62,061	26,490	10.3
Mexico	14	1.4	160,776	12,367	3,647	1.8
France	14	1.4	325,461	23,247	290	3.6
Luxembourg	13	1.3	114,032	8,772	3,048	1.3
Argentina	13	1.3	25,665	1,974	1,345	0.3
Ireland	11	1.1	68,580	6,235	302	0.8
South Korea	11	1.1	102,902	9,355	7,582	1.1
Singapore	10	1.0	22,313	2,231	117	0.2
Germany	9	0.9	260,403	28,934	4,161	2.9

^a Canadian issuers are not MJDS issuers if they do not qualify based on the eligibility requirements for the MJDS (e.g., because they do not meet the 75 million U.S. dollar public float requirement) or if they have elected to report as a 20-F FPI.

TABLE 2—TOP 20 JURISDICTIONS OF HEADQUARTERS OF 20-F FPIs IN FY 2023

Jurisdiction	Count	Fraction of all FPIs (%)	Aggregate market cap (\$MM)	Mean market cap (\$MM)	Median market cap (\$MM)	Fraction of total FPI market cap (%)
China	219	22.6	\$462,669	\$2,122	\$84	5.1
Israel	103	10.7	119,202	1,157	121	1.3
Canada (non-MJDS)	70	7.2	17,836	258	24	0.2
United Kingdom	63	6.5	1,844,040	31,255	2,957	20.5
Hong Kong, Special Administrative Region ("SAR"), China	45	4.7	220,018	5,117	56	2.4
Singapore	45	4.7	52,660	1,197	96	0.6
Brazil	39	4.0	506,586	13,331	5,081	5.6
United States	26	2.7	55,152	2,121	132	0.6
Bermuda	24	2.5	50,368	2,099	1,555	0.6
Australia	21	2.2	242,470	11,546	106	2.7
Greece	21	2.2	7,849	374	124	0.1
Germany	20	2.1	263,756	13,188	347	2.9
Switzerland	18	1.9	473,863	27,874	409	5.3
Netherlands	17	1.8	551,337	34,459	8,378	6.1
Japan	16	1.7	930,975	58,186	23,465	10.3

⁷⁷ Information about jurisdictions of incorporation and of company headquarters (i.e., "principal executive offices") is collected from the

FPIs' commission filings pertaining to any given fiscal year.

⁷⁸ See *supra* section III.A for the market capitalization figures of all 20-F FPIs.

⁷⁹ For a full breakdown of 20-F FPIs in fiscal year 2023 by jurisdictions of incorporation and headquarters, see tables A1 and A2, respectively, in the FPI Trends White Paper.

TABLE 2—TOP 20 JURISDICTIONS OF HEADQUARTERS OF 20-F FPIs IN FY 2023—Continued

Jurisdiction	Count	Fraction of all FPIs (%)	Aggregate market cap (\$MM)	Mean market cap (\$MM)	Median market cap (\$MM)	Fraction of total FPI market cap (%)
Mexico	15	1.6	162,914	11,637	3,258	1.8
Argentina	15	1.6	27,129	1,809	1,312	0.3
France	15	1.6	326,248	21,750	345	3.6
Ireland	13	1.3	278,582	21,429	361	3.1
Taiwan	13	1.3	575,596	44,277	630	6.4

The statistics presented in tables 1 and 2 reflect a different composition of home country jurisdictions of 20-F FPIs today than in fiscal year 2003, both in terms of jurisdiction of incorporation as

well as jurisdiction of headquarters. To illustrate this shift, tables 3 and 4 below present the top 20 jurisdictions of incorporation and of headquarters, respectively, for 20-F FPIs in fiscal year

2003 alongside the previously presented ranking of jurisdictions for fiscal year 2023.

TABLE 3—TOP 20 JURISDICTIONS OF INCORPORATION: FY 2003 VS. 2023

Fiscal year			
2003		2023	
Country	Count	Country	Count
Canada (non-MJDS)	224	Cayman Islands	322
United Kingdom	106	Israel	97
Israel	81	Canada (non-MJDS)	75
Brazil	48	British Virgin Islands	62
Mexico	38	United Kingdom	44
Netherlands	33	Marshall Islands	37
France	32	Netherlands	31
Japan	29	Bermuda	29
Australia	27	Brazil	29
Bermuda	23	Australia	23
Chile	22	Switzerland	17
Germany	19	Japan	15
Argentina	16	France	14
British Virgin Islands	16	Mexico	14
China	15	Argentina	13
Switzerland	14	Luxembourg	13
Cayman Islands	13	Ireland	11
Sweden	13	South Korea	11
Hong Kong, SAR, China ^a	12	Singapore	10
Ireland ^a	12	Germany	9
South Korea ^a	12		

^a Shared 19th place.

TABLE 4—TOP 20 JURISDICTIONS OF HEADQUARTERS: FY 2003 VS. 2023

Fiscal year			
2003		2023	
Country	Count	Country	Count
Canada (non-MJDS)	218	China	219
United Kingdom	106	Israel	103
Israel	81	Canada (non-MJDS)	70
Brazil	50	United Kingdom	63
Mexico	38	Hong Kong, SAR, China	45
Netherlands	35	Singapore	45
France	31	Brazil	39
Hong Kong, SAR, China	30	United States	26
Japan	29	Bermuda	24
Australia	25	Australia	21
Chile	22	Greece	21
China	20	Germany	20
Germany	20	Switzerland	18
Argentina	17	Netherlands	17
Ireland	16	Japan	16
Switzerland	16	Argentina	15

TABLE 4—TOP 20 JURISDICTIONS OF HEADQUARTERS: FY 2003 VS. 2023—Continued

Fiscal year			
2003		2023	
Country	Count	Country	Count
South Korea	12	France	15
Sweden	12	Mexico	15
Bermuda	11	Ireland	13
Italy	11	Taiwan	13

Although the total number of 20-F FPIs in fiscal year 2023 is similar to that in fiscal year 2003, as shown in figure 1, tables 3 and 4 demonstrate that the composition of the 20-F FPI population in these two years is very different. The two jurisdictions most frequently represented among 20-F FPIs in fiscal year 2003 were Canada (non-MJDS issuers) and the United Kingdom, both in terms of incorporation and the location of headquarters. However, by fiscal year 2023 the number of 20-F FPIs either incorporated or headquartered in one of these two countries had dropped significantly (by more than 66 percent for Canada in each category, and by 58 percent and 40 percent for the United Kingdom as jurisdiction of incorporation or headquarters, respectively). In contrast, the number of 20-F FPIs incorporated in the Cayman Islands grew from only 13 20-F FPIs in fiscal year 2003 to 322 in fiscal year 2023, becoming, by far, the most common jurisdiction of incorporation for 20-F FPIs in fiscal year 2023. Similarly, the number of 20-F FPIs headquartered in mainland China has grown significantly over the same period, and mainland China was, by far, the most common jurisdiction of headquarters in fiscal year 2023.

Besides showing a substantial change in the jurisdictional composition of the 20-F FPI population in recent decades, tables 3 and 4 also suggest that there has been an increase in the divergence between 20-F FPIs' jurisdictions of incorporation and jurisdictions of headquarters. Further analysis by the staff demonstrated a significant change in the fraction of 20-F FPIs with differing jurisdictions of incorporation and of headquarters: the fraction of 20-F FPIs with differing jurisdictions was seven percent in fiscal year 2003 but increased to 48 percent in fiscal year 2023.⁸⁰

⁸⁰ See Figure 2 in the FPI Trends White Paper for a complete illustration of the trend in increasing divergence between jurisdiction of incorporation

The staff observed that one driver of the increased divergence between jurisdictions of incorporation and jurisdictions of headquarters was the increase in China-based issuers (“CBIs”) within the 20-F FPI population since fiscal year 2003. For purposes of this release, we define a CBI as an issuer that is either incorporated or headquartered in one of the three Chinese jurisdictions: (1) mainland China, (2) Hong Kong, SAR, or (3) Macau, SAR. In fiscal year 2003, the number of CBIs represented approximately five percent of all 20-F FPIs, with this number increasing to approximately 28 percent of all 20-F FPIs in fiscal year 2023, representing an over five-fold increase in the proportion of 20-F FPIs that were CBIs. Some of the CBIs in the 20-F FPI population in fiscal year 2023 were headquartered in China (219 issuers), Hong Kong, SAR (45 issuers), or Macau, SAR (two issuers), but nearly all were incorporated outside one of these three Chinese jurisdictions.

In particular, we observe a significant overlap between being a CBI and being incorporated in the Cayman Islands or the British Virgin Islands (another jurisdiction that has risen to become a common jurisdiction of incorporation for 20-F FPIs by fiscal year 2023). The 20-F FPIs that were CBIs in fiscal year 2023 were almost exclusively incorporated (97 percent) in one of these two jurisdictions, with 219 issuers (82 percent) incorporated in the Cayman Islands and 40 issuers (15 percent) incorporated in the British Virgin Islands.⁸¹ Conversely, among 20-F FPIs incorporated in the Cayman Islands or the British Virgin Islands,⁸² more than 67 percent (259 issuers) were CBIs.

and jurisdiction of headquarters over the fiscal year 2003–2023 period.

⁸¹ The remaining countries of incorporation for CBIs in 2023 are China (four issuers), Antigua (one issuer), Marshall Islands (one issuer), and the United Kingdom (one issuer).

⁸² 384 issuers in total, making up almost 40% of all 20-F FPIs in fiscal year 2023.

The statistics discussed above suggest that much of the recent resurgence of the 20-F FPI population has been driven by CBIs that are incorporated in the Cayman Islands or the British Virgin Islands.⁸³ Figure 2 below provides further insight into the increasing prominence of this group of FPIs in the overall population of 20-F FPIs by documenting the trends of the fraction of 20-F FPIs that are (1) Cayman Islands or British Virgin Islands incorporated (“CI-BVI Incorporated”) FPIs, (2) CBIs, and (3) both a CBI and CI-BVI Incorporated.

Figure 2: Trends in the CBI and CI-BVI Incorporated FPI Sub-populations, FY 2003–2023

⁸³ Many CBIs are incorporated in these island jurisdictions, while having their operations occur in mainland China. Specifically, non-Chinese holding companies may enter into contractual arrangements with China-based operating companies asunder the Variable Interest Entities (“VIEs”) model. Through these contractual arrangements, the non-Chinese holding companies are generally able to consolidate the VIEs in their financial statements. The Commission staff has noted in recent years that these “CBI VIE Structures” pose risks to U.S. investors that are not present in other organizational structures (i.e., difficulties enforcing and exerting control through contractual arrangements; the possibility of the Chinese government subjecting the issuer to penalties, revocation of business and operating licenses or forfeiture of ownership interests; or jeopardized control over the China-based VIE if a natural person who holds equity interest in the China-based VIE breaches the terms of the agreement, is subject to legal proceedings, or uses any physical instruments without the China-based issuer’s authorization to enter into contractual arrangements in China). See CF Disclosure Guidance: Topic No. 10, *Disclosure Considerations for China-Based Issuers*, available at <https://www.sec.gov/rules-regulations/staff-guidance/disclosure-guidance/disclosure-considerations-china-based-issuers>. The statements in the CF Disclosure Guidance represent the views of the Division of Corporation Finance. The CF Disclosure Guidance is not a rule, regulation or statement of the Commission. Further, the Commission has neither approved nor disapproved its content. The CF Disclosure Guidance, like all staff statements, has no legal force or effect: it does not alter or amend applicable law, and it creates no new or additional obligations for any person.

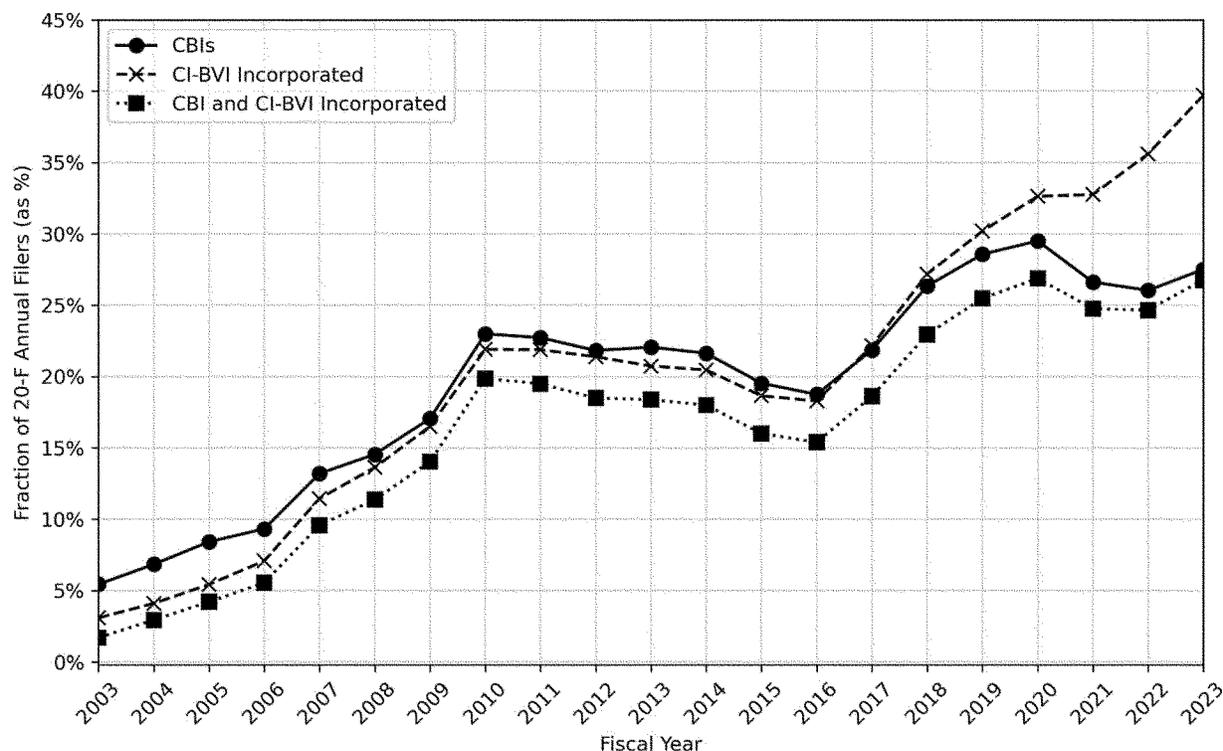


Figure 2 demonstrates a number of key findings. First, consistent with table 4, the figure shows the increase in prevalence of CBIs in the 20-F FPI population from fiscal year 2003 to 2023. Second, the close tracking of the line representing the percentage of CBIs and the line representing the percentage of issuers that are both CBIs and CI-BVI Incorporated indicates that 20-F FPIs that are CBIs have had a strong tendency to be CI-BVI Incorporated over the entire period. Third, the fact that the distance between these lines has decreased in the most recent years shown indicates that this tendency was especially strong in those years. Finally, the fraction of 20-F FPIs that are CI-BVI Incorporated has increased in the most recent years shown, well beyond the other lines in the graph. Thus, it appears that incorporating in the Cayman Islands or the British Virgin Islands is also becoming increasingly popular among 20-F FPIs that are not CBIs. Because staff observed that these additional CI-BVI Incorporated FPIs are generally not headquartered in the same jurisdiction in which they are incorporated, this trend further illustrates the increasing divergence between 20-F FPIs' jurisdictions of incorporation and jurisdictions of headquarters as observed in the staff's analysis.⁸⁴

⁸⁴ Given that home country jurisdictions impose varying levels of regulatory oversight as discussed in section IV.A below, increased divergence

C. FPI Reliance on U.S. Capital Markets⁸⁵

In this section, we present the staff's analysis of the percentage of 20-F FPIs' global equity trading volume that occurred in U.S. capital markets and how this has changed over time.⁸⁶ We then describe the staff's analysis of the market capitalization and home country jurisdictions of 20-F FPIs whose equities trade almost exclusively in U.S. capital markets. These analyses focused on the period from fiscal year 2014 through fiscal year 2023.⁸⁷ Overall, the

between the jurisdictions of incorporation and jurisdictions of headquarters may be an indication that some FPIs are seeking to limit regulatory costs through changing their place of incorporation or headquarters.

⁸⁵ This section is based on the data and analysis contained in section 4 of the FPI Trends White Paper.

⁸⁶ The sample used for the analysis in this section starts with all FPIs that filed an annual report on Form 20-F for any fiscal year in the 2014–2023 period. The staff obtained each FPI's list of global equities using LSEG's Advanced Equity Search tool ("EQSRCH") in LSEG Workspace, which contains a comprehensive global history of an FPI's equity trading. Using LSEG Workspace, the staff then mapped each stock to its global list of Ticker and Exchange combinations.

⁸⁷ The staff examined trading in years beginning in 2014 because a previous study has documented that the fraction of reporting FPIs that list their securities only on a U.S. exchange increased over the 2004–2013 period. In particular, using a large sample of reporting FPIs (including MJDS issuers) with exchange-listed equity securities in the United States, this study found that the fraction of such FPIs that have securities exclusively listed on U.S. exchanges steadily increased from less than 15% in 2004 to more than 35% in 2013. See Boone, Audra

staff observed that the global trading of 20-F FPIs' equity securities has become increasingly concentrated in U.S. capital markets over this period, whereby a majority of 20-F FPIs today have their equity securities almost exclusively traded in U.S. capital markets.

1. U.S. Percentage of Global Trading

For purposes of this analysis, the staff computed global daily trading volume in U.S. dollars for all of the 20-F FPIs across all global markets for which daily trading volume information was available for each FPI.⁸⁸ This global

L., Kathryn Schumann-Foster, and Joshua T. White, 2021. "Ongoing SEC Disclosures by Foreign Firms," *The Accounting Review* 96 (3), 91–120 ("Boone et al. study"). When comparing the staff's findings to the findings of the Boone et al. study, it is important to note that the sample the staff uses for the analysis in this section includes only 20-F FPIs, whereas the Boone et al. study also includes MJDS issuers. At the same time, the staff's sample includes registered FPIs without a U.S. exchange listing that have their equity securities traded on U.S. OTC markets, whereas the Boone et al. study excludes such FPIs.

⁸⁸ Trading data was available for approximately 97.5% of the 967 20-F FPIs that the staff identified for fiscal year 2023. The remaining 24 20-F FPIs from fiscal year 2023 with missing trading data were excluded from this analysis. For each fiscal year that an FPI filed a Form 20-F, the staff collected the U.S. dollar value of daily trading volume for each ticker-exchange combination available for each 20-F FPI over a 12-month period centered around the fiscal year-end date. Using dollar trading value instead of the number of shares traded helped the staff to overcome the complications of converting each ADR to its common share equivalent, since ADR ratios vary and can change throughout the lifetime of an ADR.

Continued

daily trading volume was then aggregated for a 12-month window around each 20-F FPI's fiscal year-end date, with a similar variable constructed for each 20-F FPI's aggregated 12-month U.S. dollar trading volume specifically in U.S. capital markets. The staff used the ratio of these two variables to

construct the "U.S. Percentage of Global Trading," an estimate of an FPI's reliance on U.S. capital markets for trading of its equity securities in the 12-month period centered around each fiscal year-end.

Figure 3 below uses rank-percentile distributions to demonstrate how the

distribution of different levels of reliance on U.S. capital markets has changed from fiscal year 2014 compared to fiscal year 2023.⁸⁹

Figure 3: Rank-Percentile Distribution of U.S. Percentage of Global Trading, FY 2014 vs. FY 2023

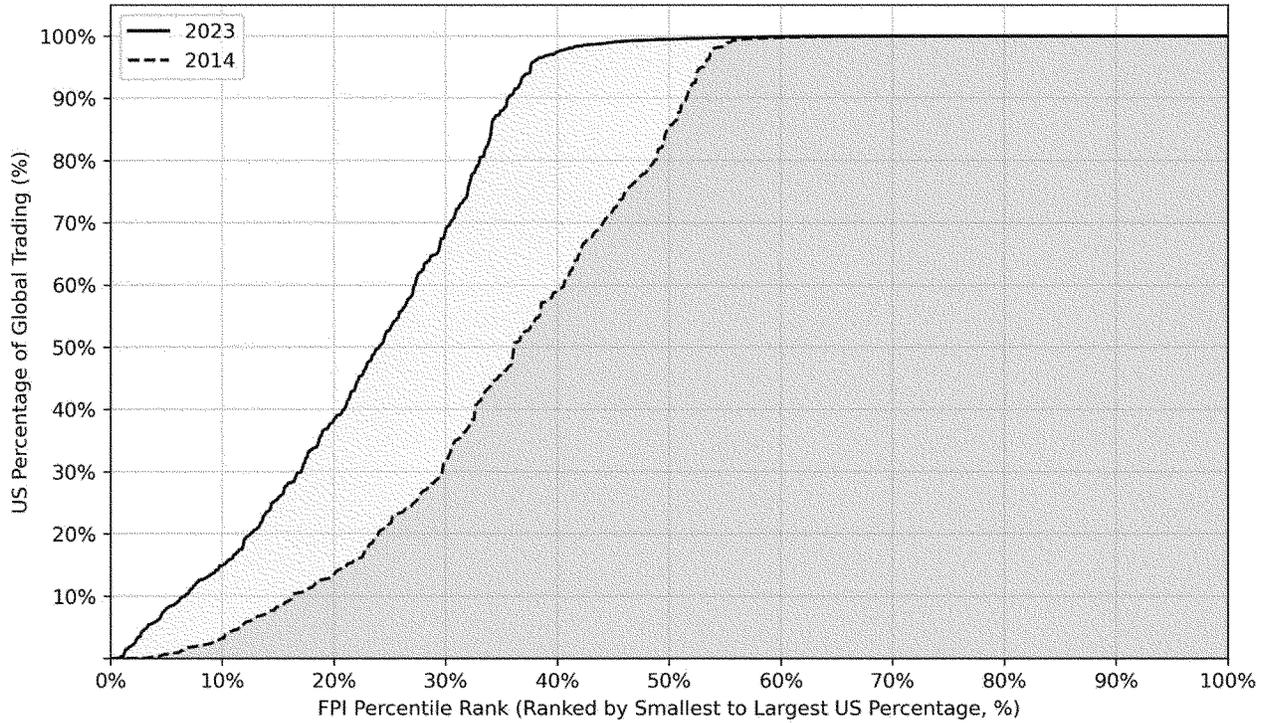


Figure 3 demonstrates that, even in fiscal year 2014, a large fraction of 20-F FPIs seemed to trade almost exclusively in U.S. capital markets—the 56th to 100th percentiles, or approximately 44 percent of the 20-F FPIs, were nearly at the maximum of 100 percent (specifically, between 99 and 100 percent) U.S. Percentage of Global Trading. But this fraction, and the degree of reliance on U.S. capital markets even for those with lower reliance, increased by fiscal year 2023. In fiscal year 2023, 99 percent U.S. Percentage of Global Trading was reached at about the 45th percentile, such that approximately 55 percent of 20-F FPIs traded almost exclusively in

U.S. capital markets. Furthermore, in fiscal year 2014, 25 percent of 20-F FPIs (from the first to the 25th percentile along the x-axis) had no more than approximately 22 percent U.S. Percentage of Global Trading. In contrast, the lowest 25 percent of 20-F FPIs in fiscal year 2023 had up to approximately 53 percent U.S. Percentage of Global Trading. Thus, overall, there has been a shift from fiscal year 2014 to fiscal year 2023 toward a greater reliance on trading in U.S. capital markets across the whole distribution of 20-F FPIs.

Figure 4 below presents more detail of the trends over time in the fraction of

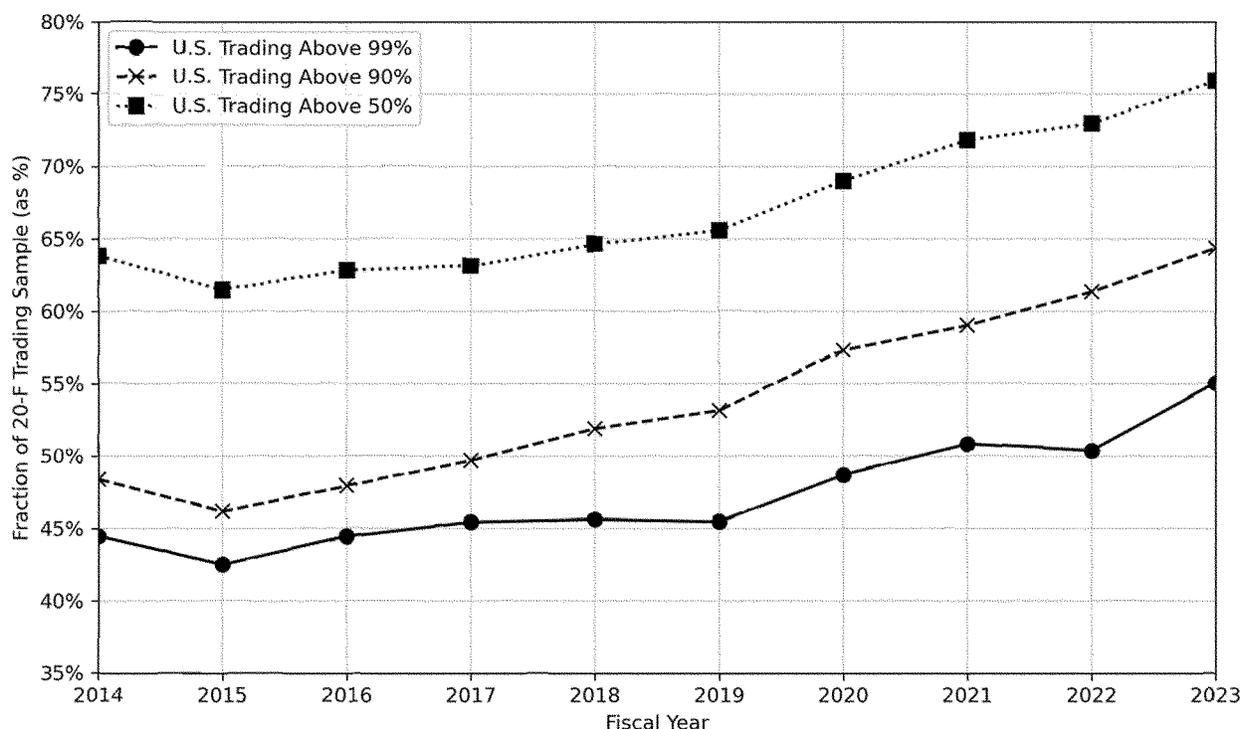
20-F FPIs that have a U.S. Percentage of Global Trading in excess of the 99 percent, 90 percent, and 50 percent U.S. Percentage of Global Trading thresholds, respectively (or equivalently, no more than one percent, 10 percent, and 50 percent of global trade occurring outside U.S. markets). Based on the data shown in Figure 4, there has been a gradual increase from fiscal year 2014 to fiscal year 2023 in the number of 20-F FPIs that appear to trade almost exclusively in the United States.

Figure 4: Trends in Fraction of FPIs With Different Degrees of U.S. Market Trading Focus, FYs 2014–2023

Trading was measured for a 12-month period around the fiscal year-end date to help ensure that the trading data reflected the conditions as of the time of the other data in the analysis, which are recorded as of the fiscal year-end dates. Additional details on the staff's methodology are available in the FPI Trends White Paper.

⁸⁹ The rank-percentile distribution ranks 20-F FPIs in each year by their U.S. Percentage of Global Trading, from the smallest such percentage to the largest such percentage, dividing them into 100 bins. The first percentile bin, at the far left of the x-axis, represents the 1% of 20-F FPIs with the lowest U.S. Percentage of Global Trading. The 50th

percentile bin, in the center of the x-axis, represents the 1% of 20-F FPIs with the median U.S. Percentage of Global Trading. The graph then plots, on the y-axis, the level of U.S. Percentage of Global Trading for each of these bins.



The staff relied on the category meeting the 99 percent threshold of U.S. Percentage of Global Trading to identify the group of 20–F FPIs that appears to have their equity securities traded almost exclusively in U.S. capital markets (“U.S. Exclusive FPIs”) versus those that do not (“Non-U.S. Exclusive FPIs”). The 99 percent threshold ensures that FPIs above this level are not likely to have a meaningful listing of their equity securities outside of U.S. capital markets while allowing that some occasional OTC trading can happen outside the United States.⁹⁰

Using this bifurcation, Figure 4 shows that the fraction of U.S. Exclusive FPIs among 20–F FPIs has increased from approximately 44 percent in fiscal year 2014 to almost 55 percent in fiscal year 2023, consistent with the result from Figure 3 above. If we instead bifurcate

the population at the 90 percent U.S. Percentage of Global Trading threshold, which can be viewed as a cut-off between 20–F FPIs that do not have any significant trading outside U.S. capital markets versus those that do, the group with more than 90 percent U.S. Percentage Global Trading has increased its fraction in the population even more dramatically than the U.S. Exclusive FPIs, going from approximately 48 percent in fiscal year 2014 to 64 percent in fiscal year 2023. Finally, Figure 4 shows that a large majority of 20–F FPIs in fiscal year 2023 had more than 50 percent of their trading in U.S. capital markets. This fraction also has significantly increased over the period from approximately 64 percent in fiscal year 2014 to about 76 percent in fiscal year 2023.

2. FPIs Trading Almost Exclusively in U.S. Capital Markets

This section presents the staff’s analysis of the size and home country jurisdictions of U.S. Exclusive FPIs, as defined in the previous section, as compared to other 20–F FPIs. As detailed below, the staff observed that U.S. Exclusive FPIs tend to have lower market capitalizations and have a different composition of home country jurisdictions than other 20–F FPIs. In particular, U.S. Exclusive FPIs have a higher propensity of being incorporated in the Cayman Islands and headquartered in China.

Table 6 below displays statistics on global market capitalizations for U.S. Exclusive and Non-U.S. Exclusive FPIs, respectively, for fiscal year 2023.

TABLE 6—GLOBAL MARKET CAPITALIZATION STATISTICS FOR FY 2023: U.S. EXCLUSIVE VS. NON-U.S. EXCLUSIVE FPIs ^a

U.S. Exclusive FPIs				Non-U.S. Exclusive FPIs				Market cap fraction of U.S. Exclusive FPIs (%)
Count	Aggregate market cap (\$MM)	Mean market cap (\$MM)	Median market cap (\$MM)	Count	Aggregate market cap (\$MM)	Mean market cap (\$MM)	Median market cap (\$MM)	
519	827,288	1,594	86	424	8,180,951	19,295	1,646	9.2

^a U.S. Exclusive FPIs are those with a U.S. Percentage of Global Trading of more than 99% and Non-U.S. Exclusive FPIs are those with a U.S. Percentage of Global Trading of 99% or less. For each company, market capitalization is global U.S. dollar market value of all traded common equity securities as of the fiscal year-end date or if there is no data available for that date, from the next closest trading day with available data. This data was collected from LSEG Workspace.

⁹⁰ A staff review of all 20–F FPIs in fiscal year 2023 that had a U.S. Percentage of Global Trading of 99% or more (or equivalently, less than 1% of

global trade occurring outside U.S. markets) confirmed that there is limited evidence of a cross listing on an exchange outside the United States for

these FPIs. The minimal recorded non-U.S. trading is largely due to transactions conducted on foreign OTC markets.

The table above shows that the aggregate global market capitalization of U.S. Exclusive FPIs is much smaller on average than that of Non-U.S. Exclusive FPIs. As a result, the aggregate global market capitalization of U.S. Exclusive FPIs is only a small fraction (nine percent) of the total aggregate global market capitalization of 20-F FPIs

despite representing a majority of the 20-F FPIs.⁹¹

The following pie charts graphically illustrate the fraction of 20-F FPIs that are U.S. Exclusive FPIs (*i.e.*, at least 99 percent U.S. Percentage of Global Trading) in fiscal year 2023 in numerical terms as well as in terms of the fraction of global market

capitalization of 20-F FPIs, with additional thresholds of U.S. Percentage of Global Trading included for context.

Figure 5: Distribution of Companies and Market Capitalization by U.S. Global Trading Percentage Categories for 20-F FPIs in FY 2023

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Figure 5a: Distribution of 20-F FPIs

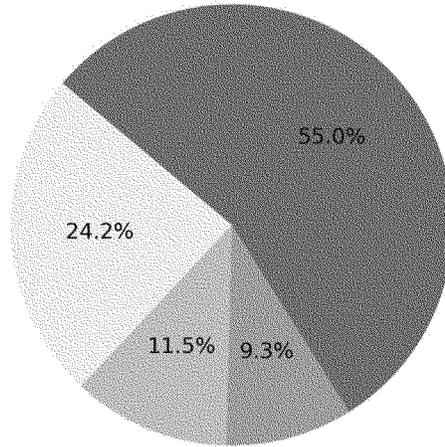
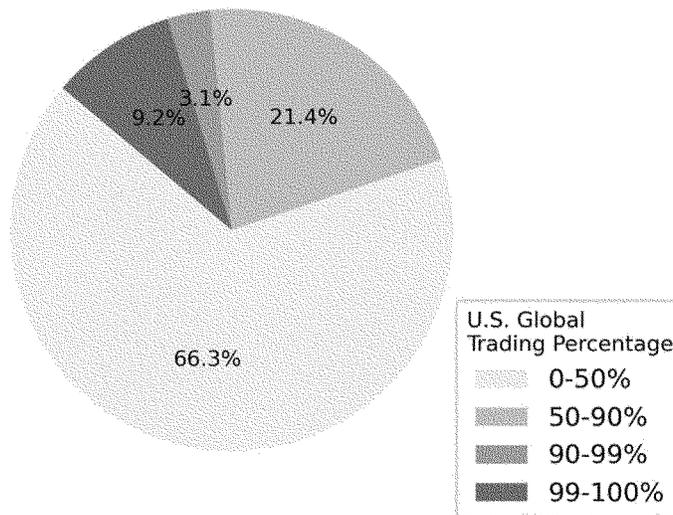


Figure 5b: Distribution of Aggregate 20-F FPI Market Capitalization



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The pie charts illustrate that while FPIs with a heavy reliance on U.S. capital markets represent a large proportion of the number of 20-F FPIs in fiscal year 2023 (pie chart A), they

represent a smaller fraction of the global market capitalization of 20-F FPIs due to their smaller size (pie chart B). In particular, while 55 percent of 20-F FPIs are U.S. Exclusive FPIs, this group only makes up 9.2 percent of the

aggregate 20-F FPI market capitalization. In contrast, 24.2 percent of 20-F FPIs have a U.S. Global Trading Percentage of less than 50 percent, but that group makes up 66.3 percent of the 20-F FPI market capitalization.

⁹¹ See table 4 in the FPI Trends White Paper for similar yearly market capitalization statistics covering the entire fiscal year 2013-2023 period.

Next, tables 7 and 8 present the top jurisdictions of incorporation and headquarters of U.S. Exclusive FPIs, relative to Non-U.S. Exclusive FPIs for fiscal year 2023.

TABLE 7—JURISDICTION OF INCORPORATION, FY 2023; U.S. EXCLUSIVE VS. NON-U.S. EXCLUSIVE FPIs

U.S. Exclusive			Non-U.S. Exclusive		
Country	Count	Fraction (%)	Country	Count	Fraction (%)
Cayman Islands	265	51.1	Canada	61	14.4
Israel	58	11.2	Cayman Islands	53	12.5
British Virgin Islands	51	9.8	Israel	38	9.0
Marshall Islands	33	6.4	United Kingdom	32	7.5
Bermuda	14	2.7	Brazil	27	6.4
Canada	13	2.5	Netherlands	21	5.0
Netherlands	9	1.7	Australia	18	4.2
United Kingdom	8	1.5	Bermuda	15	3.5
Ireland	7	1.3	Argentina	13	3.1
Japan	6	1.2	Mexico	12	2.8
Luxembourg	6	1.2	France	11	2.6
Australia	5	1.0	Switzerland	11	2.6
Singapore	5	1.0	Germany	9	2.1
Switzerland	5	1.0	Japan	9	2.1
China	4	0.8	South Korea	9	2.1
Guernsey	4	0.8	British Virgin Islands	7	1.7
Jersey	4	0.8	Chile	7	1.7
France	3	0.6	Luxembourg	7	1.7
Italy	3	0.6	India	6	1.4
All other jurisdictions (12)	16	3.1	All other jurisdictions (22)	58	13.7
Total	519	100.0	Total	424	100.0

TABLE 8—JURISDICTION OF HEADQUARTERS, FY 2023; U.S. EXCLUSIVE VS. NON-U.S. EXCLUSIVE FPIs

U.S. Exclusive			Non-U.S. Exclusive		
Country	Count	Fraction (%)	Country	Count	Fraction (%)
China	177	34.1	Canada	57	13.4
Israel	63	12.1	China	39	9.2
Hong Kong, SAR, China	40	7.7	Israel	39	9.2
Singapore	39	7.5	United Kingdom	34	8.0
United Kingdom	25	4.8	Brazil	28	6.6
Greece	19	3.7	Germany	18	4.2
United States	14	2.7	Argentina	15	3.5
Bermuda	13	2.5	Australia	15	3.5
Canada	12	2.3	Mexico	12	2.8
Brazil	10	1.9	Bermuda	11	2.6
Ireland	9	1.7	France	11	2.6
Japan	7	1.3	Netherlands	11	2.6
Australia	6	1.2	Switzerland	11	2.6
Cayman Islands	6	1.2	United States	11	2.6
Switzerland	6	1.2	Japan	9	2.1
Luxembourg	5	1.0	South Korea	8	1.9
Malaysia	5	1.0	Taiwan	8	1.9
Netherlands	5	1.0	Chile	7	1.7
UAE	5	1.0	Luxembourg	7	1.7
All other jurisdictions (27)	53	10.2	All other jurisdictions (26)	73	17.2
Total	519	100	Total	424	100

Table 7 shows that the Cayman Islands is by far the most common jurisdiction of incorporation among U.S. Exclusive FPIs, with more than 50 percent of all U.S. Exclusive FPIs incorporated there.⁹² By contrast, the

⁹² Given the trend of a significant increase in CIBVI incorporated FPIs, we note that such FPIs

Non-U.S. Exclusive group displays less concentration of jurisdictions, with a larger set of countries being significantly represented in the population. Similarly, table 8 shows that the concentration of jurisdictions of headquarters is high among U.S. Exclusive FPIs, albeit to a lesser extent than for incorporation, where three combined make up almost 61% of U.S. Exclusive FPIs in fiscal year 2023. If we add FPIs incorporated in either of the two nations of the Marshall Islands and Bermuda, the combined group of FPIs incorporated in any of these island nations make up 70% of all U.S. Exclusive FPIs. See *infra* section IV.A and note 94 for some points for consideration regarding this subset of FPIs.

concentration of jurisdictions, with a larger set of countries being significantly represented in the population. Similarly, table 8 shows that the concentration of jurisdictions of headquarters is high among U.S. Exclusive FPIs, albeit to a lesser extent than for incorporation, where three

jurisdictions (China, Israel, and Hong Kong, SAR) make up more than 50 percent of the jurisdiction of headquarters among U.S. Exclusive FPIs, whereas the distribution of jurisdictions is much less concentrated among Non-U.S. Exclusive FPIs.

IV. Reassessment of the FPI Definition

A. Background

The changes in the characteristics of the FPI population reflected in the staff's analysis in section III raise questions about whether the current FPI definition is appropriately tailored. First, the breakdown of 20-F FPIs' home country jurisdictions has changed significantly in recent decades. As a result, more FPIs today appear to have disclosure requirements under the rules of their home country jurisdiction,⁹³ specifically in regard to current reporting, that differ from the disclosure requirements imposed on domestic issuers and on issuers in countries whose representation within the FPI population has been decreasing.⁹⁴ This trend may have resulted in less

⁹³ See, e.g., those incorporated or organized in the Cayman Islands (33.3%), British Virgin Islands (6.4%), Bermuda (3.0%), and Marshall Islands (3.8%). See *supra* table 1. Cayman Islands Companies Act 2023 (which appears to limit current reporting obligations to mergers and consolidations, bankruptcies, increases in capital, and some corporate governance matters); BVI Companies Act (which appears to only require the filing of amendments to governing corporate documents and a register of directors); Bermuda Companies Act 1981 (which appears to have limited disclosure requirements in the case of: a material change to the accuracy of particulars included in a prospectus issued pertaining to continuously offered shares, a reduction in share capital, a conversion of shares, a change in accounting standards, and some mergers as well as requirements to file certain information to be accessible for public inspection in the case of mergers, amended corporate governance documents, and changes in directors); Marshall Islands BCA (which appears to have no public current reporting requirements and only minimal requirements to disclose to shareholders amended corporate governance documents, dividend issuances, cancellations of shares and reductions in stated capital).

⁹⁴ See, e.g., *supra* table 3 and table 4 in section III.B for data regarding the decrease in 20-F FPIs incorporated or headquartered in Canada, the European Union (e.g., the Netherlands, France, Germany, et al.), the United Kingdom, Brazil and Japan. See also, e.g., Canada's National Instrument 51-102, available at <https://www.bscs.bc.ca/-/media/PWS/New-Resources/Securities-Law/Instruments-and-Policies/Policy-5/51102-NI-July-25-2023.pdf?dt=20230720164040>; Europe's Market Abuse Regulation, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32014R0596>; the UK's Market Abuse Regulation ("U.K. MAR"), available at <https://www.legislation.gov.uk/eur/2014/596/contents> and Disclosure Guidance and Transparency Rules, available at <https://www.handbook.fca.org.uk/handbook/DTR>; Brazil's CVM Instruction No 480, of Dec. 7, 2009; Japan's Financial Instrument and Exchange Act (Act No. 25 of Apr. 13, 1948) and Corporate Disclosure Ordinance Art. 19.

information about 20-F FPIs being made available to U.S. investors than in the past, due to the FPI disclosure accommodations and their interaction with home country requirements. The trend may also raise questions about the extent of overall regulation that such FPIs face in their home country jurisdictions, potentially resulting in increased risks to U.S. investors in FPIs' securities or competitive implications for domestic issuers and other FPIs.⁹⁵

Second, the staff's analysis in section III indicates that an increasing percentage of 20-F FPIs' equity securities trade almost entirely in U.S. capital markets, rather than foreign markets, which raises questions about the extent to which such issuers are regulated in foreign markets. While the staff's analysis indicated that these documented trends are driven by 20-F FPIs with relatively small market capitalizations, the number of these FPIs is significant, and their share of aggregate global market capitalization may increase over time. The staff analysis shows that as of fiscal year 2023, over 50 percent of 20-F FPIs appear to have had no or minimal (less than one percent of total global) trading of their equity securities on any non-U.S. market over a 12-month period centered around the fiscal year-end date and appear to maintain listings of their equity securities only on U.S. national securities exchanges. As a result, the United States is effectively those issuers' exclusive or primary trading market and such issuers may be even less likely to be subject to meaningful disclosure requirements and oversight outside of the United States. As discussed above in section II.A, the current regulatory accommodations for FPIs were based, in part, on the expectation that most FPIs would be subject to meaningful disclosure and other regulatory requirements in their home country jurisdictions, which no longer appears to be the case for a significant number of FPIs.

Some jurisdictions provide issuers organized under their laws or listed on their exchanges with exemptions from their disclosure requirements or other regulatory accommodations if the issuers qualify as FPIs under U.S. securities laws. For example, the Israel Securities Authority⁹⁶ exempts such

⁹⁵ See *supra* section II.B for a discussion of the FPI accommodations as compared to the requirements for domestic issuers.

⁹⁶ See Israel Securities Authority (ISA), section 35EE(b) of the Law and the Securities Regulations (Periodic and Immediate Reports of Foreign Corporations) 2000, available at https://www.new.isa.gov.il/images/Fittings/isa/asset_library_pic/al_lobby/al_lobby-64805b1867e84/

issuers from certain home country reporting requirements and instead permits them to report according to the laws of the jurisdiction of their primary listing. The amendments and guidance promulgated by some regulators specifically consider the accommodations granted under the FPI regulatory framework in the United States.⁹⁷ The reasons that foreign jurisdictions have chosen to defer to U.S. securities law may vary and are not necessarily a sign that foreign disclosure frameworks are deficient. However, the result of this deference is that a key

2652015_2.pdf, which does not require the disclosure under the ISA rules and instead relies on the reports that dual listed companies are required to file according to the foreign law, including for those companies incorporated in Israel. See also, ISA, *Legal Position No. 1991-11: Reporting Requirements of Dual Listed Companies* (Aug. 18, 2013), available at <https://www.new.isa.gov.il/en/nav-index/supervised-double-listing/Staf-Positions-PlenaryDecisions> ("[T]his arrangement exempts companies listed for trade in Israel from reporting requirements pursuant to the Israeli Securities Law and permits them to continue to report exclusively according to the foreign law that applies to them (U.S. or U.K. security laws, including the directives of the relevant stock exchanges).").

⁹⁷ See ISA *Legal Position No. 1991-11*, *supra* note 97 ("By adopting the dual listing arrangement, the legislator accepted the significant differences between the reporting format of companies traded exclusively in Israel and the reporting format of companies traded on another main market, and for which the TASE is a secondary trading arena" and "we note that at the time the dual listing arrangement was enacted, it was known that Israeli companies overseas receive exemptions on certain disclosure requirements compared to the disclosure requirements that apply to U.S. companies, but it was ultimately decided not to demand that they meet the more stringent requirements."). Other jurisdictions, such as the UK, specifically consider the accommodations granted under the U.S. FPI framework in their continuous disclosure regulations. See Financial Conduct Authority, *PS 24/6 Primary Markets Effectiveness Review: Feedback to CP 23/31 and final UK Listing Rules* (July 17, 2024), available at <https://www.fca.org.uk/publication/policy/ps24-6.pdf>, which applies the more flexible continuous disclosure rules of the previous standard listing segment to overseas issuers in the international commercial companies secondary listing category and requires overseas issuers to comply with the applicable rules of the overseas market of their primary listing: ("[W]e proposed introducing a new secondary listings category for the equity shares of non-UK incorporated companies that sought a 'secondary' listing in the UK (i.e., they already had at least one other equity listing on another market). The intention was to ensure the new listing structure remains accessible to non-UK incorporated companies where either domestic company law or rules flowing from their 'primary' listing venue may mean they would not be eligible for the commercial companies category. . . . We have removed the reference to 'without modification' in the definition of qualifying home listing that was included in the draft rule. This is to reflect feedback that some regimes impose additional requirements on primary listings when an issuer is treated as a foreign primary listing for the purposes of that market. It was not our intention to exclude these issuers from this category (e.g., issuers treated as Foreign Private Issuers in the US) and so we have amended the rule.").

element that would otherwise assure investor protections despite the FPI accommodations—that an FPI is subject to meaningful disclosure requirements in its home country or due to its foreign listing—could be absent,⁹⁸ and the Commission’s rules and regulations might effectively be providing the primary or sole source of reporting requirements. This appears to be at odds with the historical expectations expressed by the Commission with regard to FPIs.⁹⁹

If an FPI is not subject to meaningful requirements in its home country jurisdiction that elicit disclosure in a timely manner, or if there are other limitations to foreign regulatory oversight of the FPI, the FPI definition may need to be revised. In particular, the FPI definition may need to be adjusted to ensure that (1) U.S. investors receive appropriate disclosure and remain adequately protected when investing in FPIs’ securities and (2) that the discrepancy in regulatory requirements does not have unintended competitive implications.

B. Potential Regulatory Responses

To ensure that the Commission’s accommodations for foreign issuers are appropriately tailored to reflect today’s FPI population while continuing to protect U.S. investors and provide them with access to foreign issuers’ securities, we are soliciting public comments on whether accommodations afforded to FPIs today should continue to apply to the foreign issuers currently captured by the FPI definition or if the definition should be amended to reflect recent changes to the FPI population described above.¹⁰⁰ Further, we are soliciting public input on several possible approaches to amending the FPI definition. We welcome and encourage market participants and other interested persons to submit their views on the potential regulatory responses discussed below or on any alternatives that they deem appropriate. We also encourage the submission of qualitative information, quantitative data or analyses, or suggestions of analyses that could better inform us about the potential costs and benefits of these approaches, including anticipated

impacts on efficiency, competition, and capital formation.

Request for Comment

1. Does the shift in the characteristics of the FPI population described above warrant a reassessment of the FPI definition, and if so, what considerations should be taken into account in determining how to amend the FPI definition? To what extent are any concerns about this shift in the characteristics of the FPI population mitigated by the relatively limited total market capitalization of the growing subsets of U.S. Exclusive FPIs discussed above, contrasted with the relatively larger number of such FPIs? To what extent are any concerns about this shift in the characteristics of the FPI population mitigated by any other factors?

2. Given the accommodations afforded to FPIs, as outlined in section II.B, are U.S. investors in issuers currently eligible for FPI status sufficiently protected? Specifically, do investors receive the information they need to make informed investment decisions about issuers currently eligible for FPI status? Do the expectations of U.S. investors and other U.S. capital market participants sufficiently incentivize reporting FPIs to voluntarily provide more disclosure and comply with additional regulatory requirements even if they are registered or incorporated in countries with less stringent regulations and/or are primarily traded in the United States? If changes to the current accommodations are necessary, what are the potential costs and benefits?

3. Are U.S. investors that are currently invested in FPIs that utilize a CBI VIE Structure, or that utilize a structure similar to a CBI VIE Structure, sufficiently protected? Do investors have sufficient information about such structures to evaluate their attendant risks? Should foreign issuers with CBI VIE structures, or similar structures, be eligible for FPI status?

4. Are domestic issuers currently at a competitive disadvantage as compared to reporting FPIs that are listed exclusively in the United States and incorporated in jurisdictions that do not impose meaningful disclosure and other regulatory requirements in their home country?

5. When U.S. investors trade in shares of foreign issuers listed solely on foreign exchanges, what transaction costs do they incur? To what extent are U.S. investors restricted in trading on foreign exchanges? How has U.S. investor access to such foreign listed securities changed over time?

1. Update the Existing FPI Eligibility Criteria

As discussed in section II.A above, the current FPI definition was first adopted in 1983 and amended in 1999.¹⁰¹ The criteria in the current FPI definition were originally set forth by the Commission as intended to determine whether an issuer is an “essentially U.S. issuer,” with the Commission stating an expectation that the criteria of the shareholder and business contacts tests would suffice to prevent evasion but be unlikely to apply to issuers not intended to be covered.¹⁰²

One potential approach to amending the FPI definition given the changes we have observed in the FPI population would be to update the existing bifurcated test.¹⁰³ For example, we could lower the existing 50 percent threshold of U.S. holders in the shareholder test, above which a foreign issuer would need to apply the business contacts test to be eligible for FPI status.¹⁰⁴ We could also revise the existing list of criteria under the business contacts test by either adding new criteria (see discussion in sections IV.B.2–6 below) or revising the existing threshold for assets located in the United States.

Request for Comment

6. Does the current FPI definition appropriately capture those foreign issuers that are subject to home country disclosure and other regulatory requirements that merit accommodation under the Federal securities laws?

7. Should we consider updating the existing FPI eligibility criteria rather than adding new eligibility criteria (as discussed in sections IV.B.2–6 below)? To what extent would such updated criteria address the considerations discussed in section IV.A above?

8. Should we update the existing 50 percent threshold in the shareholder test by decreasing that level to a lower percentage threshold, which may reduce the number of eligible FPIs? What should the new threshold be? Would decreasing the U.S. ownership threshold result in advantages or disadvantages to U.S. investors and FPIs?

9. Should we update the existing criteria for the business contacts test? For example, should we update the threshold for U.S. assets? What should the new threshold be? Should the test

⁹⁸ See ISA Legal Position No. 1991–11, *supra* note 97 (“Protection of the investor public in Israel based on several rings of regulation, mainly the foreign law, the regulation by the foreign regulator, and the market discipline in those countries.”).

⁹⁹ See *supra* section I. See also, *supra* note 2.

¹⁰⁰ We are not seeking comments on the requirements for MJDS issuers because this release is focused on the FPI definition. See *supra* section III.

¹⁰¹ See 1983 Release, *supra* note 18 and 1999 International Disclosure Standards Release, *supra* note 19.

¹⁰² See 1983 Release, *supra* note 18.

¹⁰³ See *supra* section II.A for definitions of the “shareholder test” and the “business contacts test.”

¹⁰⁴ *Id.*

consider citizenship or residency of anyone else? Are there other criteria that should be considered in the business contacts test? If so, what should they be?

10. Is the current FPI definition that relies on ownership and business contacts still relevant in today’s capital markets or should any part of it be removed completely?

11. What would be the potential costs and benefits, including impacts on efficiency, competition, and capital formation, to FPIs and U.S. investors of updating the current FPI definition thresholds or criteria? We welcome any qualitative or quantitative information that could aid in such an evaluation.

2. Foreign Trading Volume Requirement

One potential approach to revising the FPI definition, either as an alternative or in addition to updating the existing eligibility criteria, would be to add a

foreign trading volume test. For example, an amended definition could require that FPIs assess their foreign and U.S. trading volume on an annual basis to determine continued eligibility for FPI status. We currently apply similar tests in other contexts, including in Rule 12g3–2(b),¹⁰⁵ which contemplates a 55 percent threshold of trading on foreign markets, and Rule 12h–6,¹⁰⁶ which contemplates a 95 percent threshold of trading on foreign markets. It is possible that issuers that have a consistent and meaningful amount of their securities traded on a non-U.S. market could be more likely to be subject to home country oversight, disclosure, and other regulatory requirements that merit accommodation than issuers whose securities are primarily or exclusively traded in the United States.¹⁰⁷

For example, a foreign trading volume test could apply in addition to the

current shareholder test or business contacts test¹⁰⁸ and require an FPI to have a certain percentage of the trading volume of its securities in a market or markets outside the United States over a preceding 12-month period. The Commission staff has recently conducted an analysis to estimate how many current reporting FPIs would be affected through loss of FPI status under a selection of such foreign trading volume requirements, based on the sample of 20–F FPIs and calculation of U.S. Percentage (or conversely Non-U.S. Percentage) of Global Trading in the analysis in section III.B above.

The staff’s current estimates of affected FPIs using a one percent, three percent, five percent, 10 percent, 15 percent, and 50 percent threshold for non-U.S. trading volume to determine FPI status are as follows:

TABLE 9—COUNTS OF AFFECTED VS. NON-AFFECTED 20–F FPIs FOR DIFFERENT NON-U.S. TRADING THRESHOLDS [FY 2023]

	Count	% of sampled FPIs	Count	% of sampled FPIs	Count	% of sampled FPIs
	1% Non-U.S. Trading		3% Non-U.S. Trading		5% Non-U.S. Trading	
Affected	519	55.04	571	60.55	588	62.35
Unaffected	424	44.96	372	39.45	355	37.65
Total	943	100.00	943	100.00	943	100.00
	10% Non-U.S. Trading		15% Non-U.S. Trading		50% Non-U.S. Trading	
Affected	607	64.37	621	65.85	716	75.93
Unaffected	336	35.63	322	34.15	277	24.07
Total	943	100.00	943	100.00	943	100.00

TABLE 10—AFFECTED 20–F FPIs BY MOST AFFECTED JURISDICTIONS OF INCORPORATION FOR DIFFERENT NON-U.S. TRADING THRESHOLDS [FY 2023]

Jurisdiction	Count	% affected FPIs in jurisdiction	Jurisdiction	Count	% affected FPIs in jurisdiction
1% Non-U.S. Trading			3% Non-U.S. Trading		
Cayman Islands	265	83.33	Cayman Islands	284	89.31
Israel	58	60.42	Israel	62	64.58
British Virgin Islands	51	87.93	British Virgin Islands	55	94.83
Marshall Islands	33	94.29	Marshall Islands	34	97.14
Bermuda	14	48.28	Canada (non-MJDS)	18	24.32
Canada (non-MJDS)	13	17.57	Bermuda	17	58.62
Netherlands	9	30.00	Netherlands	12	40.00
United Kingdom	8	20.00	United Kingdom	11	27.50
Ireland	7	63.64	Luxembourg	9	69.23
Japan	6	40.00	Ireland	8	72.73
Luxembourg	6	46.15			

¹⁰⁵ *Supra* note 59. Rule 12g3–2(b)(1) requires FPIs relying on the exemption to maintain a listing on an exchange in a foreign jurisdiction where at least 55% of trading in the subject class of the issuer’s securities takes place.

¹⁰⁶ *Supra* note 61. Rule 12h–6 restricts the ability of an FPI to terminate its U.S. registration and reporting obligations if the average daily trading volume of the subject class of the FPI’s securities in the United States for a recent 12-month period

has been greater than 5% of its volume on a worldwide basis.

¹⁰⁷ *See, e.g., supra* notes 94–99.

¹⁰⁸ *See supra* section II.A for definitions of the “shareholder test” and the “business contacts test.”

TABLE 10—AFFECTED 20-F FPIs BY MOST AFFECTED JURISDICTIONS OF INCORPORATION FOR DIFFERENT NON-U.S. TRADING THRESHOLDS—Continued
[FY 2023]

Jurisdiction	Count	% affected FPIs in jurisdiction	Jurisdiction	Count	% affected FPIs in jurisdiction
5% Non-U.S. Trading			10% Non-U.S. Trading		
Cayman Islands	288	90.57	Cayman Islands	294	92.45
Israel	63	65.62	Israel	63	65.62
British Virgin Islands	55	94.83	British Virgin Islands	55	94.83
Marshall Islands	34	97.14	Marshall Islands	34	97.14
Canada (non-MDJS)	20	27.03	Canada (non-MDJS)	23	31.08
Bermuda	18	62.07	Bermuda	19	65.52
Netherlands	13	43.33	Netherlands	16	53.33
United Kingdom	13	32.50	United Kingdom	13	32.50
Australia	9	39.13	Australia	10	43.48
Ireland	9	81.82	Ireland	9	81.82
Luxembourg	9	69.23	Luxembourg	9	69.23
15% Non-U.S. Trading			50% Non-U.S. Trading		
Cayman Islands	297	93.40	Cayman Islands	308	96.86
Israel	68	70.83	Israel	80	83.33
British Virgin Islands	56	96.55	British Virgin Islands	57	98.28
Marshall Islands	34	97.14	Canada (non-MDJS)	40	54.05
Canada (non-MJDS)	23	31.08	Marshall Islands	34	97.14
Bermuda	20	68.97	Bermuda	24	82.76
Netherlands	16	53.33	Netherlands	22	73.33
United Kingdom	13	32.50	United Kingdom	15	37.50
Australia	10	43.48	Australia	13	56.52
Ireland	9	69.23	Ireland	10	90.91
Luxembourg	9	81.82	Luxembourg	10	76.92
Singapore	9	90.00	Argentina	10	76.92

TABLE 11—AFFECTED 20-F FPIs BY MOST AFFECTED JURISDICTIONS OF HEADQUARTERS FOR DIFFERENT NON-U.S. TRADING THRESHOLDS
[FY 2023]

Jurisdiction	Count	% affected FPIs in jurisdiction	Jurisdiction	Count	% affected FPIs in jurisdiction
1% Non-U.S. Trading			3% Non-U.S. Trading		
China	177	81.94	China	192	88.89
Israel	63	61.76	Israel	67	65.69
Hong Kong, SAR, China	40	93.02	Hong Kong, SAR, China	40	93.02
Singapore	39	88.64	Singapore	41	93.18
United Kingdom	25	42.37	United Kingdom	31	52.54
Greece	19	90.48	Greece	20	95.24
United States	14	56.00	United States	17	68.00
Bermuda	13	54.17	Canada (non-MJDS)	15	21.74
Canada (non-MJDS)	12	17.39	Bermuda	14	58.33
Brazil	10	26.32	Brazil	10	26.32
			Ireland	10	76.92
5% Non-U.S. Trading			10% Non-U.S. Trading		
China	193	89.35	China	199	92.13
Israel	68	66.67	Israel	68	66.67
Singapore	42	95.45	Singapore	42	95.45
Hong Kong, SAR, China	40	93.02	Hong Kong, SAR, China	40	93.02
United Kingdom	33	55.93	United Kingdom	33	55.93
Greece	20	95.24	Canada (non-MJDS)	20	28.99
United States	18	72.00	Greece	20	95.24
Canada (non-MJDS)	17	24.64	United States	18	72.00
Bermuda	14	58.33	Bermuda	15	62.50
Ireland	11	84.62	Ireland	11	84.62
			Australia	11	52.38
15% Non-U.S. Trading			50% Non-U.S. Trading		
China	202	93.52	China	209	96.76
Israel	73	71.57	Israel	86	84.31

TABLE 11—AFFECTED 20-F FPIs BY MOST AFFECTED JURISDICTIONS OF HEADQUARTERS FOR DIFFERENT NON-U.S. TRADING THRESHOLDS—Continued
[FY 2023]

Jurisdiction	Count	% affected FPIs in jurisdiction	Jurisdiction	Count	% affected FPIs in jurisdiction
Singapore	43	97.73	Singapore	43	97.73
Hong Kong, SAR, China	40	93.02	Hong Kong, SAR, China	41	95.35
United Kingdom	33	55.93	Canada (non-MJDS)	36	52.17
Canada (non-MJDS)	20	28.99	United Kingdom	35	59.32
Greece	20	95.24	United States	20	80.00
United States	18	72.00	Greece	20	95.24
Bermuda	16	66.67	Bermuda	19	79.17
Australia	11	52.38	Germany	14	70.00
Ireland	11	84.62			

According to these estimates, at the lowest one percent threshold, over half of current reporting FPIs would lose their FPI status. Increasing the threshold from one percent to five percent would not dramatically increase the number of affected FPIs but could make it harder for FPIs seeking to minimize their regulatory burdens to “game” the system (e.g., by establishing a small foreign market for their securities solely to avoid complying with the registration and reporting requirements for domestic issuers).

Request for Comment

12. Is a foreign trading volume test an appropriate way to determine whether a foreign issuer should be eligible for FPI accommodations? Would it be a useful means of assessing the likelihood that a foreign issuer is subject to home country disclosure and other regulatory requirements that merit accommodation? To what extent would it disqualify FPIs for which such accommodations would be appropriate? Might some home country jurisdictions still provide exemptions from reporting requirements to issuers that either qualify as an FPI in the United States or whose primary trading market is the United States even if the percentage of the FPI’s securities traded in U.S. capital markets falls under a threshold below 50 percent?

13. Would adopting a foreign trading volume test for FPIs enhance securities pricing in U.S. capital markets by ensuring that information is being efficiently incorporated into an FPI’s equity security prices through trading activity on its foreign market exchange?

14. Are investors in FPIs’ securities that are traded primarily or exclusively in the United States disadvantaged by potential delays in disclosure, differential access to information, or more limited liability (i.e., for disclosures that are “furnished” rather than “filed”), that may result in a

greater likelihood of FPI securities being mispriced by U.S. capital markets?

15. What would be the appropriate threshold for a foreign trading volume test (e.g., one percent, three percent, five percent, 10 percent, 15 percent, 50 percent, or some other percentage)? Why would any of these thresholds be appropriate? What would be the benefits and costs to FPIs and U.S. investors under each or any proposed threshold?

16. Would a low threshold be susceptible to “gaming” by issuers who may seek to establish minimal foreign trading that satisfies such threshold shortly before the annual determination date of their FPI status? If so, how could a foreign trading volume requirement be revised to reduce the risk of such gaming? Are there other forms of potential gaming with respect to a foreign trading volume requirement that we should consider?

17. Should the threshold percentage for a foreign trading volume test be computed as the percentage of the aggregate annual daily trading volume attributable to non-U.S. markets (i.e., weighted by shares traded) or as the average of the percentage of daily trading volume attributable to non-U.S. markets (i.e., weighted by days) or in some other way? Please explain why. Should foreign trading volume for this purpose be measured in dollars or shares, and why?

18. Given that a foreign trading volume test would necessitate compiling and tracking data on the foreign trading of FPIs, what source should be used for such data? Are there known methods and sources of information that market participants use to obtain reliable and readily available data on trading volume in foreign markets?

19. Would a foreign trading volume test at any particular percentage disproportionately impact issuers in a specific industry or jurisdiction? If so, what, if anything, should or could be

done to mitigate such effects? Would a foreign trading volume test at any particular percentage disproportionately impact issuers within a particular range of market capitalization? If so, what, if anything, should or could be done to mitigate such effects? Would any other categories of issuers be disproportionately impacted?

20. If the FPI definition is amended to include a foreign trading volume test, should the test assess the level of foreign trading of the issuer’s common equity or ordinary shares? Should it also assess trading of other types of securities, such as debt securities? Should the test consider any disparate voting rights that are present in the issuer’s capital structure (such as publicly traded common stock with no voting rights)? If the foreign trading volume test assesses foreign trading of the issuer’s common equity or ordinary shares as well as trading of other types of securities, how should those metrics be weighted? What would be the potential costs and benefits of such a multi-factor approach?

21. Should trading only in certain types of foreign trading markets be considered in any foreign trading volume test? For example, should only trading that takes place on a major foreign exchange, as discussed in section IV.B.3 below, be considered in such a test?

22. What period of time is appropriate for assessing whether a foreign issuer has a meaningful level of trading activity in a non-U.S. market? For example, would a test that assesses the level of trading in a non-U.S. market over a 52-week period preceding the issuer’s determination date for FPI eligibility be appropriate?

23. If a foreign trading volume test is imposed, how often should the Commission reassess the threshold and consider amendments to the rule, if at all?

24. What would be the potential costs and benefits, including impacts on efficiency, competition, and capital formation, to FPIs and U.S. investors of adding a foreign trading volume requirement to the FPI definition?

3. Major Foreign Exchange Listing Requirement

We are also soliciting comment on potentially requiring FPIs to be listed on a major foreign exchange, particularly in connection with a trading volume requirement as described above. Adding a major exchange listing requirement may help to ensure that FPIs are subject to meaningful regulation and oversight in a foreign market and increase the market incentives to provide material and timely disclosure to investors. In determining which exchanges fit the definition of a “major foreign exchange,” one approach would be for the Commission to maintain a list of foreign exchanges whose listing requirements meet certain specific criteria. We currently apply variations of this approach in other contexts, including in Regulation S¹⁰⁹ to specify certain exchanges as a “designated offshore securities market.”¹¹⁰ For example, the Commission could prescribe certain criteria that the listing requirements of a foreign exchange must meet to be considered “major,” which could include a threshold of total market size reflected, corporate governance requirements, reporting and other public disclosure requirements, enforcement authority, or other factors. Exchanges that meet the requisite standards could be automatically deemed “major,” or the Commission could require a formal application and determination process for each individual exchange.

While a “major foreign exchange” requirement could help to ensure that FPIs are subject to meaningful regulation and oversight in a foreign market, it would require the Commission to evaluate and stay apprised of the particulars of each relevant exchange, which could depend in part on the level of cooperation and information-sharing it receives from the

relevant exchange. Once an exchange has been designated a “major foreign exchange,” any subsequent determination that warrants a change in the designation could be highly disruptive to issuers. Furthermore, any particular criteria we may set forth for a “major” exchange based on our understanding of U.S. exchanges may prove to be less suitable in the foreign context, potentially giving rise to unintended consequences for both U.S. investors and FPIs. It could also result in foreign issuers that are not listed on qualifying major exchanges, but that are still subject to meaningful regulation in their home country jurisdiction, becoming ineligible for FPI status.

Request for Comment

25. Should we consider a requirement that FPIs be listed on a “major foreign exchange”? If so, how should we define whether a foreign exchange is “major”? In determining whether a foreign exchange is “major,” how should we treat exchanges that offer different listing tiers, some of which may have less stringent listing requirements?

26. Would a requirement that FPIs be listed on a “major foreign exchange” reduce the incentive for foreign issuers to list in U.S. capital markets? Would many FPIs leave U.S. capital markets if they are also required to be listed on a “major foreign exchange” to maintain the FPI status and avoid reporting as a domestic issuer?

27. What specific criteria should be considered in evaluating whether a foreign exchange is “major”? For example, which, if any, of the following criteria should be considered and what thresholds should apply: aggregate market value of publicly held shares, closing price of shares, number of shareholders, average monthly trading volume, earnings, global market capitalization, triggers for stockholder approval, requirements for an independent compensation committee, periodic reporting, review of public disclosure, the authority of a particular exchange to enforce its rules, or any other criteria? Which data sources should be used to evaluate such criteria? Would applying such criteria help ensure that FPIs are subject to meaningful regulation and oversight in a foreign market?

28. How often should we assess whether a foreign exchange is “major,” and what procedure should be followed to transition FPIs that are listed on an exchange that is no longer deemed “major” to reporting as a domestic issuer?

29. Should we consider the disclosure and corporate governance requirements

of an exchange’s listing standards when determining whether it is a “major foreign exchange”? If so, what requirements should be considered and why?

30. Should we consider the type of securities an FPI has listed on such major foreign exchange when determining whether a listing would meet this new requirement? If so, what types of securities (e.g., only common equity, both common equity and debt, etc.) should be considered and included? Should the requirement state that securities of the same type as those an FPI is registering in the United States must be listed on a major foreign exchange?

31. Are there certain types of foreign trading markets that should not be considered “major” for purposes of the FPI definition? For example, should there be different treatment of trading in an OTC market as opposed to trading on an exchange? Should we consider the level of public information available about the trading activity and oversight in the market when determining whether the market is “major” for purposes of the FPI definition?

32. In considering the appropriate criteria and process for determining a “major foreign exchange,” it is likely that including more detail and complexity will result in a more burdensome and time-consuming undertaking for the Commission staff. If we propose a requirement that FPIs must be listed on a “major foreign exchange,” how should we balance the need to make a detailed assessment about which listings and exchanges satisfy the requirement with concerns about imposing undue burdens on Commission resources? Due to the burdens of such an assessment, the Commission may not be able to respond quickly to any regulatory changes in such foreign exchanges. What challenges would possible delays in re-assessment of any “major foreign exchanges” pose to issuers and U.S. investors?

33. What would be the potential costs and benefits, including impacts on efficiency, competition, and capital formation, to FPIs and U.S. investors of adding a “major foreign exchange” requirement to the FPI definition?

4. Commission Assessment of Foreign Regulation

Another approach on which we request feedback is whether to require that each FPI be (1) incorporated or headquartered in a jurisdiction that the Commission has determined to have a robust regulatory and oversight framework for issuers and (2) be subject

¹⁰⁹ 17 CFR 230.901 through 230.905.

¹¹⁰ 17 CFR 230.902. Designated offshore securities markets are defined under Regulation S for purposes of identifying whether an offer or sale is made in an “offshore transaction” and can include any foreign securities exchange or non-exchange market designated by the Commission. Although a number of attributes are listed in Regulation S as factors for consideration in determining whether to designate such a market, a designated offshore securities market within the meaning of Regulation S might not meet the same eligibility standards we would potentially set forth under a major foreign exchange listing requirement.

to such securities regulations and oversight without modification or exemption. Similar to the potential “major foreign exchange” requirement discussed above, the Commission could designate certain foreign jurisdictions as meeting applicable criteria considered indicative of robust securities regulation and oversight. This requirement would necessitate that the Commission individually assess the regulatory regimes of foreign jurisdictions on an ongoing basis to determine if they meet certain regulatory standards that the Commission deems adequate for the protection of U.S. investors. Such assessment would require a high level of cooperation with foreign authorities and determinations about the nature of their disclosure requirements, the extent to which the Commission believes those foreign authorities’ regulations protect U.S. investors, and the effectiveness of their enforcement programs, and would require the Commission staff to devote significant time and resources to continuously monitor the particulars of each relevant foreign regulatory regime.

For example, we could require that an FPI be incorporated and/or headquartered in a jurisdiction where the FPI must file annual reports with financial statements audited by an independent auditor and reports disclosing interim financial results and material events,¹¹¹ that has liability provisions for material misstatements and omissions and an effective enforcement mechanism, and that conducts regular reviews of public filings. Such assessments could be determinative for all issuers within a given jurisdiction or could be adjusted to account for variations in the applicable regulation based upon the size, industry, or listing venue of the issuer, allowing for a tailored approach that could be used to minimize the burdens of duplicative regulatory requirements on specific subsets of FPIs. This approach would be effective only to the extent that the Commission and its staff would be able to adequately assess a foreign jurisdiction’s regulatory requirements, which may be limited by the staff’s expertise in foreign laws, the transparency of those jurisdictions’ rules, regulatory actions, case law, and the ability to obtain sufficient cooperation from foreign authorities. Furthermore, once the regulatory requirements of a foreign jurisdiction have been assessed, any subsequent

changes in those requirements and resulting assessments that warrant a change in the Commission’s determination could be highly disruptive to issuers.

Request for Comment

34. Should we permit an issuer to retain FPI status only if is incorporated or headquartered in a jurisdiction that the Commission has determined to have securities regulations and oversight sufficient to protect U.S. investors? Should we require the issuer to be both incorporated and headquartered in such a jurisdiction? Would that be sufficient to protect U.S. investors and ensure that an issuer is subject to meaningful home country regulations, or should we also require an FPI to be registered/listed on an exchange in that jurisdiction?

35. If the Commission designates certain jurisdictions as having securities regulations and oversight sufficient to protect U.S. investors, should we permit foreign issuers that have been granted exemptions or accommodations from certain regulatory requirements by their home country regulator to retain FPI status? How should we assess whether an issuer is fully subject to the home country securities regulations and oversight that the Commission has designated as sufficient to protect U.S. investors? For example, should we require FPIs to certify that they are subject to the securities regulations and oversight of their home country regulator without modification or exemption? If the home country regulator incorporates a scaled regime that includes modifications to or exemptions from regulatory requirements for certain subsets of issuers (e.g., the foreign issuer is subject to modified regulatory requirements in its home country jurisdiction due to being newly public or falling below a specified market capitalization threshold), should we permit such issuers to take advantage of FPI accommodations provided they adhere fully to the applicable requirements of the home country jurisdiction?

36. How should we assess which jurisdictions have sufficient regulatory regimes? More specifically, what standards should we apply in assessing a foreign jurisdiction’s regulatory regime for purposes of FPI eligibility? Is it possible to develop an objective test for making this determination? Are there key disclosures or other requirements that the foreign jurisdictions should have in their securities regulation for issuers in those jurisdictions to be eligible for the Commission’s FPI accommodations?

37. How often should we reassess the regulatory regimes of foreign jurisdictions to ensure that U.S. investors in FPIs are protected? What would be the impacts on issuers, investors and capital markets from conducting such reassessment? How should we account for any lags in time between when a foreign jurisdiction changes its regulatory requirements and when our reassessment occurs pursuant to any review cycle we adopt?

38. In considering the appropriate criteria and process for determining whether a jurisdiction applies a robust regulatory and oversight framework and whether a foreign issuer is subject to such framework, it is likely that including more detail and complexity will result in a more burdensome and time-consuming undertaking for the Commission staff. If we propose such a requirement, how should we balance the need to make the determination with concerns about imposing undue burdens on Commission resources? Due to the burdens of such an assessment, the Commission may not be able to respond quickly to any regulatory changes in such foreign jurisdiction. What challenges would possible delays in re-assessment of any foreign regulatory and oversight framework pose to issuers and U.S. investors?

39. What would be the potential costs and benefits, including impacts on efficiency, competition, and capital formation, to FPIs and U.S. investors of adding a Commission assessment of foreign regulation requirement to the FPI definition?

5. Mutual Recognition Systems

Another approach to tailor the FPI accommodations to the FPI population would be to develop a system of mutual recognition, with respect to Securities Act registration and Exchange Act periodic reporting, for issuers from selected foreign jurisdictions. We currently apply a limited mutual recognition approach for Canadian issuers under the MJDS, which permits eligible U.S. and Canadian issuers to conduct cross-border securities offerings and fulfill their reporting requirements primarily by complying with, and using disclosure documents prepared in accordance with, home country securities regulations.¹¹² The MJDS was established in part because of the shared

¹¹¹ See *supra* note 95 and related discussion for examples of home country jurisdictions with similar requirements, as well as note 94 for examples of home country jurisdictions without similar requirements.

¹¹² The MJDS does not include deference on enforcement matters. To use the MJDS, MJDS issuers must also consent to service of process and appoint a U.S. person as agent for process, as well as consent to service of an administrative subpoena and an undertaking to assist the Commission in responding to inquiries made by the Commission staff. See *supra* note 64.

investor protection goals and regulatory approaches of the U.S. and Canadian regulatory regimes and because of the large number of Canadian issuers accessing U.S. capital markets.¹¹³ Several other potential mutual recognition systems were previously considered by the Commission in 2008, including expanding the regulatory relationship with Canada.¹¹⁴

Mutual recognition systems are premised upon principles of mutual benefit and reciprocity.¹¹⁵ While participant jurisdictions would be expected to meet certain standards in their regulatory approaches, their requirements would not need to be exactly the same as the Commission's requirements for domestic issuers; they would need only to offer comparable protections to U.S. investors. An advantage of mutual recognition systems is that they can be tailored to suit the specific jurisdiction and could continue evolving as necessary. In some cases, foreign jurisdictions would need to undertake regulatory changes in order to establish a mutual recognition system. A disadvantage of such an approach is the time that it would take to assess jurisdictions on a case-by-case basis.

¹¹³ *Multijurisdictional Disclosure*, Release No. 33-6841 (July 24, 1989) [54 FR 32226 (Aug. 4, 1989)] (noting the maturity of Canadian capital markets and strength of regulatory tradition, the common goal between United States and Canada of "investor protection through refined and developed disclosure systems for both the primary and secondary markets," and the level of cooperation in enforcement matters supported by the 1988 Memorandum of Understanding); MJDS Adopting Release, *supra* note 8 ("Canada is the logical first partner for the United States in such an initiative because of the significant presence of Canadian companies in the U.S. trading markets."). The Commission has similarly used comparability as a factor justifying substituted compliance in rules under 15 U.S.C. 78m(q) ("section 13(q)") regarding disclosure pertaining to resource extraction. See *Disclosure of Payments by Resource Extraction Issuers*, Release No. 34-90679 (Dec. 16, 2020) [86 FR 4662 (Jan. 15, 2021)].

¹¹⁴ See Statement of the European Commission and the U.S. Securities and Exchange Commission on Mutual Recognition in Securities Markets (Feb. 1, 2008), available at <https://www.sec.gov/news/press/2008/2008-9.htm>; Schedule Announced for Completion of U.S.-Canadian Mutual Recognition Process Agreement (May 29, 2008), available at <https://www.sec.gov/news/press/2008/2008-98.htm>; Mutual Recognition Arrangement Between the United States Securities and Exchange Commission and the Australian Securities and Investments Commission, together with the Australian Minister for Superannuation and Corporate Law (Aug. 25, 2008), available at https://download.asic.gov.au/media/1346672/SEC_framework_arrangement_aug_08.pdf. See also Tafara, Ethiopis and Robert J. Peterson, A Blueprint for Cross-Border Access to U.S. Investors: A New International Framework, 48 Harv. Int'l L.J. 31 (2007).

¹¹⁵ Wei, Tzung-bor. The Equivalence Approach to Securities Regulation. 27 Nw. J. Int'l L. & Bus. 255, 282 (2006-2007).

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40. Should we seek to establish an additional system for mutual recognition with respect to Securities Act and Exchange Act requirements for FPIs? If so, what would be key areas for such mutual recognition? Are there impediments that would prevent this approach? Are there any areas of issuer regulation and oversight that we should not include in such a system?

41. Should any additional mutual recognition systems with respect to Securities Act and Exchange Act requirements be specifically tailored to each jurisdiction, or should we establish one umbrella system that encompasses multiple jurisdictions? Is an umbrella system feasible given the disparate regimes, regulations, and laws across foreign jurisdictions?

42. Is the MJDS a good model for a new mutual recognition system with respect to Securities Act and Exchange Act requirements? Are there any issues regarding the MJDS relating to investor protection or capital formation? Are there particular advantages to the MJDS that should be replicated in any new mutual recognition system with respect to Securities Act and Exchange Act requirements?

43. If we explore a new mutual recognition system with respect to Securities Act and Exchange Act requirements, which jurisdictions should we consider as possible candidates? How would U.S. investors perceive the regulatory regimes of such jurisdictions in terms of investor protection or confidence in this type of system? To what extent would this approach address the concerns raised in this release?

44. What criteria should we use to determine whether a particular jurisdiction's regulatory regime sufficiently shares investor protection goals and regulatory approaches with the U.S. regime to warrant mutual recognition with respect to Securities Act and Exchange Act requirements?

45. If we adopt a new mutual recognition system, should we limit the accommodations that can be relied upon by any FPIs that are not included in the new mutual recognition system? If so, which accommodations should be limited and why? Alternatively, should FPIs that meet the current definition continue to benefit from the same FPI accommodations while FPIs that are covered by the new mutual recognition system be granted additional accommodations? If so, what accommodations should we consider?

46. Determining whether a system of mutual recognition should be

established for a certain jurisdiction will likely create a burdensome and time-consuming undertaking for the Commission staff. If we adopt a new mutual recognition system, how should we balance the need to make this determination with concerns about imposing undue burdens on Commission resources? Due to the burdens of establishing a mutual recognition system, the Commission may not be able to respond quickly to any regulatory changes in such foreign jurisdiction. What challenges would potential delays in the tailoring of any mutual recognition system pose to issuers and U.S. investors?

47. What are the potential costs and benefits to FPIs and U.S. investors, including impacts on efficiency, competition, and capital formation, of establishing a new mutual recognition system with respect to Securities Act and Exchange Act requirements? Is there any subset of issuers or U.S. investors that would be disproportionately and/or unintentionally affected by the creation of such a system?

6. International Cooperation Arrangement Requirement

We could require, as a criterion for FPI eligibility, that an FPI certify that it is either incorporated or headquartered in, and subject to the oversight of the signatory authority of, a jurisdiction in which the foreign securities authority¹¹⁶ has signed the IOSCO¹¹⁷ Multilateral Memorandum of Understanding Concerning Consultation, Cooperation, and the Exchange of Information ("MMoU") or the Enhanced MMoU ("EMMoU").¹¹⁸

¹¹⁶ 15 U.S.C. 78c(a)(50) (section 3(a)(50)) of the Exchange Act defines a "foreign securities authority" as "any foreign government, or governmental body or regulatory organization empowered by a foreign government to administer or enforce its laws as they relate to securities matters."

¹¹⁷ IOSCO is an association of the world's securities regulators that develops, implements, and promotes internationally recognized standards for financial markets regulation. Its membership covers 130 jurisdictions and regulates more than 95% of the world's securities markets. IOSCO's Objectives and Principles of Securities Regulation are endorsed by both the G20 and the Financial Stability Board and form the basis for the evaluation of the securities sector for the Financial Sector Assessment Programs of the International Monetary Fund ("IMF") and the World Bank. IOSCO's three main objectives are to enhance investor protection, ensure markets are fair and efficient and promote financial stability by reducing systemic risk. The Commission is an IOSCO member.

¹¹⁸ The full text of the MMoU is available at <https://www.iosco.org/library/pubdocs/pdf/IOSCOPD386.pdf>; the full text of the EMMoU is available at <https://www.iosco.org/about/pdf/Text-of-the-EMMoU.pdf>. As of Feb. 2025, there are 136

While the MMoU is voluntary, non-binding, and does not supersede domestic laws, IOSCO members that sign the MMoU are expressing their intent and legal authority to assist other MMoU members in enforcement matters, including the sharing of information in enforcement matters involving FPIs. IOSCO screens prospective MMoU applicants to confirm their legal authority to provide other MMoU members with such assistance, in particular the ability to provide other MMoU members with bank, brokerage, and beneficial ownership records.¹¹⁹

The EMMoU seeks to build on the MMoU and facilitate the provision of a broader array of assistance among securities authorities in enforcement matters, including the following categories of assistance: obtaining and sharing audit information; compelling physical attendance for testimony; freezing assets or advising on how to do so; and obtaining and sharing certain subscriber and log information from internet and telephone service providers and communications held by regulated entities.

While the criteria for permitting an authority to sign the MMoU (and EMMoU) primarily relate to an authority's ability to provide information and other assistance to authorities investigating potential violations of their securities laws and abide by the MMoU's/EMMoU's provisions on confidentiality and use of information, the MMoU and EMMoU do not require their signatories to have robust disclosure requirements applicable to issuers in their jurisdictions. As such, the MMoU and EMMoU are not a proxy for robust disclosure rules in the FPI's home country or the FPI actually being subject to such rules.

The Commission regularly uses the MMoU and EMMoU to further its mission of investor protection by obtaining and providing international enforcement cooperation, including with respect to issuers. Because the MMoU and EMMoU do not reflect the adequacy of signatories' securities regulation or oversight, this requirement would likely function as a complement

authorities that are members of the MMoU (the full list is available at <https://www.iosco.org/v2/about/?subSection=mmou&subSection1=signatories>) and 27 authorities that have signed the EMMoU (the full list is available at <https://www.iosco.org/v2/about/?subSection=emmou&subSection1=signatories>). The Commission is a signatory to both the MMoU and EMMoU.

¹¹⁹ See Appendix B, sections I and II to the MMoU.

to other regulatory responses discussed in section IV.¹²⁰

Request for Comment

48. Should we permit issuers to retain FPI status only if they, in addition to other eligibility criteria, certify that they are either incorporated or headquartered in a jurisdiction in which the foreign securities authority is a signatory to the IOSCO MMoU? What are the advantages or disadvantages to this approach? Should we also require an FPI to be registered/listed on an exchange in that jurisdiction to ensure that an issuer is subject to regulations by the foreign securities authority that is a signatory to the IOSCO MMoU?

49. Should we require that the foreign securities authority be a signatory to the EMMoU, in addition to the MMoU?

50. Should we require the foreign securities authority to not only have signed the MMoU and/or EMMoU, but also not have been suspended or terminated from either arrangement by IOSCO?

51. Should the Commission consider alternative information-sharing arrangements as a criterion for FPI eligibility? In particular, are there other information-sharing arrangements that would provide additional investor protection safeguards for U.S. investors in the event that an FPI fails to comply with the requirements of the Federal securities laws when accessing U.S. capital markets?

52. If we impose a MMoU/EMMoU signatory or similar requirement, should the Commission require each FPI applicant to certify annually that it is either incorporated or headquartered in a jurisdiction in which the foreign securities authority is an MMoU/EMMoU signatory? If so, how should the issuer make that certification?

53. What are the limitations of the MMoU/EMMoU in furthering the goal of providing appropriate accommodations for certain foreign issuers so that U.S. investors have these investment opportunities while also but maintaining adequate protections for U.S. capital markets participants?

54. What would be the potential costs and benefits, including impacts on efficiency, competition, and capital formation, to FPIs and U.S. investors of adding a MMoU/EMMoU signatory or similar requirement to the FPI definition?

¹²⁰ For example, several jurisdictions, such as the Cayman Islands, British Virgin Islands, and Bermuda, are signatories to the MMoU but appear to have limited current reporting requirements under the rules of their home country jurisdictions. See *supra* note 92.

C. Other Considerations

We recognize that amending the current FPI definition may involve incorporating elements of several of the potential regulatory responses set forth above, as well as careful consideration of any anticipated consequences. We welcome any comments on the additional questions outlined below as well as any other relevant consideration that we should keep in mind as we evaluate the FPI definition.

Request for Comment

55. If we amend the FPI definition, issuers that lose FPI status would become subject to the requirements for domestic issuers. This may mark a significant change in reporting and other regulatory requirements, with such issuers no longer being able to avail themselves of the FPI accommodations discussed in section II.B above. Each additional requirement imposed on former FPIs would involve costs and benefits. Which of these additional requirements are likely to be most burdensome to issuers that lose FPI status? Which are likely to be most beneficial to investors? Given the extent of possible changes, what data or analyses should we consider as part of our assessment of the potential costs and benefits of an issuer transitioning out of FPI status?

56. If we amend the FPI definition, some issuers that lose FPI status may choose to change their listing, ownership, or other elements to access alternative non-U.S. markets or to regain FPI status rather than comply with all the requirements to which domestic issuers are subject. What are the most likely alternative markets that such issuers would access, or the most likely changes that such issuers would make? What characteristics distinguish the issuers that are likely to react to an amended FPI definition in these ways? Which of the alternatives discussed in this release would be most likely to result in such reactions? What are the primary factors that would guide the decisions of such issuers?

57. U.S. investors can trade in equities in non-U.S. markets, though perhaps without the same ease as they can trade in U.S. markets. What are the frictions to such trading? To what degree would U.S. investors continue to invest in issuers that lose FPI status if they gave up their U.S. listing or registration? Would FPIs that are currently exclusively listed in U.S. capital markets pursue alternative non-U.S. listings of their securities upon losing their FPI status rather than report as domestic issuers, thereby making it

difficult for current and future U.S. investors to trade in such FPIs' securities?

58. Are there other considerations we should take into account pertaining to relations with foreign regulators and conflict of laws in connection with potential changes to the FPI definition?

59. FPIs may present financial statements pursuant to U.S. GAAP, IFRS as issued by the IASB without reconciliation to U.S. GAAP, or home country GAAP with a reconciliation to U.S. GAAP. If the FPI definition were revised, any issuers that would lose FPI status would be required to present their financial statements pursuant to U.S. GAAP, as is required for domestic issuers. There is currently no guidance for the transition from IFRS as issued by the IASB to U.S. GAAP. This transition in financial reporting could be burdensome and costly. What would be the costs and complexities in transitioning to U.S. GAAP? What would be the benefits of transitioning to U.S. GAAP? In light of potential costs and complexities, are there specific financial reporting accommodations that should be provided to former FPIs? For example, should a transition period be provided and, if so, for how long? Should we reduce the number of years of financial statements required to be presented during the transition period or require application of U.S. GAAP only in future periods with transition provisions such as an opening balance sheet? Would any other accommodations be appropriate and how would their benefits and costs compare?

60. Are there any subsets of the current FPI population that should not be subject to any additional disclosure or other requirements that these issuers may incur due to any amendments to the FPI definition? Please explain which and why. Alternatively, should any such subsets of the current FPI population be given a longer transition period and other transition accommodations if they lose FPI status due to any amendments to the FPI definition?

61. Should amendments to the FPI definition apply to reporting FPIs only and not to the FPIs who are exempt from section 12(g) registration pursuant to either Rule 12g3-2(a) or Rule 12g3-2(b)? Are there different amendments that we should consider for these foreign issuers as opposed to reporting FPIs? In some cases, the securities of non-reporting FPIs are listed in the United States through the market activities of certain intermediaries such as depositaries engaged in creating ADRs without involvement by the non-

reporting FPIs.¹²¹ Amendments to the FPI definition may result in depositaries finding it more difficult to establish un-sponsored ADR programs as fewer foreign issuers may be eligible to rely on Rule 12g3-2(b) due to loss of FPI status. Would amending the FPI definition unduly restrict the ADR market?

62. Would changing the FPI definition have a foreseeable impact in the number of foreign issuers that choose to trade on the U.S. OTC markets instead of on a U.S. exchange? If we adopt an amendment to the FPI definition, it would also affect eligibility for the exemptions under Rule 12g3-2(a) and Rule 12g3-2(b) and foreign issuers that are no longer eligible to rely upon FPI exemptions from reporting could become subject to domestic issuer reporting obligations if their securities trade on the U.S. OTC markets. Would such issuers be more likely to pursue a listing on an exchange rather than on the U.S. OTC markets? Are investors likely to see potential consequences from any related shift in where such issuers are trading?

63. If we adopt an amendment to the FPI definition but retain the current FPI definition solely with regards to the exemptions under Rule 12g3-2(a) and Rule 12g3-2(b), would foreign issuers be more likely to trade their securities on the U.S. OTC markets rather than seeking and maintaining compliance with a new eligibility requirement? What impacts would U.S. investors be likely to experience as a result of such a shift?

64. Should we combine any of the potential regulatory responses described in this section IV? If so, which ones and why? What would be the economic effects of combining such responses for FPIs and U.S. investors?

65. Are there any other regulatory responses not discussed in this concept release that we should consider given the recent developments in the FPI population as described in section III, whether alone or in addition to any of those discussed? What would be the potential costs and benefits, including impacts on efficiency, competition, and capital formation, to FPIs and U.S. investors of any such other regulatory responses?

¹²¹ See Rule 12g3-2(b), *supra* note 59. Rule 12g3-2(b)(2) exempts an eligible FPI from the requirement to register a class of equity securities under section 12(g) if the issuer maintains a foreign listing and makes certain information available in English on its website or through an electronic information delivery system generally available to the public in its primary trading market. Securities of FPIs that are exempt under Rule 12g3-2(b) may be held on deposit and traded in the United States as ADRs.

66. Should any of the potential regulatory responses described in this section IV, in particular sections IV.B.2-4 and IV.B.6, be required only if the foreign issuer must apply the business contacts test, and not if the foreign issuer meets the shareholder test?

67. What would be the competitive effects for domestic and foreign issuers as well as U.S. capital markets of amending the FPI definition using one or more of the regulatory responses described in this section IV?

68. The FPI definition is currently similar to, but not the same as, the definition of a "foreign business" under Rule 1-02(l) of Regulation S-X.¹²² Should any change to the FPI definition also result in changes to the definition of a "foreign business"?

69. Should we consider applying any change to the FPI definition only to new FPIs registering for the first time to eliminate the transition costs for the current FPI population? What would be the competitive effects for domestic issuers and existing FPIs of such an accommodation? Should existing FPIs be permitted to rely on the current FPI eligibility requirements indefinitely or be subjected to any changes to the FPI definition after a certain transition period, and, if so, what should that period be?

V. Regulatory Planning and Review

This concept release and request for comments is a significant regulatory action under Executive Order 12866 and has been reviewed by the Office of Management and Budget.

VI. Conclusion

We are interested in the public's views regarding the matters discussed in this concept release. We recognize that the public interest is served when U.S. investors have more opportunities to invest in a variety of securities, including foreign issuers' securities, and, in this regard, want to continue to facilitate U.S. investors' access to those investment opportunities. At the same time, we believe it is important to reassess whether the current FPI definition adequately reflects today's FPI population and is serving its

¹²² 17 CFR 210.1-02(l) of Regulation S-X defines "foreign business" as "A business that is majority owned by persons who are not citizens or residents of the United States and is not organized under the laws of the United States or any State thereof, and either: (1) More than 50 percent of its assets are located outside the United States; or (2) The majority of its executive officers and directors are not United States citizens or residents." Qualifying acquired foreign businesses benefit from certain accommodations under Regulation S-X, including following requirements applicable to FPIs when presenting financial statements.

intended function. We encourage all interested parties to submit comments on these topics. If possible, please reference the specific question numbers or sections of this release when submitting comments. In addition, we solicit comments on any other aspect of foreign issuer securities regulation that commenters believe may be improved. Please be as specific as possible in your discussion and analysis of any additional issues.

By the Commission.

Dated: June 4, 2025.

Vanessa A. Countryman,
Secretary.

[FR Doc. 2025-10428 Filed 6-6-25; 8:45 am]

BILLING CODE 8011-01-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG-2025-0312]

RIN 1625-AA09

Drawbridge Operation Regulation; Inside Thorofare, Ventnor City, New Jersey

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to modify the operating schedule that governs the Dorset Avenue Bridge across Inside Thorofare, mile 72.1 at Ventnor City, NJ. The proposed rule would allow the drawbridge to only open between the hours of 11 p.m. to 7 a.m. if at least four hours' notice is given. We invite your comments on this proposed rulemaking.

DATES: Comments and related material must reach the Coast Guard on or before July 9, 2025.

ADDRESSES: You may submit comments identified by docket number USCG-2025-3012 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 below for 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 on this proposed rule, email Mr. Jack H. Williams, Bridge Management Specialist, Fifth Coast

Guard District, at (206) 815-5085 or Jack.H.Williams2@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
DHS Department of Homeland Security
FR Federal Register
OMB Office of Management and Budget
NPRM Notice of Proposed Rulemaking (Advance, Supplemental)
§ Section
U.S.C. United States Code

II. Background, Purpose and Legal Basis

The Dorset Avenue Bridge across Inside Thorofare, mile 72.1, at Ventnor City, NJ, has a vertical clearance of 9 feet at mean high water in the closed to navigation position (unlimited in the open to navigation position) and a horizontal clearance of 50 feet between the bridge protective system. Waterway users include pleasure craft, commercial and sport fishing vessels.

The existing drawbridge operating regulation for the Dorset Avenue Bridge is listed in 33 CFR 117.733(i) and requires that the Bridge open on signal except that from June 1 through September 30, from 9:15 a.m. to 9:15 p.m., the draw need only open at 15 and 45 minutes after the hour.

A review of the drawbridge logs provided by Atlantic County, the Bridge Owner, has revealed that requests for opening of the bridge have decreased thus indicating minimal use. For the years 2022, 2023 and 2024, from 11 p.m. to 7 a.m., the Dorset Avenue Bridge has opened 42, 51, and 29 times, for vessels, respectively. Because of minimal demand for bridge opening, between the hours of 11 p.m. to 7 a.m., the bridge owner has requested that during these hours, year-round, the bridge need only open when a four-hour advance notice is given.

The legal basis for this proposed rule is 33 U.S.C. 499.

III. Discussion of Proposed Rule

The Coast Guard proposes to amend Section 117.733 by revising paragraph (i) to include a new 4 hour notice requirement for openings between the hours of 11 p.m. and 7 a.m. The proposed rule would require a four-hour advance notice for openings, between the hours of 11 p.m. and 7 a.m., for the Dorset Avenue Bridge. Vessels that can pass under the restricted vertical clearance and without requesting a bridge opening may do so. We propose to keep the existing operating schedule for the June 1 through September 30 time period. Existing regulations state from June 1 through September 30, from

9:15 a.m. to 9:15 p.m., the draw need open only on the 15 and 45 minutes after the hour. At all other times not mentioned, the bridge would open on signal.

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 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 proposed rule 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 ability that vessels can still transit the bridge when the bridge operator is 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. 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 bridge 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 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 (Public Law 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 contact 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 call for no 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 contact 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 will not result in such an expenditure, we do discuss the effects of this proposed 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 proposed rule promulgates the operating regulations or procedures for drawbridges. Normally such actions are categorically excluded from further review, under paragraph L49, of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1.

Neither a Record of Environmental Consideration nor a Memorandum for the Record are required for this rule. 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–2025–0312 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.

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 go to the online docket and sign up for email alerts, you will be notified when comments are posted, or a final rule is published of any posting or updates to the docket.

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 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 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 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; and DHS Delegation No. 00170.1, Revision No. 01.3.

■ 2. Amend § 117.733 by revising paragraph (i) to read as follows:

§ 117.733 New Jersey Intracoastal Waterway

* * * * *

(i) The draw of the Dorset Avenue Bridge across Inside Thorofare, mile 72.1 at Ventnor City, shall open on signal except that:

(1) From June 1 through September 30, from 9:15 a.m. to 9:15 p.m., the draw need open only on the 15 and 45 minutes after the hour.

(2) Year-round, from 11 p.m. to 7 a.m., the draw need only open if at least four-hour notice is given.

* * * * *

Dated: June 4, 2025.

J.C. Vann,

Rear Admiral (upper half), U.S. Coast Guard, Commander, Fifth Coast Guard District.

[FR Doc. 2025–10418 Filed 6–6–25; 8:45 am]

BILLING CODE 9110–04–P

POSTAL REGULATORY COMMISSION**39 CFR Part 3050**

[Docket No. RM2025–10; Order No. 8882]

Periodic Reporting**AGENCY:** Postal Regulatory Commission.**ACTION:** Notice of proposed rulemaking.

SUMMARY: The Commission is acknowledging a recent Postal Service filing requesting the Commission initiate a rulemaking proceeding to consider changes to analytical principles relating to periodic reports. This document informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* July 1, 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. Proposal
- III. Notice and Comment
- IV. Ordering Paragraphs

I. Introduction

On May 30, 2025, the Postal Service filed a petition pursuant to 39 CFR 3050.11 requesting that the Commission initiate a rulemaking proceeding to consider changes to analytical principles relating to periodic reports.¹ The Petition identifies the proposed analytical changes filed in this docket as modifications to the Revenue, Pieces, and Weight (RPW) reporting methodology for measuring the national totals of non-contract mailpieces in domestic mail categories bearing PC Postage indicia from postage evidencing systems. Petition, Proposal at 1. In particular, the Postal Service plans to replace Origin-Destination Information System—Revenue, Pieces, and Weight

¹ Petition of the United States Postal Service to Initiate a Proceeding to Change Analytical Principles and Notice of Filing Non-Public Materials, May 30, 2025 (Petition). The proposed change is attached to the Petition (Proposal).

(ODIS–RPW) statistical sampling estimates with corresponding census transactional data. *Id.*

II. Proposal

Background. Postage meters and PC Postage products are collectively identified as “postage evidencing systems,” which print information-based indicia (IBI) to indicate postage payment. *Id.* at 2. Mailers print indicia directly on a mailpiece or on a label that is affixed to a mailpiece. *Id.* PC Postage is third-party vendor software that mailers can use to pay for and print postage using a computer, printer, and internet connection. *Id.* PC Postage payment transactions are recorded in the National Meter Account Tracking System (NMATS). *Id.*

The Postal Service explains that the current RPW methodology for mail activity relies on several census sources in combination with statistical estimates. *Id.* The ODIS–RPW system is a probability-based destinating mail sampling system that supplies official estimates of revenue, volume, and weight for single-piece stamped and metered mail. *Id.* at 3. ODIS–RPW data collectors record a PC Postage mailpiece as IBI and indicate the specific PC Postage manufacturer. *Id.* Other mail characteristics recorded by Statistical Programs data collectors include, but are limited to, revenue, mail class, product, mail markings, and extra services. *Id.*

In describing the limitations with the current methodology, the Postal Service explains that “[u]nintended errors could occur in the sampling of mail, and in the recording of the data elements observed.” *Id.* In addition, the Postal Service states that the ODIS–RPW system produces point estimates with sampling error and does not have the capability to report or adjust for short-paid and overpaid mail. *Id.* at 3–4.

Proposal. The Postal Service proposes to switch reporting of PC Postage domestic mail categories from sample data provided by the ODIS–RPW sampling system to corresponding census data provided by PC Postage transactional data housed in NMATS. *Id.* at 4. The PC Postage data includes First-Class, Media Mail, Library Mail, USPS Ground Advantage, and Priority Mail. *Id.* The Postal Service proposes to replace the sampling estimates with NMATS transactional (census) data no earlier than Quarter 4 FY 2025 due to customers turning over to transactional level meters. *Id.* The Postal Service also

would retrospectively revise Quarter 1, 2, and 3 of FY 2025, but not FY 2024 or prior. *Id.*

Impact. To measure the impact of the proposed change, the Postal Service produced RPW reports using census data and compared them to the original versions. *Id.* Through these comparison reports, the Postal Service identified revenue and volume changes across major mail categories. *Id.* at 5. Thus, the Postal Service states that the proposed change will improve reporting of PC Postage revenue and volume in terms of the level and measures of precision. *Id.* at 6. It also states that the new methodology will allow for more granularity in the underlying report data. *Id.* at 6–7.

III. Notice and Comment

The Commission establishes Docket No. RM2025–10 for consideration of matters raised by the Petition. More information on the Petition may be accessed via the Commission's website at <https://www.prc.gov>. Interested persons may submit comments on the Petition and the Proposal no later than July 1, 2025. Pursuant to 39 U.S.C. 505, Madison Lichtenstein is designated as an officer of the Commission (Public Representative) to represent the interests of the general public in this proceeding.

IV. Ordering Paragraphs

It is ordered:

1. The Commission establishes Docket No. RM2025–10 for consideration of the matters raised by the Petition of the United States Postal Service to Initiate a Proceeding to Change Analytical Principles and Notice of Filing Non-Public Materials, filed May 30, 2025.

2. Comments by interested persons in this proceeding are due no later than July 1, 2025.

3. Pursuant to 39 U.S.C. 505, the Commission appoints Madison Lichtenstein to serve as an officer of the Commission (Public Representative) to represent the interests of the general public in this docket.

4. The Secretary shall arrange for the publication of this order in the **Federal Register**.

By the Commission.

Erica A. Barker,
Secretary.

[FR Doc. 2025–10414 Filed 6–6–25; 8:45 am]

BILLING CODE 7710–FW–P

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 180**

[EPA-HQ-OPP-2024-0534; FRL-12765-01-OCSPP]

RIN 2070-ZA16

Pesticide Tolerances; Implementing Registration Review Decisions for Certain Pesticides; Hydrogen Cyanide, et al.**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA or Agency) is proposing to implement several tolerance actions under the Federal Food, Drug, and Cosmetic Act (FFDCA) that the Agency determined were necessary or appropriate during the registration review conducted under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). During registration review, EPA reviews all aspects of a pesticide case, including existing tolerances, to ensure that the pesticide continues to meet the standard for registration under FIFRA. The pesticide tolerances and active ingredients addressed in this rulemaking are identified and discussed in detail in Unit III. of this document.

DATES: Comments must be received on or before August 8, 2025.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2024-0534, through <https://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT: Carolyn Smith, Pesticide Re-Evaluation Division (7508M), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; telephone number: (202) 566-2273; email address: smith.carolyn@epa.gov.

SUPPLEMENTARY INFORMATION:**I. Executive Summary***A. Does this action apply to me?*

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or

pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document might apply to them:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

If you have any questions regarding the applicability of this proposed action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. What action is the Agency taking?

EPA is proposing several tolerance actions that the Agency previously determined were necessary or appropriate during registration review of the pesticide active ingredients identified in Unit III. The tolerance actions for each pesticide active ingredient are described in Unit III. and may include but are not limited to the following types of actions:

- Revising tolerance expressions;
- Modifying commodity definitions;
- Updating crop groupings;
- Removing expired tolerances;
- Revoking tolerances that are no longer needed; and
- Harmonizing tolerances with the Codex Alimentarius Commission (Codex) Maximum Residue Levels (MRLs).

Although it may not have been identified in the registration review of a particular pesticide, this proposed rule reflects the Agency's 2019 adoption of the Organization of Economic Cooperation and Development (OECD) Rounding Class Practice. More information on the OECD Rounding Class Practice can be found at https://www.oecd.org/en/publications/mrl-calculator-users-guide-and-white-paper_9789264221567-en.html. Where applicable, these adjustments are proposed for specific pesticides as indicated in Unit III.

C. What is EPA's authority for taking this action?

Section 408(e) of the Federal Food, Drug and Cosmetic Act (FFDCA), 21 U.S.C. 346a(e), authorizes EPA to establish, modify, or revoke tolerances or exemptions from the requirement of a tolerance on its own initiative.

Under FIFRA section 3(g), 7 U.S.C. 136a(g), EPA is required to periodically review all registered pesticides and determine if those pesticides continue

to meet the standard for registration under FIFRA. As part of the registration review of a pesticide, EPA also evaluates the existing tolerances and any tolerance changes identified as necessary or appropriate during registration review of a pesticide are summarized in the registration review decision documents for each pesticide active ingredient or registration review case (e.g., in the Proposed Interim Decision (PID), Proposed Final Decision (PFD), Interim Decision (ID) and Final Decision (FD)). These documents can be found in the public docket opened for each pesticide undergoing registration review. Additional information about pesticide registration review is available at <https://www.epa.gov/pesticide-reevaluation>.

Prior to issuing the final regulation, FFDCA section 408(e)(2) requires EPA to issue a notice of proposed rulemaking for a 60-day public comment period, unless the Administrator for good cause finds that it would be in the public interest to have a shorter period and states the reasons in the proposed rulemaking.

D. What should I consider as I prepare my comments for EPA?

1. *Submitting CBI.* Do not submit CBI to EPA through email or <https://www.regulations.gov>. If you wish to include CBI in your comment, please follow the applicable instructions at <https://www.epa.gov/dockets/commenting-epa-dockets#rules> and clearly mark the information that you claim to be CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When preparing and submitting your comments, see the commenting tips at <https://www.epa.gov/dockets/commenting-epa-dockets>.

E. What can I do if I want the Agency to maintain a tolerance that the Agency proposes to revoke?

This proposed rule provides a 60-day public comment period that allows any person to state an interest in retaining a tolerance proposed for revocation. If EPA receives such a comment within the 60-day period, EPA will not proceed to revoke the tolerance immediately. However, EPA will take steps to ensure the submission of any needed supporting data and will issue an order in the **Federal Register** under FFDCA section 408(f), if needed. If the data are not submitted as required in the order, EPA will take appropriate action under FFDCA.

After considering comments that are received in response to this proposed rule, EPA will issue a final rule. At the time of the final rule, you may file an objection or request a hearing on the action taken in the final rule. If you fail to file an objection to the final rule within the time period specified in the final rule, you will have waived the right to raise any issues resolved in the final rule. After the filing deadline specified in the final rule, issues resolved in the final rule cannot be raised again in any subsequent proceedings.

II. Background

A. What is a tolerance?

A “tolerance” represents the maximum level for residues of a pesticide chemical legally allowed in or on food, which includes raw agricultural commodities and processed foods and feed for animals. Under the FFDCA, residues of a pesticide chemical that are not covered by a tolerance or exemption from the requirement of a tolerance are considered unsafe. See 21 U.S.C. 346a(a)(1). Foods containing unsafe residues are deemed adulterated and may not be distributed in interstate commerce. See 21 U.S.C. 331(a) and 342(a)(2)(B). Consequently, for a food-use pesticide (*i.e.*, a pesticide use that is likely to result in residues in or on food) to be sold and distributed in the United States, the pesticide must not only have appropriate tolerances or exemptions under the FFDCA, but also must be registered under FIFRA. Food-use pesticides not registered in the United States must have tolerances or exemptions in order for commodities treated with those pesticides to be imported into the United States. For additional information about tolerances, go to <https://www.epa.gov/pesticide-tolerances/about-pesticide-tolerances>.

B. Why does EPA consider international residue limits?

When establishing a tolerance for residues of a pesticide, EPA must determine whether Codex has established a MRL for that pesticide. See 21 U.S.C. 346a(b)(4). Additionally, as part the registration review of a pesticide (see Unit II.C.), EPA determines whether Codex or other international MRLs exist for commodities and chemicals for which U.S. tolerances have been established. Where appropriate, EPA’s intention is to harmonize U.S. tolerances with those international MRLs to facilitate trade. EPA’s effort to harmonize with international MRLs is summarized in the tolerance reassessment section of the

individual Human Health Draft Risk Assessments that support the pesticide registration review.

C. What is registration review?

Under FIFRA section 3(g), 7 U.S.C. 136a(g), EPA is required to periodically review all registered pesticides and determine if those pesticides continue to meet the standard for registration under FIFRA. See also 40 CFR 155.40(a). The registration review program is intended to make sure that, as the ability to assess risk evolves and as policies and practices change, all registered pesticides can continue to be used without causing unreasonable adverse effects on human health and the environment. As part of the registration review of a pesticide, EPA also evaluates whether existing tolerances are safe, whether any changes to existing tolerances are necessary or appropriate, and whether any new tolerances are necessary to cover residues from registered pesticides. In addition, any tolerance changes identified as necessary or appropriate during registration review of a pesticide are summarized in the registration review decision documents for each pesticide active ingredient or registration review case (*e.g.*, in the Proposed Interim Decision (PID), Proposed Final Decision (PFD), Interim Decision (ID) and Final Decision (FD)). These documents can be found in the public docket that has been opened for each pesticide, which is available online at <https://www.regulations.gov>, using the docket ID number listed in Unit III. for each pesticide active ingredient included in this proposed action. Additional information about pesticide registration review is available at <https://www.epa.gov/pesticide-reevaluation>.

D. EPA’s Safety Assessments

FFDCA section 408(b) authorizes EPA to establish a tolerance, if the Agency determines that a tolerance is safe; FFDCA section 408(c) authorizes EPA to establish an exemption from the requirement of a tolerance if the Agency determines that the exemption is safe. See 21 U.S.C. 346a(b) and (c). If EPA determines that a tolerance or exemption is not safe, EPA must modify or revoke that tolerance or exemption. The FFDCA defines “safe” to mean that “there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information.” 21 U.S.C. 346a(b)(2)(A)(ii), (c)(2)(A)(ii). This

includes exposure through drinking water and in residential settings but does not include occupational exposure. FFDCA section 408(b)(2)(C) requires EPA to give special consideration to the exposure of infants and children to the pesticide chemical residue in establishing a tolerance and to “ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue[s.]” 21 U.S.C. 346a(b)(2)(C). In addition, FFDCA section 408(b)(2)(D) contains several factors EPA must consider when making determinations about establishing, modifying, or revoking tolerances. 21 U.S.C. 346a(b)(2)(D). FFDCA section 408(c)(2)(B) requires that EPA, when making determinations about exemptions, to take into account, among other things, the considerations set forth in FFDCA section 408(b)(2)(C) and (D). 21 U.S.C. 346a(c)(2)(B).

Furthermore, when establishing tolerances or exemptions from the requirement of a tolerance, FFDCA sections 408(b)(3) and (c)(3) require that there be a practical method for detecting and measuring pesticide chemical residue levels in or on food, unless in the case of exemptions, EPA determines that such method is not needed and states the reasons therefore in the rulemaking. 21 U.S.C. 346a(b) and (c).

Consistent with its obligations under FIFRA section 3(g), 7 U.S.C. 136a(g), and FFDCA section 408, 21 U.S.C. 346a, EPA has reviewed the available scientific data and other relevant information on toxicity and exposure of the individual chemicals represented in this rulemaking. As part of registration review, the Agency has published risk assessments detailing the risks from aggregate exposure, including to infants and children, for each of the pesticides represented herein. The chemical-specific toxicity and exposure analyses, which support the safety determinations contained in Unit III., can be found in the human health risk assessment documents and related registration review decision documents, which are available in the public docket that has been opened for each pesticide, as noted in Unit III.

After considering all available information, EPA has determined it is appropriate based on the underlying safety assessments to take the tolerance actions being proposed in this rulemaking and that adequate enforcement methodology as described in the supporting documents is available to enforce the tolerance expressions.

III. Proposed Tolerance Actions

EPA is proposing to take the specific tolerance actions identified in this unit. All tolerance values proposed in the regulatory text of this rule, modified or otherwise, are being proposed to reflect current OECD rounding practices.

A. 40 CFR 180.130; Hydrogen Cyanide; Case 8002 (Docket ID No. EPA-HQ-OPP-2010-0752)

EPA is proposing to amend the current tolerance by:

- Revising the tolerance expression in paragraph (a) for hydrogen cyanide to describe more clearly the scope or coverage of the tolerance and the method for measuring compliance. Consistent with EPA policy, the revised tolerance expression would clarify that: (1) as provided in FFDCA section 408(a)(3), the tolerance covers metabolites and degradates of sodium cyanide not specifically mentioned; and (2) compliance with the specified tolerance level is to be determined by measuring only hydrogen cyanide. The revisions to the tolerance expression would not substantively change the tolerance or, in any way, modify the permissible level of residues permitted by the tolerance.

- Revising the commodity definition in paragraph (a) from “Fruit, citrus” to “Fruit, citrus, group 10–10”. This revision will help facilitate efficient commodity searches and does not substantively change the tolerance or, in any way, modify the permissible level of residues in or on the commodity listed in the regulation.

As discussed in Unit II.D., based on the supporting registration review documents, EPA has determined that the proposed amendments to the hydrogen cyanide tolerances would be safe, *i.e.*, there is a reasonable certainty that no harm will result to the general population, or specifically to infants and children, from aggregate exposure to hydrogen cyanide residues. Adequate enforcement methodology is available.

B. 40 CFR 180.155; 1-Naphthaleneacetic Acid; Case 0379 (Docket ID No. EPA-HQ-OPP-2014-0773)

EPA is proposing to amend the current tolerance by:

- Modifying the tolerance for “Rambutan” to reflect current OECD rounding practices.

As discussed in Unit II.D., based on the supporting registration review documents, EPA has determined that the proposed amendments to the 1-naphthaleneacetic acid tolerances would be safe, *i.e.*, there is a reasonable certainty that no harm will result to the

general population, or specifically to infants and children, from aggregate exposure to 1-naphthaleneacetic acid residues. Adequate enforcement methodology is available.

C. 40 CFR 180.301; Carboxin; Case 0012 (Docket ID No. EPA-HQ-OPP-2015-0144)

EPA is proposing to amend the current tolerance by:

- Revising the tolerance expression in paragraph (a) for carboxin to describe more clearly the scope or coverage of the tolerances and the method for measuring compliance. Consistent with EPA policy, the revised tolerance expression would clarify that: (1) as provided in FFDCA section 408(a)(3), the tolerances cover metabolites and degradates of carboxin not specifically mentioned; and (2) compliance with the specified tolerance levels is to be determined by measuring the specific compounds mentioned in the tolerance expression. The revisions to the tolerance expression would not substantively change the tolerances or, in any way, modify the permissible level of residues permitted by the tolerances.

- Revising the commodity definition in paragraph (a) from “Canola, seed” to “Rapeseed, seed”. This revision of the commodity definition will help facilitate efficient commodity searches and does not substantively change the tolerance or, in any way, modify the permissible level of residues in or on the commodity listed in the regulation.

- Establishing new tolerances in paragraph (a) for “Barley, hay” at 0.2 ppm, “Cotton, gin byproducts” at 3 ppm, “Oat, hay” at 0.2 ppm, and “Wheat, hay” at 0.2 ppm. The barley, hay; oat, hay; and wheat, hay tolerances are to be established based on supervised field trials conducted for wheat seeds with carboxin. The cotton, gin byproducts tolerance is to be established based on the total radioactive residue data from a cottonseed metabolism study.

As discussed in Unit II.D., based on the supporting registration review documents, EPA has determined that the proposed amendments to the carboxin tolerances would be safe, *i.e.*, there is a reasonable certainty that no harm will result to the general population, or specifically to infants and children, from aggregate exposure to carboxin residues. Adequate enforcement methodology is available.

D. 40 CFR 180.331; 2,4-DB; Case 0196 (Docket ID No. EPA-HQ-OPP-2013-0661)

EPA is proposing to amend the current tolerance by:

- Revising the chemical name in the title in 40 CFR 180.331 from “4-(2,4-dichlorophenoxy) butyric acid” to “2,4-DB” to more accurately reflect the chemical covered by the tolerances in that section.

- Revising the tolerance expression in paragraph (a) for 2,4-DB to describe more clearly the scope or coverage of the tolerances and the method for measuring compliance. Consistent with EPA policy, the revised tolerance expression would clarify that: (1) as provided in FFDCA section 408(a)(3), the tolerances cover metabolites and degradates of 2,4-DB not specifically mentioned; and (2) compliance with the specified tolerance levels is to be determined by measuring the specific compounds mentioned in the tolerance expression. The revisions to the tolerance expression would not substantively change the tolerances or, in any way, modify the permissible level of residues permitted by the tolerances.

- Revoking the tolerances in paragraph (a) for “Clover, forage”; “Clover, hay”; “Peppermint, tops”; and “Spearmint, tops”. During registration review, EPA determined that these entries are no longer needed since these uses have been cancelled. EPA is establishing an expiration date of December 8, 2025 for these tolerances.

- Modifying tolerances to reflect current OECD rounding practices.

As discussed in Unit II.D., based on the supporting registration review documents, EPA has determined that the proposed amendments to the 2,4-DB tolerances would be safe, *i.e.*, there is a reasonable certainty that no harm will result to the general population, or specifically to infants and children, from aggregate exposure to 2,4-DB residues. Adequate enforcement methodology is available.

E. 40 CFR 180.345; Ethofumesate; Case 2265 (Docket ID No. EPA-HQ-OPP-2015-0406)

EPA is proposing to amend the current tolerance by:

- Revising the commodity definitions from “Beet, garden, tops” to “Beet, garden, leaves”; “Garlic” to “Garlic, bulb”; and “Grass, straw” to “Grass, forage, fodder and hay, group 17, straw”. These revisions of commodity definitions will help facilitate efficient commodity searches and do not substantively change the tolerances or,

in any way, modify the permissible level of residues in or on the commodities listed in the regulation.

- Removing the tolerance for “Beet, sugar, tops” at 4.0 ppm. During registration review, EPA determined that this entry should be removed, since it is no longer a significant livestock feed item or a recognized human food. EPA is establishing an expiration date of December 8, 2025 for these tolerances.

- Modifying tolerances to reflect current OECD rounding practices.
- Establishing new tolerances for “Animal feed, nongrass, group 18” at 1.5 ppm; “Grain, cereal, forage, hay, stover, and straw, group 16–22” at 1.5 ppm; and “Vegetable, legume, forage and hay group, 7–22” at 0.5 ppm. EPA is proposing to establish these tolerances for inadvertent residues from rotational crop uptake for these livestock feed items.

As discussed in Unit II.D., based on the supporting registration review documents, EPA has determined that the proposed amendments to the ethofumesate tolerances would be safe, *i.e.*, there is a reasonable certainty that no harm will result to the general population, or specifically to infants and children, from aggregate exposure to ethofumesate residues. Adequate enforcement methodology is available.

F. 40 CFR 180.401; Thiobencarb; Case 2665 (Docket ID No. EPA-HQ-OPP-2011-0932)

EPA is proposing to amend the current tolerance by:

- Revising the tolerance expression in paragraph (a) for thiobencarb to describe more clearly the scope or coverage of the tolerances and the method for measuring compliance. Consistent with EPA policy, the revised tolerance expression would clarify that: (1) as provided in FFDCA section 408(a)(3), the tolerances cover metabolites and degradates of thiobencarb not specifically mentioned; and (2) compliance with the specified tolerance levels is to be determined by measuring the specific compounds mentioned in the tolerance expression. The revisions to the tolerance expression would not substantively change the tolerances or, in any way, modify the permissible level of residues permitted by the tolerances.

- Establishing new tolerances in paragraph (a) for “Celery”, “Endive”, “Lettuce, head”, and “Lettuce, leaf” at 0.2 ppm. While there are no current registered uses in the United States for celery, endive, or lettuce, the Agency is requiring that these tolerances are established to ensure the commodities are covered as import tolerances (*i.e.*,

tolerances for residues without U.S. registrations).

- Revoking tolerances in paragraph (c) for “Celery”, “Endive”, and “Lettuce”, since these tolerances are being moved to paragraph (a). Revoking and removing paragraph (c) will prevent redundancy in listed tolerances, as well as clarify that the import tolerances specified are not considered to be tolerances with regional registration, as defined in § 180.1(l).

As discussed in Unit II.D., based on the supporting registration review documents, EPA has determined that the proposed amendments to the thiobencarb tolerances would be safe, *i.e.*, there is a reasonable certainty that no harm will result to the general population, or specifically to infants and children, from aggregate exposure to thiobencarb residues. Adequate enforcement methodology is available.

G. 40 CFR 180.491; Propylene Oxide; Case 2560 (Docket ID No. EPA-HQ-OPP-2013-0156)

EPA is proposing to amend the current tolerance by:

- Revising the commodity definition from “Fig” to “Fig, dried”. This revision of the commodity definition will ensure the current tolerance is not exceeded, facilitate efficient commodity searches, and does not substantively change the tolerance or, in any way, modify the permissible level of residues in or on the commodity listed in the regulation.

- Updating the existing crop group tolerance for residues of propylene oxide on “Nut, tree, group 14” to the updated crop group “Nut, tree, group 14–12” at the same level (300 ppm). Upon establishment of the new crop group, and to prevent redundancy, the Agency proposes to remove tolerances that would be unnecessary once they are superseded by the tolerances established for the new crop group, including the tolerances for “Nut, pine”; “Nutmeat, processed, except peanuts”; and “Pistachio”. Those commodities would be covered under the updated crop grouping “Nut, tree, group 14–12”. This revision would ensure the current tolerance is not exceeded. 40 CFR 180.40(j) states that “At appropriate times, EPA will amend tolerances for crop groups that have been superseded by revised crop groups to conform to the pre-existing crop group to the revised crop group.” EPA has indicated in updates to its crop group rulemakings that registration review is one of those appropriate times. *See, e.g.*, Tolerance Crop Grouping Program V (85 FR 70985, November 6, 2020 (FRL–10015–19)).

- Removing all tolerances in paragraph (a)(2) and removing the

paragraph to prevent redundancy. During registration review, EPA determined that these entries are no longer needed since propylene oxide residues alone are adequate for detection of propylene oxide misuse for enforcement activities, and there are no established Codex MRLs for propylene chlorohydrin. For regulatory clarity, and to ensure residues of propylene oxide reaction products (including propylene chlorohydrin and propylene bromohydrin) remain covered under the tolerance changes being proposed, the Agency has included specific tolerance expression language to specify the inclusion of these reaction products.

- Modifying tolerances to reflect current OECD rounding practices.

As discussed in Unit II.D., based on the supporting registration review documents, EPA has determined that the proposed amendments to the propylene oxide tolerances would be safe, *i.e.*, there is a reasonable certainty that no harm will result to the general population, or specifically to infants and children, from aggregate exposure to propylene oxide residues. Adequate enforcement methodology is available.

H. 40 CFR 180.562; Flucarbazone-Sodium; Case 7251 (Docket ID No. EPA-HQ-OPP-2013-0283)

EPA is proposing to amend the current tolerance by:

- Establishing new paragraphs (a)(1) and (a)(2) under paragraph (a) for the wheat commodities in paragraph (a)(1) and the livestock commodities in paragraph (a)(2).

- Revising the tolerance expressions for flucarbazone-sodium to describe more clearly the scope or coverage of the tolerances and the method for measuring compliance. Consistent with EPA policy, the revised tolerance expressions would clarify that: (1) as provided in FFDCA section 408(a)(3), the tolerances cover metabolites and degradates of flucarbazone-sodium not specifically mentioned; and (2) compliance with the specified tolerance levels is to be determined by measuring the specific compounds mentioned in the tolerance expression. The revisions to the tolerance expression would not substantively change the tolerances or, in any way, modify the permissible level of residues permitted by the tolerances.

- Modifying tolerances to reflect current OECD rounding practices.

- Modifying the tolerance value for “Wheat, hay” from 0.10 to 0.2 to support the 15-day grazing/harvest interval.

As discussed in Unit II.D., based on the supporting registration review

documents, EPA has determined that the proposed amendments to the flucarbazono-sodium tolerances would be safe, *i.e.*, there is a reasonable certainty that no harm will result to the general population, or specifically to infants and children, from aggregate exposure to flucarbazono-sodium residues. Adequate enforcement methodology is available.

IV. Proposed Effective and Expiration Date(s)

EPA is proposing that these tolerance actions would be effective on the date of publication of the final rule in the **Federal Register**. For actions in the final rule that lower or revoke existing tolerances, EPA is proposing to add an expiration date for the existing tolerance of 180 days (approximately 6 months) after the date of publication of the final rule in the **Federal Register**, to allow a reasonable interval for producers in exporting members of the World Trade Organization's (WTO's) Sanitary and Phytosanitary (SPS) Measures Agreement to adapt to the requirements.

V. Statutory and Executive Order Reviews

Additional information about these statutes and Executive Orders can be found at <https://www.epa.gov/laws-regulations/laws-and-executive-orders>.

A. Executive Order 12866: Regulatory Planning and Review

This action is exempt from review under Executive Order 12866 (58 FR 51735, October 4, 1993), because it proposes to establish or modify a pesticide tolerance or a tolerance exemption under FFDCA section 408. This exemption also applies to tolerance revocations for which extraordinary circumstances do not exist. As such, this exemption applies to the tolerance revocations in this proposed rule because the Agency knows of no extraordinary circumstances that warrant reconsideration of this exemption for those proposed tolerance revocations.

B. Executive Order 14192: Unleashing Prosperity Through Deregulation

Executive Order 14192 (90 FR 9065, February 6, 2025) does not apply because actions that establish a tolerance under FFDCA section 408 are exempted from review under Executive Order 12866.

C. Paperwork Reduction Act (PRA)

This action does not impose an information collection burden under the PRA 44 U.S.C. 3501 *et seq.*, because it

does not contain any information collection activities.

D. Regulatory Flexibility Act (RFA)

I certify that this action will not have a significant economic impact on a substantial number of small entities under the RFA, 5 U.S.C. 601 *et seq.* In making this determination, EPA concludes that the impact of concern for this action is any significant adverse economic impact on small entities and that the Agency is certifying that this action will not have a significant economic impact on a substantial number of small entities because the action has no net burden on small entities subject to this rulemaking. This determination takes into account an EPA analysis for tolerance establishments and modifications that published in the **Federal Register** of May 4, 1981 (46 FR 24950 (FRL-1809-5)) and for tolerance revocations on December 17, 1997 (62 FR 66020 (FRL-5753-1)). Additionally, in a 2001 memorandum, EPA determined that eight conditions must all be satisfied in order for an import tolerance or tolerance exemption revocation to adversely affect a significant number of small entity importers, and that there is a negligible joint probability of all eight conditions holding simultaneously with respect to any particular revocation. See Memorandum from Denise Keehner, Division Director, Biological and Economic Analysis Division, Office of Pesticide Programs, entitled "RFA/SBREF A Certification for Import Tolerance Revocation" and dated May 25, 2001, which is available in docket ID No. EPA-HQ-OPP-2005-0322 at <https://www.regulations.gov>.

For the pesticides named in this rulemaking, EPA concludes that there is no reasonable expectation that residues of the pesticides for tolerances listed in this rulemaking for revocation will be found on the commodities discussed in this rulemaking, and the Agency knows of no extraordinary circumstances that exist as to the present proposed rule that would change EPA's previous analyses.

Any comments about the Agency's determination for this rulemaking should be submitted to EPA along with comments on the proposed rule and will be addressed in the final rule.

E. Unfunded Mandates Reform Act (UMRA)

This action does not contain an unfunded mandate of \$100 million or more (in 1995 dollars and adjusted annually for inflation) as described in UMRA, 2 U.S.C. 1531-1538, and does not significantly or uniquely affect small governments. The action imposes no

enforceable duty on any State, Local or Tribal governments or the private sector.

F. Executive Order 13132: Federalism

This action does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999), because it 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.

G. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

This action does not have Tribal implications as specified in Executive Order 13175 (65 FR 67249, November 9, 2000), because it will not have substantial direct effects on Tribal governments, on the relationship between the Federal Government and the Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes.

H. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks

This action is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it is not a significant regulatory action under section 3(f)(1) of Executive Order 12866 (See Unit V.A.), and because EPA does not believe the environmental health or safety risks addressed by this action present a disproportionate risk to children. However, EPA's 2021 *Policy on Children's Health* applies to this action.

This rule proposes tolerance actions under the FFDCA, which requires EPA to give special consideration to exposure of infants and children to the pesticide chemical residue in establishing a tolerance and to "ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue . . ." (FFDCA 408(b)(2)(C)). The Agency's consideration is documented in the pesticide-specific registration review documents, located in each chemical docket at <https://www.regulations.gov>.

I. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution or Use

This action is not subject to Executive Order 13211 (66 FR 28355) (May 22, 2001) because it is not a significant regulatory action under Executive Order

12866. However, EPA's 2021 Policy on Children's Health applies to this action. This rule proposes tolerance actions under the FFDCA, which requires EPA to give special consideration to exposure of infants and children to the pesticide chemical residue in establishing a tolerance and to "ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue" (FFDCA 408(b)(2)(C)). The Agency's consideration is documented in the pesticide-specific registration review documents, located in each chemical docket at https://www.regulations.gov.

J. National Technology Transfer Advancement Act (NTTAA)

This action does not involve technical standards that would require Agency consideration under NTTAA section 12(d), 15 U.S.C. 272.

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: May 29, 2025.

Edward Messina,

Director, Office of Pesticide Programs.

For the reasons set forth in the preamble, EPA is proposing to amend 40 CFR chapter I as follows:

PART 180—TOLERANCES AND EXEMPTIONS FOR PESTICIDE CHEMICAL RESIDUES IN FOOD

■ 1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.

■ 2. In § 180.130, revise and republish paragraph (a) to read as follows:

§ 180.130 Hydrogen Cyanide; tolerances for residues.

(a) General. Tolerances are established for residues of sodium cyanide, including its metabolites and degradates, in or on the commodities in table 1 to this paragraph (a). Compliance with the tolerance levels specified in table 1 to this paragraph (a) is to be determined by measuring only hydrogen cyanide in or on the commodity.

TABLE 1 TO PARAGRAPH (a)

Table with 2 columns: Commodity, Parts per million. Row: Fruit, citrus, group 10-10 50

* * * * *

■ 3. In § 180.155, amend the table in paragraph (a) by adding the heading "Table 1 to Paragraph (a)" and revising the entry for "Rambutan" as follows:

§ 180.155 1-Naphthaleneacetic acid; tolerances for residues.

(a) * * *

TABLE 1 TO PARAGRAPH (a)

Table with 2 columns: Commodity, Parts per million. Row: Rambutan 2

* * * * *

■ 4. In § 180.301:

■ a. Revise the introductory text to paragraph (a); ■ b. Amend the table in paragraph (a) by:

- i. Adding the heading "Table 1 to Paragraph (a)"; ■ ii. Adding an entry for "Barley, hay" in alphabetical order; ■ iii. Removing the entry for "Canola, seed"; and ■ iv. Adding the entries for "Cotton, gin byproducts"; "Oat, hay"; "Rapeseed, seed", and "Wheat, hay" in alphabetical order.

The revision and additions read as follows:

§ 180.301 Carboxin; tolerances for residues.

(a) General. Tolerances are established for residues of carboxin, 5,6-dihydro-2-methyl-N-phenyl-1,4-oxathiin-3-carboxamide, including its metabolites and degradates, in or on the commodities in table 1 to this paragraph (a). Compliance with the tolerance levels specified in table 1 to this paragraph (a) is to be determined by measuring only those carboxin residues convertible to aniline, expressed as the stoichiometric equivalent of carboxin, in or on the commodities.

TABLE 1 TO PARAGRAPH (a)

Table with 2 columns: Commodity, Parts per million. Rows: Barley, hay 0.2; Cotton, gin byproducts 3; Oat, hay 0.2; Rapeseed, seed 0.03

TABLE 1 TO PARAGRAPH (a)—Continued

Table with 2 columns: Commodity, Parts per million. Row: Wheat, hay 0.2

* * * * *

■ 5. In § 180.331:

■ a. Revise the section heading; and ■ b. Revise and republish paragraph (a). The revisions read as follows:

§ 180.331 2,4-DB; tolerances for residues.

(a) General. Tolerances are established for residues of the herbicide 4-(2,4-dichlorophenoxy) butanoic acid (2,4-DB), including its metabolites and degradates, in or on the commodities in table 1 to this paragraph (a). Compliance with the tolerance levels specified in table 1 to this paragraph (a) is to be determined by measuring only herbicide 2,4-DB, both free and conjugated, in or on the commodity.

TABLE 1 TO PARAGRAPH (a)

Table with 2 columns: Commodity, Parts per million. Rows: Alfalfa, forage 0.7; Alfalfa, hay 2; Cattle, meat byproducts 0.05; Clover, forage 1 0.2; Clover, hay 1 0.2; Goat, meat byproducts 0.05; Hog, meat byproducts 0.05; Horse, meat byproducts 0.05; Peanut 0.2; Peppermint, tops 1 0.2; Sheep, meat byproducts 0.05; Soybean, forage 0.7; Soybean, hay 2; Soybean, seed 0.5; Spearmint, tops 1 0.2; Trefoil, forage 0.7; Trefoil, hay 2

1 These tolerances expire on December 8, 2025.

* * * * *

■ 6. In § 180.345:

■ a. Amend the table in paragraph (a) by:

- i. Adding the heading "Table 1 to Paragraph (a)"; ■ ii. Adding an entry for "Beet, garden, leaves" in alphabetical order; ■ iii. Removing the entry for "Beet, garden, tops"; ■ iv. Revising the entries for "Beet, sugar, molasses" and "Beet, sugar, tops"; ■ v. Removing the entry for "Garlic"; ■ vi. Adding the entries for "Garlic, bulb" and "Grass, forage, fodder and

hay, group 17, straw” in alphabetical order; and

- vii. Removing the entry for “Grass, straw”; and
- b. Revise and republish the table in paragraph (c); and
- c. Revise and republish paragraph (d);
The additions and revisions read as follows:

§ 180.345 Ethofumesate; tolerances for residues.

(a) * * *

TABLE 1 TO PARAGRAPH (a)

Commodity	Parts per million
Beet, garden, leaves	5
* * * *	*
Beet, sugar, molasses	2
* * * *	*
Beet, sugar, tops ¹	4
* * * *	*
Garlic, bulb	0.25
* * * *	*
Grass, forage, fodder and hay, group 17, straw	1
* * * *	*

¹This tolerance expires on [DATE 6 MONTHS AFTER DATE OF PUBLICATION OF THE FINAL RULE IN THE FEDERAL REGISTER].

* * * *

(c) * * *

TABLE 2 TO PARAGRAPH (c)

Commodity	Parts per million
Carrot, roots	7

(d) *Indirect or inadvertent residues.* Tolerances are established for the combined indirect or inadvertent residues of the herbicide ethofumesate, including its metabolites and degradates, in or on the commodities in table 3 to this paragraph (d). Compliance with the tolerance levels specified in table 3 to this paragraph (d) is to be determined by measuring only the sum of ethofumesate, 2-ethoxy-2,3-dihydro-3,3-dimethyl-5-benzofuranyl methanesulfonate, and its metabolites 2-hydroxy-2,3-dihydro-3,3-dimethyl-5-benzofuranyl methanesulfonate, and 2,3-dihydro-3,3-dimethyl-2-oxo-5-benzofuranylmethanesulfonate, calculated as the stoichiometric equivalent of ethofumesate, in or on the commodity.

TABLE 3 TO PARAGRAPH (d)

Commodity	Parts per million
Animal feed, nongrass, group 18	1.5
Grain, cereal, forage, hay, stover, and straw, group 16–22	1.5
Vegetable, legume, forage and hay, group 7–22	0.5

- 7. In § 180.401:
 - a. Revise the introductory text to paragraph (a);
 - b. Amend the table in paragraph (a) by:
 - i. Adding the heading “Table 1 to Paragraph (a)”; and
 - ii. Adding entries for “Celery”; “Endive”; “Lettuce, head”; and “Lettuce, leaf” in alphabetical order; and
 - c. Remove and reserve paragraph (c).
The revision and additions read as follows:

§ 180.401 Thiobencarb; tolerances for residues.

(a) *General.* Tolerances are established for residues of the herbicide thiobencarb, including its metabolites and degradates, in or on the commodities in table 1 to this paragraph (a). Compliance with the tolerance levels specified in table 1 to this paragraph (a) is to be determined by measuring only the sum of thiobencarb and its metabolites containing the chlorobenzyl or chlorophenyl moieties, calculated as the stoichiometric equivalent of thiobencarb, in or on the commodity.

TABLE 1 TO PARAGRAPH (a)

Commodity	Parts per million
* * * *	*
Celery ¹	0.2
* * * *	*
Endive ¹	0.2
* * * *	*
Lettuce, head ¹	0.2
Lettuce, leaf ¹	0.2
* * * *	*

¹There are no U.S. registrations for this commodity.

* * * *

(c) [Reserved]

* * * *

- 8. In § 180.491, revise and republish paragraph (a) to read as follows:

§ 180.491 Propylene oxide; tolerances for residues.

(a) *General.* Tolerances are established for residues of the fumigant

propylene oxide, including its metabolites and its degradates, including the reaction products propylene chlorohydrin and propylene bromohydrin, in or on the commodities in table 1 to this paragraph (a). Compliance with the tolerance levels specified in table 1 to this paragraph (a) is to be determined by measuring only propylene oxide in or on the commodity.

TABLE 1 TO PARAGRAPH (a)

Commodity	Parts per million
Cacao bean, cocoa powder	200
Cacao bean, dried bean	200
Fig, dried	3
Garlic, dried	300
Grape, raisin	1
Herbs and spices, group 19, dried	300
Nut, tree, group 14–12	300
Onion, dried	300
Plum, prune, dried	2

* * * *

- 9. In § 180.562, revise and republish paragraph (a) to read as follows:

§ 180.562 Flucarbazone-sodium; tolerances for residues.

(a) *General.* (1) Tolerances are established for residues of the herbicide flucarbazone-sodium, including its metabolites and degradates, in or on the commodities in table 1 to this paragraph (a)(1). Compliance with the tolerance levels specified is to be determined by measuring the sum of flucarbazone-sodium (4,5-dihydro-3-methoxy-4-methyl-5-oxo-N-((2-(trifluoromethoxy)phenyl)sulfonyl)-1H-1,2,4-triazole-1-carboxamide sodium salt) and its metabolite desmethyl MKH 6562 (4,5-dihydro-3-methoxy-5-oxo-N-((2-(trifluoromethoxy)phenyl)sulfonyl)-1H-1,2,4-triazole-1-carboxamide) calculated as the stoichiometric equivalent of flucarbazone-sodium.

TABLE 1 TO PARAGRAPH (a)(1)

Commodity	Parts per million
Wheat, forage	0.3
Wheat, grain	0.1
Wheat, hay	0.2
Wheat, straw	0.05

(2) Tolerances are established for residues of the herbicide flucarbazone-sodium, including its metabolites and degradates, in or on the commodities in table 2 to this paragraph (a)(2). Compliance with the tolerance levels specified is to be determined by measuring the sum of flucarbazone-sodium (4,5-dihydro-3-methoxy-4-

methyl-5-oxo-*N*-((2-(trifluoromethoxy)phenyl)sulfonyl)-1*H*-1,2,4-triazole-1-carboxamide sodium salt), its metabolite desmethyl MKH 6562 (4,5-dihydro-3-methoxy-5-oxo-*N*-((2-(trifluoromethoxy)phenyl)sulfonyl)-1*H*-1,2,4-triazole-1-carboxamide), and its metabolites converted to 2-(trifluoromethoxy)benzene sulfonamide calculated as the stoichiometric equivalent of flucarbazono-sodium.

TABLE 2 TO PARAGRAPH (a)(2)

Commodity	Parts per million
Cattle, liver	1.5
Cattle, meat	0.01
Cattle, meat byproducts, except liver	0.01
Goat, liver	1.5
Goat, meat	0.01
Goat, meat byproducts, except liver	0.01
Hog, liver	1.5
Hog, meat	0.01
Hog, meat byproducts, except liver	0.01
Horse, liver	1.5

TABLE 2 TO PARAGRAPH (a)(2)—
Continued

Commodity	Parts per million
Horse, meat	0.01
Horse, meat byproducts, except liver	0.01
Milk	0.005
Sheep, liver	1.5
Sheep, meat	0.01
Sheep, meat byproducts, except liver	0.01

* * * * *

[FR Doc. 2025-10208 Filed 6-6-25; 8:45 am]

BILLING CODE 6560-50-P

Notices

Federal Register

Vol. 90, No. 109

Monday, June 9, 2025

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

DEPARTMENT OF AGRICULTURE

Guidance on Referrals for Potential Criminal Enforcement

AGENCY: Office of the General Counsel, Department of Agriculture.

ACTION: Notice.

SUMMARY: This notice describes USDA's plans to address criminally liable regulatory offenses under the recent executive order on Fighting Overcriminalization in Federal Regulations.

FOR FURTHER INFORMATION CONTACT: Mr. Michael Poe, Office of the General Counsel, USDA, 1400 Independence Avenue SW, Washington, DC 20250-1400, (202) 769-8247.

SUPPLEMENTARY INFORMATION: On May 9, 2025, the President issued Executive Order ("E.O.") 14294, Fighting Overcriminalization in Federal Regulations. 90 FR 20363 (published May 14, 2025). Section 7 of E.O. 14294 provides that within 45 days of the order, and in consultation with the Attorney General, each agency should publish guidance in the **Federal Register** describing its plan to address criminally liable regulatory offenses.

Consistent with that requirement, USDA advises the public that by May 9, 2026, the Department, in consultation with the Attorney General, will provide to the Director of the Office of Management and Budget ("OMB") a report containing: (1) a list of all criminal regulatory offenses¹ enforceable by USDA or the Department of Justice ("DOJ"); and (2) for each such criminal regulatory offense, the range of potential criminal penalties for a violation and the applicable mens rea

standard² for the criminal regulatory offense.

This notice also announces a general policy, subject to appropriate exceptions and to the extent consistent with law, that when USDA is deciding whether to refer alleged violations of criminal regulatory offenses to DOJ, officers and employees of USDA should consider, among other factors:

- The harm or risk of harm, pecuniary or otherwise, caused by the alleged offense;
- The potential gain to the putative defendant that could result from the offense;
- whether the putative defendant held specialized knowledge, expertise, or was licensed in an industry related to the rule or regulation at issue; and
- Evidence, if any is available, of the putative defendant's general awareness of the unlawfulness of his conduct as well as his knowledge or lack thereof of the regulation at issue.

Consistent with E.O. 14294 and the general policy set forth above, the following actions shall be undertaken:

a. Within 90 days of publication of this notice, each agency shall review its regulations and submit to the Office of the General Counsel a list of all criminal regulatory offenses enforceable by the agency or the DOJ and describe the applicable statutory authorities, the range of potential criminal penalties for a violation, and the applicable mens rea standard for the criminal regulatory offense;

b. Within 120 days of publication of this notice, each agency shall review its directives and other internal guidance documents and submit to the Office of the General Counsel a list of directives and guidance documents that may not be consistent with E.O. 14294 and the general policy set forth above;

c. Within 180 days of publication of this notice, the Office of the General Counsel shall make recommendations to the Secretary on actions to further the intent of E.O. 14294 and the general policy set forth above.

This general policy 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.

Ralph A. Linden,

Acting General Counsel, Office of the General Counsel.

[FR Doc. 2025-10376 Filed 6-6-25; 8:45 am]

BILLING CODE 3410-14-P

DEPARTMENT OF COMMERCE

Census Bureau

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Certification of Identity (Form BC-300)

AGENCY: Census Bureau, Commerce.

ACTION: Notice of information collection, request for comment.

SUMMARY: The Department of Commerce, in accordance with the Paperwork Reduction Act (PRA) of 1995, 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 on the proposed extension without change of a currently approved collection of the Certification of Identity (Form BC-300) as a Common Form, prior to the submission of the information collection request (ICR) to OMB for approval.

DATES: To ensure consideration, comments regarding this proposed information collection must be received on or before August 8, 2025.

ADDRESSES: Interested persons are invited to submit written comments by email to census.efoia@census.gov. Please reference "Certification of Identity (Form BC-300)" in the subject line of your comments. You may also submit comments, identified by Docket Number USBC-2025-0007, to the Federal e-Rulemaking Portal: <http://www.regulations.gov>. All comments received are part of the public record. No comments will be posted to <http://www.regulations.gov> for public viewing until after the comment period has closed. Comments will generally be posted without change. All Personally

¹ "Criminal regulatory offense" means a Federal regulation that is enforceable by a criminal penalty. E.O. 14294, section 3(b).

² "Mens rea" means the state of mind that by law must be proven to convict a particular defendant of a particular crime. E.O. 14294, section 3(c).

Identifiable Information (for example, name and address) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information. You may submit attachments to electronic comments in Microsoft Word, Excel, or Adobe PDF file formats.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or specific questions related to collection activities should be directed to Shauvez Bennett, FOIA Public Liaison, 301-763-7206, and shauvez.bennett@census.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

The Census Bureau's Freedom of Information Act (FOIA) Office receives an estimated 250 Privacy Act requests annually. In order to protect the public's privacy and adhere to Privacy regulations, the Census Bureau's FOIA Office developed the Certification of Identity (Form BC-300) to assist with accurately identifying and providing personnel records to requesters. The Form BC-300 asks requesters to provide general information such as name, address, date of birth (D.O.B), description of the request, etc. The form provides added protection in managing sensitive records regulated under the Privacy Act. This form will be hosted by the Census Bureau as a Common Form.

II. Method of Collection

The Privacy Act of 1974 (the Privacy Act), as amended, 5 U.S.C. 552a, establishes a code of fair information practices that governs the collection, maintenance, use, and dissemination of information about individuals that is maintained in systems of records by federal agencies. Regulations at 15 CFR part 4, subpart B prescribe how an individual must make a request for access to his or her own personal records to the Census Bureau under the Privacy Act. Generally, one may submit a request for access to his or her own personal records by appearing in person, electronically through the FOIA public website, or by writing to the Census FOIA Office. The regulations require that the requestor describe the records in enough detail to enable Census Bureau personnel to locate the applicable system of records containing the information with a reasonable amount of effort. 15 CFR 4.4(c). A request made under the Privacy Act should include the information listed at 15 CFR 4.24(b), including whenever possible, a description of the records sought, the time periods they were

compiled, and the name or identifying number of each system of records where they are kept. Furthermore, requestor must provide documentation or proof of identity. 15 CFR 4.24(d). These documents include information such as the requestor's full name, current address, D.O.B, and place of birth, and where required, a notarized or sworn statement of identity. All Privacy Act requests not made in person must contain a verification of identity that either is notarized or signed under penalty of perjury. 15 CFR 4.24(d). The Census Bureau is prohibited by Federal law from disclosing any information contained in the records, except upon written request from the person to whom the information pertains or to a legal representative.

The Form BC-300 is used to collect general information in order to sufficiently identify a respondent to ensure accurate records are provided to the right person as stated in 15 CFR 4.24(d). The Form BC-300 asks for name, address, D.O.B., description of request, and signature, in accordance with 15 CFR 4.24(d). The form explains the purpose and includes the Privacy Act Statement, the disclosure statement, the authorities under which the Census Bureau is authorized to collect the information, and an explanation of burden to the requester. The Form BC-300 is a "public use" form meaning that this form is used for all public and internal agency requests for personal records.

The Form BC-300 is available in both printable and electric formats. The online fillable version helps minimize the requester's processing time for filling out and submitting the form. The Census Bureau will receive all Form BC-300s either electronically submitted through the Census FOIA website, by fax, or via postal mail. In all circumstances, proper identification of the requestor must be obtained to ensure distribution of accurate records to the correct individuals. Providing this information is voluntary; however, if not provided, the Census Bureau will be unable to provide the requested personal records.

III. Data

OMB Control Number: 0607-1018.

Form Number(s): Form BC-300, Common Form.

Type of Review: Regular submission, Request for an Extension without change of a currently approved collection.

Affected Public: Individuals requesting the release of his or her own records.

Estimated Number of Respondents: 400 (annual respondents).

Estimated Time per Response: 6 minutes.

Estimated Total Annual Burden Hours: 40.

Estimated Total Annual Cost to Public: \$0 (This is not the cost of respondents' time, but the indirect costs respondents may incur for such things as purchases of specialized software or hardware needed to report, or expenditures for accounting or records maintenance services required specifically by the collection.)

Respondent's Obligation: Voluntary.

Legal Authority: In accordance with 15 CFR part 4, subpart B, the U.S. Census Bureau requires the submission of sufficient information to identify individuals that submit requests by mail or otherwise not in person under the Privacy Act of 1974, 5 U.S.C. 552a.

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. 2025-10416 Filed 6-6-25; 8:45 am]

BILLING CODE 3510-07-P

DEPARTMENT OF COMMERCE**International Trade Administration****United States-Mexico-Canada Agreement (USMCA), Article 10.12: Binational Panel Review: Notice of Request for Panel Review**

AGENCY: United States Section, USMCA Secretariat, International Trade Administration, Department of Commerce.

ACTION: Notice of USMCA request for panel review.

SUMMARY: A Request for Panel Review was filed in the matter of Large Diameter Welded Pipe from Canada: Final Determination of the Five Year-Review of the Antidumping Order with the U.S. Section of the USMCA Secretariat on May 30, 2025. The final results were determined by the United States International Trade Commission and were published in the **Federal Register** on May 2, 2025. The USMCA Secretariat has assigned case number USA-CDA-2025-10.12-01 to this request.

FOR FURTHER INFORMATION CONTACT: Vidya Desai, United States Secretary, USMCA Secretariat, Room 2061, 1401 Constitution Avenue NW, Washington, DC 20230, 202-482-5438.

SUPPLEMENTARY INFORMATION: The **Federal Register** citation for the final results of the United States International Trade Commission's 5-Year Review of the Large Diameter Welded Pipe from Canada Antidumping Order is May 2, 2025 (90 FR 18867).

Article 10.12 of Chapter 10 of USMCA provides a dispute settlement mechanism involving trade remedy determinations issued by the Government of the United States, the Government of Canada, and the Government of Mexico. Following a Request for Panel Review, a Binational Panel is composed to review the trade remedy determination being challenged and issue a binding Panel Decision. There are established USMCA *Rules of Procedure for Article 10.12 (Binational Panel Reviews)*, which were adopted by the three governments for panels requested pursuant to Article 10.12(2) of USMCA which requires Requests for Panel Review to be published in accordance with Rule 40. For the complete Rules, please see https://can-mex-usa-sec.org/secretariat/agreement-accord-acuerdo/usmca-aceum-tmec/rules-regles-reglas/article-articulo-articulo_10_12.aspx?lang=eng.

The Rules provide that:

(a) A Party or interested person may challenge the final determination in

whole or in part by filing a Complaint in accordance with Rule 44 no later than 30 days after the filing of the first Request for Panel Review (the deadline for filing a Complaint is June 30, 2025);

(b) A Party, an investigating authority or other interested person who does not file a Complaint but who intends to participate in the panel review shall file a Notice of Appearance in accordance with Rule 45 no later than 45 days after the filing of the first Request for Panel Review (the deadline for filing a Notice of Appearance is July 14, 2025);

(c) The panel review will be limited to the allegations of error of fact or law, including challenges to the jurisdiction of the investigating authority, that are set out in the Complaints filed in the panel review and to the procedural and substantive defenses raised in the panel review.

Dated: June 3 2025.

Vidya Desai,

U.S. Secretary, USMCA Secretariat.

[FR Doc. 2025-10365 Filed 6-6-25; 8:45 am]

BILLING CODE 3510-GT-P

DEPARTMENT OF COMMERCE**National Institute of Standards and Technology****Board of Overseers of the Malcolm Baldrige National Quality Award**

AGENCY: National Institute of Standards and Technology, Department of Commerce.

ACTION: Notice of open meeting.

SUMMARY: The Board of Overseers of the Malcolm Baldrige National Quality Award ("Board of Overseers" or "Board") will meet in open session on Wednesday, June 25, 2025, from 11 a.m. to 4 p.m. eastern time. The purpose of this meeting is for the Board of Overseers to review and discuss the work of the Baldrige Performance Excellence Program to implement improvements to the Malcolm Baldrige National Quality Award ("Award"), and to provide recommendations to the Director of the National Institute of Standards and Technology (NIST) as the Board deems necessary. The agenda will include the Baldrige Program Update, Baldrige Foundation Update, Judges Panel Update, Ethics Review, Alliance for Performance Excellence Update, Communities of Excellence Update, and New Business/Public Comment. Details on the agenda are noted in the **SUPPLEMENTARY INFORMATION** section of this notice.

DATES: The meeting will be held on Wednesday, June 25, 2025, from 11 a.m.

eastern time until 4 p.m. eastern time. The meeting will be open to the public.

ADDRESSES: The meeting will be held virtually via webinar. Please note admittance instructions under the **SUPPLEMENTARY INFORMATION** section of this notice.

FOR FURTHER INFORMATION CONTACT: Robert Fangmeyer, Director, Baldrige Performance Excellence Program, National Institute of Standards and Technology, 100 Bureau Drive, Mail Stop 1020, Gaithersburg, Maryland 20899-1020, phone: 301-975-2361, email robert.fangmeyer@nist.gov.

SUPPLEMENTARY INFORMATION:

Authority: 15 U.S.C. 3711a(d)(1); 15 U.S.C. 3711a(d)(2)(B); and the Federal Advisory Committee Act, as amended, 5 U.S.C. 1000 *et seq.*

Pursuant to the Federal Advisory Committee Act, as amended, 5 U.S.C. 1000 *et seq.*, notice is hereby given that the Board of Overseers will meet in open session on Wednesday, June 25, 2025, from 11 a.m. eastern time until 4 p.m. eastern time. The Board is composed of approximately six members preeminent in the field of organizational performance excellence and appointed by the Secretary of Commerce, makes an annual report on the results of Award activities to the Director of the National Institute of Standards and Technology (NIST), along with its recommendations for improvement of the Award process. The Board consists and includes members familiar with the quality, performance improvement operations, and competitiveness issues of a balanced representation from U.S. service, manufacturing, nonprofit, education, and healthcare industries.

The purpose of this meeting is to welcome and introduce the Board and to review and discuss the work of the Baldrige Performance Excellence Program ("Program"). The agenda will include the Baldrige Program Update, Baldrige Foundation Update, Judges Panel of the Malcolm Baldrige National Quality Award Update ("Judges Panel") Update, Ethics Review for both the Judges Panel and the Board, Alliance for Performance Excellence Update, Communities of Excellence Update, and New Business/Public Comment. The agenda may change to accommodate the Board of Overseers business. The final agenda will be posted on the NIST Baldrige Performance Excellence website at <https://www.nist.gov/baldrige/community/overseers.cfm>. The meeting is open to the public.

Individuals and representatives of organizations who would like to offer verbal comments and suggestions

related to the Board's affairs are invited to request a place on the agenda. Approximately one half hour will be reserved for public comments during the June 25th meeting, and speaking times will be assigned on a first-come, first-served basis. The amount of time per speaker will be determined by the number of requests received but is likely to be about three minutes each. The exact time for public comments will be included in the final agenda that will be posted on the Baldrige Performance Excellence Program website at <https://www.nist.gov/baldrige/community/overseers.cfm>. Questions from the public will not be considered during this period. Requests must be submitted by email to Robyn Decker at robyn@nist.gov and must be received by 4 p.m. eastern time, June 20, 2025, to be considered. Speakers who wish to expand upon their oral statements, those who had wished to speak but could not be accommodated on the agenda, and those who were unable to attend in person are invited to submit written statements by email to robyn@nist.gov. Written statements may be submitted at any time.

Admittance instructions: All participants will be attending virtually via webinar and need to pre-register to be admitted. Please contact Mrs. Robyn Decker by email at robyn@nist.gov; Mailing Address: NIST c/o Robyn Decker 100 Bureau Drive, MS 1020 Gaithersburg, MD 20899; or 301-975-2361, please provide her with your name, email, and phone number; and she will provide you with instructions for webinar admittance. All requests to attend must be received by 4 p.m. eastern time, June 17, 2025.

Special Accommodations: Individuals requiring special accommodations to access the public meeting should contact robyn@nist.gov, no later than June 17, 2025, so that appropriate arrangements can be made.

Alicia Chambers,

NIST Executive Secretariat.

[FR Doc. 2025-10400 Filed 6-6-25; 8:45 am]

BILLING CODE 3510-13-P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Information Security and Privacy Advisory Board

AGENCY: National Institute of Standards and Technology, Department of Commerce.

ACTION: Notice of open meeting.

SUMMARY: National Institute of Standards and Technology (NIST)'s Information Security and Privacy Advisory Board (ISPAB) will hold an open meeting on Wednesday, July 16, 2025, from 10:00 a.m. until 4:30 p.m., Eastern Time and Thursday, July 17, 2025, from 10:00 a.m. until 4:30 p.m., Eastern Time.

DATES: The ISPAB will meet on Wednesday, July 16, 2025, from 10:00 a.m. until 4:30 p.m., Eastern Time and Thursday, July 17, 2025, from 10:00 a.m. until 4:30 p.m., Eastern Time.

ADDRESSES: The meeting will be held virtually via webinar. Please note participation instructions under the **SUPPLEMENTARY INFORMATION** section of this notice.

FOR FURTHER INFORMATION CONTACT: Jeff Brewer, ISPAB Designated Federal Official, National Institute of Standards and Technology, Telephone (301) 975-2489. Mr. Brewer's email address is jeffrey.brewer@nist.gov.

SUPPLEMENTARY INFORMATION:

Authority: The ISPAB was established to function solely as an advisory body, in accordance with the provisions of the Federal Advisory Committee Act, as amended, 5 U.S.C. 1001 *et seq.* The Board reports to the Director of NIST, and reports annually to the Secretary of Commerce, the Secretary of Homeland Security, the Director of the Office of Management and Budget, the Director of the National Security Agency, and appropriate committees of Congress. The Board is authorized under 15 U.S.C. 278g-4 and tasked with identifying emerging managerial, technical, administrative, and physical safeguard issues relative to information security and privacy.

Pursuant to the Federal Advisory Committee Act, as amended, 5 U.S.C. 1001 *et seq.*, notice is hereby given that the ISPAB will hold an open meeting on the date and time in the **DATES** section and will be open to the public. primary purpose of this meeting is to discuss and deliberate potential recommendations. The agenda may change to accommodate ISPAB business. The final agenda will be posted on the NIST website at <https://csrc.nist.gov/Events/2025/ispab-july-2025-meeting> and is expected to include the following items:

- Board Introductions and Member Activities,
- Annual Ethics Briefing to Board Members by Department of Commerce Ethics Attorney,
- Update from NIST's Information Technology Laboratory (ITL) Director on ITL Activities,

- Briefing on NIST's Work in Digital Ledger Technologies,
- Update on NIST Post Quantum Cryptographic Guidance,
- Briefing on DoD's Software Fast Track (SWFT) Initiative,
- Update from NIST's Computer Security Division,
- Update from NIST's Applied Security Division,
- Public comments,
- Board Discussions and Recommendations.

Individuals and representatives of organizations who would like to offer comments and suggestions related to the Board's business are invited to request a place on the agenda. Approximately thirty minutes will be reserved for public comments and speaking times will be assigned on a first-come, first-serve basis. The amount of time per speaker will be determined by the number of requests received but is likely to be about five minutes each. Questions from the public will not be considered during this period. Speakers who wish to expand upon their oral statements, those who had wished to speak but could not be accommodated on the agenda, and those who were unable to participate are invited to submit written statements by email to jeffrey.brewer@nist.gov.

All participants will be attending via webinar and are required to pre-register to be admitted to the meeting. To register and receive detailed instruction on how to join the meeting, please submit your first and last name, email address, and company name via the registration link at <https://csrc.nist.gov/Events/2025/ispab-july-2025-meeting> by 5 p.m. Eastern Time, Monday, July 14, 2025.

Alicia Chambers,

NIST Executive Secretariat.

[FR Doc. 2025-10399 Filed 6-6-25; 8:45 am]

BILLING CODE 3510-13-P

CONSUMER PRODUCT SAFETY COMMISSION

Sunshine Act Meeting

TIME AND DATE: Thursday, June 12, 2025—11 a.m.

PLACE: Virtually, and in person at 4330 East West Highway, Bethesda, Maryland 20814.

STATUS: Closed Commission Meeting.

MATTER TO BE CONSIDERED: Briefing matter.

CONTACT PERSON FOR MORE INFORMATION: Alberta E. Mills, Office of the Secretary, U.S. Consumer Product Safety

Commission, 4330 East West Highway, Bethesda, MD 20814, 301-504-7479 (Office) or 240-863-8938 (Cell).

Dated: June 5, 2025.

Alberta E. Mills,

Commission Secretary.

[FR Doc. 2025-10466 Filed 6-5-25; 11:15 am]

BILLING CODE 6355-01-P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 24-0B]

Arms Sales Notification

Correction

In notice document 2025-09363, appearing on pages 22249 through 22253 in the issue of Tuesday, May 27, 2025, make the following correction:

On pages 22250 and 22251, images should not have appeared.

[FR Doc. C1-2025-09363 Filed 6-6-25; 8:45 am]

BILLING CODE 0099-10-P

DEPARTMENT OF DEFENSE

Office of the Secretary of Defense

[Docket ID: DoD-2025-OS-0021]

Proposed Collection; Comment Request

AGENCY: Office of the Under Secretary of Defense for Personnel and Readiness (OUSDP&R), Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995*, the Under Secretary of Defense for Personnel and Readiness, announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by August 8, 2025.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

Mail: Department of Defense, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Regulatory Directorate, 4800 Mark Center Drive, Mailbox #24 Suite 05F16, Alexandria, VA 22350-1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Defense Personnel Analytics Center, 4800 Mark Center Drive, Alexandria, VA 22350, Carol Newell, carol.e.newell2.civ@mail.mil.

SUPPLEMENTARY INFORMATION:

Title: *Associated Form;* and *OMB Number:* Reserve Component Spouse Survey; OMB Control Number 0704-0653.

Needs and Uses: The DoD Survey of Reserve Component Spouses is the primary source for reliable and generalizable data on the effects of military life on military spouses and their families and the impact of military life on Reserve component war fighter readiness and retention. This data provides vital information on the need for programs and policies under the purview of DoD's Military Community and Family Policy Department. Without this biennial survey, DoD would not have current data to guide limited resources to the appropriate programs, policies, and services related to reserve component spouses, their families, and service members.

This survey provides an opportunity for military spouses to directly expand policy maker's knowledge by sharing their experiences and opinions on issues that directly affect them. Success of current efforts, the impact of activations and deployments, and opportunities to identify areas of need are captured via this biennial survey. These survey results ensure that policy-making decisions are based on current

and statistically reliable data regarding the lived experiences of Reserve component families.

The legislation authorizing the USD(P&R) to conduct these surveys is provided under 10 United States Code (U.S.C.), Sections 136, 1782 and 2358, and 37 U.S.C., Section 1008(b).

Affected Public: Individuals or households.

Annual Burden Hours: 8,900.
Number of Respondents: 17,800.
Responses per Respondent: 1.
Annual Responses: 17,800.
Average Burden per Response: 30 minutes.

Frequency: Biennially.

Dated: June 4, 2025.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025-10425 Filed 6-6-25; 8:45 am]

BILLING CODE 6001-FR-P

DEPARTMENT OF EDUCATION

Applications for New Awards; Expanding Opportunity Through Quality Charter Schools Program (CSP)—Model Development and Dissemination Grants; Correction

AGENCY: Office of Elementary and Secondary Education, Department of Education.

ACTION: Notice; correction.

SUMMARY: On May 16, 2025, the Department of Education (Department) published in the **Federal Register** a notice inviting applications (NIA) for the fiscal year (FY) 2025 CSP—Model Development and Dissemination Grants competition, Assistance Listing Number (ALN) 84.282G. This notice corrects an error in that NIA. All other information in the NIA remains the same. The CSP—Model Development and Dissemination Grants program does not include any program-specific limitation on administrative expenses. The Department is correcting the FY 2025 CSP—Model Development and Dissemination Grants NIA by removing a misstatement indicating that there is a limitation on administrative expenses under the CSP—Model Development and Dissemination Grants program.

DATES: This correction is applicable June 9, 2025.

FOR FURTHER INFORMATION CONTACT: Sareeta Schmitt, U.S. Department of Education, 400 Maryland Avenue SW, Washington, DC 20202-5970. Telephone: (202) 205-0730. Email: MDDCompetition@ed.gov.

If you use a telecommunications device for the deaf (TDD) or a text

telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

SUPPLEMENTARY INFORMATION: We are correcting the May 16, 2025, NIA to remove the statement that no more than 5 percent of grant funds may be used for direct administration of the grant project because, as stated in another section of the NIA, the program does not include any program-specific limitation on administrative expenses.

Correction

In FR Doc. No. 2025-08766, in the **Federal Register** published on May 16, 2025 (90 FR 21021), we make the following correction:

On Page 21026, in the first column, under the heading *4. Funding Restrictions*, revise the last paragraph in this section to remove the statement, “In accordance with section 437(d)(1) of GEPA, 20 U.S.C. 1232(d)(1), we establish that no more than 5 percent of grant funds may be used for direct administration of the grant project.” This correction is necessary to clarify that the program does not impose specific limits on administrative expenses.

Program Authority: Title IV, part C of the ESEA, as amended.

Accessible Format: On request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**, individuals with disabilities can obtain this notice, the NIA, and a copy of the application 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, audiotope, or compact disc, or other accessible format.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations at www.govinfo.gov. At this site you can view this document, as well as all other 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.

Hayley B. Sanon,

Principal Deputy Assistant Secretary and Acting Assistant Secretary, Office of Elementary and Secondary Education.

[FR Doc. 2025-10367 Filed 6-6-25; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 1494-000]

Grand River Dam Authority; Notice of Authorization for Continued Project Operation

The license for the Pensacola Hydroelectric Project No. 1494 was issued for a period ending May 31, 2025.

Section 15(a)(1) of the FPA, 16 U.S.C. 808(a)(1), requires the Commission, at the expiration of a license term, to issue from year-to-year an annual license to the then licensee(s) under the terms and conditions of the prior license until a new license is issued, or the project is otherwise disposed of as provided in section 15 or any other applicable section of the FPA. If the project's prior license waived the applicability of section 15 of the FPA, then, based on section 9(b) of the Administrative Procedure Act, 5 U.S.C. 558(c), and as set forth at 18 CFR 16.21(a), if the licensee of such project has filed an application for a subsequent license, the licensee may continue to operate the project in accordance with the terms and conditions of the license after the minor or minor part license expires, until the Commission acts on its application. If the licensee of such a project has not filed an application for a subsequent license, then it may be required, pursuant to 18 CFR 16.21(b), to continue project operations until the Commission issues someone else a license for the project or otherwise orders disposition of the project.

If the project is subject to section 15 of the FPA, notice is hereby given that an annual license for Project No. 1494 is issued to Grand River Dam Authority for a period effective June 1, 2025, through May 31, 2026, or until the issuance of a new license for the project or other disposition under the FPA, whichever comes first.

If issuance of a new license (or other disposition) does not take place on or before May 31, 2026, notice is hereby given that, pursuant to 18 CFR 16.18(c), an annual license under section 15(a)(1)

of the FPA is renewed automatically without further order or notice by the Commission, unless the Commission orders otherwise.

If the project is not subject to section 15 of the FPA, notice is hereby given that Grand River Dam Authority is authorized to continue operation of the Pensacola Hydroelectric Project under the terms and conditions of the prior license until the issuance of a subsequent license for the project or other disposition under the FPA, whichever comes first.

Dated: June 3, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025-10390 Filed 6-6-25; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. CP17-101-007; CP20-49-001]

Transcontinental Gas Pipe Line Company, LLC; Notice of Petition and Establishing Intervention Deadline

Take notice that on May 29, 2025, Transcontinental Gas Pipe Line Company, LLC (Transco), P.O. Box 1396, Houston, Texas 77251-1396, filed a petition pursuant to § 385.207 and part 157 of the Commission's regulations and section 7(c) of the Natural Gas Act (NGA) seeking reissuance of its certificate of public convenience and necessity, as amended, authorizing Transco to construct and operate its previously approved Northeast Supply Enhancement Project (Project) (Petition).¹

Specifically, Transco requests reissuance of certificate authority to: (i) construct the 10.17-mile-long, 42-inch-diameter Quarryville Loop in Lancaster County, Pennsylvania; (ii) construct the 3.43-mile-long, 26-inch-diameter Madison Loop in Middlesex County, New Jersey; (iii) construct the 23.49-mile-long, 26-inch-diameter Raritan Bay Loop in Middlesex County, New Jersey, and New Jersey and New York State waters; (iv) add 21,902 horsepower (hp) at its Compressor Station (CS) 200 in Chester County, Pennsylvania; (v) construct the new 32,000 hp CS 206 in Somerset County, New Jersey; and (vi) construct various additional facilities.

¹ *Transcontinental Gas Pipe Line Company, LLC*, 167 FERC ¶ 61,110 (2019), *order denying reh'g and stay*, 171 FERC ¶ 61,031 (2020), *amended*, 172 FERC ¶ 61,036 (2020), *vacated*, 187 FERC ¶ 61,145 (2024).

Transco estimates the cost of the Project to be approximately \$926.5 million.

Transco states that the Project is designed to provide 400,000 dekatherms per day of incremental firm transportation service. Transco does not propose any changes to the previously authorized rates, all as more fully set forth in the petition which is on file with the Commission and open for public inspection.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (<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.

Any questions regarding the petition should be directed to Francesca Ciliberti-Ayres, Senior Counsel, Transcontinental Gas Pipe Line Company, LLC, P.O. Box 1396, Houston, Texas 77251-1396, by phone at (720) 329-6374, or by email at francesca.ciliberti-ayres@williams.com.

Public Participation

There are three ways to become involved in the Commission's review of this petition: you can file comments on the petition, you can protest the filing, and you can file a motion to intervene in the proceeding. There is no fee or cost for filing comments or intervening. The deadline for filing a motion to intervene is 5:00 p.m. Eastern Time on June 24, 2025. How to file protests, motions to intervene, and comments is explained below.

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.

Comments

Any person wishing to comment on the petition may do so. Comments may include statements of support or objections, to the petition as a whole or specific aspects of the petition. The more specific your comments, the more useful they will be.

Protests

Pursuant to section 385.211² of the Commission's regulations under the NGA, any person³ may file a protest to the petition. Protests must comply with the requirements specified in section 385.2001⁴ of the Commission's regulations. A protest may also serve as a motion to intervene so long as the protestor states it also seeks to be an intervenor.

To ensure that your comments or protests are timely and properly recorded, please submit your comments on or before 5:00 p.m. Eastern Time on June 24, 2025.

There are three methods you can use to submit your comments or protests to the Commission. In all instances, please reference the Petition docket numbers CP17-101-007 and CP20-49-001 in your submission.

(1) You may file your comments electronically by using the eComment feature, which is located on the Commission's website at www.ferc.gov under the link to Documents and Filings. Using eComment is an easy method for interested persons to submit brief, text-only comments on the petition;

(2) You may file your comments or protests electronically by using the eFiling feature, which is located on the Commission's website (www.ferc.gov) under the link to Documents and Filings. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on "eRegister." You will be asked to select the type of filing you are making; first select "General" and then select "Comment on a Filing"; or

(3) You can file a paper copy of your comments or protests by mailing them to the following address below. Your

² 18 CFR 385.211.

³ Persons include individuals, organizations, businesses, municipalities, and other entities. 18 CFR 385.102(d).

⁴ 18 CFR 385.2001.

written comments must reference the Petition docket numbers (CP17-101-007 and CP20-49-001).

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 encourages electronic filing of comments (options 1 and 2 above) and has eFiling staff available to assist you at (202) 502-8258 or FercOnlineSupport@ferc.gov.

The Commission considers all comments received about the petition in determining the appropriate action to be taken. However, the filing of a comment alone will not serve to make the filer a party to the proceeding. To become a party, you must intervene in the proceeding. For instructions on how to intervene, see below.

Interventions

Any person, which includes individuals, organizations, businesses, municipalities, and other entities,⁵ has the option to file a motion to intervene in this proceeding. Only intervenors have the right to request rehearing of Commission orders issued in this proceeding and to subsequently challenge the Commission's orders in the U.S. Circuit Courts of Appeal.

To intervene, you must submit a motion to intervene to the Commission in accordance with Rule 214 of the Commission's Rules of Practice and Procedure⁶ by the intervention deadline for the petition, which is 5:00 p.m. Eastern Time on June 24, 2025. As described further in Rule 214, your motion to intervene must state, to the extent known, your position regarding the proceeding, as well as your interest in the proceeding. For an individual, this could include your status as a landowner, ratepayer, resident of an impacted community, or recreationist. You do not need to have property directly impacted by the petition in order to intervene. For more information about motions to intervene, refer to the FERC website at <https://www.ferc.gov/resources/guides/how-to/intervene.asp>.

There are two ways to submit your motion to intervene. In both instances, please reference the Petition docket numbers CP17-101-007 and CP20-49-001 in your submission.

(1) You may file your motion to intervene by using the Commission's

⁵ 18 CFR 385.102(d).

⁶ 18 CFR 385.214.

eFiling feature, which is located on the Commission’s website (www.ferc.gov) under the link to Documents and Filings. New eFiling users must first create an account by clicking on “eRegister.” You will be asked to select the type of filing you are making; first select “General” and then select “Intervention.” The eFiling feature includes a document-less intervention option; for more information, visit <https://www.ferc.gov/docs-filing/efiling/document-less-intervention.pdf>; or

(2) You can file a paper copy of your motion to intervene, along with three copies, by mailing the documents to the address below. Your motion to intervene must reference the Petition docket numbers CP17–101–007 and CP20–49–001.

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 encourages electronic filing of motions to intervene (option 1 above) and has eFiling staff available to assist you at (202) 502–8258 or FercOnlineSupport@ferc.gov.

Protests and motions to intervene must be served on the petitioner either by mail at: Francesca Ciliberti-Ayres, Senior Counsel, Transcontinental Gas Pipe Line Company, LLC, PO Box 1396, Houston, Texas 77251–1396 or by email (with a link to the document) at francesca.ciliberti-ayres@williams.com. Any subsequent submissions by an intervenor must be served on the petitioner and all other parties to the proceeding. Contact information for parties can be downloaded from the service list at the eService link on FERC Online. Service can be via email with a link to the document.

All timely, unopposed⁷ motions to intervene are automatically granted by operation of Rule 214(c)(1).⁸ Motions to intervene that are filed after the intervention deadline are untimely, and may be denied. Any late-filed motion to intervene must show good cause for being late and must explain why the time limitation should be waived and

provide justification by reference to factors set forth in Rule 214(d) of the Commission’s Rules and Regulations.⁹ A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies (paper or electronic) of all documents filed by the petitioner and by all other parties.

Tracking the Proceeding

Throughout the proceeding, additional information about the petition will be available from the Commission’s Office of External Affairs, at (866) 208–FERC, or on the FERC website at www.ferc.gov using the “eLibrary” link as described above. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. For more information and to register, go to www.ferc.gov/docs-filing/esubscription.asp.

Intervention Deadline: 5:00 p.m. Eastern Time on June 24, 2025.

Dated: June 3, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025–10389 Filed 6–6–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RM98–1–000]

Records Governing Off-the-Record Communications; Public Notice

This constitutes notice, in accordance with 18 CFR 385.2201(b), of the receipt of prohibited and exempt off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires

Commission decisional employees, who make or receive a prohibited or exempt off-the-record communication relevant to the merits of a contested proceeding, to deliver to the Secretary of the Commission, a copy of the communication, if written, or a summary of the substance of any oral communication.

Prohibited communications are included in a public, non-decisional file associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such a request only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication shall serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications are included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of off-the-record communications recently received by the Secretary of the Commission. Each filing may be viewed on the Commission’s website at <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, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659.

Docket Nos.	File date	Presenter or requester
<i>Prohibited:</i> NONE.		
<i>Exempt:</i> 1. RP25–844–000	5–15–2025	U.S. Congressman Tim Burchett.

⁷ The petitioner has 15 days from the submittal of a motion to intervene to file a written objection to the intervention.

⁸ 18 CFR 385.214(c)(1).

⁹ 18 CFR 385.214(b)(3) and (d).

Docket Nos.	File date	Presenter or requester
2. CP19-502-000	5-21-2025	U.S. Congress. ¹
3. P-14861-002	5-22-2025	FERC Staff. ²
4. P-3409-000	5-27-2025	U.S. Congressman Jack Bergman
5. P-14861-002	5-29-2025	U.S. Congressman Dan Newhouse
6. P-2197-000	5-30-2025	FERC Staff. ³

¹ Comments of House Speaker Mike Johnson, House Majority Leader Steve Scalise, U.S. Senators Bill Cassidy and John Kennedy, Congressman Clay Higgins and Congresswoman Julia Letlow.

² Memo dated 5/22/2025 providing a summary of communications with the Advisory Council for Historic Preservation staff.

³ Email dated 5/9/25 with representatives from the Office of NC Rep. A. McDowell.

Dated: June 3, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025-10391 Filed 6-6-25; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC25-68-000.

Applicants: Catalyst Power Parent LLC.

Description: Supplement to 03/24/2025, Application for Authorization Under Section 203 of the Federal Power Act of Catalyst Power Parent LLC.

Filed Date: 5/29/25.

Accession Number: 20250529-5366.

Comment Date: 5 p.m. ET 6/9/25.

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG25-342-000.

Applicants: Sholes Energy Storage, LLC.

Description: Sholes Energy Storage, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 6/3/25.

Accession Number: 20250603-5124.

Comment Date: 5 p.m. ET 6/24/25.

Docket Numbers: EG25-343-000.

Applicants: Greeley Wind Nebraska, LLC.

Description: Greeley Wind Nebraska, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 6/3/25.

Accession Number: 20250603-5125.

Comment Date: 5 p.m. ET 6/24/25.

Docket Numbers: EG25-344-000.

Applicants: Rumble Solar, LLC.

Description: Rumble Solar, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 6/3/25.

Accession Number: 20250603-5133.

Comment Date: 5 p.m. ET 6/24/25.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER10-1333-017; EL24-27-000; ER10-2566-014; ER13-2387-011; ER13-2322-010; ER15-190-022; ER19-1819-006; ER19-1820-006; ER19-1821-006; ER18-1343-016; ER21-2426-002.

Applicants: CPRE 1 Lessee, LLC, Carolina Solar Power, LLC, Speedway Solar NC, LLC, Stony Knoll Solar, LLC, Broad River Solar, LLC, Duke Energy Renewable Services, LLC, Duke Energy Progress, Inc., Duke Energy Florida, Inc., Duke Energy Carolinas, LLC, Duke Energy Commercial Enterprises, LLC, Duke Energy Commercial Enterprises, Inc.

Description: Response to Show Cause Order to December 7, 2023, Order on Updated Market Power Analysis, Instituting Section 206 Proceeding, and Establishing Refund Effective Date re Duke Energy Commercial Enterprises, LLC et. al.

Filed Date: 1/31/24.

Accession Number: 20240131-5646.

Comment Date: 5 p.m. ET 6/24/25.

Docket Numbers: ER10-1618-021.

Applicants: Rolling Hills Generating, L.L.C.

Description: Compliance filing; Market-Based Rate Tariff Revisions to be effective 6/4/2025.

Filed Date: 6/3/25.

Accession Number: 20250603-5070.

Comment Date: 5 p.m. ET 6/24/25.

Docket Numbers: ER10-1631-023.

Applicants: University Park Energy, LLC.

Description: Compliance filing; Market-Based Rate Tariff Revisions to be effective 6/4/2025.

Filed Date: 6/3/25.

Accession Number: 20250603-5075.

Comment Date: 5 p.m. ET 6/24/25.

Docket Numbers: ER10-1854-023.

Applicants: Doswell Limited Partnership.

Description: Compliance filing; Market-Based Rate Tariff Revisions to be effective 6/4/2025.

Filed Date: 6/3/25.

Accession Number: 20250603-5048.

Comment Date: 5 p.m. ET 6/24/25.

Docket Numbers: ER10-2744-024.

Applicants: Riverside Generating Company, L.L.C.

Description: Compliance filing; Market-Based Rate Tariff Revisions to be effective 6/4/2025.

Filed Date: 6/3/25.

Accession Number: 20250603-5066.

Comment Date: 5 p.m. ET 6/24/25.

Docket Numbers: ER11-3320-023.

Applicants: LSP University Park, LLC.

Description: Compliance filing; Market-Based Rate Tariff Revisions to be effective 6/4/2025.

Filed Date: 6/3/25.

Accession Number: 20250603-5059.

Comment Date: 5 p.m. ET 6/24/25.

Docket Numbers: ER11-3321-015.

Applicants: Wallingford Energy LLC.

Description: Compliance filing; Market-Based Rate Tariff Revisions to be effective 6/4/2025.

Filed Date: 6/3/25.

Accession Number: 20250603-5077.

Comment Date: 5 p.m. ET 6/24/25.

Docket Numbers: ER13-2316-021.

Applicants: Seneca Generation, LLC.

Description: Compliance filing; Market-Based Rate Tariff Revisions to be effective 6/4/2025.

Filed Date: 6/3/25.

Accession Number: 20250603-5071.

Comment Date: 5 p.m. ET 6/24/25.

Docket Numbers: ER14-19-022.

Applicants: West Deptford Energy, LLC.

Description: Compliance filing; Market-Based Rate Tariff Revisions to be effective 6/4/2025.

Filed Date: 6/3/25.

Accession Number: 20250603-5078.

Comment Date: 5 p.m. ET 6/24/25.

Docket Numbers: ER14-2548-013.

Applicants: Ocean State Power.

Description: Compliance filing; Market-Based Rate Tariff Revisions to be effective 6/4/2025.

Filed Date: 6/3/25.

Accession Number: 20250603-5061.

Comment Date: 5 p.m. ET 6/24/25.

Docket Numbers: ER16-1732-017.

Applicants: Aurora Generation, LLC.

Description: Compliance filing; Market-Based Rate Tariff Revisions to be effective 6/4/2025.

Filed Date: 6/3/25.
Accession Number: 20250603–5040.
Comment Date: 5 p.m. ET 6/24/25.
Docket Numbers: ER16–1760–002.
Applicants: Armstrong Power, LLC.
Description: Compliance filing; Market-Based Rate Tariff Revisions to be effective 6/4/2025.

Filed Date: 6/3/25.
Accession Number: 20250603–5039.
Comment Date: 5 p.m. ET 6/24/25.
Docket Numbers: ER16–1764–002.
Applicants: Troy Energy, LLC.
Description: Compliance filing; Market-Based Rate Tariff Revisions to be effective 6/4/2025.

Filed Date: 6/3/25.
Accession Number: 20250603–5074.
Comment Date: 5 p.m. ET 6/24/25.
Docket Numbers: ER16–2405–017.
Applicants: Rockford Power II, LLC.
Description: Compliance filing; Market-Based Rate Tariff Revisions to be effective 6/4/2025.

Filed Date: 6/3/25.
Accession Number: 20250603–5068.
Comment Date: 5 p.m. ET 6/24/25.
Docket Numbers: ER16–2406–018.
Applicants: Rockford Power, LLC.
Description: Compliance filing; Market-Based Rate Tariff Revisions to be effective 6/4/2025.

Filed Date: 6/3/25.
Accession Number: 20250603–5067.
Comment Date: 5 p.m. ET 6/24/25.
Docket Numbers: ER17–989–016.
Applicants: Chambersburg Energy, LLC.
Description: Compliance filing; Market-Based Rate Tariff Revisions to be effective 6/4/2025.

Filed Date: 6/3/25.
Accession Number: 20250603–5046.
Comment Date: 5 p.m. ET 6/24/25.
Docket Numbers: ER17–990–016.
Applicants: Gans Energy, LLC.
Description: Compliance filing; Market-Based Rate Tariff Revisions to be effective 6/4/2025.

Filed Date: 6/3/25.
Accession Number: 20250603–5051.
Comment Date: 5 p.m. ET 6/24/25.
Docket Numbers: ER17–992–016.
Applicants: Springdale Energy, LLC.
Description: Compliance filing; Market-Based Rate Tariff Revisions to be effective 6/4/2025.

Filed Date: 6/3/25.
Accession Number: 20250603–5073.
Comment Date: 5 p.m. ET 6/24/25.
Docket Numbers: ER17–993–016.
Applicants: Bath County Energy, LLC.
Description: Compliance filing; Market-Based Rate Tariff Revisions to be effective 6/4/2025.

Filed Date: 6/3/25.
Accession Number: 20250603–5041.
Comment Date: 5 p.m. ET 6/24/25.
Docket Numbers: ER17–1946–016.
Applicants: Helix Ironwood, LLC
Description: Compliance filing; Market-Based Rate Tariff Revisions to be effective 6/4/2025.

Filed Date: 6/3/25.
Accession Number: 20250603–5053.
Comment Date: 5 p.m. ET 6/24/25.
Docket Numbers: ER17–1947–009.
Applicants: Helix Maine Wind Development, LLC.
Description: Compliance filing; Market-Based Rate Tariff Revisions to be effective 6/4/2025.

Filed Date: 6/3/25.
Accession Number: 20250603–5054.
Comment Date: 5 p.m. ET 6/24/25.
Docket Numbers: ER18–95–013.
Applicants: Buchanan Energy Services Company, LLC.
Description: Compliance filing; Market-Based Rate Tariff Revisions to be effective 6/4/2025.

Filed Date: 6/3/25.
Accession Number: 20250603–5045.
Comment Date: 5 p.m. ET 6/24/25.
Docket Numbers: ER20–1440–009.
Applicants: Yards Creek Energy, LLC.
Description: Compliance filing; Market-Based Rate Tariff Revisions to be effective 6/4/2025.

Filed Date: 6/3/25.
Accession Number: 20250603–5079.
Comment Date: 5 p.m. ET 6/24/25.
Docket Numbers: ER21–1133–006.
Applicants: Hummel Station, LLC.
Description: Compliance filing; Market-Based Rate Tariff Revisions to be effective 6/4/2025.

Filed Date: 6/3/25.
Accession Number: 20250603–5057.
Comment Date: 5 p.m. ET 6/24/25.
Docket Numbers: ER22–2480–001.
Applicants: Black Hills Power, Inc.
Description: Tariff Amendment: Amendment to Filing of Jurisdictional Agreements to be effective 12/31/9998.

Filed Date: 6/3/25.
Accession Number: 20250603–5102.
Comment Date: 5 p.m. ET 6/24/25.
Docket Numbers: ER24–1431–005.
Applicants: Southwestern Public Service Company.
Description: Compliance filing; 2025.06.03—Settlement Compliance Filing to be effective 5/8/2024.

Filed Date: 6/3/25.
Accession Number: 20250603–5052.
Comment Date: 5 p.m. ET 6/24/25.
Docket Numbers: ER24–2009–001.
Applicants: ISO New England Inc., New England Power Pool Participants Committee.
Description: Compliance filing; ISO New England Inc. submits tariff filing per 35: Further Revisions in Compliance with Order Nos. 2023 and 2023–A to be effective 8/12/2024.

Filed Date: 6/3/25.
Accession Number: 20250603–5134.
Comment Date: 5 p.m. ET 6/24/25.
Docket Numbers: ER25–2404–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: 4406 SPS Surplus Interconnection GIA to be effective 8/2/2025.

Filed Date: 6/3/25.
Accession Number: 20250603–5014.
Comment Date: 5 p.m. ET 6/24/25.
Docket Numbers: ER25–2406–000.
Applicants: PJM Interconnection, L.L.C.
Description: § 205(d) Rate Filing: Amendment to WMPA, Service Agreement No. 7314; Queue Position No. AG1–532 to be effective 8/3/2025.

Filed Date: 6/3/25.
Accession Number: 20250603–5028.
Comment Date: 5 p.m. ET 6/24/25.
Docket Numbers: ER25–2407–000.
Applicants: New York State Electric & Gas Corporation, New York Independent System Operator, Inc.
Description: § 205(d) Rate Filing: New York Independent System Operator, Inc. submits tariff filing per 35.13(a)(2)(iii): NYISO–NYSEG 205: Third Amended LGIA Baron Winds (CEII) to be effective 5/19/2025.

Filed Date: 6/3/25.
Accession Number: 20250603–5033.
Comment Date: 5 p.m. ET 6/24/25.
Docket Numbers: ER25–2410–000.
Applicants: Green Grid Energy LLC.
Description: Initial Rate Filing: Application for Market Based Rate Authority to be effective 8/2/2025.

Filed Date: 6/3/25.
Accession Number: 20250603–5056.
Comment Date: 5 p.m. ET 6/24/25.
Docket Numbers: ER25–2411–000.
Applicants: Dominion Energy South Carolina, Inc.
Description: § 205(d) Rate Filing: Canadys E P Agreement to be effective 8/4/2025.

Filed Date: 6/3/25.
Accession Number: 20250603–5062.
Comment Date: 5 p.m. ET 6/24/25.
Docket Numbers: ER25–2412–000.
Applicants: PacifiCorp.
Description: § 205(d) Rate Filing: PNGC Power—NITSA (SA No. 1159) to be effective 7/1/2025.

Filed Date: 6/3/25.
Accession Number: 20250603–5097.
Comment Date: 5 p.m. ET 6/24/25.
Docket Numbers: ER25–2413–000.
Applicants: PJM Interconnection, L.L.C.
Description: § 205(d) Rate Filing: Amendment to ISA, Service Agreement

No. 7101; Queue No. AE1-072 to be effective 8/3/2025.

Filed Date: 6/3/25.

Accession Number: 20250603-5106.

Comment Date: 5 p.m. ET 6/24/25.

Docket Numbers: ER25-2414-000.

Applicants: Beaver Creek Solar, LLC.

Description: § 205(d) Rate Filing:

Application for Market-Based Rate

Authorization to be effective 8/2/2025.

Filed Date: 6/3/25.

Accession Number: 20250603-5130.

Comment Date: 5 p.m. ET 6/24/25.

Docket Numbers: ER25-2415-000.

Applicants: Panama Energy Center, LLC.

Description: § 205(d) Rate Filing:

Application for Market-Based Rate

Authorization—Panama Energy Ctr. to

be effective 8/2/2025.

Filed Date: 6/3/25.

Accession Number: 20250603-5136.

Comment Date: 5 p.m. ET 6/24/25.

Docket Numbers: ER25-2416-000.

Applicants: Weld Energy Storage, LLC.

Description: § 205(d) Rate Filing:

Application for Market-Based Rate

Authorization—Weld Energy Storage,

LLC to be effective 8/2/2025.

Filed Date: 6/3/25.

Accession Number: 20250603-5137.

Comment Date: 5 p.m. ET 6/24/25.

The filings are accessible in the Commission's eLibrary system (<https://elibrary.ferc.gov/idmws/search/fercgensearch.asp>) by querying the docket number.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <https://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions,

comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or OPP@ferc.gov.

Dated: June 3, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025-10379 Filed 6-6-25; 8:45 am]

BILLING CODE 6717-01-P

FEDERAL COMMUNICATIONS COMMISSION

[CG Docket No. 25-165; DA 25-376; FR ID 293980]

Consumer and Governmental Affairs Bureau Seeks Comment on Termination of Certain Proceedings as Dormant

AGENCY: Federal Communications Commission.

ACTION: Notice of availability; request for comments.

SUMMARY: In this document, the Consumer and Governmental Affairs Bureau (CGB) announces the availability of the FCC Public Notice seeking comment on whether certain docketed Commission proceedings should be terminated as dormant.

DATES: Comments are due on or before July 9, 2025, and reply comments are due on or before July 24, 2025.

FOR FURTHER INFORMATION CONTACT: Zac Champ, Consumer Policy Division, Consumer and Governmental Affairs Bureau, email at zac.champ@fcc.gov or by phone at (202) 418-1495.

SUPPLEMENTARY INFORMATION: This is a summary of CGB's document, CG Docket No. 25-165; DA 25-376, released on May 2, 2025. The full text of this document, including instructions on how to file comments; the spreadsheet associated with document DA 25-376 listing the proceedings proposed for termination; and copies of any subsequently filed documents in this matter will be available for public inspection and copying via ECFS at: <https://www.fcc.gov/ecfs/>. Document DA 25-376 and the spreadsheet associated with document DA 25-376 listing the proceedings proposed for termination can also be downloaded in Word or Portable Document Format (PDF) at: <https://www.fcc.gov/document/fcc-looks-clear-backlog-inactive-proceedings-0>.

To request this document in accessible formats for people with disabilities (e.g., Braille, large print, electronic files, audio format) or to request reasonable accommodations (e.g., accessible format documents, sign

language interpreters, CART), send an email to fcc504@fcc.gov or call the FCC's Consumer and Governmental Affairs Bureau at (202) 418-0530.

Federal Communications Commission.

Robert Garza,

Legal Advisor, Consumer and Governmental Affairs Bureau.

[FR Doc. 2025-10395 Filed 6-6-25; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

Sunshine Act Meetings

TIME AND DATE: 10 a.m., Tuesday, June 12, 2025.

PLACE: The meeting will be held via remote means and/or in the Richard V. Backley Hearing Room, Room 511, 1331 Pennsylvania Avenue NW, Suite 504 North, Washington, DC 20004.

STATUS: Closed.

MATTERS TO BE CONSIDERED: The Commission will conduct a meeting closed to the public to consider: *Secretary of Labor v. Morton Salt, Inc.*, Docket No. CENT 2022-0176. (Issues include whether the Judge erred in concluding that violations of 30 CFR 57.3200 and 57.11053(c) were not significant and substantial.) Commissioners will attend the meeting. Commission staff members who provide technological support and other Commission staff may also be present as necessary. This meeting is closed to the public pursuant to 5 U.S.C. 552b(c)(10) on the basis of the Commission's consideration or disposition of a "particular case of formal agency adjudication." The Commission determined that shorter than usual notice for a meeting was required by official agency business.

CONTACT PERSON FOR MORE INFORMATION: Sarah Stewart (202) 525-8651/(202) 708-9300 for TDD Relay/1-800-877-8339 for toll free.

Authority: 5 U.S.C. 552b.

Dated: June 4, 2025.

Sarah L. Stewart,

Acting General Counsel.

[FR Doc. 2025-10440 Filed 6-5-25; 11:15 am]

BILLING CODE 6735-01-P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank

Control Act (Act) (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the applications are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at <https://www.federalreserve.gov/foia/request.htm>. Interested persons may express their views in writing on the standards enumerated in paragraph 7 of the Act.

Comments received are subject to public disclosure. In general, comments received will be made available without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would not be appropriate for public disclosure.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551-0001, not later than June 24, 2025.

A. Federal Reserve Bank of Atlanta (Erien O. Terry, Assistant Vice President) 1000 Peachtree Street NE, Atlanta, Georgia 30309. Comments can also be sent electronically to Applications.Comments@atl.frb.org:

1. *C. Paul Harrison, Mary Harrison, and Max W. Waibel, all of Knoxville, Tennessee; John Harrison, Celia Harrison, Charles Allen Harrison, and Dorothy Barr, all of Philadelphia, Tennessee; Steve Harrison, Beverly Harrison, and Rebecca Harrison Dyer, all of Loudon, Tennessee;* to form the Harrison Family Control Group, a group acting in concert, to retain voting shares of Peoples Bancshares of Tennessee, Inc., and thereby indirectly retain voting shares of Peoples Bank of East Tennessee, both of Madisonville, Tennessee.

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,

Associate Secretary of the Board.

[FR Doc. 2025-10415 Filed 6-6-25; 8:45 am]

BILLING CODE P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[Docket No. CDC-2025-0024]

Meeting of the Advisory Committee on Immunization Practices

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice of meeting and request for comment.

SUMMARY: In accordance with the Federal Advisory Committee Act, the Centers for Disease Control and Prevention (CDC) announces the following meeting of the Advisory Committee on Immunization Practices (ACIP). This meeting is open to the public. Time will be available for public comment.

DATES: The meeting will be held on June 25, 2025, from 8 a.m. to 5 p.m., EDT, June 26, 2025, from 8 a.m. to 5 p.m., EDT, and June 27, 2025, 8 a.m. to 3 p.m., EDT (times subject to change; see the ACIP website for updates: <https://www.cdc.gov/vaccines/acip/index.html>).

Written comments must be received between June 9-20, 2025.

ADDRESSES: You may submit comments, identified by Docket No. CDC-2025-0024, by either of the methods listed below. CDC does not accept comments by email.

- *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments.

- *Mail:* Ms. Stephanie Thomas, ACIP Meeting, Centers for Disease Control and Prevention, 1600 Clifton Road NE, Mailstop H24-8, Atlanta, Georgia 30329-4027. Attn: Docket No. CDC-2025-0024.

Instructions: All submissions received must include the Agency name and docket number. For access to the docket to read background documents or comments received, go to <https://www.regulations.gov>.

The meeting will be webcast live via the World Wide Web. The webcast link can be found on the ACIP website at <https://www.cdc.gov/acip>.

FOR FURTHER INFORMATION CONTACT: Ms. Stephanie Thomas, Committee

Management Specialist, Advisory Committee on Immunization Practices, National Center for Immunization and Respiratory Diseases, Centers for Disease Control and Prevention, 1600 Clifton Road NE, Mailstop H24-8, Atlanta, Georgia 30329-4027. Telephone: (404) 639-8836; Email: ACIP@cdc.gov.

SUPPLEMENTARY INFORMATION:

Purpose: The Advisory Committee on Immunization Practices is charged with advising the Director, Centers for Disease Control and Prevention (CDC), on the use of immunizing agents. In addition, under 42 U.S.C. 1396s, the Committee is mandated to establish and periodically review and, as appropriate, revise the list of vaccines for administration to vaccine-eligible children through the Vaccines for Children program, along with schedules regarding dosing interval, dosage, and contraindications to administration of vaccines. Further, under applicable provisions of the Affordable Care Act and section 2713 of the Public Health Service Act, immunization recommendations of ACIP that have been adopted by the Director, CDC, and appear on CDC immunization schedules generally must be covered by applicable health plans.

Matters To Be Considered: The agenda will include discussions on anthrax vaccines, chikungunya vaccines, COVID-19 vaccines, cytomegalovirus (CMV) vaccine, Human papillomavirus (HPV) vaccine, influenza vaccines, Lyme disease vaccine, meningococcal vaccines, pneumococcal vaccines, Respiratory Syncytial Virus (RSV) vaccines for adults, and RSV vaccines for maternal and pediatric populations. Recommendation votes are scheduled for COVID-19 vaccines, HPV vaccine, influenza vaccines, meningococcal vaccine, RSV vaccines for adults, and RSV vaccine for maternal and pediatric populations. Vaccines for Children (VFC) votes are scheduled for COVID-19 vaccines, HPV vaccine, influenza vaccines, and RSV vaccines. Agenda items are subject to change as priorities dictate. For more information on the meeting agenda, visit <https://www.cdc.gov/acip/meetings/index.html>.

Meeting Information: The meeting will be webcast live via the World Wide Web. For more information on ACIP, please visit the ACIP website: <https://www.cdc.gov/acip>.

Public Participation

Interested persons or organizations are invited to participate by submitting written views, recommendations, and data. Please note that comments received, including attachments and

other supporting materials, are part of the public record and are subject to public disclosure. Comments will be posted on <https://www.regulations.gov>. Therefore, do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure. If you include your name, contact information, or other information that identifies you in the body of your comments, that information will be on public display. CDC will review all submissions and may choose to redact, or withhold, submissions containing private or proprietary information such as Social Security numbers, medical information, inappropriate language, or duplicate/near-duplicate examples of a mass-mail campaign. CDC will carefully consider all comments submitted into the docket.

Written Public Comment: The docket will be opened to receive written comments June 9–20, 2025. Written comments must be received by June 20, 2025.

Oral Public Comment: This meeting will include time for members of the public to make an oral comment. Oral public comment will occur before any scheduled votes, including all votes relevant to the ACIP's Affordable Care Act and Vaccines for Children Program roles. Priority will be given to individuals who submit a request to make an oral public comment before the meeting according to the procedures below.

Procedure for Oral Public Comment: All persons interested in making an oral public comment at the June 25–27, 2025, ACIP meeting must submit a request at <https://www.cdc.gov/acip/meetings/index.html> between June 9–20, 2025, and no later than 11:59 p.m., EDT, June 20, 2025, according to the instructions provided.

If the number of persons requesting to speak is greater than can be reasonably accommodated during the scheduled time, CDC will conduct a random draw to determine the speakers for the scheduled public comment session. CDC staff will notify individuals regarding their request to speak by email by June 23, 2025. To accommodate the significant interest in participation in the oral public comment session of ACIP meetings, each speaker will be limited to three minutes, and each speaker may speak only once per meeting.

The Director, Office of Strategic Business Initiatives, Office of the Chief Operating Officer, Centers for Disease Control and Prevention, has been delegated the authority to sign **Federal Register** notices pertaining to

announcements of meetings and other committee management activities, for both the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry.

Kalwant Smagh,

Director, Office of Strategic Business Initiatives, Office of the Chief Operating Officer, Centers for Disease Control and Prevention.

[FR Doc. 2025–10432 Filed 6–6–25; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[CMS–3476–N]

Medicare Program; Public Meeting for Air Ambulance Quality & Patient Safety Advisory Committee Notice of Public Meeting—July 10, 2025

AGENCY: Centers for Medicare & Medicaid Services (CMS), HHS.

ACTION: Notice of meeting.

SUMMARY: This notice announces a virtual public meeting of the Air Ambulance Quality and Patient Safety (AAQPS) Advisory Committee. The AAQPS Advisory Committee will review options to establish quality, patient safety, and clinical capability standards for each clinical capability level of air ambulances.

DATES:

Virtual Meeting Dates: The AAQPS Advisory Committee will hold a virtual meeting on July 10, 2025, from 10:00 a.m. to 5:00 p.m., Eastern Time.

Deadline for Submitting Requests for Special Accommodations: Requests for special accommodations must be received at least 2 weeks before the meeting.

Registration Link: The virtual meeting will be open to the public and held via the Zoom webinar platform. Virtual attendance information will be provided upon registration. To register for the meeting, please visit <https://www.cms.gov/medicare/regulations-guidance/advisory-committees/advisory-committee-air-ambulance-quality-and-patient-safety>. Attendance is open to the public subject to any technical or capacity limitations.

Deadline for Registration: All individuals who plan to attend the virtual public meeting must register to attend. Request to provide oral comments are due at least 14 calendar days prior to the meeting date. Interested parties are encouraged to

register as far in advance of the meeting as possible.

A detailed agenda and materials will be available prior to the meeting on the AAQPS Advisory Committee website at <https://www.cms.gov/medicare/regulations-guidance/advisory-committees/advisory-committee-air-ambulance-quality-and-patient-safety>.

A transcript and a summary of the meeting will be made available on the AAQPS Advisory Committee website approximately 45 calendar days after the meeting.

ADDRESSES: All meetings are open to the public and will be held virtually. Instructions to view the meeting will be posted on the AAQPS Advisory Committee website and upon registration. If you wish to provide oral comments during the meeting you must complete a registration form on the AAQPS Advisory Committee website at <https://www.cms.gov/medicare/regulations-guidance/advisory-committees/advisory-committee-air-ambulance-quality-and-patient-safety>, and submit a written copy of your remarks to AAQPS@cms.hhs.gov.

FOR FURTHER INFORMATION CONTACT:

Ashley Spence at (410) 786–2000 or via email at AAQPS@cms.hhs.gov.

SUPPLEMENTARY INFORMATION:

I. Background

The Secretary of the U.S. Department of Health and Human Services (HHS) and the Secretary of the U.S. Department of Transportation established the Air Ambulance and Patient Safety (AAQPS) Advisory Committee on August 22, 2023, in response to Section 106 of the No Surprises Act, enacted as part of the Consolidated Appropriations Act, 2021, div. BB, tit. I, Public Law 116–260 (December 27, 2020). The AAQPS Advisory Committee is tasked with reviewing options to establish quality, patient safety, and clinical capability standards for each clinical capability level of air ambulances. The AAQPS Advisory Committee held its first meeting on December 12, 2024.

The AAQPS Advisory Committee is governed by the provisions of the Federal Advisory Committee Act, Public Law 92–463 (October 6, 1972), as amended Title 5 of the United States Code (5 U.S.C. Ch.10).

II. Summary of the Agenda

The AAQPS Advisory Committee will review options to establish quality, patient safety, and clinical capability standards for each clinical capability level of air ambulances at the July 10, 2025, meeting. The Centers for Medicare

& Medicaid Services (CMS) will make available a more detailed agenda and meeting materials no later than 3 days before the meeting on the AAQPS Committee website at <https://www.cms.gov/medicare/regulations-guidance/advisory-committees/advisory-committee-air-ambulance-quality-and-patient-safety>.

III. Public Participation

The meeting is open to the public for virtual attendance on a first-come, first-served basis, as there may be capacity or technical limitations. Please see the **ADDRESSES** section to view the meeting link.

We are committed to providing equal access to this meeting for all participants. If you need alternative formats or services because of a disability, such as a sign language interpreter, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section no later than 2 weeks before the meeting.

Presenting Oral Comments

CMS will accept oral comments, which must be limited to the objectives of the Committee and limited to 3 minutes per person. Individual members of the public who wish to present oral comments must register and provide a written copy of prepared remarks for inclusion in the meeting records and for circulation to AAQPS Advisory Committee members. All prepared remarks submitted on time will be considered as part of the meeting's record.

IV. Submitting Written Comments

Members of the public may submit written comments for consideration by the Committee at any time via email to AAQPS@cms.hhs.gov. Additionally, members of the public will have the opportunity to submit comments during the July 10, 2025, virtual meeting through the chat feature of the Zoom webinar platform. Members of the public are encouraged to email lengthy written comments to AAQPS@cms.hhs.gov. Advance submissions that are within the scope of the Advisory Committee will become part of the official record of the meeting.

The Administrator of the Centers for Medicare & Medicaid Services (CMS), Mehmet Oz, having reviewed and approved this document, authorizes Vanessa Garcia, who is the **Federal Register** Liaison, to electronically sign

this document for purposes of publication in the **Federal Register**.

Vanessa Garcia,

Federal Register Liaison, Centers for Medicare & Medicaid Services.

[FR Doc. 2025–10401 Filed 6–6–25; 8:45 am]

BILLING CODE 4120-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2018–D–1873]

Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Medical Device User Fee Small Business Qualification and Certification

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that a proposed collection of information has been submitted to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995.

DATES: Submit written comments (including recommendations) on the collection of information by July 9, 2025.

ADDRESSES: To ensure that comments on the information collection are received, OMB recommends that written comments be submitted to <https://www.reginfo.gov/public/do/PRAMain>. Find this particular information collection by selecting “Currently under Review—Open for Public Comments” or by using the search function. The OMB control number for this information collection is 0910–0508. Also include the FDA docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: Amber Sanford, Office of Operations, Food and Drug Administration, Three White Flint North, 10A–12M, 11601 Landsdown St., North Bethesda, MD 20852, 301–796–8867, PRASStaff@fda.hhs.gov.

SUPPLEMENTARY INFORMATION: In compliance with 44 U.S.C. 3507, FDA has submitted the following proposed collection of information to OMB for review and clearance.

Medical Device User Fee Small Business Qualification and Certification

OMB Control Number 0910–0508—Revision

This information collection helps support implementation of the Medical Device User Fee and Modernization Act of 2002 (MDUFMA) (Pub. L. 107–250), most recently reauthorized in 2022 from October 1, 2022, until September 30, 2027. To qualify as a “small business,” and therefore be eligible for reduced or waived fees, respondents submit information to FDA so we can determine whether the applicant is a small business. Sections 738(d)(2)(A) and (e)(2)(A) of the FD&C Act (21 U.S.C. 379j(d)(2)(A) and (e)(2)(A)) define a “small business” as an entity that reported \$100 million or less of gross receipts or sales in its most recent Federal income tax return, including such returns of its affiliates, partners, and parent firms. If a firm’s gross receipts or sales are no more than \$30 million (including all affiliates, partners, and parent firms), they will also qualify for a waiver of the fee for their first (ever) premarket application (PMA), product development protocol (PDP), biological licensing application (BLA), or premarket report.

In the **Federal Register** of February 22, 2024 (89 FR 13349), FDA announced the availability of the draft guidance for industry entitled “Select Updates for the Medical Device User Fee Small Business Qualification and Certification Guidance” (available at <https://www.fda.gov/regulatory-information/search-fda-guidance-documents/select-updates-medical-device-user-fee-small-business-qualification-and-certification-guidance>). The guidance includes select updates to the guidance “Medical Device User Fee Small Business Qualification and Certification” (August 2018), available at <https://www.fda.gov/regulatory-information/search-fda-guidance-documents/medical-device-user-fee-small-business-qualification-and-certification>) which describe how FDA plans to determine if a small business is experiencing “financial hardship” that makes them eligible for a waiver of their registration fee. A manufacturer seeking the small business fee waiver may provide evidence of a reported \$1 million or less of gross receipts or sales in its most recent Federal income tax return, as well as evidence that they have filed a petition for bankruptcy and that the bankruptcy is currently active. The proposed updates also reflect that firms based in jurisdictions without a National Taxing Authority (NTA) need not submit a

certification from their NTA to be eligible for fee waivers or reductions.

Additionally, FDA intends to consolidate the forms previously known as FDA 3602 and FDA 3602A into a single webform, the “MDUFA Small Business Request” (MDUFA SBR, FDA 3602N) to be completed by foreign as well as U.S. businesses/applicants via FDA’s Center for Devices and Radiological Health Customer

Collaboration Portal (CDRH Portal). We have also added to the MDUFA SBR a “Registration & Listing Waiver” section which asks if the business/applicant will apply for a registration and listing fee waiver and whether they have applied in the past. Applicants seeking this waiver will be asked to include proof of bankruptcy documentation in the supporting documentation section.

In the **Federal Register** of February 22, 2024 (89 FR 13349), FDA published a 60-day notice requesting public comment on the proposed collection of information. Three comments were received, but they were not related to the information collection.

FDA estimates the burden of this collection of information as follows:

TABLE 1—ESTIMATED ANNUAL REPORTING BURDEN ¹

FDA form No.	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
MDUFA Small Business Request webform—FDA 3602N ..	4,500	1	4,500	1	4,500

¹ There are no capital costs or operating and maintenance costs associated with this collection of information.

As discussed previously in this document, we have proposed updates to the guidance document, “Medical Device User Fee Small Business Qualification and Certification Guidance for Industry, Food and Drug Administration Staff and Foreign Governments,” (August 2018) consistent with amendments to section 738(a)(3)(B) of the FD&C Act. Because we assume that current bankruptcy documentation is readily available to applicants, we assume no change to the Average Burden per Response for this information collection.

Aside from the changes already discussed, the total burden estimate remains unchanged from the last OMB approval.

Dated: June 3, 2025.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–10387 Filed 6–6–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

[Document Identifier: OS–0937–0166]

Agency Information Collection Request. 30-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 9, 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:

Michelle Jasczynski, Michelle.Jasczynski@hhs.gov, (301) 284–6813. When submitting comments or requesting information, please include the document identifier 0937–0166–30D and project title for reference.

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: HHS 42 CFR subpart B; Sterilization of Persons in Federally Assisted Family Planning Projects.

Type of Collection: Renewal.

OMB No. 0937–0166.

Abstract: The Department of Health and Human Service, Office of Population Affairs is requesting an extension of a currently approved collection for the disclosure and recordkeeping requirements codified at 42 CFR part 50, subpart B (“Sterilization of Persons in Federally Assisted Family Planning Projects”). The consent form solicits information to assure voluntary and informed consent to persons undergoing sterilization in programs of health services which are supported by federal financial assistance administered by the United States Public Health Service (PHS). It provides additional procedural protection to the individual and the regulation requires that the consent form be a copy of the form that is appended to the PHS regulation. In 2003, the PHS sterilization consent form was revised to conform to OMB government-wide standards for the collection of race/ethnicity data and to incorporate the PRA burden statement as part of the consent form. We are requesting a three-year extension.

ANNUALIZED BURDEN HOUR TABLE

Forms (if necessary)	Respondents (if necessary)	Number of respondents	Number of responses per respondents	Average burden per response	Total burden hours
Information Disclosure for Sterilization Consent Form.	Citizens Seeking Sterilization	100,000	1	1	100,000

ANNUALIZED BURDEN HOUR TABLE—Continued

Forms (if necessary)	Respondents (if necessary)	Number of respondents	Number of responses per respondents	Average burden per response	Total burden hours
Record-keeping for <i>Sterilization Consent Form</i> .	Citizens Seeking Sterilization	100,000	1	15/60	25,000
Total	125,000

Catherine Howard,
Paperwork Reduction Act Reports Clearance Officer, Office of the Secretary.
 [FR Doc. 2025–10404 Filed 6–6–25; 8:45 am]
BILLING CODE 4150–34–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; NIH Support for Conferences and Scientific Meetings.

Date: July 8–9, 2025.

Time: 10:00 a.m. to 6:30 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Heidi B. Friedman, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 907–H, Bethesda, MD 20892, (301) 379–5632, hfriedman@csr.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business—Anti-Infective Therapeutics.

Date: July 9–10, 2025.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institute of Health, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Marcus Ferrone, PHARMD, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 402–2371, marcus.ferrone@nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Assay Development, Drug Discovery Tools, and Imaging.

Date: July 9–10, 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: Angela Monique Boutte, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Dr., Bethesda, MD 20892, (301) 594–0063, boutteam@csr.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Clinical Care and Health Interventions.

Date: July 10–11, 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: Trina Colleen Salm Ward, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 594–5254, salmwardtc@csr.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Genes, Genomes and Genetics.

Date: July 10–11, 2025.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Linda Wagner Jurata, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 496–8032, linda.jurata@nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Applied Immunology and Vaccine Development.

Date: July 10–11, 2025.

Time: 10:00 a.m. to 6:30 p.m.
Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Dayadevi Jirage, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4422, Bethesda, MD 20892, (301) 867–5309, jiragedb@csr.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: June 4, 2025.

Bruce A. George,
Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–10426 Filed 6–6–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR Panel: Maximizing Investigators’ Research Award.

Date: July 9–10, 2025.

Time: 9:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Karin Garabed Jegalian, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Dr., Room 712R, Bethesda, MD 20892, (301) 867-5309, jegaliak@csr.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Special Topics: Basic and Translational Cancer Research.

Date: July 9-10, 2025.

Time: 10:00 a.m. to 6:30 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Ombretta Salvucci, Ph.D., Scientific Review Officer, Special Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W 264, Rockville, MD 20850, 240-276-7286, salvucco@mail.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR-25-139: NCI Clinical and Translational Exploratory and Developmental Studies.

Date: July 9-10, 2025.

Time: 11:00 a.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Jun Fang, Ph.D., Scientific Review Officer, Research Technology & Contract Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W 246, Rockville, MD 20850, 240-276-5460, jfang@mail.nih.gov.

Name of Committee: Infectious Diseases and Immunology B Integrated Review Group; HIV Immunopathogenesis and Vaccine Development Study Section.

Date: July 10-11, 2025.

Time: 9:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Philip Owens, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Dr., Bethesda, MD 20892, (301) 594-7394, owensp2@csr.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: The Cancer Biotherapeutics Development.

Date: July 10-11, 2025.

Time: 9:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting

Contact Person: Elisaveta Ninova Voynova, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, voynovae@mail.nih.gov.

Name of Committee: Population Sciences and Epidemiology Integrated Review Group; Aging, Injury, Musculoskeletal, and Rheumatologic Disorders Study Section.

Date: July 10-11, 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: Nketi I. Forbang, MD, MPH, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1006K1, Bethesda, MD 20892, (301) 594-0357, forbangni@csr.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Topics in Health Services Research: Maternal, Reproductive, and Child Health, and Substance Use.

Date: July 10-11, 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: June Lee Gin, Ph.D., Scientific Review Officer, The Center for Scientific Review, The National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 480-2589, june.gin@nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Cancer Immunology and Immunotherapy I.

Date: July 10-11, 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: Ola Mae Zack Howard, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4192, MSC 7806, Bethesda, MD 20892, 301-451-4467, howardz@mail.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Physiology and Pathobiology of Cardiovascular and Respiratory Systems.

Date: July 10-11, 2025.

Time: 9:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Yuanyi Feng, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of

Health, 6701 Rockledge Dr., Bethesda, MD 20892, (301) 594-1180, fengy7@csr.nih.gov.

Name of Committee: Endocrinology, Metabolism, Nutrition and Reproductive Sciences Integrated Review Group; Nutrition and Metabolism in Health and Disease Study Section.

Date: July 10-11, 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: Jonathan Michael Peterson, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 867-5309, jonathan.peterson@nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowship: Oncology.

Date: July 10-11, 2025.

Time: 10:00 a.m. to 8:00 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: Reigh-Yi Lin, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Rm. 4152, MSC 7846, Bethesda, MD 20892, (301) 827-6009, lin.reigh-yi@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: June 3, 2025.

Sterlyn H. Gibson,

Program Specialist, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-10397 Filed 6-6-25; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Aging; Notice of Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the National Advisory Council on Aging.

The meeting will be open to the public as indicated below, with attendance limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contact Person listed below

in advance of the meeting. The meeting can be accessed from the NIH Videocast at the following link: <https://videocast.nih.gov/>.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Advisory Council on Aging.

Date: September 17–18, 2025.

Closed: September 17, 2025, 12:30 p.m. to 2:30 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Natcher Building, 45 Center Drive, Room E1/E2, Bethesda, MD 20892, (In Person and Virtual Meeting).

Open: September 18, 2025, 9:00 a.m. to 1:00 p.m.

Agenda: Director Status Report; Staff Introductions, Council Business.

Address: National Institutes of Health, Natcher Building, 45 Center Drive, Room E1/E2, Bethesda, MD 20892, (In Person and Virtual Meeting).

Contact Person: Kenneth Santora, Director, Office of Extramural Activities, National Institute on Aging, National Institutes of Health, Gateway Building, 7201 Wisconsin Avenue, Bethesda, MD 20814, (301) 496-9322, ksantora@nih.gov.

Information is also available on the Institute's/Center's home page: www.nia.nih.gov/about/naca, where an agenda and any additional information for the meeting will be posted when av (Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: June 4, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-10427 Filed 6-6-25; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Eunice Kennedy Shriver National Institute of Child Health & Human Development; Notice of Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the National Advisory Board on Medical Rehabilitation Research.

This will be a hybrid meeting held in-person and virtually and will be open to the public as indicated below.

Individuals who plan to attend in-person or view the virtual meeting and need special assistance or other reasonable accommodations, should notify the Contact Person listed below in advance of the meeting. The meeting can be accessed from the NIH Videocast at the following link: <https://videocast.nih.gov/>.

Name of Committee: National Advisory Board on Medical Rehabilitation Research.

Date: December 1–2, 2025.

Time: December 01, 2025, 10:00 a.m. to 5:00 p.m.

Agenda: NICHD Director's Report, NCMRR Director's report; Scientific Talk on Collaboration; Report from the NIH Disability Research Coordinating Committee; Scientific Talk on Rehabilitation Research by Board member; Updates on the NIH Research Plan on Rehabilitation; Nominations for next Chair.

Address: Eunice Kennedy Shriver National Institute of Child, Health and Human Development, 6710 B Rockledge Drive, Bethesda, MD 20817 (In Person and Virtual Meeting).

Time: December 02, 2025, 10:00 a.m. to 2:00 p.m.

Agenda: Implementation Changes in NIH Policy and Peer Review; Scientific Talk on Rehabilitation Research by Board member; Election of Chair; Planning for next meeting in May 2026.

Address: Eunice Kennedy Shriver National Institute of Child, Health and Human Development, 6710 B Rockledge Drive, Bethesda, MD 20817 (In Person and Virtual Meeting).

Contact Person: Ralph M. Nitkin, Ph.D., Deputy Director, National Center for Medical Rehabilitation, Eunice Kennedy Shriver National Institute of Child Health and Human Development, NIH, 6710B Rockledge Drive, Room 2116, Bethesda, MD 20892-7510, (301) 402-4206, nitkinr@mail.nih.gov.

Any interested person may file written comments with the committee by forwarding the statement to the Contact Persons listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

Any member of the public interested in presenting oral comments to the committee may notify the Contact Person listed on this notice at least 10 days in advance of the meeting. Interested individuals and representatives of an organization may submit a letter of intent, a brief description of the organization represented and a short description of the oral presentation. Only one representative of an organization may be allowed to present oral comments and presentations may be limited to five minutes. Both printed and electronic copies are requested for the record. In addition, any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the

name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

In the interest of security, NIH has procedures at <https://www.nih.gov/about-nih/visitor-information/campus-access-security> for entrance into on-campus and off-campus facilities. All visitor vehicles, including taxicabs, hotel, and airport shuttles will be inspected before being allowed on campus. Visitors attending a meeting on campus or at an off-campus federal facility will be asked to show one form of identification (for example, a government-issued photo ID, driver's license, or passport) and to state the purpose of their visit.

Information is also available on the Institute's/Center's home page: <https://www.nichd.nih.gov/about/advisory/nabmrr>, where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.864, Population Research; 93.865, Research for Mothers and Children; 93.929, Center for Medical Rehabilitation Research; 93.209, Contraception and Infertility Loan Repayment Program, National Institutes of Health, HHS)

Dated: June 4, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-10423 Filed 6-6-25; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-6549-N-01]

Notice of Federal Advisory Committee Meeting; Manufactured Housing Consensus Committee (MHCC)

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, Department of Housing and Urban Development (HUD).

ACTION: Notice.

SUMMARY: This notice sets forth the schedule and proposed agenda for a meeting of the Manufactured Housing Consensus Committee (MHCC) to be held on June 24, 2025, from 11:00 a.m. to 5:00 p.m. Eastern Daylight Time (EDT) via teleconference and webinar. The meeting is open to the public. The agenda provides an opportunity for interested parties to comment on the business before the MHCC.

DATES: The MHCC meeting will be held on June 24, 2025, 11:00 a.m. to 5:00 p.m. Eastern Daylight Time (EST).

ADDRESSES: The June meeting will be held via teleconference.

The teleconference number for the meeting is:

Phone: 301-715-8592 or 646-931-3860.

Meeting ID: 823 0328 2875.

To access the webinar, use the following link: <https://us06web.zoom.us/j/82303282875>.

FOR FURTHER INFORMATION CONTACT:

Mary Jo Houton, Acting Administrator, Office of Manufactured Housing Programs, Department of Housing and Urban Development, 451 7th Street SW, Room 9166, Washington, DC 20410, telephone (202) 708-6423 (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 from individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit <https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs>.

SUPPLEMENTARY INFORMATION:

Background

Notice of these meetings is provided in accordance with the Federal Advisory Committee Act, 5 U.S.C. 1009(a)(2) through implementing regulations at 41 CFR 102-3.150. The MHCC was established by the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. 5403(a)(3), as amended by the Manufactured Housing Improvement Act of 2000 (Pub. L. 106-569). According to 42 U.S.C. 5403, as amended, the purposes of the MHCC are to:

(1) Provide periodic recommendations to the Secretary to adopt, revise, and interpret the Federal manufactured housing construction and safety standards in accordance with this subsection;

(2) Provide periodic recommendations to the Secretary to adopt, revise, and interpret the procedural and enforcement regulations, including regulations specifying the permissible scope and conduct of monitoring in accordance with subsection (b); and

(3) Be organized and carry out its business in a manner that guarantees a fair opportunity for the expression and consideration of various positions and for public participation.

The MHCC is deemed an advisory committee not composed of Federal employees.

Public Comment

Interested parties wishing to make comments on the business of the MHCC are encouraged to register by or before Friday, June 20, 2025, by contacting HUD's Administering Organization for the MHCC (AO), Home Innovation Research Labs; *Attention:* Kevin

Kauffman, 400 Prince Georges Blvd., Upper Marlboro, MD 20774, or email to mhcc@homeinnovation.com or call 1-888-602-4663. Written comments are encouraged. The MHCC strives to accommodate citizen comments to the extent possible within the time constraints of the meeting agenda. Advance registration is strongly encouraged. The MHCC will provide an opportunity for public comments on specific matters before the MHCC.

The Department of Housing and Urban Development (HUD), Office of Manufactured Housing Programs, is providing an opportunity for the MHCC to discuss appropriate standards and requirements for multi-story manufactured homes that would not have upper floors built on a permanent chassis. HUD is proposing to modify the standards related to manufactured home chassis requirements within the Manufactured Housing Construction and Safety Standards. HUD is scheduling this meeting with the MHCC to allow robust discussion, analysis, and consideration as the committee is responsible to provide recommendations to the Secretary for the purposes of proceeding with changes to the standards. This meeting is scheduled for one day to provide sufficient time for thorough consideration. HUD, therefore, strongly encourages active participation by committee members, stakeholders, and other interested parties.

Tentative Agenda

- (1) Call to Order—MHCC Chair & *Mary Jo Houton*, Designated Federal Officer (DFO)
- (2) Roll Call—AO
- (3) Opening Remarks—MHCC Chair & DFO
- (4) Introductions:
 - (a) MHCC Members;
 - (b) HUD Staff; and
 - (c) Guests.
- (5) Administrative Announcements—DFO & AO
- (6) Public Comment Period—15 minutes
- (7) Review of Standards Revisions Necessary for Multi-Story Manufactured Homes
- (8) Public Comment Period—15 minutes
- (9) Wrap Up—DFO & AO
- (10) Adjourn

Frank Cassidy,

Principal Deputy Assistant Secretary for Housing.

[FR Doc. 2025-10371 Filed 6-6-25; 8:45 am]

BILLING CODE P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-HQ-ES-2025-0049; FF09E41000-256-FXES11130900000]

Endangered Species Act (ESA) Section 10(a) Program Implementation; Development of Conservation Benefit Agreements and Habitat Conservation Plans, and Issuance of Associated Enhancement of Survival and Incidental Take Permits

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice; request for information and comments.

SUMMARY: We, the U.S. Fish and Wildlife Service, issue enhancement of survival permits associated with conservation benefit agreements and issue incidental take permits associated with habitat conservation plans under section 10(a) of the Endangered Species Act of 1973 as amended (ESA). We are soliciting information that would improve the development and implementation of these voluntary agreements, plans, and permits to improve the overall efficiency and effectiveness of our section 10(a) program.

DATES: Comments and information must be received by July 9, 2025.

ADDRESSES: *Comment submission:* You may submit comments and information on this document by one of the following methods:

(1) *Electronically:* Go to the Federal eRulemaking Portal: <https://www.regulations.gov>. In the Search box, enter FWS-HQ-ES-2025-0049, which is the docket number for this rulemaking action. 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 notice box to locate this document. You may submit a comment by clicking on "Comment." Please ensure that you have found the correct document before submitting your comment. Comments must be submitted to <https://www.regulations.gov> before 11:59 p.m. (Eastern Time) on the date specified in **DATES**.

(2) *By hard copy:* Submit by U.S. mail to: Public Comments Processing, Attn: FWS-HQ-ES-2025-0049; 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 Request for Comments, below, for more information).

FOR FURTHER INFORMATION CONTACT:

Andy DeVolder, Branch Manager for Recovery and Conservation Planning, via phone at 703-358-1971. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION:

Background

The purposes of the Endangered Species Act of 1973, as amended (hereafter referred to as ESA; 16 U.S.C. 1531 *et seq.*), are to provide a means to conserve the ecosystems upon which endangered and threatened species depend (listed species), to develop a program for the conservation of listed species, and to achieve the purposes of certain treaties and conventions. Moreover, the ESA states that it is the policy of Congress that the Federal government will seek to conserve endangered and threatened species and use its authorities to further the statutory purposes (16 U.S.C. 1531(c)(1)). The ESA's implementing regulations are in title 50 of the Code of Federal Regulations (CFR).

Section 10(a)(1)(A) of the ESA authorizes the issuance of permits, under certain terms and conditions, for any act otherwise prohibited by section 9 for scientific purposes or to enhance the propagation or survival of the affected species. In 1999, we promulgated regulations (at 50 CFR 17.22(c) and (d) and 50 CFR 17.32(c) and (d)) and finalized policies regarding safe harbor agreements and candidate conservation agreements with assurances to incentivize the use of enhancement of survival permits to further species recovery and conservation (64 FR 32706, 32717, and 32726; June 17, 1999). We updated our implementing regulations for section 10(a) on April 12, 2024 (89 FR 26070; 2024 rule) to simplify the requirements for enhancement of survival permits by combining safe harbor agreements and candidate conservation agreements with assurances into one agreement type called a conservation benefit agreement.

The 2024 rule also clarified which statutory provision the U.S. Fish and Wildlife Service (Service) authorizes the proposed take, either through an enhancement of survival permit (section 10(a)(1)(A)) or an incidental take permit (section 10(a)(1)(B)). Additional regulatory changes were made to reduce costs and times associated with negotiating and developing the required documents to support applications.

The purpose of Section 10(a)(1)(A) conservation benefit agreements is to incentivize voluntary conservation of listed and at-risk species on non-Federal lands. The enhancement of survival permits associated with conservation benefit agreements are intended to incentivize voluntary conservation by authorizing the take of covered species that may result from implementing the approved conservation benefit agreement. These permits also provide assurances that the Service will not in the future require an increased commitment or impose additional restrictions on the permittee's current management and use of land, water, or financial resources. As a result, a property owner may continue ongoing activities and implement beneficial conservation measures without concern that their activities may be curtailed by increasing populations or distribution of a listed species or a species that may become listed in the future. Therefore, property owners managing or improving habitat that could be used by a species that is listed or could be listed in the future, or establishing new populations of such species, have an incentive to continue their activities without fear of being subjected to increased regulatory burdens in the future. In general, take associated with working lands (*e.g.*, agriculture and silviculture) that are managed in a sustainable fashion to improve conditions for listed and at-risk species, may be appropriate under this authority depending upon the proposed covered activities.

The purpose of Section 10(a)(1)(B) is to provide a means for non-federal entities to ensure ESA compliance when otherwise lawful activities may result in incidental take of listed species or a species that may become listed in the future. Section 10(a)(1)(B) of the ESA authorizes the issuance of permits, under certain terms and conditions, to authorize take that would be otherwise prohibited by section 9, provided the taking is incidental to, and not the purpose of, carrying out an otherwise lawful activity. Under section

10(a)(1)(B), the impacts of the take associated with the otherwise lawful activities must be minimized and mitigated to the maximum extent practicable, *i.e.*, the nature of the associated habitat conservation plan is a mitigation plan to minimize and offset the adverse impacts to the species that are incidental to otherwise lawful activities. Ultimately, issuance of an incidental take permit under section 10(a)(1)(B) is beneficial because they strike a balance for non-Federal entities to continue projects of their choosing on their lands while also providing for species protection.

Information and Comments Requested

The Service invites information and comments from anyone who would like to submit information and/or suggestions for improving the efficiency and effectiveness of conservation benefit agreements, habitat conservation plans, and their respective enhancement of survival permits and incidental take permits. We invite all private and public stakeholders, Tribes or Tribal governments, as well as the general public to comment or provide any information that they believe should be taken into consideration. We particularly seek comments concerning:

- (1) Barriers that prevent applicants from pursuing development of conservation benefit agreements and habitat conservation plans;
- (2) Methods to streamline conservation benefit agreement and habitat conservation plan development and their associated permit issuance;
- (3) Strategies to enhance Service communications on conservation benefit agreements, habitat conservation plans, and their associated permits;
- (4) Whether any clarification is needed on the roles and responsibilities of the Service and applicants during conservation benefit agreement and habitat conservation plan development and permit issuance;
- (5) Funding and resources necessary to develop and implement conservation benefit agreements and habitat conservation plans;
- (6) Strategies the Service could pilot to improve the overall effectiveness of the section 10(a) program.

Gina Shultz,

Acting Assistant Director for Ecological Services, U.S. Fish and Wildlife Service.

[FR Doc. 2025-10403 Filed 6-6-25; 8:45 am]

BILLING CODE 4333-15-P

DEPARTMENT OF THE INTERIOR**Bureau of Indian Affairs**

[Docket No. BIA–2022–0005; 256A2100DD/AAKP300000/A0A501010.000000; OMB Control Number 1076–0111]

Agency Information Collection Activities; Payment for Appointed Counsel in Involuntary Indian Child Custody Proceedings in State Courts

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Bureau of Indian Affairs (BIA) is proposing to renew an information collection.

DATES: Interested persons are invited to submit comments. To be considered, your comments must be received on or before August 8, 2025.

ADDRESSES: To submit comments, please visit <https://www.regulations.gov/docket/BIA-2022-0005> or use the search field on <https://www.regulations.gov> to find the “BIA–2022–0005” docket. Please follow the instructions on [Regulations.gov](https://www.regulations.gov) for submitting a comment; and reference the “OMB Control Number 1076–0111” within your comment submission. You may also mail comments to Indian Affairs, RACA, 1001 Indian School Road NW, Suite 229, Albuquerque, NM 87104.

FOR FURTHER INFORMATION CONTACT: Steven Mullen, Information Collection Clearance Officer, Office of Regulatory Affairs and Collaborative Action—Indian Affairs, U.S. Department of the Interior, 1001 Indian School Road NW, Suite 229, Albuquerque, New Mexico 87104; comments@bia.gov; (202) 208–5403. 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. You may also view the ICR at <https://www.reginfo.gov/public/Forward?SearchTarget=PRA&textfield=1076-0111>.

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995 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.

As part of our continuing effort to reduce paperwork and respondent burdens, we invite the public and other Federal agencies to comment on new, proposed, revised, and continuing collections of information. 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 BIA is seeking renewal of the approval for the information collection conducted under 25 CFR 23.13, implementing the Indian Child Welfare Act (25 U.S.C. 1901). The information collection allows BIA to receive written requests by State courts that appoint counsel for an indigent Indian parent or Indian custodian in an involuntary Indian child custody proceeding when appointment of counsel is not authorized by State law. The applicable BIA Regional Director uses this information to decide whether to certify that the client in the notice is eligible to have his/her counsel compensated by the BIA in accordance with the Indian Child Welfare Act.

Title of Collection: Payment for Appointed Counsel in Involuntary

Indian Child Custody Proceedings in State Courts, 25 CFR 23.13.

OMB Control Number: 1076–0111.
Form Number: None.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: State courts.

Total Estimated Number of Annual Respondents: 2.

Total Estimated Number of Annual Responses: 2.

Estimated Completion Time per Response: 3 hours.

Total Estimated Number of Annual Burden Hours: 6 hours.

Respondent’s Obligation: Required to obtain a benefit.

Frequency of Collection: On occasion.

Total Estimated Annual Nonhour Burden Cost: \$0.

Authority

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).

Scott J. Davis,

Senior Advisor to the Secretary of the Interior, Exercising the delegated authority of the Assistant Secretary—Indian Affairs.

[FR Doc. 2025–10419 Filed 6–6–25; 8:45 am]

BILLING CODE 4337–15–P

DEPARTMENT OF THE INTERIOR**Bureau of Indian Affairs**

[Docket No. BIA–2022–0005; 256A2100DD/AAKP300000/A0A501010.000000; OMB Control Number 1076–0197]

Agency Information Collection Activities; Tribal Enrollment Count

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Bureau of Indian Affairs (BIA, we) is proposing to renew an information collection.

DATES: Interested persons are invited to submit comments. To be considered, your comments must be received on or before August 8, 2025.

ADDRESSES: To submit comments, please visit <https://www.regulations.gov/docket/BIA-2022-0005> or use the search field on <https://www.regulations.gov> to find the “BIA–2022–0005” docket. Please follow the

instructions on *Regulations.gov* for submitting a comment; and reference the “OMB Control Number 1076–0197” within your comment submission. You may also mail comments to Indian Affairs, RACA, 1001 Indian School Road NW, Suite 229, Albuquerque, NM 87104.

FOR FURTHER INFORMATION CONTACT:

Steven Mullen, Information Collection Clearance Officer, Office of Regulatory Affairs and Collaborative Action—Indian Affairs, U.S. Department of the Interior, 1001 Indian School Road NW, Suite 229, Albuquerque, New Mexico 87104; *comments@bia.gov*; (202) 208–5403. 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. You may also view the ICR at <https://www.reginfo.gov/public/Forward?SearchTarget=PRA&textfield=1076-0197>.

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501) 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.

As part of our continuing effort to reduce paperwork and respondent burdens, we invite the public and other Federal agencies to comment on new, proposed, revised, and continuing collections of information. 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: Enrollment data is an important source of information which allows the Indian Affairs and other Federal agencies to equitably distribute resources because it is a quantifiable representation of a Tribe’s population. Different population sizes generally require different levels of services and resources. BIA must collect this information to ensure effective, accurate, and timely distribution of assistance to respond to funds specifically appropriated for Indian Country, where applicable. The authority for this information collection is 25 U.S.C. 2.

Title of Collection: Tribal Enrollment Count.

OMB Control Number: 1076–0197.

Form Number: None.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: Federally recognized Tribes.

Total Estimated Number of Annual Respondents: 574 per year.

Total Estimated Number of Annual Responses: 574 per year.

Estimated Completion Time per Response: 1 hour.

Total Estimated Number of Annual Burden Hours: 574 hours.

Respondent’s Obligation: Voluntary.

Frequency of Collection: Annually.

Total Estimated Annual Nonhour Burden Cost: \$0.

Authority

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).

Scott J. Davis,

Senior Advisor to the Secretary of the Interior, Exercising the delegated authority of the Assistant Secretary—Indian Affairs.

[FR Doc. 2025–10420 Filed 6–6–25; 8:45 am]

BILLING CODE 4337–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[Docket No. BIA–2022–0005; 256A2100DD/AAKP300000/A0A501010.000000; OMB Control Number 1076–0200]

Agency Information Collection Activities; Indian Affairs Public Health Needs Assessment

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Assistant Secretary—Indian Affairs (AS–IA) is proposing to renew an information collection.

DATES: Interested persons are invited to submit comments. To be considered, your comments must be received on or before August 8, 2025.

ADDRESSES: To submit comments, please visit <https://www.regulations.gov/docket/BIA-2022-0005> or use the search field on <https://www.regulations.gov> to find the “BIA–2022–0005” docket. Please follow the instructions on *Regulations.gov* for submitting a comment; and reference the “OMB Control Number 1076–0200” within your comment submission. You may also mail comments to Indian Affairs, RACA, 1001 Indian School Road NW, Suite 229, Albuquerque, NM 87104.

FOR FURTHER INFORMATION CONTACT:

Steven Mullen, Information Collection Clearance Officer, Office of Regulatory Affairs and Collaborative Action—Indian Affairs, U.S. Department of the Interior, 1001 Indian School Road NW, Suite 229, Albuquerque, New Mexico 87104; *comments@bia.gov*; (202) 208–5403. 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. You may also view the ICR at <https://www.reginfo.gov/public/Forward?SearchTarget=PRA&textfield=1076-0200>.

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995 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.

As part of our continuing effort to reduce paperwork and respondent burdens, we invite the public and other Federal agencies to comment on new, proposed, revised, and continuing collections of information. 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: Enhancing the public health and safety capacity throughout Indian Affairs is a force multiplier in achieving the goals of our agency and in meeting the Occupational Safety and Health Act of 1970 (29 U.S.C. 654) directive to create a place of employment free from recognized hazards. The purpose of this survey is to identify and prioritize public health issues and needs and enhance the public health and safety capacity throughout Indian country. The Office of Facilities, Property and Safety Management (OFPSM) Public Health and Safety (PHS) Team will use survey results to develop and coordinate action plans.

Title of Collection: Indian Affairs Public Health Needs Assessment.

OMB Control Number: 1076–0200.

Form Number: None.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: Tribal governments, bureau-operated and tribally-controlled schools and justice programs.

Total Estimated Number of Annual Respondents: 1,000.

Total Estimated Number of Annual Responses: 1,000.

Estimated Completion Time per Response: 10 minutes.

Total Estimated Number of Annual Burden Hours: 167.

Respondent's Obligation: Voluntary.

Frequency of Collection: On occasion.

Total Estimated Annual Nonhour Burden Cost: \$0.

Authority

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).

Scott J. Davis,

Senior Advisor to the Secretary of the Interior, Exercising the delegated authority of the Assistant Secretary—Indian Affairs.

[FR Doc. 2025–10421 Filed 6–6–25; 8:45 am]

BILLING CODE 4337–15–P

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

**[S1D1S SS08011000 SX064A000
256S180110; S2D2S SS08011000
SX064A00025XS01520]**

Notice of Availability of the Final Environmental Impact Statement and Record of Decision for Bull Mountains Mine No. 1, Federal Mining Plan for Federal Lease MTM–97988 Amendment 3

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior.

ACTION: Notice of availability of the final environmental impact statement and record of decision.

SUMMARY: The Office of Surface Mining Reclamation and Enforcement (OSMRE) is publishing this notice to announce that it has prepared a Final Environmental Impact Statement (FEIS) and Record of Decision (ROD) for Signal Peak Energy's (SPE) Federal Mining Plan Modification Amendment 3 for Federal Lease MTM–97988 (the Project). OSMRE prepared this FEIS to address the deficiencies identified in the October 14, 2022, order from the Ninth Circuit Court of Appeals, regarding

OSMRE's 2018 Environmental Assessment (EA).

DATES: The U.S. Environmental Protection Agency (EPA) will also publish a notice of availability in the **Federal Register**. OSMRE has issued a single document that consists of a FEIS and ROD. OSMRE is not requiring a 30-day waiting period before issuing the ROD for this project because it is not required by the National Environmental Policy Act (NEPA). The Council on Environmental Quality (CEQ) rescinded the NEPA implementing regulations containing that requirement, and the Department of the Interior's (Department's) NEPA implementing regulations do not contain any independent requirement for a 30-day waiting period.

ADDRESSES: The FEIS and ROD and documents pertinent to this project are available for review on OSMRE's website at: <https://www.osmre.gov/laws-and-regulations/nepa/projects>.

FOR FURTHER INFORMATION CONTACT: Marcelo Calle, Acting Regional Director, OSMRE Western Regions 5, 7–11, P.O. Box 25065, Lakewood, CO 80225–0065; (303) 236–2929 or mcalle@osmre.gov.

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern Time, Monday through Friday.

SUPPLEMENTARY INFORMATION:

Project Background

In 1992, the Montana Department of Environmental Quality (MDEQ) issued a mining permit pursuant to the Montana equivalent of the Surface Mining Control and Reclamation Act of 1977 (SMCRA) for the Bull Mountains Mine. Over time, ownership changed, and in 2008, SPE applied to lease the Federal coal from the Bureau of Land Management (BLM) under the Mineral Leasing Act of 1920. The BLM prepared an EA and issued a finding of no significant impact (FONSI) in 2011 on the decision to approve the lease. Montana has approved several amendments to SPE's State surface mining permit, and most of the area covered by Federal coal lease MTM–97988 is within what is known as Amendment (AM) 3. OSMRE first recommended, and the Assistant Secretary of Land and Minerals Management (ASLM) first approved, a modification to the Bull Mountains Mine's operation and reclamation (*i.e.*, mining plan modification) in 2015. After legal challenge, ASLM approved another mining plan modification for the same lease in 2018. Additional legal

challenges led to the judicial vacatur of the 2018 mining plan modification in 2023. SPE is now seeking a new mining plan modification to allow it to continue mining leased Federal coal. Without a new approved mining plan modification from the ASLM to mine the leased Federal coal, SPE would be unable to access most of the remaining non-Federal coal resources within AM 3 due to the checkerboard mineral ownership pattern.

Purpose and Need for the Proposed Action

This FEIS was prepared in response to the Ninth Circuit's opinion that OSMRE violated NEPA when it failed to provide a convincing statement of reasons in its 2018 EA and FONSI about why greenhouse gas emissions from the mine were not significant, and the district court's subsequent vacatur of the 2018 mining plan approval for AM 3. Before SPE can continue to mine the leased Federal coal within AM 3, it must obtain approval from the ASLM. To support the ASLM's decision, OSMRE must prepare a mining plan decision document, which includes environmental documents, such as those needed for compliance with NEPA, and a recommendation to ASLM to either approve, disapprove, or approve with conditions, the proposed mining plan modification. This NEPA analysis informs OSMRE's recommendation.

SPE's need for this action is to exercise its rights under Federal coal lease MTM-97988 granted by the BLM to access and mine the Federal coal reserves, in accordance with the mining and reclamation plan approved by MDEQ as AM 3 to the State surface mining permit. ASLM approval of the Federal mining plan modification is required to mine Federal coal reserves within the AM 3 mining area.

Proposed Action and Alternatives

Under the Proposed Action, OSMRE would recommend to the ASLM to approve the mining plan modification as proposed by SPE. If approved by the ASLM, the Proposed Action would allow the recovery of approximately 22.8 million tons (Mt) of saleable Federal coal and approximately 34.5 Mt of adjacent saleable non-Federal coal over a period of up to 9 years.

The FEIS analyzes three alternatives:

- *No Action*, in which OSMRE would recommend that the ASLM disapprove the mining plan modification. If disapproved by the ASLM, SPE would be unable to mine approximately 22.8 Mt of saleable Federal coal and approximately 34.5 Mt of saleable non-

Federal coal in AM 3. However, under this alternative, the mine would not be expected to immediately shut down and go into reclamation because, within an estimated 1-year period, SPE could recover approximately 10.0 Mt of remaining saleable coal in the permit area without accessing Federal coal.

- *Proposed Action*, in which OSMRE would recommend that the ASLM approve the mining plan modification. If approved by the ASLM, the Proposed Action would authorize SPE to continue coal mining on approximately 1,239.6 acres of Federal coal lands and approximately 1,840.7 acres of adjacent non-Federal coal lands in AM3; and allow for the recovery of approximately 22.8 Mt of saleable Federal coal and approximately 34.5 Mt of adjacent saleable non-Federal coal over a period of up to 9 years.

- *Partial Mining Alternative*, in which OSMRE would recommend that the ASLM approve the mining plan modification with a condition to limit the approval to approximately 5 years. If approved by the ASLM, the Partial Mining Alternative would sunset the mining plan modification approval for Federal coal within AM 3 after approximately 5 years, at which time no additional Federal coal would be mined unless SPE applied for, and obtained, a separate mining plan modification approval to mine the remaining Federal coal. During this 5-year approval term, approximately 1,005.2 acres of Federal coal lands and 1,709.1 acres of non-Federal coal lands would be disturbed, and approximately 18.7 Mt of Federal coal and 32.2 Mt of non-Federal coal would be recovered.

Based on the analyses contained in the FEIS, OSMRE has selected the Proposed Action as the preferred alternative.

Summary of Expected Impacts

Reasonably foreseeable effects of mining Federal coal have been evaluated for the following resources in the FEIS and ROD:

- Transportation and Electrical Transmission
- Air Quality and Emissions
- Water Resources
- Land Use
- Topography and Physiography
- Geology, Minerals, and Paleontology
- Solid Waste and Hazardous Materials
- Human Health and Safety
- Soils
- Vegetation
- Wildlife
- Threatened, Endangered, and Special Status Species
- Cultural Resources
- Noise and Vibration

- Socioeconomics
- Visual Resources

Anticipated Permits and Authorizations

None at this time.

Public Participation

OSMRE issued a notice of intent (NOI) to prepare an environmental impact statement (EIS) in the **Federal Register** and announced the NOI through a news release and on its website and hosted two 30-day public scoping periods. OSMRE requested public scoping comments to identify any additional relevant issues concerning the mine expansion that should be evaluated in the EIS. The public was provided the opportunity to comment on the Project via mail, email, and during the public scoping meeting. OSMRE received a total of 311 comment submittals from Federal and State agencies, non-governmental organizations, and members of the public during the public scoping periods. Comment letters received during the public scoping periods have been reviewed and a description of issues analyzed are summarized in the FEIS. In addition, OSMRE had solicited public comment on previous NEPA documents related to this approval; those comments and the responses given at that time helped inform this FEIS.

Lead and Cooperating Agencies

OSMRE is the lead agency for this EIS. The BLM and EPA are cooperating agencies on the EIS.

Decision Maker

Assistant Secretary for Land and Minerals Management.

Alternative Arrangement Determination

On January 20, 2025, President Donald J. Trump issued Executive Order (E.O.) 14156—"Declaring a National Energy Emergency," which declared a national energy emergency and directed Federal agencies to expedite permits and approvals for energy projects, including those on Federal lands, using emergency provisions. During an emergency, a responsible official of the Department can adopt alternative arrangements to comply with NEPA before taking "urgently needed actions." (43 CFR 46.150). On April 23, 2025, CEQ authorized the use of alternative arrangements for projects that respond to the national energy emergency and the Department subsequently adopted alternative arrangements for qualifying projects to comply with NEPA.

After reviewing SPE's request that the Department apply its alternative arrangements to its proposed mining plan modification, the ASLM approved the alternative arrangement for NEPA compliance for this energy-related project on May 12, 2025. In reaching this determination, the ASLM relied on SPE's request for alternative arrangement, E.O. 14156, E.O. 14154 ("Unleashing American Energy"), E.O. 14261 ("Reinvigorating America's Beautiful Clean Coal Industry"), Secretary's Order (S.O.) 3417, S.O. 3418, various documents related to the ongoing NEPA analysis for this proposed mining plan modification, and consultations with OSMRE. Importantly, the ASLM concluded that this proposed project seeks to advance energy production and would export nearly all its coal to Japan and South Korea, important defense allies of the United States. Finally, the ASLM also determined that additional public comment was unnecessary due to the prior robust opportunities for public participation and the fact that another 10-day comment period on another NOI was unlikely to yield substantive comments.

OSMRE Recommendation

Informed by, at a minimum, the material required at 30 CFR 746.13, including information prepared in compliance with NEPA, OSMRE must make a recommendation to the ASLM about the proposed Federal mining plan modification associated with AM 3. The ASLM will use OSMRE's recommendation to decide whether a new mining plan modification is approved, disapproved, or approved with conditions.

As documented in the ROD, OSMRE is recommending that the ASLM approve the proposed mining plan modification, including the entire area covered by AM 3, as discussed in the EIS.

Thomas D. Shope,

Regional Director, Exercising the delegated authority of the Director, Office of Surface Mining Reclamation and Enforcement.

[FR Doc. 2025-10413 Filed 6-6-25; 8:45 am]

BILLING CODE 4310-05-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-1696 (Final)]

Large Top-Mount Combination Refrigerator-Freezers From Thailand; Termination of Investigation

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: Based on petitioner's withdrawal of the antidumping petition on large top-mount combination refrigerator-freezers from Thailand, we are terminating this antidumping duty investigation.

DATES: May 28, 2025.

FOR FURTHER INFORMATION CONTACT: Stamen Borisson (202-205-3125), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its internet server (<https://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION: On May 30, 2024, Electrolux Consumer Products, Inc., Charlotte, North Carolina, filed a petition with the U.S. International Trade Commission ("Commission") and the U.S. Department of Commerce ("Commerce") alleging that an industry in the United States is materially injured or threatened with material injury by reason of less than-fair-value ("LTFV") imports of large top mount combination refrigerator-freezers from Thailand.¹ Effective May 30, 2024, the Commission instituted antidumping duty investigation No. 731-TA-1696 (Preliminary).² On July 26, 2024, the Commission published its preliminary affirmative injury determination and commenced the final phase of its LTFV investigation.³ On January 29, 2025, Commerce published its preliminary determination of sales at LTFV, pursuant to Section 733(b) of the Tariff

Act of 1930 ("Act").⁴ On May 28, 2025, counsel for petitioner filed with the Commission and Commerce a request to withdraw its antidumping petition regarding imports of large top-mount combination refrigerator-freezers from Thailand.⁵

Authority: Section 207.40(a) of the Commission's Rules of Practice and Procedure stipulates that the Commission may terminate an investigation upon withdrawal of the petition by the petitioner, provided that Commerce has made a determination pursuant to section 702(c), 703(b), 732(c) or 733(b) of the Act. Accordingly, we are terminating this investigation pursuant to section 207.40(a) of the Commission's rules (19 CFR 207.40(a)). This notice is published pursuant to section 201.10 of the Commission's rules (19 CFR 201.10).

By order of the Commission.

Issued: June 3, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025-10373 Filed 6-6-25; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1440]

Certain Motorized Self-Balancing Vehicles; Notice of a Commission Determination Not To Review an Initial Determination Granting a Motion To Amend the Complaint and Notice of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination ("ID") (Order No. 10) of the presiding administrative law judge ("ALJ"), granting an unopposed motion to amend the complaint and notice of investigation ("NOI") by adding a new respondent, Zhejiang TaoTao Vehicles Co., Ltd. ("Tao Motor").

FOR FURTHER INFORMATION CONTACT: Cathy Chen, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone 202-205-2392. Copies of non-confidential documents filed in connection with this investigation may be viewed on the

¹ 89 FR 60659, July 26, 2024.

² 89 FR 60659, July 26, 2024.

³ 89 FR 60659, July 26, 2024.

⁴ 90 FR 8379, January 29, 2025.

⁵ See Petitioner's Letter, "Withdrawal of Petition," dated May 28, 2025.

Commission's electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on February 26, 2025, based on a complaint filed on behalf of Razor USA LLC of Cerritos, California and Shane Chen of Camas, Washington (collectively, "Complainants"). 90 FR 10,730 (Feb. 26, 2025). The complaint, as amended, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain motorized self-balancing vehicles by reason of the infringement of certain claims of U.S. Patent No. RE46,964; U.S. Patent No. RE49,608; and U.S. Patent No. D739,906. *Id.* The complaint further alleges that an industry in the United States exists or is in the process of being established as required by the applicable Federal Statute. *Id.* The Commission's notice of investigation named five respondents: Golabs Inc. d/b/a Gotrax of Carrollton, Texas; Dongguan Saibotan Nengyuan Keji Co., Ltd. d/b/a "Gyroor US" of Guangdong, China; Gyroor Technology (CHINA) Co., Ltd. d/b/a Gyroor of Guangdong, China; Shenzhen Chitado Technology Co., Ltd. d/b/a Gyroor of Guangdong, China; and Unicorn Network, LLC. d/b/a Sisigad ("Sisigad") of Dover, Delaware. *Id.*

Respondent Sisigad has been found in default. Order No. 7 (Apr. 16, 2025), *unreviewed* by Comm'n Notice (May 5, 2025).

On April 30, 2025, Complainants filed an unopposed motion to amend the complaint and NOI by adding a new respondent, Tao Motor, of Lishui City, China. The motion argued that good cause exists to add Tao Motor as a respondent and there is no prejudice to any party or the public interest by adding Tao Motor to the investigation.

On May 13, 2025, the ALJ issued the subject ID (Order No. 10), finding good cause to grant Complainants' unopposed motion to amend the complaint and NOI by adding Tao Motor. The ALJ found there is good cause to add Tao Motor as a respondent to this investigation and that the amendments will not prejudice

any of the parties or the public interest. Order No. 10 at 2. No petitions for review were filed.

The Commission has determined not to review the subject ID. Accordingly, Tao Motor is hereby added as a respondent to this investigation.

The Commission vote for this determination took place on June 3, 2025.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in Part 210 of the Commission's Rules of Practice and Procedure, 19 CFR part 210.

By order of the Commission.

Issued: June 4, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025-10393 Filed 6-6-25; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1356]

Certain Dermatological Treatment Devices and Components Thereof; Notice of a Commission Determination Finding a Violation of Section 337 as to Four Asserted Patents; Issuance of a Limited Exclusion Order and Cease and Desist Orders; Remand of The Investigation as to One Asserted Patent; Extension of the Target Date

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has found a violation of section 337 and has determined to issue: a limited exclusion order prohibiting the unlicensed importation of certain dermatological treatment devices and components thereof that infringe one or more of claims 1, 9, and 22 of U.S. Patent No. 9,480,836 ("the '836 patent"); claims 11 and 16 of U.S. Patent No. 9,320,536 ("the '536 patent"); claim 14 of U.S. Patent No. 9,775,774 ("the '774 patent"); and claims 5, 13, and 18 of U.S. Patent No. 10,869,812 ("the '812 patent"); cease and desist orders against Respondents EndyMed Medical Ltd. of Caesarea, Israel; EndyMed Medical, Ltd. of New York, New York; and EndyMed Medical, Inc. of Freehold, New Jersey (collectively, "EndyMed"); and set a bond in the amount of eighty-five percent (85%) of the entered value of the EndyMed Pure, and seventy percent (70%) of the entered value of the

EndyMed Pro infringing products imported during the period of Presidential review. The investigation is terminated with respect to these four patents. The Commission has also determined to reverse the presiding administrative law judge's ("ALJ") finding that asserted claims 4, 6, and 7 of U.S. Patent No. 11,406,444 ("the '444 patent") are indefinite, remand the investigation to the ALJ with respect to that patent consistent with the concurrently issued Commission opinion and remand order, and extend the target date for completion of the investigation.

FOR FURTHER INFORMATION CONTACT:

Panyin A. Hughes, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-3042. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on April 6, 2023, based on a complaint filed by Serendia, LLC of Lake Forest, California ("Serendia"). 88 FR 20551-52 (Apr. 6, 2023). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain dermatological treatment devices and components thereof by reason of infringement of claims 1, 2, 5, 6, 9-14, 16, 17, 19, and 22 of the '836 patent; claims 1-5, 7-10, and 15 of U.S. Patent No. 10,058,379; claims 1-10 of the '444 patent; claims 1, 2, 4, 5, 8, 9, 11-13, 16, and 17 of the '536 patent; claims 1 and 6-15 of the '774 patent; and claims 1, 5-7, 9, 10, and 12-19 of the '812 patent. *Id.* at 20551. The complaint further alleges that a domestic industry exists. *Id.* The Commission's notice of investigation named as respondents Sung Hwan E&B Co., LTD. d/b/a SHENB Co. LTD of Seoul, Republic of Korea; Aesthetics Biomedical, Inc. of Phoenix, Arizona; Cartessa Aesthetics, LLC of Melville, New York; Lutronic Corporation of Goyang-si, Republic of

Korea; Lutronic Aesthetics, Inc., also known as Lutronic, Inc. of Billerica, Massachusetts; Lutronic, LLC of Billerica, Massachusetts; Ilooda, Co., Ltd. of Anyang-si, Republic of Korea; Cutera, Inc. of Brisbane, California; Rohrer Aesthetics, LLC of Homewood, Alabama; Rohrer Aesthetics, Inc. of Homewood, Alabama; Jeisys Medical Inc. of Seoul, Republic of Korea (“Jeisys”); Cynosure, LLC of Westford, Massachusetts (“Cynosure”); and EndyMed. *Id.* at 20552. The Office of Unfair Import Investigations (“OUII”) is also participating in the investigation. *Id.*

The Commission subsequently terminated the investigation as to all asserted patent claims except for claims 1, 9, and 22 of the ’836 patent; claims 11 and 16 of the ’536 patent; claim 14 of the ’774 patent; claims 5, 13, and 18 of the ’812 patent; and claims 4, 6, and 7 of the ’444 patent. *See* Order No. 16 (June 29, 2023), *unreviewed by* Comm’n Notice (July 20, 2023); Order No. 27 (Sept. 25, 2023), *unreviewed by* Comm’n Notice (Oct. 16, 2023); Order No. 43 (Nov. 8, 2023), *unreviewed by* Comm’n Notice (Dec. 12, 2023).

The Commission also subsequently terminated the investigation as to all respondents except for EndyMed. *See* Order No. 26 (Sept. 18, 2023), *unreviewed by* Comm’n Notice (Oct. 16, 2023); Order No. 38 (Oct. 27, 2023), *unreviewed by* Comm’n Notice (Nov. 20, 2023); Order No. 45 (Nov. 15, 2023), *unreviewed by* Comm’n Notice (Dec. 15, 2023); Order No. 47 (Nov. 20, 2023), *unreviewed by* Comm’n Notice (Dec. 15, 2023); Order No. 53 (Apr. 11, 2024), *unreviewed by* Comm’n Notice (May 8, 2024); Order No. 51 (Dec. 13, 2023), *unreviewed by* Comm’n Notice (Jan. 10, 2024); Order No. 64 (Dec. 18, 2024), *unreviewed by* Comm’n Notice (Jan. 17, 2025).

The ALJ held a *Markman* hearing on July 13, 2023, and issued a *Markman* Order on October 25, 2023, construing certain disputed claim terms. Order No. 35 (Oct. 25, 2023). The ALJ found the pending claims of the ’444 patent, claims 4, 6, and 7, indefinite in the *Markman* Order and did not consider those claims any further in the investigation. *Markman* (Order No. 35) at 62.

The ALJ held an evidentiary hearing on November 1–2, 6–7, 2023 and December 11–12, 2023, and received post-hearing briefs thereafter. Remaining in the investigation at that time were respondents EndyMed, Jeisys, and Cynosure and claims 1, 9, and 22 of the ’836 patent; claims 11 and 16 of the ’536 patent; claim 14 of the ’774

patent; and claims 5, 13, and 18 of the ’812 patent.

On December 19, 2024, the ALJ issued the final initial determination (“ID”) in this investigation finding a violation of section 337 as to claims 1, 9, and 22 of the ’836 patent; claims 11 and 16 of the ’536 patent; claim 14 of the ’774 patent; and claims 5, 13, and 18 of the ’812 patent by respondents EndyMed, Jeisys, and Cynosure. The ID found that by appearing and participating in the investigation, the parties consented to personal jurisdiction at the Commission. ID at 13. The ID found the importation requirement under 19 U.S.C.

1337(a)(1)(B) satisfied and that the Commission has *in rem* jurisdiction, noting that “[t]he Private Parties entered stipulations with respect to the importation of Accused Products wherein each Respondent stipulated that they have imported to the United States, sold for importation into the United States, and/or sold within the United States after importation at least one Accused Product.” *Id.* The ID found that Serendia has the exclusive rights and ownership in the Asserted Patents and thus has “standing” to assert the patents in this investigation. *Id.* at 23. The ID further found that Serendia successfully proved that the accused products directly infringe the Asserted Claims. ID at 70–88, 173–184, 216–225. The ID further found that EndyMed also indirectly infringes the asserted claims of the ’836 and ’536 patents via inducement and contributory infringement. ID at 97–104, 185–188. The ID found that EndyMed failed to show that the Asserted Claims are invalid for obviousness (ID at 120–145, 209–216, 230–232, 257–267). The ID found that EndyMed also failed to show that the asserted claims of the ’536 patent are invalid for anticipation (ID at 196–209) and also failed to prove that the asserted claims of the ’836 patent are invalid for lack of enablement (ID at 146–161), lack of written description support (ID at 161–167), or recite unpatentable subject matter under section 101 (ID at 167–173). The ID found the existence of a domestic industry that practices the Asserted Patents as required by 19 U.S.C. 1337(a)(2). ID at 104–110, 189–196, 226–230, 247–256, 267–300. Accordingly, the ID found a violation of section 337 as to four of the remaining five patents.

The ID included the ALJ’s recommended determination on remedy and bonding (“RD”). The RD recommended, should the Commission find a violation, issuance of a limited exclusion order and cease and desist orders against EndyMed. ID/RD at 302–

111. Regarding the amount of bond to be imposed during the period of Presidential review, the ID recommended that “the Commission enter a bond in the amount of 85% of the price of value EndyMed Pure product and 70% of the value of the EndyMed Pro product during the PRP [period of Presidential review].” *Id.* at 314.

Regarding Jeisys and Cynosure, the ID noted that they have been terminated from the investigation by the ALJ, but that given the timing of the termination, the analyses pertaining to them contained in the ID would not be deleted. ID at ii n.1. The ID stated that once the Commission addresses the ID terminating them, “Jeisys and Cynosure are no longer parties in this Investigation,” and their “accused products will no longer be at issue in this Investigation and will not be subject to any determinations set forth in the ID.” *Id.*; Order No. 64 (Dec. 18, 2024) (terminating Jeisys and Cynosure from the investigation), *unreviewed by* Comm’n Notice (Jan. 17, 2025).

On January 2, 2025, Jeisys and Cynosure filed a petition for review, asking the Commission to set aside the findings in the ID pertaining to them because of their termination from the investigation.

January 10, 2025, Serendia and EndyMed filed respective petitions for review of the ID. On January 21, 2025, the parties, including OUII, filed responses to the petitions.

On February 28, 2025, the Commission determined to review the final ID in part. 90 FR 11433–36 (Mar. 6, 2023). Specifically, the Commission determined to review the final ID’s findings on jurisdiction, standing, economic prong of domestic industry for all five patents, contributory infringement for the asserted claims of the ’536, ’774, ’812, and ’836 patents, secondary considerations for the ’536 and ’836 patents, and indefiniteness of the asserted claims of the ’444 patent. The Commission requested briefing on certain issues under review and on remedy, the public interest, and bonding. *Id.*

In its notice of review, the Commission vacated the findings in the ID pertaining to Jeisys and Cynosure due to their termination from the investigation. 90 FR 11435 (Mar. 6, 2023).

On March 14, 2025, the parties filed initial submissions in response to the Commission’s request for briefing. On March 21, 2025, the parties filed reply submissions.

Upon review of the parties’ submissions, the ID, the RD, evidence of

record, and the public interest, the Commission has determined that EndyMed violated section 337 by reason of importation and sale of articles that infringe asserted claims 1, 9, and 22 of the '836 patent; claims 11 and 16 of the '536 patent; claim 14 of the '774 patent; and claims 5, 13, and 18 of the '812 patent. Regarding the issues under review, the Commission has determined to (1) provide the modification in the accompanying Commission opinion for the ID's findings on jurisdiction and standing, (2) affirm the ID's findings on the economic prong of domestic industry for the reasons provided in the ID as supplemented in the opinion, (3) take no position on the ID's contributory infringement finding, (4) affirm the ID's findings on secondary considerations for the reasons provided in the ID, and (5) reverse and remand the ID's indefiniteness finding of the asserted claims of the '444 patent.

For the '444 patent, the Commission has determined to remand to the ALJ for further proceedings consistent with the Commission's opinion and remand order. The target date is extended to July 8, 2025. For remedy, the Commission has determined to issue a limited exclusion order prohibiting further importation of infringing products and cease and desist orders against EndyMed. The Commission has also determined that the public interest factors enumerated in paragraphs 337(d)(1) and (f)(1) (19 U.S.C. 1337(d)(1), (f)(1)) do not preclude the issuance of these remedial orders. The Commission has determined to set a bond in the amount of eighty-five percent (85%) of the entered value of the EndyMed Pure, and seventy percent (70%) of the entered value of the EndyMed Pro, for infringing products imported during the period of Presidential review pursuant to 19 U.S.C. 1337(j). The Commission's orders were delivered to the President and to the United States Trade Representative on the day of their issuance.

The Commission vote for this determination took place on June 3, 2025. The investigation is hereby terminated with respect to the '836, '536, '774, and '812 patents. The '444 patent is remanded to the ALJ. The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: June 3, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025-10394 Filed 6-6-25; 8:45 am]

BILLING CODE 7020-02-P

JOINT BOARD FOR THE ENROLLMENT OF ACTUARIES

Meeting of the Advisory Committee; Meeting

AGENCY: Joint Board for the Enrollment of Actuaries.

ACTION: Notice of Federal Advisory Committee meeting.

SUMMARY: The Joint Board for the Enrollment of Actuaries gives notice of a teleconference meeting of the Advisory Committee on Actuarial Examinations (a portion of which will be open to the public) on July 10-11, 2025.

DATES: Thursday, July 10, 2025, from 10:00 a.m. to 6:00 p.m. (ET), and Friday, July 11, 2025, from 10:00 a.m. to 4:00 p.m. (ET).

ADDRESSES: The meeting will be held by teleconference.

FOR FURTHER INFORMATION CONTACT: Elizabeth Van Osten, Designated Federal Officer, Advisory Committee on Actuarial Examinations, at 202-317-3648 or elizabeth.j.vanosten@irs.gov.

SUPPLEMENTARY INFORMATION: Notice is hereby given that the Advisory Committee on Actuarial Examinations will meet by teleconference on Thursday, July 10, 2025, from 10:00 a.m. to 6:00 p.m. (ET), and Friday, July 11, 2025, from 10:00 a.m. to 4:00 p.m. (ET).

The purpose of the meeting is to discuss topics and questions that may be recommended for inclusion on future Joint Board examinations in actuarial mathematics and methodology referred to in 29 U.S.C. 1242(a)(1)(B) and to review the May 2025 Basic (EA-1) and Pension (EA-2L) Examinations in order to make recommendations relative thereto, including the minimum acceptable pass score. Topics for inclusion on the syllabus for the Joint Board's examination program for the November 2025 Pension (EA-2F) Examination also will be discussed.

A determination has been made as required by section 10(d) of the Federal Advisory Committee Act, 5 U.S.C. 1009(d), that the portions of the meeting dealing with the discussion of questions that may appear on the Joint Board's examinations and the review of the May 2025 Basic (EA-1) and Pension (EA-2L) Examinations fall within the exceptions to the open meeting requirement set

forth in 5 U.S.C. 552b(c)(9)(B), and that the public interest requires that such portions be closed to public participation.

The portion of the meeting dealing with the discussion of the other topics will commence at 2:30 p.m. (ET) on July 10, 2025, and will continue for as long as necessary to complete the discussion, but not beyond 3:30 p.m. (ET). Time permitting, after the close of this discussion by Advisory Committee members, interested persons may make statements germane to this subject. Persons wishing to make oral statements should contact the Designated Federal Officer at NHQJBEA@IRS.GOV and include the written text or outline of comments they propose to make orally. Such comments will be limited to 10 minutes in length. Persons who wish to attend the public session should contact the Designated Federal Officer at NHQJBEA@IRS.GOV to obtain teleconference access instructions.

Notifications of intent to make an oral statement or to attend the meeting must be sent electronically to the Designated Federal Officer by no later than July 3, 2025. In addition, any interested person may file a written statement for consideration by the Joint Board and the Advisory Committee by sending it to NQJBEA@IRS.GOV.

Dated: June 4, 2025.

Thomas V. Curtin,

Executive Director, Joint Board for the Enrollment of Actuaries.

[FR Doc. 2025-10409 Filed 6-6-25; 8:45 am]

BILLING CODE 4830-01-P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Ron Dunchok, M.D.; Decision and Order

On October 15, 2024, the Drug Enforcement Administration (DEA or Government) issued an Order to Show Cause (OSC) to Ron Dunchok, M.D., of San Dimas, CA (Registrant). Request for Final Agency Action (RFAA), Exhibit (RFAAX) 1, at 1, 3. The OSC proposed the revocation of Registrant's Certificate of Registration No. BD0178081, alleging that Registrant's registration should be revoked because Registrant is "currently without authority to handle controlled substances in the State of California, the state in which [he is] registered with DEA." *Id.* at 1-2 (citing 21 U.S.C. 824(a)(3)).

The OSC notified Registrant of his right to file with DEA a written request for hearing, and that if he failed to file such a request, he would be deemed to

have waived his right to a hearing and be in default. *Id.* at 2 (citing 21 CFR 1301.43). Here, Registrant did not request a hearing. RFAA, at 2.¹ “A default, unless excused, shall be deemed to constitute a waiver of the [registrant’s] right to a hearing and an admission of the factual allegations of the [OSC].” 21 CFR 1301.43(e).

Further, “[i]n the event that a registrant . . . is deemed to be in default . . . DEA may then file a request for final agency action with the Administrator, along with a record to support its request. In such circumstances, the Administrator may enter a default final order pursuant to [21 CFR] 1316.67.” *Id.* § 1301.43(f)(1). Here, the Government has requested final agency action based on Registrant’s default pursuant to 21 CFR 1301.43(c), (f), 1301.46. RFAA, at 1; *see also* 21 CFR 1316.67.

Findings of Fact

The Agency finds that, in light of Registrant’s default, the factual allegations in the OSC are admitted. According to the OSC, on or about February 2, 2023, the Medical Board of California revoked Registrant’s California medical license, effective March 6, 2023, but stayed the revocation for three years during which time Registrant was placed on probation subject to various terms and conditions. RFAAX 1, at 1–2. On November 8, 2023, the Medical Board of California issued a Cease Practice Order to Registrant, prohibiting him from practicing medicine due to violating the terms of his probation. *Id.* at 2. According to California online records, of which the Agency takes official notice, Registrant’s California medical license was surrendered.² California DCA License Search, <https://search.dca.ca.gov> (last visited date of signature of this Order).

¹ Based on the Government’s submissions in its RFAA dated January 15, 2025, the Agency finds that service of the OSC on Registrant was adequate. The included declaration from a DEA Diversion Investigator (DI) indicates that on October 16, 2024, the DI attempted to personally deliver the OSC to Registrant’s registered address in California, but was unsuccessful, as Registrant no longer worked there. RFAAX 2, at 1–2. The office manager at this location agreed to accept a copy of the OSC and deliver it to Registrant. *Id.* On October 17, 2024, the DI mailed a copy of the OSC to Registrant’s known residence in Arizona. *Id.* at 2. On the same date, the DI emailed a copy of the OSC to three email addresses associated with Registrant. *Id.* On October 21, 2024, Registrant responded to one of these emails and referred the DI to his attorney. *Id.*

² Under the Administrative Procedure Act, an agency “may take official notice of facts at any stage in a proceeding—even in the final decision.” United States Department of Justice, Attorney General’s Manual on the Administrative Procedure Act 80 (1947) (Wm. W. Gaunt & Sons, Inc., Reprint 1979).

Accordingly, the Agency finds that Registrant is not licensed to practice medicine in California, the state in which he is registered with DEA.³

Discussion

Pursuant to 21 U.S.C. 824(a)(3), the Attorney General is authorized to suspend or revoke a registration issued under 21 U.S.C. 823 “upon a finding that the registrant . . . has had his State license or registration suspended . . . [or] revoked . . . by competent State authority and is no longer authorized by State law to engage in the . . . dispensing of controlled substances.” With respect to a practitioner, DEA has also long held that the possession of authority to dispense controlled substances under the laws of the state in which a practitioner engages in professional practice is a fundamental condition for obtaining and maintaining a practitioner’s registration. *Gonzales v. Oregon*, 546 U.S. 243, 270 (2006) (“The Attorney General can register a physician to dispense controlled substances ‘if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.’ . . . The very definition of a ‘practitioner’ eligible to prescribe includes physicians ‘licensed, registered, or otherwise permitted, by the United States or the jurisdiction in which he practices’ to dispense controlled substances. § 802(21).”). The Agency has applied these principles consistently. *See, e.g., James L. Hooper, M.D.*, 76 FR 71371, 71372 (2011), *pet. for rev. denied*, 481 F. App’x 826 (4th Cir. 2012); *Frederick Marsh Blanton, M.D.*, 43 FR 27616, 27617 (1978).⁴

³ Pursuant to 5 U.S.C. 556(e), “[w]hen an agency decision rests on official notice of a material fact not appearing in the evidence in the record, a party is entitled, on timely request, to an opportunity to show the contrary.” The material fact here is that Registrant, as of the date of this decision, is not licensed to practice medicine in California. Accordingly, Registrant may dispute the Agency’s finding by filing a properly supported motion for reconsideration of findings of fact within fifteen calendar days of the date of this Order. Any such motion and response shall be filed and served by email to the other party and to Office of the Administrator, Drug Enforcement Administration at dea.addo.attorneys@dea.gov.

⁴ This rule derives from the text of two provisions of the Controlled Substances Act (CSA). First, Congress defined the term “practitioner” to mean “a physician . . . or other person licensed, registered, or otherwise permitted, by . . . the jurisdiction in which he practices . . . to distribute, dispense, . . . [or] administer . . . a controlled substance in the course of professional practice.” 21 U.S.C. 802(21). Second, in setting the requirements for obtaining a practitioner’s registration, Congress directed that “[t]he Attorney General shall register practitioners . . . if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.” 21 U.S.C. 823(g)(1). Because Congress has clearly mandated that a practitioner possess

According to California statute, “dispense” means “to deliver a controlled substance to an ultimate user or research subject by or pursuant to the lawful order of a practitioner, including the prescribing, furnishing, packaging, labeling, or compounding necessary to prepare the substance for that delivery.” Cal. Health & Safety Code section 11010 (West 2024). Further, a “practitioner” means a person “licensed, registered, or otherwise permitted, to distribute, dispense, conduct research with respect to, or administer, a controlled substance in the course of professional practice or research in [the] state.” *Id.* section 11026(c).

Here, the undisputed evidence in the record is that Registrant currently lacks authority to practice medicine in California. As discussed above, an individual must be a licensed practitioner to dispense a controlled substance in California. Thus, because Registrant currently lacks authority to practice medicine in California and, therefore, is not currently authorized to handle controlled substances in California, Registrant is not eligible to maintain a DEA registration. Accordingly, the Agency will order that Registrant’s DEA registration be revoked.

Order

Pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 824(a), I hereby revoke DEA Certificate of Registration No. BD0178081 issued to Ron Dunchok, M.D. Further, pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 823(g)(1), I hereby deny any pending applications of Ron Dunchok, M.D., to renew or modify this registration, as well as any other pending application of Ron Dunchok, M.D., for additional registration in California. This Order is effective July 9, 2025.

Signing Authority

This document of the Drug Enforcement Administration was signed on June 2, 2025, by Acting Administrator Robert J. Murphy. That document with the original signature and date is maintained by DEA. For administrative purposes only, and in

state authority in order to be deemed a practitioner under the CSA, DEA has held repeatedly that revocation of a practitioner’s registration is the appropriate sanction whenever he is no longer authorized to dispense controlled substances under the laws of the state in which he practices. *See, e.g., James L. Hooper, M.D.*, 76 FR 71371–72; *Sheran Arden Yeats, M.D.*, 71 FR 39130, 39131 (2006); *Dominick A. Ricci, M.D.*, 58 FR 51104, 51105 (1993); *Bobby Watts, M.D.*, 53 FR 11919, 11920 (1988); *Frederick Marsh Blanton, M.D.*, 43 FR 27617.

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

Heather Achbach,

Federal Register Liaison Officer, Drug Enforcement Administration.

[FR Doc. 2025-10364 Filed 6-6-25; 8:45 am]

BILLING CODE 4410-09-P

DEPARTMENT OF LABOR

Bureau of Labor Statistics

Information Collection Activities; Comment Request

AGENCY: Bureau of Labor Statistics, Department of Labor.

ACTION: Notice of information collection; request for comment.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. The Bureau of Labor Statistics (BLS) is soliciting comments concerning the proposed extension of the "Multiple Worksite Report and the Report of Federal Employment and Wages." A copy of the proposed information collection request can be obtained by contacting the individual listed below in the **ADDRESSES** section of this notice.

DATES: Written comments must be submitted to the office listed in the Addresses section of this notice on or before August 8, 2025.

ADDRESSES: Send comments to Erin Good, BLS Clearance Officer, Division of Management Systems, Bureau of Labor Statistics by email to *BLS_PRA_Public@bls.gov*.

FOR FURTHER INFORMATION CONTACT: Erin Good, BLS Clearance Officer, at 202-

691-7628 (this is not a toll free number). (See **ADDRESSES** section.)

SUPPLEMENTARY INFORMATION:

I. Background

The Quarterly Census of Employment and Wages (QCEW) program is a Federal/State cooperative effort which compiles monthly employment data, quarterly wages data, and business identification information from employers subject to State Unemployment Insurance (UI) laws. These data are collected from State Quarterly Contribution Reports (QCRs) submitted to State Workforce Agencies (SWAs). The States send micro-level employment and wages data, supplemented with the names, addresses, and business identification information of these employers, to the BLS. The State data are used to create the BLS sampling frame, known as the longitudinal QCEW data. This file represents the best source of detailed industrial and geographical data on employers and is used as the sampling frame for most BLS surveys. The longitudinal QCEW data include the individual employers' employment and wages data along with associated business identification information that is maintained by each State to administer the UI program as well as the Unemployment Compensation for Federal Employees (UCFE) program.

The QCEW Report, produced for each calendar quarter, is a summary of these employer (micro-level) data by industry at the county level. Similar data for Federal Government employees covered by the UCFE program also are included in each State's report. These data are submitted by all 50 States, the District of Columbia, Puerto Rico, and the Virgin Islands to the BLS which then summarizes these micro-level data to produce totals for the States and the Nation. The QCEW Report provides a virtual census of nonagricultural employees and their wages, with approximately 56 percent of the workers in agriculture covered as well.

For employers having only a single physical location or worksite in the State and, thus, operating under a single industrial and geographical code, the data from the States' UI accounting files are sufficient for statistical purposes. However, such data are not sufficient for statistical purposes for those employers having multiple establishments or engaging in different industrial activities within the State. In such cases, the employer's QCR reflects only statewide employment and wages and is not disaggregated by establishment or worksite. Although data at these levels are sufficient for many purposes of the

UI program, more detailed information is required to create a sampling frame and to meet the needs of several ongoing Federal/State statistical programs. The Multiple Worksite Report (MWR) is designed to supplement the QCR when more detailed information is needed.

Because of the data captured by the MWR, improved establishment business identification data elements have been incorporated into and maintained by the longitudinal QCEW database. The MWR collects a physical location address, secondary name (trade name, division, subsidiary, etc.), and reporting unit description (store number, plant name or number, etc.) for each worksite of multi-establishment employers.

Employers with more than one establishment reporting under the same UI account number within a State are requested to complete the MWR if the sum of the employment in all of their secondary establishments is 10 or greater. The primary worksite is defined as the establishment with the greatest number of employees. Upon receipt of the first MWR form, each employer is requested to supply business location identification information. Thereafter, this reported information appears on the MWR each quarter. The employer is requested to verify the accuracy of this business location identification information and to provide only the employment and wages for each worksite for that quarter. By using a standardized form, the reporting burden on many large employers, especially those engaged in multiple economic activities at various locations across numerous States, is reduced.

The function of the Report of Federal Employment and Wages (RFEW) is to collect employment and wages data for Federal establishments covered under the UCFE program. The MWR and RFEW are essentially the same. The MWR/RFEW forms are designed to collect data for each establishment of a multi-establishment employer.

No other standardized report is available to collect current establishment-level monthly employment and wages data by SWAs for statistical purposes each quarter from the private sector nor State and local governments. Also, no other standardized report currently is available to collect installation-level Federal monthly employment and wages data each quarter by SWAs for statistical purposes. Completion of the MWR is required by law in 31 States and territories.

II. Current Action

Office of Management and Budget clearance is being sought for an

extension of the Multiple Worksite Report and the Report of Federal Employment and Wages.

The BLS has taken steps to help reduce employer reporting burden by developing a standardized format for employers to use to send these data to the States in an electronic medium. The BLS established an Electronic Data Interchange (EDI) Collection Center to improve and expedite the MWR collection process. Employers who complete the MWR for multi-location businesses can submit employment and wages information on any electronic medium directly to the data collection center, rather than separately to each State agency. The data collection center then distributes the appropriate data to the respective States. In addition, the

BLS developed a web-based system, MWRweb, to collect these data from small to medium-size businesses. The BLS continues to see much greater utilization of this reporting option.

III. Desired Focus of Comments

The Bureau of Labor Statistics is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility.
- Evaluate the accuracy of the agency’s estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used.

- Enhance the quality, utility, and clarity of the information to be collected.
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

Title of Collection: Multiple Worksite Report (MWR) and the Report of Federal Employment and Wages (RFEW).

OMB Number: 1220–0134.

Type of Review: Extension.

Affected Public: Business or other for-profits, Not-for-profit institutions, and the Federal Government.

Form	Annual number of respondents	Annual number of responses per respondent	Total annual responses	Average time per response (minutes)	Estimated annual burden (hours)
BLS 3021 (RFEW/Federal)	1,670	4	6,680	22.2	2,472
BLS 3020 (MWR/Non-Federal)	149,245	4	596,980	22.2	220,883
Totals	150,915	4	603,660	223,355

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they also will become a matter of public record.

Signed on May 28, 2025.

Eric Molina,

Chief, Division of Management Systems, Branch of Policy Analysis.

[FR Doc. 2025–10407 Filed 6–6–25; 8:45 am]

BILLING CODE 4510–24–P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA–2010–0017]

Occupational Exposure to Noise Standard; Extension of the Office of Management and Budget’s (OMB) Approval of Information Collection (Paperwork) Requirements

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Request for public comments.

SUMMARY: OSHA solicits public comments concerning the proposal to extend the Office of Management and Budget’s (OMB) approval of the information collection requirements specified in the Occupational Exposure to Noise Standard.

DATES: Comments must be submitted (postmarked, sent, or received) by August 8, 2025.

ADDRESSES:

Electronically: You may submit comments and attachments electronically at <https://www.regulations.gov>, which is the Federal eRulemaking Portal. Follow the instructions online for submitting comments.

Docket: To read or download comments or other material in the docket, go to <https://www.regulations.gov>. Documents in the docket are listed in the <https://www.regulations.gov> index; however, some information (e.g., copyrighted material) is not publicly available to read or download through websites. All submissions, including copyrighted material, are available for inspection through the OSHA Docket Office. Contact the OSHA Docket Office at (202) 693–2350 (TTY (877) 889–5627) for assistance in locating docket submissions.

Instructions: All submissions must include the agency name and OSHA docket number (OSHA–2010–0017) for the Information Collection Request (ICR). OSHA will place all comments, including any personal information, in the public docket, which may be made available online. Therefore, OSHA cautions interested parties about

submitting personal information such as social security numbers and birthdates.

For further information on submitting comments, see the “Public Participation” heading in the section of this notice titled **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: Lisa Long, Directorate of Standards and Guidance, OSHA, U.S. Department of Labor; telephone (202) 693–2222.

SUPPLEMENTARY INFORMATION:

I. Background

The Department of Labor, as part of the continuing effort to reduce paperwork and respondent (i.e., employer) burden, conducts a preclearance consultation program to provide the public with an opportunity to comment on proposed and continuing information collection requirements in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)). This program ensures that information is in the desired format, reporting burden (time and costs) is minimal, the collection instruments are clearly understood, and OSHA’s estimate of the information collection burden is accurate. The Occupational Safety and Health Act of 1970 (OSH Act) (29 U.S.C. 651 *et seq.*) authorizes information collection by employers as necessary or appropriate for enforcement of the OSH Act or for

developing information regarding the causes and prevention of occupational injuries, illnesses, and accidents (29 U.S.C. 657). The OSH Act also requires that OSHA obtain such information with minimum burden upon employers, especially those operating small businesses, and to reduce to the maximum extent feasible unnecessary duplication of effort in obtaining information (29 U.S.C. 657).

The following sections describe who uses the information collected under each requirement, as well as how they use it. The collections of information specified in the Noise Standard (29 CFR 1910.95) protect workers from suffering material hearing impairment. The collections of information contained in the Noise Standard include conducting noise monitoring; notifying workers when they are exposed at or above an 8-hour time-weighted average of 85 decibels; providing workers with initial and annual audiograms; notifying workers of a loss in hearing based on comparing audiograms; maintaining records of workplace noise exposure and workers' audiograms; and allowing workers access to materials and records required by the Standard.

II. Special Issues for Comment

OSHA has a particular interest in comments on the following issues:

- Whether the proposed information collection requirements are necessary for the proper performance of the agency's functions to protect workers, including whether the information is useful;
- The accuracy of OSHA's estimate of the burden (time and costs) of the information collection requirements, including the validity of the methodology and assumptions used;
- The quality, utility, and clarity of the information collected; and
- Ways to minimize the burden on employers who must comply; for example, by using automated or other technological information, and transmission techniques.

III. Proposed Actions

OSHA is requesting that OMB extend the approval of the information collection requirements contained in Occupational Exposure to Noise Standard. The agency is requesting an adjustment increase in burden hours from 2,368,281 hours to 2,443,146 hours, a difference of 74,865 hours. The adjustment increase in the burden hours is due to an increase in the number of establishments going from 283,524 to 285,510 and the increase in the number of employees exposed above 85 dBA going from 3,802,698 to 3,935,792.

OSHA will summarize the comments submitted in response to this notice and will include this summary in the request to OMB to extend the approval of the information collection requirements.

Type of Review: Extension of a currently approved collection.

Title: Occupational Exposure to Noise Standard (29 CFR 1910.95).

OMB Control Number: 1218-0048.

Affected Public: Business or other for-profits.

Number of Respondents: 285,510.

Number of Responses: 17,424,368.

Frequency of Responses: On occasion.

Average Time per Response: Varies.

Estimated Total Burden Hours: 2,443,146.

Estimated Cost (Operation and Maintenance): \$43,851,245.

IV. Public Participation—Submission of Comments on This Notice and Internet Access to Comments and Submissions

You may submit comments in response to this document as follows:

- (1) electronically at <https://www.regulations.gov>, which is the Federal eRulemaking Portal; or (2) by facsimile (fax), if your comments, including attachments, are not longer than 10 pages you may fax them to the OSHA Docket Office at (202) 693-1648. All comments, attachments, and other material must identify the agency name and the OSHA docket number for the ICR (OSHA-2010-0017). You may supplement electronic submission by uploading document files electronically.

Comments and submissions are posted without change at <https://www.regulations.gov>. Therefore, OSHA cautions commenters about submitting personal information such as social security numbers and dates of birth. Although all submissions are listed in the <https://www.regulations.gov> index, some information (e.g., copyrighted material) is not publicly available to read or download from this website. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. Information on using the <https://www.regulations.gov> website to submit comments and access the docket is available at the website's "User Tips" link. Contact the OSHA Docket Office at (202) 693-2350, (TTY) (877) 889-5627 for information about materials not available from the website, and for assistance in using the internet to locate docket submissions.

V. Authority and Signature

Amanda Wood Laihow, Acting Assistant Secretary of Labor for Occupational Safety and Health,

directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44 U.S.C. 3506 *et seq.*) and Secretary of Labor's Order No. 8-2020 (85 FR 58393).

Signed at Washington, DC, on June 2, 2025.

Amanda Wood Laihow,

Acting Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2025-10406 Filed 6-6-25; 8:45 am]

BILLING CODE 4510-26-P

OFFICE OF MANAGEMENT AND BUDGET

Rescissions Proposals Pursuant to the Congressional Budget and Impoundment Control Act of 1974

AGENCY: Executive Office of the President, Office of Management and Budget.

ACTION: Notice of rescissions proposed pursuant to the Congressional Budget and Impoundment Control Act of 1974.

SUMMARY: Pursuant to section 1014(d) of the Congressional Budget and Impoundment Control Act of 1974, enclosed for publication in the **Federal Register** is a special message from the President reflecting the proposals for rescission under section 1012 of that Act that were transmitted to the Congress for consideration on June 3, 2025. In total, these proposals would rescind \$9.4 billion in budget authority. These proposed rescissions affect programs of the Department of State, as well as the Corporation for Public Broadcasting (CPB), the U.S. Agency for International Development (USAID), the U.S. Institute of Peace, and other International Assistance Programs. If enacted, these rescissions would decrease Federal outlays in the affected accounts by the same amount; this would have a commensurate effect on the Federal budget deficit and the national economy, and would result in less borrowing from the Federal Treasury.

DATES: *Release Date:* June 3, 2025.

ADDRESSES: The rescissions proposal package is available on-line on the OMB home page at: <https://www.whitehouse.gov/wp-content/uploads/2025/03/Proposed-Rescissions-of-Budgetary-Resources.pdf>.

FOR FURTHER INFORMATION CONTACT:

Jason Hoffman, 252 Eisenhower Executive Office Building, Washington, DC 20503, Email address: Jason.M.Hoffman@omb.eop.gov, telephone number: (202) 456-3419. Because of delays in the receipt of

regular mail related to security screening, respondents are encouraged to use electronic communications.

Russell T. Vought,
Director.

TO THE CONGRESS OF THE UNITED STATES:

In accordance with section 1012(a) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 683(a)), I herewith report 22 rescissions of budget authority, totaling \$9.4 billion.

The proposed rescissions affect programs of the Department of State, as well as the Corporation for Public Broadcasting, the U.S. Agency for International Development, the U.S. Institute of Peace, and other International Assistance Programs.

The details of these rescissions are set forth in the enclosed letter from the Director of the Office of Management and Budget.

Donald J. Trump
The White House,
May 28, 2025
The President
The White House

Dear Mr. President:

Submitted for your consideration is a special message that includes rescission proposals for the Department of State, as well as the Corporation for Public Broadcasting (CPB), the U.S. Agency for International Development (USAID), the U.S. Institute of Peace, and other International Assistance Programs.

The Administration is proposing these rescissions of enacted appropriations from both current and past fiscal years (FYs) in accordance with section 1012(a) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 683(a)). This special message identifies wasteful and unnecessary spending that is no longer needed for the purposes for which they were appropriated.

This special message emphasizes the need to cut wasteful foreign assistance spending at the Department of State and USAID and through other international assistance programs. These rescissions would eliminate programs that are antithetical to American interests, such as funding the World Health Organization, “family planning” and “reproductive health,” LGBTQI+ activities, “equity” programs, radical Green New Deal-type policies, and color revolutions in hostile places around the world. In addition, Federal spending on CPB subsidizes a public media system that is politically biased and is an unnecessary expense to the taxpayer.

This special message proposes to rescind \$9.4 billion in budget authority. If enacted, these rescissions would decrease Federal outlays in the affected accounts by the same amount. This would have a commensurate effect on the Federal budget deficit and the national economy, and would result in less borrowing by the Federal Government.

We look forward to working with the Congress to identify additional opportunities to put the Nation’s fiscal house back in order.

Recommendation

I recommend you transmit a special message that includes these rescission proposals to the Congress.

Sincerely,
Russell T. Vought
Director
Enclosure

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 683)

Rescission proposal no. R25–1

Agency: DEPARTMENT OF STATE
Bureau: International Organizations and Conferences

Account: Contributions to International Organizations (019–1126 2024/2025)

Amount proposed for rescission: \$33,008,764

Justification:

This proposal would rescind \$33 million of the \$1.5 billion appropriated in FY 2024 for the Contributions to International Organizations (CIO) account. The CIO account provides funding for the assessed contributions to the United Nations (UN), UN-affiliated organizations, and various other international organizations. This proposal is consistent with Executive Order 14199, “Withdrawing the United States From and Ending Funding to Certain United Nations Organizations and Reviewing United States Support to All International Organizations,” and rescinds carryover balances from the prior year. The UN has taken advantage of American generosity for too many years. In 2023, the United States paid 22 percent of the entire UN budget, well above our “fair share,” whereas 192 other member states have profited from the American people while voting against American interests and allies. Enacting the rescission would eliminate unnecessary and currently unattributed funding, as the Administration continues to review participation in all other international organizations.

Rescission proposal no. R25–2

Agency: DEPARTMENT OF STATE
Bureau: International Organizations and Conferences

Account: Contributions to International Organizations (019–1126 2025/2025)

Amount proposed for rescission:
\$168,837,230

Justification:

This proposal would rescind \$169 million of the \$1.5 billion appropriated in FY 2025 for the Contributions to International Organizations (CIO) account. The CIO account provides funding for the assessed contributions to the United Nations (UN), UN-affiliated organizations, and various other international organizations. This proposal is consistent with Executive Order (E.O.) 14155, “Withdrawing the United States From the World Health Organization,” and E.O. 14199, “Withdrawing the United States From and Ending Funding to Certain United

Nations Organizations and Reviewing United States Support to All International Organizations.” Enacting this rescission would eliminate funding to organizations such as the World Health Organization, and to portions of the UN Regular Budget for the UN Human Rights Council and the UN Relief and Works Agency for Palestine Refugees in the Near East.

Rescission proposal no. R25–3

Agency: DEPARTMENT OF STATE
Bureau: International Organizations and Conferences

Account: Contributions for International Peacekeeping Activities (019–1124 2024/2025)

Amount proposed for rescission:
\$203,328,007

Justification:

This proposal would rescind \$203 million of the \$1.4 billion appropriated in FY 2024 for the Contributions for International Peacekeeping Activities (CIPA) account. The CIPA account provides payment for the U.S. share of United Nations (UN) peacekeeping assessments. UN peacekeeping has been fraught with waste and abuse, as evidenced by the abject failure of the Lebanon peacekeeping mission to contain Hezbollah and the ongoing sexual exploitation and abuse in the Democratic Republic of the Congo. This rescission would eliminate unattributed balances that have not yet been obligated for these peacekeeping missions. Enacting the rescission is a first step to engaging in strong reforms across the UN.

Rescission proposal no. R25–4

Agency: DEPARTMENT OF STATE
Bureau: International Organizations and Conferences

Account: Contributions for International Peacekeeping Activities (019–1124 2025/2025)

Amount proposed for rescission:
\$157,906,000

Justification:

This proposal would rescind \$158 million of the \$1.2 billion appropriated in FY 2025 for the Contributions for International Peacekeeping Activities (CIPA) account. The CIPA account provides payment for the U.S. share of United Nations (UN) peacekeeping assessments. UN peacekeeping has been fraught with waste and abuse, as evidenced by the abject failure of the UN Interim Force in Lebanon’s (UNIFIL) mission to contain Hezbollah. Enacting this rescission would specifically eliminate peacekeeping contributions for the UNIFIL mission, and is a first step to engaging in strong reforms across the UN.

Rescission proposal no. R25–5

Agency: DEPARTMENT OF STATE
Bureau: Other
Account: Global Health Programs (019–1031 2025/2026)

Amount proposed for rescission:
\$500,000,000

Justification:

This proposal would rescind \$500 million of the \$4 billion appropriated in FY 2025 for

Global Health Programs for the U.S. Agency for International Development (USAID), which funds activities related to child and maternal health, HIV/AIDS, and infectious diseases. This proposal would not reduce treatment but would eliminate programs that are antithetical to American interests and worsen the lives of women and children, like “family planning” and “reproductive health,” LGBTQI+ activities, and “equity” programs. This rescission proposal aligns with the Administration’s efforts to eliminate wasteful USAID foreign assistance programs. Enacting the rescission would reinstate focus on appropriate health and life spending. This best serves the American taxpayer.

Rescission proposal no. R25–6

Agency: DEPARTMENT OF STATE

Bureau: Other

Account: Global Health Programs (019–1031 2025/2029)

Amount proposed for rescission:
\$400,000,000

Justification:

This proposal would rescind \$400 million of the \$6 billion appropriated in FY 2025 for global health programs for the Department of State and implemented by the U.S. Agency for International Development. The Global Health Programs account funds activities related to controlling HIV/AIDS. This proposal would eliminate only those programs that neither provide life-saving treatment nor support American interests. This rescission proposal aligns with the Administration’s efforts to eliminate wasteful foreign assistance programs. Enacting the rescission would restore focus on health and life spending. This best serves the American taxpayer.

Rescission proposal no. R25–7

Agency: DEPARTMENT OF STATE

Bureau: Other

Account: Migration and Refugee Assistance (019–1143/X)

Amount proposed for rescission:
\$800,000,000

Justification:

This proposal would rescind \$800 million of the \$3.2 billion appropriated in FY 2025 for Migration and Refugee Assistance (MRA). MRA funds the U.S. Refugee Admissions Program and provides overseas humanitarian assistance through the Department of State. These funds support activities that could be more fairly shared with non-U.S. Government donors, providing savings to the U.S. taxpayer. Enacting this rescission would limit spending in this account only to programs that are life-saving or have a clear, direct nexus to U.S. national interests, like repatriations, while incentivizing other donors to step up and do more to respond to humanitarian crises. This best serves the American taxpayer.

Rescission proposal no. R25–8

Agency: DEPARTMENT OF STATE

Bureau: Other

Account: Complex Crises Fund (072–1015/X)

Amount proposed for rescission: \$43,000,000

Justification:

This proposal would rescind \$43 million of the \$55 million appropriated in FY 2025 for the Complex Crises Fund (CCF). CCF is intended to provide assistance that prevents and responds to crises in fragile countries, but this account is duplicative of other existing funding sources. Enacting this rescission would eliminate CCF programs that support activities opposed to American values and are counter to an America First foreign policy. This rescission proposal aligns with the Administration’s efforts to eliminate wasteful U.S. Agency for International Development foreign assistance programs and reprioritizes remaining funds for Administration priorities. This best serves the American taxpayer.

Rescission proposal no. R25–9

Agency: DEPARTMENT OF STATE

Bureau: Other

Account: Democracy Fund (019–1121 2025/2026)

Amount proposed for rescission: \$83,000,000

Justification:

This proposal would rescind \$83 million of the \$345 million appropriated in FY 2025 for the Democracy Fund (DF). The DF account is intended to fund democracy promotion activities of the Department of State and U.S. Agency for International Development (USAID). In practice, DF-funded activities support programs that undermine American values, interfere with the sovereignty of other countries, or bankroll corrupt leaders’ evasion of their responsibilities to their citizens. Enacting this rescission would eliminate programs inimical to an America First foreign policy, that have conducted censorship and election meddling in foreign countries. This rescission proposal aligns with the Administration’s efforts to eliminate wasteful USAID foreign assistance programs and focus remaining funds on priorities that advance American interests. This best serves the American taxpayer.

Rescission proposal no. R25–10

Agency: INTERNATIONAL ASSISTANCE PROGRAMS

Bureau: International Security Assistance

Account: Economic Support Fund (072–1037 2025/2026)

Amount proposed for rescission:
\$1,650,000,000

Justification:

This proposal would rescind \$1.7 billion of the \$3.6 billion appropriated in FY 2025 for the Economic Support Fund (ESF). The ESF account is intended to fund assistance programs in countries of strategic importance to the United States to meet economic development needs, but has been used to fund radical gender and climate projects. Enacting this rescission would align with the Administration’s ongoing efforts to eliminate unnecessary programming at the U.S. Agency for International Development and refocus remaining resources on activities that align with an America First foreign policy. This approach best serves the American taxpayer.

Rescission proposal no. R25–11

Agency: INTERNATIONAL ASSISTANCE PROGRAMS

Bureau: Multilateral Assistance

Account: Contribution to the Clean Technology Fund (020–0080/X)

Amount proposed for rescission:
\$125,000,000

Justification:

This proposal would rescind \$125 million, the full amount appropriated in FY 2025 for the Contribution to the Clean Technology Fund (CTF). CTF invests in Green New Deal projects in developing countries that do not reflect America’s values or put the American people first. Enacting the rescission would eliminate the contribution payment to the CTF that supports climate projects, in alignment with Executive Order 14162, “Putting America First in International Environmental Agreements.” This is the best approach for the American taxpayer.

Rescission proposal no. R25–12

Agency: INTERNATIONAL ASSISTANCE PROGRAMS

Bureau: Multilateral Assistance

Account: International Organizations and Programs (019–1005 2025/2025)

Amount proposed for rescission:
\$436,920,000

Justification:

This proposal would rescind \$437 million, the entire amount appropriated in FY 2025 for International Organizations and Programs (IOP). The IOP account funds voluntary contributions to international organizations and programs, largely to the United Nations (UN). This rescission would eliminate funding for the UN Children’s Fund (UNICEF), UN Development Program (UNDP), the Montreal Protocol, the UN Population Fund (UNFPA), among various other organizations. In the past these voluntary contributions have compounded the excessive burden of America’s disproportionately high contributions. Enacting this rescission would encourage international organizations to be more efficient, down-scope their sprawling missions, and seek contributions from other member nations and donors, putting American taxpayers first.

Rescission proposal no. R25–13

Agency: INTERNATIONAL ASSISTANCE PROGRAMS

Bureau: Agency for International Development

Account: Development Assistance (072–1021 2025/2026)

Amount proposed for rescission:
\$2,500,000,000

Justification:

This proposal would rescind \$2.5 billion of the \$3.9 billion appropriated in FY 2025 for Development Assistance (DA). The DA account is intended to fund programs that work to end extreme poverty and promote resilient, democratic societies, but in practice, many of the DA programs conflict with American values, interfere with the sovereignty of other countries, and bankroll

corrupt leaders' evasion of their responsibilities to their citizens, all while providing no clear benefit to Americans. This rescission aligns with the Administration's efforts to eliminate unnecessary development assistance at the U.S. Agency for International Development. Enacting this rescission would align remaining funds with appropriate priorities. This best serves the American taxpayer.

Rescission proposal no. R25–14

Agency: INTERNATIONAL ASSISTANCE PROGRAMS

Bureau: Agency for International Development

Account: Assistance for Europe, Eurasia and Central Asia (072–0306 2025/2026)

Amount proposed for rescission: \$460,000,000

Justification:

This proposal would rescind \$460 million, the full amount appropriated in FY 2025 for the Assistance for Europe, Eurasia, and Central Asia (AEECA) account. The AEECA account is intended to support primarily former communist countries in the Europe, Eurasia, and Central Asia region with programs focused on economic and political stability. AEECA has become a mechanism for funding wasteful programs, including woke activities like gender and climate programming, which diverge from the targeted goals of the account. This rescission proposal reflects the effort of the Administration to eliminate unnecessary foreign assistance programs. This best serves the American taxpayer.

Rescission proposal no. R25–15

Agency: INTERNATIONAL ASSISTANCE PROGRAMS

Bureau: Agency for International Development

Account: International Disaster Assistance (072–1035/X)

Amount proposed for rescission: \$496,000,000

Justification:

This proposal would rescind \$496 million of \$4 billion appropriated in FY 2025 to the International Disaster Assistance (IDA) account. IDA was intended to provide humanitarian assistance in response to natural disasters and conflicts, and other emergencies around the world. Enacting this rescission would preserve programs that are life-saving or have a clear, direct nexus to U.S. national interests. This rescission proposal aligns with the Administration's efforts to eliminate wasteful U.S. Agency for International Development foreign assistance programs. Enacting this rescission would align remaining funds with President Trump's foreign policy priorities. This best serves the American taxpayer.

Rescission proposal no. R25–16

Agency: INTERNATIONAL ASSISTANCE PROGRAMS

Bureau: Agency for International Development

Account: Operating Expenses (072–1000 2025/2025)

Amount proposed for rescission:

\$125,000,000

Justification:

This proposal would rescind \$125 million of the \$1.7 billion appropriated in FY 2025 for the U.S. Agency for International Development (USAID) Operating Expenses account, which funds salaries and benefits and other direct costs for USAID direct hires and staff overseas. Enacting this rescission would align with the Administration's ongoing efforts to eliminate unnecessary programming at USAID. This best serves the American taxpayer.

Rescission proposal no. R25–17

Agency: INTERNATIONAL ASSISTANCE PROGRAMS

Bureau: Agency for International Development

Account: Transition Initiatives (072–1027/X)

Amount proposed for rescission: \$57,000,000

Justification:

This proposal would rescind \$57 million of the \$75 million appropriated in FY 2025 for the Transition Initiatives (TI) account. TI funding targets select priority countries where the U.S. must engage quickly as a contingency response component of U.S. foreign assistance during conflict and political transitions. Many of the policies this program has traditionally supported do not align with an America First foreign policy agenda. This rescission aligns with the Administration's efforts to eliminate wasteful U.S. Agency for International Development foreign assistance programs. Enacting this rescission would align remaining funds with President Trump's foreign policy priorities. This best serves the American taxpayer.

Rescission proposal no. R25–18

Agency: INTERNATIONAL ASSISTANCE PROGRAMS

Bureau: Inter-American Foundation

Account: Inter-American Foundation (164–3100 2025/2026)

Amount proposed for rescission: \$27,000,000

Justification:

This proposal would rescind \$27 million of the \$47 million appropriated in FY 2025 for the Inter-American Foundation (IAF). The IAF provides grants to organizations in Latin America and the Caribbean. IAF funds are wasteful and littered with anti-American activities. This rescission proposal aligns with the Administration's efforts to eliminate wasteful foreign assistance programs. Further, this proposal aligns with Executive Order 14217, "Commencing the Reduction of the Federal Bureaucracy," which directs that the non-statutory components and functions of IAF shall be eliminated to the maximum extent consistent with applicable law, and that IAF reduce the performance of their statutory functions and associated personnel to the minimum presence and function required by law. This best serves the American taxpayer.

Rescission proposal no. R25–19

Agency: INTERNATIONAL ASSISTANCE PROGRAMS

Bureau: African Development Foundation

Account: United States African Development Foundation (166–0700 2025/2026)

Amount proposed for rescission: \$22,000,000

Justification:

This proposal would rescind \$22 million of the \$45 million appropriated in FY 2025 for the African Development Foundation (ADF). The ADF delivers grants directly to African businesses to support economic growth. These funds are often duplicative of activities managed by other agencies, such as the Department of State. This proposal aligns with Executive Order 14217, "Commencing the Reduction of the Federal Bureaucracy," which directs that the non-statutory components and functions of ADF shall be eliminated to the maximum extent consistent with applicable law, and that ADF reduce the performance of their statutory functions and associated personnel to the minimum presence and function required by law. This best serves the American taxpayer.

Rescission proposal no. R25–20

Agency: UNITED STATES INSTITUTE OF PEACE

Account: United States Institute of Peace (458–1300 2025/2026)

Amount proposed for rescission: \$15,000,000

Justification:

This proposal would rescind \$15 million of the \$55 million appropriated in FY 2025 for the U.S. Institute of Peace (USIP). This agency funded a variety of conflict mitigation and intervention programs in conflict with Administration priorities and may have harmed American interests. This rescission proposal aligns with this Administration's efforts to eliminate wasteful foreign assistance programs. Further, this proposal aligns with Executive Order 14217, "Commencing the Reduction of the Federal Bureaucracy," which directs that the non-statutory components and functions of USIP shall be eliminated to the maximum extent consistent with applicable law, and that USIP reduce the performance of their statutory functions and associated personnel to the minimum presence and function required by law. This best serves the American taxpayer.

Rescission proposal no. R25–21

Agency: CORPORATION FOR PUBLIC BROADCASTING

Account: Corporation for Public Broadcasting (020–0151 2026/2026)

Amount proposed for rescission: \$535,000,000

Justification:

This proposal would rescind \$535 million, the full amount appropriated in FY 2024 for the Corporation for Public Broadcasting (CPB) in advance for FY 2026. CPB's base appropriation is disbursed to public radio and public television systems in accordance with a statutory formula outlined in the Public Broadcasting Act of 1967, as amended. These funds would be used to subsidize a public media system that is politically biased and an unnecessary expense to the taxpayer. Enacting the rescission would eliminate Federal funding for CPB.

Rescission proposal no. R25–22

Agency: CORPORATION FOR PUBLIC

BROADCASTING

Account: Corporation for Public Broadcasting
(020–0151 2027/2027)

Amount proposed for rescission:
\$535,000,000

Justification:

This proposal would rescind \$535 million, the full amount appropriated in FY 2025 for the Corporation for Public Broadcasting (CPB) in advance for FY 2027. CPB's base appropriation is disbursed to the public radio and public television systems in accordance with a statutory formula outlined in the Public Broadcasting Act of 1967, as amended. These funds would be used to subsidize a public media system that is politically biased and an unnecessary expense to the taxpayer. Enacting the rescission would eliminate Federal funding for CPB.

[FR Doc. 2025–10377 Filed 6–6–25; 8:45 am]

BILLING CODE 3110–01–P

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Arts

30-Day Notice for the “Creative Forces®: NEA Military Healing Arts Network Community Arts Engagement Subgranting Program Evaluation Forms” Proposed Collection; Comment Request

AGENCY: National Endowment for the Arts.

ACTION: Notice.

SUMMARY: The National Endowment for the Arts (NEA), as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995. This program helps to ensure that requested data can be provided in the desired format; reporting burden (time and financial resources) is minimized; collection instruments are clearly understood; and the impact of collection requirements on respondents can be properly assessed. Currently, the National Endowment for the Arts is soliciting comments concerning the proposed information collection through a mixed-methods evaluation of the Creative Forces®: NEA Military Healing Arts Network Community Arts Engagement Grant Program. The evaluation uses primary and secondary data, and includes interviews, case study site visits, a Participant Survey for individuals who

participate in community arts programs, and an Arts Engagement Facilitator Survey for those leading the arts activities. Copies of this ICR, with applicable supporting documentation, may be obtained by visiting www.Reginfo.gov.

DATES: Written comments must be submitted to the office listed in the address section below within 30 days from the date of this publication in the **Federal Register**.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days from the date of publication of this Notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting, “National Endowment for the Arts” under “Currently Under Review;” then check “Only Show ICR for Public Comment” checkbox. Once you have found this information collection request, select “Comment,” and enter or upload your comment and information.

Alternatively, comments can be sent to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the National Endowment for the Arts, Office of Management and Budget, Room 10235, Washington, DC 20503, or call (202) 395–7316, within 30 days from the date of this publication in the **Federal Register**.

SUPPLEMENTARY INFORMATION: The Office of Management and Budget (OMB) is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including using appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Title: ‘Creative Forces®: NEA Military Healing Arts Network Community Arts Engagement Subgranting Program Evaluation Forms’.

OMB Number: 3135–0146.

Type of Review: Regular.

Frequency: One time program evaluation.

Affected Public: Grantees and participants/attendees of Creative Forces Community Engagement Programs.

Estimated Number of Respondents: 618 annually including grantees, partners, arts engagement facilitators, and program participants.

Estimated Annual Time per Respondent (Hours): 0.25.

Total Annual Burden Hours: 265.

Total Annualized Capital/Startup Costs: 0.

Total Annual Costs (operating/maintaining systems or purchasing services): \$99,533.

Description: The planned data collection is a new information collection request, and the data to be collected are not available elsewhere unless obtained through this information collection. This collection will include a pre-post Participant Survey, an Arts Engagement Facilitator Survey, and interviews with grantees, partners, arts engagement facilitators, and program participants. Data collection activities will occur with two grantee cohorts between July 2025 and July 2027. Evaluation results will provide actionable evidence to support current and future iterations of the grant program and Creative Forces Community Engagement (CFCE) grantees.

The Creative Forces®: NEA Military Healing Arts Network seeks to improve the health, well-being, and quality of life for military and veteran populations exposed to trauma, and for their families and caregivers through clinical and non-clinical programs (<https://www.arts.gov/initiatives/creative-forces>). Creative Forces is funded through Congressional appropriation. The Congressional Committee on Appropriation “supports the NEA’s continued efforts to expand upon this successful program to embed Creative Arts Therapies at the core of integrative care efforts in clinical settings, advance collaboration among clinical and community arts providers to support wellness and reintegration efforts for affected families, and advance research to improve our understanding of impacts of these interventions in both clinical and community settings.”

Creative Forces is a key element for meeting the NEA’s FY 2022–2026 Strategic Plan Strategic Objective 2.1: Support Arts Projects with a Focus on Advancing the Health and Well-Being of Individuals. As noted in this strategic objective, the CFCE Grant Program:

“. . . aims to improve the health, well-being, and quality of life for military-connected

populations. . . The lessons learned from implementing Creative Forces will inform other strategies to advance individual health and well-being through the arts. The networking, technical assistance, and the evaluation and learning that occur across the Creative Forces program are typical of the field-building activities necessary to realize this strategic objective for broader population groups. At the federal level, the NEA models this knowledge transfer by leading the Interagency Task Force on the Arts and Human Development, which meets quarterly to examine research projects and evidence-based practice at the intersection of the arts, health, and human development.”

Having announced the CFCE program in 2020, Creative Forces began awarding Community Engagement Grants in 2022 to support non-clinical arts engagement programming for military-connected populations through matching grants of \$10,000 to \$50,000 for emerging (“Emerging”) and established (“Advanced”) community-based arts engagement projects to serve military-connected populations. The grant program supports a range of program models (e.g., ongoing class, drop-in studio, single event) designed to meet local needs. It is the largest coordinated effort in the U.S. to provide community arts engagement programming for military and veteran populations exposed to trauma, and for their families and caregivers. The Creative Forces Community Engagement Grant Program is conducted in partnership with Mid-America Arts Alliance (M-AAA).

This is a new Information Collection Request for data collection across two grantee cohorts from July 2025 to July 2027. The evaluation uses a mixed-methods approach, incorporating quantitative and qualitative data from primary and secondary sources. The evaluation will incorporate data from all grantees.

Dated: June 4, 2025.

RaShaunda Thomas,
Deputy Director, Office of Administrative Services & Contracts, National Endowment for the Arts.

[FR Doc. 2025-10412 Filed 6-6-25; 8:45 am]

BILLING CODE 7537-01-P

NUCLEAR REGULATORY COMMISSION

[NRC-2024-0191]

Information Collection: NRC Insider Threat Program for Licensees and Other Requiring Access to Classified Information

AGENCY: Nuclear Regulatory Commission.

ACTION: Renewal of existing information collection; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) invites public comment on the renewal of Office of Management and Budget (OMB) approval for an existing collection of information. The information collection is entitled, “NRC Insider Threat Program for Licensees and Other Requiring Access to Classified Information.”

DATES: Submit comments by August 8, 2025. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received on or before this date.

ADDRESSES: You may submit comments by any of the following methods; however, the NRC encourages electronic comment submission through the Federal rulemaking website:

- *Federal rulemaking website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2024-0191. Address questions about Docket IDs in *Regulations.gov* to Bridget Curran; telephone: 301-415-1003; email: Bridget.Curran@nrc.gov. For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION**

CONTACT section of this document.

- *Mail comments to:* Kristen Benney, Office of the Chief Information Officer, Mail Stop: T-6 A10M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

For additional direction on obtaining information and submitting comments, see “Obtaining Information and Submitting Comments” in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT:

Kristen Benney, Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-6355; email: Infocollects.Resource@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC-2024-0191 when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2024-0191. A copy of the collection of information and

related instructions may be obtained without charge by accessing Docket ID NRC-2024-0191 on this website.

- *NRC’s Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select “Begin Web-based ADAMS Search.” For problems with ADAMS, please contact the NRC’s Public Document Room (PDR) reference staff at 1-800-397-4209, at 301-415-4737, or by email to PDR.Resource@nrc.gov. A copy of the collection of information and related instructions may be obtained without charge by accessing ADAMS Accession Nos. ML25013A287 and ML25013A290. The supporting statement is available in ADAMS under Accession No. ML25013A280.

- *NRC’s PDR:* The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to PDR.Resource@nrc.gov or call 1-800-397-4209 or 301-415-4737, between 8:00 a.m. and 4:00 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

- *NRC’s Clearance Officer:* A copy of the collection of information and related instructions may be obtained without charge by contacting the NRC’s Acting Clearance Officer, Kristen Benney, Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-6355; email: Infocollects.Resource@nrc.gov.

B. Submitting Comments

The NRC encourages electronic comment submission through the Federal rulemaking website (<https://www.regulations.gov>). Please include Docket ID NRC-2024-0191, in your comment submission.

The NRC cautions you not to include identifying or contact information in comment submissions that you do not want to be publicly disclosed in your comment submission. All comment submissions are posted at <https://www.regulations.gov> and entered into ADAMS. Comment submissions are not routinely edited to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that comment

submissions are not routinely edited to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Background

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the NRC is requesting public comment on its intention to request the OMB's approval for the information collection summarized as follows.

1. *The title of the information collection:* NRC Insider Threat Program for Licensees and Other Requiring Access to Classified Information.
2. *OMB approval number:* 3150–0251.
3. *Type of submission:* Extension.
4. *The form number, if applicable:* Not applicable.
5. *How often the collection is required or requested:* Annually or as events occur.
6. *Who will be required or asked to respond:* All licensees or stakeholders who have been granted access to classified information under part 95 of title 10 of the *Code of Federal Regulations*, "Facility Security Clearance and Safeguarding of National Security Information and Restricted Data."
7. *The estimated number of annual responses:* 72.
8. *The estimated number of annual respondents:* 19.
9. *The estimated number of hours needed annually to comply with the information collection requirement or request:* 3,187 hours (2,268 hours reporting + 919 hours recordkeeping).
10. *Abstract:* The NRC-regulated facilities and their contractors who are authorized to access and possess classified matter are required to provide information and maintain records to demonstrate they have established and are maintaining an Insider Threat Program to identify and protect classified information against a potential insider threat.

III. Specific Requests for Comments

The NRC is seeking comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility? Please explain your answer.
2. Is the estimate of the burden of the information collection accurate? Please explain your answer.
3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?
4. How can the burden of the information collection on respondents

be minimized, including the use of automated collection techniques or other forms of information technology?

Dated: June 4, 2025.

For the Nuclear Regulatory Commission.

Kristen Benney,

Acting NRC Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 2025–10417 Filed 6–6–25; 8:45 am]

BILLING CODE 7590-01-P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2025–1444 and K2025–1443; MC2025–1471 and K2025–1467; MC2025–1472 and K2025–1468; MC2025–1473 and K2025–1469; MC2025–1474 and K2025–1470; MC2025–1475 and K2025–1471; MC2025–1476 and K2025–1472; MC2025–1477 and K2025–1473; MC2025–1478 and K2025–1474]

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:* June 11, 2025.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at <https://www.prc.gov>. Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION:

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- 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

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).

request public comment in proceedings to review such requests.

II. Public Proceeding(s)

1. *Docket No(s)*.: MC2025–1444 and K2025–1443; *Filing Title*: USPS Request to Add Priority Mail Contract 842 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: June 3, 2025; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative*: Samuel Robinson; *Comments Due*: June 11, 2025.

2. *Docket No(s)*.: MC2025–1471 and K2025–1467; *Filing Title*: USPS Request to Add Priority Mail Contract 859 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: June 3, 2025; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative*: Maxine Bradley; *Comments Due*: June 11, 2025.

3. *Docket No(s)*.: MC2025–1472 and K2025–1468; *Filing Title*: USPS Request to Add Priority Mail Contract 860 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: June 3, 2025; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative*: Almaroof Agoro; *Comments Due*: June 11, 2025.

4. *Docket No(s)*.: MC2025–1473 and K2025–1469; *Filing Title*: USPS Request to Add Priority Mail Contract 861 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: June 3, 2025; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative*: Christopher Mohr; *Comments Due*: June 11, 2025.

5. *Docket No(s)*.: MC2025–1474 and K2025–1470; *Filing Title*: USPS Request to Add Priority Mail Contract 862 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: June 3, 2025; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative*: Arif Hafiz; *Comments Due*: June 11, 2025.

6. *Docket No(s)*.: MC2025–1475 and K2025–1471; *Filing Title*: USPS Request to Add Priority Mail Contract 863 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: June 3, 2025; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative*: Samuel Robinson; *Comments Due*: June 11, 2025.

7. *Docket No(s)*.: MC2025–1476 and K2025–1472; *Filing Title*: USPS Request to Add Priority Mail & USPS Ground Advantage Contract 771 to the Competitive Product List and Notice of

Filing Materials Under Seal; *Filing Acceptance Date*: June 3, 2025; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative*: Kenneth Moeller; *Comments Due*: June 11, 2025.

8. *Docket No(s)*.: MC2025–1477 and K2025–1473; *Filing Title*: USPS Request to Add Priority Mail & USPS Ground Advantage Contract 772 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: June 3, 2025; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative*: Maxine Bradley; *Comments Due*: June 11, 2025.

9. *Docket No(s)*.: MC2025–1478 and K2025–1474; *Filing Title*: USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 1375 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: June 3, 2025; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative*: Gregory Stanton; *Comments Due*: June 11, 2025.

III. Summary Proceeding(s)

None. See Section II for public proceedings.

This Notice will be published in the **Federal Register**.

Erica A. Barker,
Secretary.

[FR Doc. 2025–10388 Filed 6–6–25; 8:45 am]

BILLING CODE 7710–FW–P

POSTAL REGULATORY COMMISSION

[Docket Nos. RM2024–9 and PI2025–5; Order No. 8879]

RIN 3211–AA39

Service Performance Measurement Systems for Market Dominant Products

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is acknowledging that the Postal Service’s proposed revisions to its Service Performance Measurement (SPM) Plan for Market Dominant products and other related design documents from Docket No. PI2025–5 will be considered as part of Docket No. RM2024–9. This document invites public comments and takes other administrative steps.

DATES: *Comments are due:* June 11, 2025.

ADDRESSES: Submit comments electronically via the Commission’s

Filing Online system at <https://www.prc.gov>. Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION: This Order filed, in Docket No. RM2024–9 and Docket No. PI2025–5, states that certain proposed revisions to the Postal Service’s Service Performance Measurement (SPM) Plan and related SPM design documents, which were filed by the Postal Service pursuant to 39 CFR 3055.5 in Docket No. PI2025–5, will be considered by the Commission in pending Docket No. RM2024–9.

Comments on the proposed revisions should be filed in Docket No. RM2024–9 by June 11, 2025. The Commission is particularly interested in whether commenters view the proposed revisions as sufficient to enable the SPM system to produce accurate, reliable, and representative results for each 5-Digit to 5-Digit ZIP Code pair for each affected product and (if not) what information and data the Postal Service would need to provide to enable the Commission to verify that the SPM system is capable of producing accurate, reliable, and representative results for each 5-Digit to 5-Digit ZIP Code pair for each affected product.

By the Commission.

Erica A. Barker,
Secretary.

[FR Doc. 2025–10386 Filed 6–6–25; 8:45 am]

BILLING CODE 7710–FW–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103174; File No. SR–NASDAQ–2025–041]

Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Remove the Cabinet Proximity Option Program

June 3, 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 21, 2025, The Nasdaq Stock Market LLC (“Nasdaq” or “Exchange”) filed with the Securities and Exchange Commission

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b–4.

(“SEC” or “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 remove the Cabinet Proximity Option program and to amend Nasdaq Rule General 8, Section 1(d) accordingly, as described further below.

The text of the proposed rule change is available on the Exchange’s website at <https://listingcenter.nasdaq.com/rulebook/nasdaq/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

In 2010, Nasdaq established the Cabinet Proximity Option program (the “Program”) where, for a monthly fee, customers can obtain an option for future use on available currently-unused cabinet floor space in proximity to their existing equipment.³ The Exchange offers reservations for low, medium, medium/high, high density cabinets and cabinets with power density greater than 10kW under the Program.⁴

³ See Securities Exchange Act Release No. 34–62397 (June 28, 2010), 75 FR 38860 (July 6, 2010) (SR–NASDAQ–2010–019).

⁴ See General 8, Section 1(d). Low density cabinets are cabinets with power densities less than or equal to 2.88 kilowatts (“kW”). Medium density cabinets are cabinets with power densities greater than 2.88 kW and less than or equal to 5 kW. Medium/High density cabinets are cabinets with power densities greater than 5 kW and less than or equal to 7 kW. High density cabinets are cabinets with power densities greater than 7 kW and less than 10 kW. See General 8, Section 1(a).

Additionally, customers can reserve up to maximum of 20 cabinets which the Exchange endeavors to provide as close as reasonably possible to the customer’s existing cabinet space, taking into consideration power availability within segments of the data center and the overall efficiency of use of data center resources as determined by the Exchange. The Program does not guarantee that reserved cabinets will be located in close proximity to a customer’s current cabinets. If the reserving customer opts to exercise its reserved data center space, the reserving customer has three business days from the time of the request to formally contract with the Exchange for full payment for the reserved cabinet space in contention or the cabinet space will be reassigned.⁵ While the customer determines when to exercise a reservation, in limited circumstances, the Exchange could require a customer to exercise a reservation. In making determinations to require exercise or relinquishment of reserved space as among numerous customers, the Exchange takes into consideration several factors, including: proximity between available reserved cabinet space and the existing space of a customer seeking additional space for actual cabinet usage; a customer’s ratio of cabinets in use to those reserved; the length of time that a particular reservation(s) has been in place; and any other factor that the Exchange deems relevant to ensure overall efficiency in use of the data center space.

The Exchange offers the Cabinet Proximity Option program as a convenience to customers. No firms are required to reserve cabinets via the Program and it is only for those customers that choose to co-locate directly with the Exchange. Participants can avoid reserving cabinets under this program (and the related fee) by (1) co-locating but not reserving space in advance of needing it; (2) ordering cabinet space immediately and paying cabinet fees (without reserving in advance); (3) collocating indirectly through a vendor to defray costs; or (4) not collocating at all.

In response to demand for additional power and cabinets, in September 2024, the Exchange expanded its co-location services by expanding its current data center (“NY11”) to offer power and power distribution unit options in the new wing of the Exchange’s expanded data center (“NY11–4”) in Carteret, NJ.

⁵ Since the inception of the Program, the Exchange has automated this process to enable immediate processing of a customer’s reservation, without the 3-day wait.

NY11–4 is being constructed with additional cabinet power options that are more consistent with power options used in other data centers across the globe. In addition to equalized connectivity in NY11–4, the Exchange is undergoing an equalization across its entire data center campus, including its existing NY11 facility (“Equalization Project”).⁶

Historically, customers utilized the Program to ensure they could obtain additional cabinet floor space in proximity to their existing equipment. The Program offers customers the option to reserve up to 20 cabinets and exercise the reservation at any time, without the Exchange’s ability to deny or delay the reservation request and irrespective of the Exchange’s capacity to honor the reservation. With the expansion of NY11–4, and equalization of client connections within and among NY11 and NY11–4, the Exchange believes that it is more efficient to remove the reservation system so that it can better allocate cabinet space for immediate use. Therefore, in an ongoing effort to optimize power management and cabinet space, the Exchange is proposing to retire the Cabinet Proximity Option program. Elimination of the Program will enable the Exchange to only accept immediate orders and unilaterally determine where to place the customer’s cabinet, allowing the Exchange to more effectively manage its capacity planning process while undergoing its data center expansion. Similar to the current Program, the Exchange will not guarantee that cabinets will be located in close proximity to each other. Customers with current cabinet reservations will be given the option to cancel the reservation or convert their reservation to a power order in NY11–4, where the Exchange currently has more power options. If a customer does not choose either option before the deadline, the customer will forego the option to exercise and all open reservations will be cancelled.⁷

⁶ The Equalization Project is an ambitious project to equalize telco connectivity across the Exchange’s entire data center campus, including retrofitting equalized cabling and replacing the infrastructure with equidistant connectivity throughout its existing NY11 facility and the NY11–4 expansion. The Exchange estimates that the Project will require 18–24 months to complete, commencing as of the launch of NY11–4. Securities Exchange Act Release No. 34–101078 (Sept. 18, 2024), 89 FR 77937 (Sept. 24, 2024) (SR–NASDAQ–2024–054) (Proposal to expand co-location services).

⁷ The Exchange notified its customers and provided May 2 as their deadline to notify the Exchange of whether they would exercise or cancel their existing reservation.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,⁸ in general, and furthers the objectives of Section 6(b)(5) of the Act,⁹ 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. For many years, customers have been able to reserve additional space in NY11 through the Cabinet Proximity program. Expanding the data center has allowed the Exchange to offer additional cabinet and power options. However, the Exchange does not have an unlimited supply of power and therefore, must manage its power allocation. As a result, in an effort to appropriately administer its power allocation, it is reasonable for the Exchange not to want to provide unlimited reservations with no expiration date, that can be exercised at any time and to want to eliminate the Program now that NY11-4 is available and the Equalization Project is underway, which will ensure that proximity and length of connections will be the same in NY11 and NY11-4.

The proposal would remove impediments and benefit the public interest by enabling the Exchange to have more control over its capacity planning and to efficiently manage the space and power in its data center, thereby ensuring that customers will have sufficient cabinet space when they need it. Customers who have utilized the Program pay for their reserved cabinet spaces in arrears on a month-to-month basis and have not been billed for reservations beyond April 30, 2025. Therefore, customers will have paid for a reservation up to the time of retirement of the Program and no customer is in danger of not receiving a reservation space that they have already paid for. As discussed above, customers with existing cabinet reservations will be given the option to cancel or convert their reservation.

The Exchange also believes that the proposal will not be unfairly discriminatory, consistent with the objectives of Section 6(b)(5) of the Act¹⁰ because the Exchange is terminating the Program for all customers and all customers will continue to maintain the right to request cabinet space for immediate use.

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. Nothing in the proposal imposes any burden on the ability of other exchanges to compete. The Exchange operates in a highly competitive market in which exchanges and other vendors offer co-location services as a means to facilitate the trading and other market activities of those market participants who believe that colocation enhances the efficiency of their operations. By eliminating cabinet reservations, the Exchange would align itself with other exchanges that do not offer a similar program.¹¹ Additionally, there is no burden to intra-market competition because the program is being terminated for all customers and the Exchange has provided all customers the option to cancel the reservation or convert their reservation to a power order in NY11-4 on a non-discriminatory basis. Use of any co-location service is completely voluntary, and each market participant can determine whether to use co-location services based on the requirements of its business operations.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act¹² and Rule 19b-4(f)(6) thereunder.¹³ Because the proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section

19(b)(3)(A)(iii) of the Act¹⁴ and Rule 19b-4(f)(6)¹⁵ thereunder.

A proposed rule change filed under Rule 19b-4(f)(6) under the Act¹⁶ normally does not become operative prior to 30 days after the date of its filing. However, Rule 19b-4(f)(6)(iii),¹⁷ permits the Commission to designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has requested that the Commission waive the 30-day operative delay. The Exchange states that waiver of the operative delay will allow the Exchange to end the Cabinet Proximity Option program on the date of this filing without affecting any customers because the Exchange has already provided its customers with notice of the program's termination and an opportunity to exercise their existing reservation(s) by May 2, 2025, and no customers have been billed for reservations beyond April 30, 2025. Additionally, the Exchange states that termination of this program does not preclude customers from ordering cabinet space immediately and paying cabinet fees. Because the program ended on May 2, 2025, the Exchange provided its customers with notice of the program's termination and an opportunity to exercise their reservations before the termination date, and no customers were billed for reservations beyond the termination date, the Commission believes the waiver of the operative delay is consistent with the protection of investors and the public interest because it removes from the rulebook a program that is no longer in effect, reducing the potential for confusion that could otherwise be present.

Accordingly, the Commission hereby waives the 30-day operative delay and designates the proposed rule change operative upon filing.¹⁸

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the

¹⁴ 15 U.S.C. 78s(b)(3)(A)(iii).

¹⁵ 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

¹⁶ 17 CFR 240.19b-4(f)(6).

¹⁷ 17 CFR 240.19b-4(f)(6)(iii).

¹⁸ For purposes only of waiving the 30-day operative delay, the Commission has also considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

⁸ 15 U.S.C. 78f(b).

⁹ 15 U.S.C. 78f(b)(5).

¹⁰ 15 U.S.C. 78f(b)(5).

¹¹ See e.g., Connectivity Fee Schedule for New York Stock Exchange LLC, NYSE American LLC, NYSE Arca, Inc., NYSE National, Inc. and NYSE Texas, Inc., available at https://www.nyse.com/publicdocs/nyse/Wireless_Connectivity_Fees_and_Charges.pdf. These exchanges do not offer a cabinet reservation program.

¹² 15 U.S.C. 78s(b)(3)(A)(iii).

¹³ 17 CFR 240.19b-4(f)(6).

public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include file number SR-NASDAQ-2025-041 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.

All submissions should refer to file number SR-NASDAQ-2025-041. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<https://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number

SR-NASDAQ-2025-041 and should be submitted on or before June 30, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁹

Stephanie J. Fouse,
Assistant Secretary.

[FR Doc. 2025-10368 Filed 6-6-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-103175; File No. SR-BOX-2025-16]

Self-Regulatory Organizations; BOX Exchange LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Change Its Procedure for Processing Fingerprints Under Exchange Rule 10080 (Fingerprint Based Background Checks of Exchange Employees and Independent Contractors and Other Service Providers)

June 3, 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 22, 2025, BOX Exchange LLC ("Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to change its procedure for processing fingerprints under its existing Rule 10080 (Fingerprint Based Background Checks of Exchange Employees and Independent Contractors and Other Service Providers). The text of the proposed rule change is available from the principal office of the Exchange, at the Commission's Public Reference Room and also on the Exchange's internet website at <https://rules.boxexchange.com/rulefilings>.

¹⁹ 17 CFR 200.30-3(a)(12), (59).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to change the procedure under its existing Rule 10080 (Fingerprint Based Background Checks of Exchange Employees and Independent Contractors and Other Service Providers) regarding its current practice of conducting fingerprint-based criminal records check of (i) all BOX³ and Exchange employees, including temporary employees who have or are anticipated to have access to BOX or Exchange facilities for at least ten (10) days, and (ii) all independent contractors and other service providers who have access to BOX or Exchange facilities, records, systems, data or other information which places the security of BOX or the Exchange at risk. The Exchange's proposal to change its procedure under its Rule 10080 from utilizing manual fingerprinting via fingerprint cards to also utilizing a Live-Scan⁴ electronic system for the taking of fingerprints is consistent with these rules. Additionally, the proposed changes are consistent with the requirements of other options exchanges.⁵

³ "BOX" means BOX Options Market LLC, an options trading facility of the Exchange under 3(a)(2) of the Exchange Act. See Rule 100(a)(7).

⁴ Live-Scan refers to the process of capturing fingerprints directly into a digitized format as opposed to traditional ink and paper methods. Live-Scan technology captures and transfers images to a central location and/or interface for identification processing.

⁵ See Securities Exchange Act Release No. 88394 (March 16, 2020), 85 FR 16170 (March 20, 2020) (SR-LTSE-2020-05); see also Securities Exchange Act Release No. 76492 (November 20, 2015), 80 FR 74153 (November 27, 2015) (SR-NYSEArca-2015-92); see also Securities Exchange Act Release No. 72600 (July 11, 2014), 79 FR 41717 (July 17, 2014) (SR-MIAX-2014-38); see also Securities Exchange Act Release No. 71066 (December 12, 2013), 78 FR 76667 (December 18, 2013) (SR-ISE-2013-66).

Background and Proposal

Section 17(f)(2) of the Act, as amended by the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 (“Dodd-Frank Act”),⁶ provides that every member of a national securities exchange, broker, dealer, registered transfer agent, registered clearing agency, registered securities information processors, national securities exchanges and national securities associations shall require each of its partners, directors, officers, and employees to be fingerprinted and submit those fingerprints (or cause the fingerprints to be submitted) to the Attorney General of the United States (“Attorney General”) for identification. Section 17(f)(2) explicitly directs the Attorney General to provide self-regulatory organizations (“SROs”) designated by the Commission with access to criminal history record information. Further, SEC Rule 17f–2 authorizes SROs to store criminal record information received from the FBI, which maintains on behalf of the Attorney General a database of fingerprint-based criminal history records.⁷

Consistent with the practice at other national securities exchanges, the Exchange intends to utilize a Live-Scan electronic system as an option to capture and transmit fingerprints directly to the FBI. The capture and transmittal function, and corresponding receipt of criminal history information from the FBI, would be handled directly by Exchange personnel and/or an FBI-approved Channel Partner⁸ who would maintain and operate, on behalf of the Exchange, a Live-Scan and/or other electronic system(s) for the submission of fingerprints to the FBI; receive and maintain criminal history record information from the FBI; and disseminate such information, through secure systems, to a limited set of approved reviewing officials within the Exchange. The Exchange believes that

Rule 10080 allows the retention of a Channel Partner for these purposes.

The Exchange believes that the foregoing interpretation is consistent with the Exchange’s authority under Section 17(f)(2) of the Act, as amended by the Dodd-Frank Act,⁹ which requires, *inter alia*, that employees of exchanges be fingerprinted and that exchanges “shall submit such fingerprints, or cause the same to be submitted, to the Attorney General of the United States for identification and appropriate processing.”

The Exchange accordingly believes that under Rule 10080 (and applicable statutes), the Exchange has the authority to engage an FBI-approved Channel Partner for some or all of the fingerprinting processes described in the Rule. The procedural change that the Exchange is proposing under its existing rule is concerned solely with the administration of the self-regulatory organization and the Exchange believes that it is therefore eligible to be filed pursuant to section 19(b)(3)(A)(i) of the Act¹⁰ and Rule 19b–4(f)(3)¹¹ thereunder. The Exchange believes that this proposed procedural change under the existing rule is necessary in order to ensure the Exchange’s continued compliance with its Rules and applicable federal law.¹²

2. Statutory Basis

The Exchange believes that the proposed procedural change under Rule 10080 is consistent with the requirements of Section 6(b) of the Act,¹³ in general, and Section 6(b)(5) of the Act,¹⁴ in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to and perfect the mechanisms of a free and open market and a national market system and, in general, to protect investors and the public interest.

Specifically, the Exchange believes that fingerprint-based background

checks via a Live-Scan system for employees, temporary employees, independent contractors, and other service providers, that meet the criteria in Rule 10080, is consistent with the foregoing requirements of Section 6(b)(5) in that it is compliant with the requirements of Rule 10080 and applicable federal law.¹⁵ Running fingerprint-based background checks is imperative for the Exchange, as this process helps to identify persons with criminal history records who may pose a threat to the safety of Exchange personnel and/or the security of Exchange facilities and records. This identification and screening process thus enhances business continuity, workplace safety, and the security of the Exchange’s operations. The use of an FBI-approved Channel Partner in some or all phases of this process is consistent with Rule 10080 and applicable federal law, and in furtherance of the important objectives described herein. Additionally, the use of a Channel Partner is consistent with the fingerprinting method currently employed by other SROs.¹⁶ For all these reasons, the proposal is also designed to protect investors as well as the public interest.

B. Self-Regulatory Organization’s Statement on Burden on Competition

The Exchange does not believe that the proposed procedural change under the rule will impose any burden on competition that is not necessary or appropriate in the furtherance of the purposes of the Act. The proposed procedural change under the rule would enhance the security of the Exchange’s facilities and records without adding any burden on market participants and allow the Exchange continued compliance with its fingerprinting rules and with Section 17(f)(2) of the Act as amended by the Dodd-Frank Act.¹⁷ The proposed change is not intended to address competitive issues but rather update its existing fingerprint process.

C. Self-Regulatory Organization’s Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange has neither solicited nor received comments on the proposed rule change.

⁶ See 15 U.S.C. 78q(f)(2); Dodd-Frank Act, Public Law 111–203, 929S, 124 Stat. 1376, 1867 (2010).

⁷ See 17 CFR 240.17f–2(d).

⁸ FBI-approved Channel Partners receive the fingerprint submission and relevant data, collect the associated fee(s), electronically forward the fingerprint submission with the necessary information to the FBI Criminal Justice Information Services Division (“CJIS”) for a national Criminal History Summary check, and receive the electronic summary check result for dissemination to the authorized employer entity. See Securities Exchange Act Release No. 71066 (December 12, 2013), 78 FR 76667 (December 18, 2013) (SR–ISE–2013–66). The Exchange would retain ultimate legal responsibility for the fulfillment of its statutory and self-regulatory obligations under the Act, including compliance with Section 17(f)(2) of the Act as amended by the Dodd-Frank Act.

⁹ See 15 U.S.C. 78(q)(f)(2); Dodd-Frank Act, Pub. L. 111–203, 929S, 124 Stat. 1376, 1867 (2010).

¹⁰ 15 U.S.C. 78s(b)(3)(A)(iii).

¹¹ 17 CFR 240.19b–4(f)(3).

¹² Access to the FBI’s fingerprint-based database of criminal records is permitted only when authorized by law. Section 17(f)(2) of the Act explicitly directs the Attorney General to provide SROs designated by the Commission (e.g., the Exchange) with access to such criminal history record information. Further, as amended by the Dodd-Frank Act, Section 17(f)(2) specifically requires, *inter alia*, that employees of national securities exchanges be fingerprinted.

¹³ 15 U.S.C. 78f(b).

¹⁴ 15 U.S.C. 78f(b)(5).

¹⁵ See *supra* note 6.

¹⁶ See *supra* note 5.

¹⁷ See Section 929S of the Dodd-Frank Act.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Act¹⁸ and paragraph (f)(3) of Rule 19b-4 thereunder.¹⁹ At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include file number SR-BOX-2025-16 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090. All submissions should refer to file number SR-BOX-2025-16. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<https://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and

copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-BOX-2025-16 and should be submitted on or before June 30, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²⁰

Stephanie J. Fouse,
Assistant Secretary.

[FR Doc. 2025-10369 Filed 6-6-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meetings

TIME AND DATE: Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94-409, the Securities and Exchange Commission will hold an Open Meeting on Wednesday, June 11, 2025, at 1:00 p.m. (ET).

PLACE: The meeting will be webcast on the Commission's website at www.sec.gov.

STATUS: This meeting will begin at 1:00 p.m. (ET) and will be open to the public via webcast on the Commission's website at www.sec.gov.

MATTERS TO BE CONSIDERED: 1. The Commission will consider action relating to the compliance date for the amendments to Form PF that were adopted on February 8, 2024.

CONTACT PERSON FOR MORE INFORMATION: For further information, please contact Vanessa A. Countryman from the Office of the Secretary at (202) 551-5400.

Authority: 5 U.S.C. 552b.

Dated: June 4, 2025.

Stephanie J. Fouse,
Assistant Secretary.

[FR Doc. 2025-10456 Filed 6-5-25; 11:15 am]

BILLING CODE P

SMALL BUSINESS ADMINISTRATION

Establishment of the Manufacturing in America Advisory Committee (MAAC)

AGENCY: U.S. Small Business Administration (SBA).

ACTION: Notice of intent to establish an advisory committee.

SUMMARY: The SBA announces its intent to establish the Manufacturing in America Advisory Committee. The Administrator has determined that establishing the Manufacturing in America Advisory Committee is necessary and in the public interest.

DATES: Manufacturing in America Advisory Committee will operate for two years after the filing date of its charter that will meet the 15 day requirements of the **Federal Register** Notice, unless otherwise renewed in accordance with the Federal Advisory Committee Act.

FOR FURTHER INFORMATION CONTACT:

Andrienne Johnson, Committee Management Officer (CMO), Office of the Administrator, (202) 205-6685 or FACA@sba.gov.

SUPPLEMENTARY INFORMATION: his notice announces the establishment of the Manufacturing in America Advisory Committee as a Federal Advisory Committee in accordance with the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C. 10 *et seq.*) to provide strategic guidance, advice, and recommendations to the U.S. government and relevant stakeholders on matters related to growth, supply chain resilience, and innovation of small manufacturing businesses across the country. The Committee will act as the collaborative body to ensure the sector's needs, challenges, and opportunities are addressed. The Committee's mission will focus on supporting economic growth, job creation, onshoring of critical manufacturing capabilities, and global competitiveness. The **Federal Register** Notice will be published 15 days prior to filing the charter with Congress. This notice is provided in accordance with the Federal Advisory Committee Act.

Dated: June 3, 2025.

Andrienne Johnson,

Committee Management Officer.

[FR Doc. 2025-10370 Filed 6-6-25; 8:45 am]

BILLING CODE 8026-09-P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36853]

2024 Tax Information for Use in the Revenue Shortfall Allocation Method

The Board is publishing, and providing the public an opportunity to comment on, the 2024 weighted average state tax rates for each Class I railroad, as calculated by the Association of

¹⁸ 15 U.S.C. 78s(b)(3)(A).

¹⁹ 17 CFR 240.19b-4(f)(3).

²⁰ 17 CFR 200.30-3(a)(12).

American Railroads (AAR), for use in the Revenue Shortfall Allocation Method (RSAM).

The RSAM figure is one of three benchmarks that together are used to determine the reasonableness of a challenged rate under the Board's *Simplified Standards for Rail Rate Cases*, EP 646 (Sub-No. 1), slip op. at 10 (STB served Sept. 5, 2007),¹ as further revised in *Simplified Standards for Rail Rate Cases—Taxes in Revenue Shortfall Allocation Method (Simplified Standards—Taxes in RSAM)*, EP 646 (Sub-No. 2) (STB served Nov. 21, 2008). RSAM is intended to measure the

average markup that the railroad would need to collect from all of its "potentially captive traffic" (traffic with a revenue-to-variable-cost ratio above 180%) to earn adequate revenues as measured by the Board under 49 U.S.C. 10704(a)(2) (*i.e.*, earn a return on investment equal to the railroad industry cost of capital). *Simplified Standards—Taxes in RSAM*, EP 646 (Sub-No. 2), slip op. at 1. In *Simplified Standards—Taxes in RSAM*, EP 646 (Sub-No. 2), slip op. at 3, 5, the Board modified its RSAM formula to account for taxes, as the prior formula mistakenly compared pre-tax and after-

tax revenues. In that decision, the Board stated that it would institute a separate proceeding in which Class I railroads would be required to submit the annual tax information necessary for the Board's annual RSAM calculation. *Id.* at 5–6.

Pursuant to 49 CFR 1135.2, AAR is required to annually calculate and submit to the Board the weighted average state tax rate for each Class I railroad for the previous year. On May 30, 2025, AAR filed its calculation of the weighted average state tax rates for 2024, listed below for each Class I railroad:

WEIGHTED AVERAGE STATE TAX RATES

Railroad	2024 (%)	2023 (%)	% Change
BNSF Railway Company	4.739	4.894	– 0.155
CSX Transportation, Inc	5.118	5.172	– 0.054
Grand Trunk Corporation	7.575	7.728	– 0.153
Canadian Pacific Kansas City	6.178	N/A	N/A
Norfolk Southern Combined Railroad Subsidiaries	5.265	5.368	– 0.103
Union Pacific Railroad Company	5.035	5.241	– 0.206

Pursuant to 49 CFR 1135.2(b), notice of AAR's submission will be published in the **Federal Register**. Any party wishing to comment on AAR's calculation of the 2024 weighted average state tax rates should file a comment by July 8, 2025. *See* 49 CFR 1135.2(c). If any comments opposing AAR's calculations are filed, AAR's reply will be due within 20 days of the filing date of the comments. *Id.* If any comments are filed, the Board will review AAR's submission, together with the comments, and serve a decision within 60 days of the close of the record that either accepts, rejects, or modifies AAR's railroad-specific tax information. *Id.* If no comments are filed by July 8, 2025, AAR's submitted weighted average state tax rates will be automatically adopted by the Board, effective July 9, 2025. *Id.*

It is ordered:

1. Comments on AAR's calculation of the 2024 weighted average state tax rates for the Class I railroads are due by July 8, 2025. If any comments opposing AAR's calculations are filed, AAR's reply is due within 20 days of the filing of the comments.

2. If no comments are filed, AAR's calculation of the 2024 weighted average state tax rates for each Class I railroad will be automatically adopted by the Board, effective July 9, 2025.

3. Notice will be published in the **Federal Register**.

Decided: June 4, 2025.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

Zantori Dickerson,
Clearance Clerk.

[FR Doc. 2025–10408 Filed 6–6–25; 8:45 am]

BILLING CODE 4915–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. 2025–0699]

Agency Information Collection Activities: Requests for Comments; Clearance of New Approval of Information Collection: Expedited Special Government Interest (SGI) Waiver or Authorization for Unmanned Aerial Systems (UAS) Operations

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice and request for comments.

SUMMARY: This is to provide the public with a 60-day notice on the intent to obtain approval of a form as required by the Paperwork Reduction Act. The Federal Aviation Administration (FAA) is responsible for ensuring the safe

operation of all aircraft, including Unmanned Aerial Systems (UAS). This includes issuing Certificates of Authorization (COAs) for certain UAS operations and imposing airspace restrictions to address national security, hazard response, Very Important Person (VIP) movements, firefighting efforts, and other purposes mandated by law or regulation. The information on the form will enable the FAA to determine whether a UAS operator should be granted permission to operate within restricted airspace for emergency situations. Such exceptions may support critical public-interest activities, including search and rescue, media-pool operations, utility restoration, law enforcement, border operations, firefighting, and similar efforts.

DATES: Written comments should be submitted by August 8, 2025.

ADDRESSES: Please send written comments:

By Electronic Docket:
www.regulations.gov (Enter docket number into search field).

By mail: Nicholas Torgerson, Federal Aviation Administration, AJR–223, 800 Independence Ave. SW, Washington, DC 20591.

FOR FURTHER INFORMATION CONTACT: Nicholas Torgerson, by email at: nicholas.d.torgerson@faa.gov; phone: 202–267–6376, Lalesh Nagy, by email

¹ *Aff'd sub nom. CSX Transp., Inc. v. STB*, 568 F.3d 236 (D.C. Cir. 2009), *vacated in part on reh'g*, 584 F.3d 1076 (D.C. Cir. 2009).

at: lalesh.nagy@faa.gov; phone: 202–999–2700, Mirna Meyer, by email at: mirna.meyer@faa.gov; phone: 540–422–4226.

SUPPLEMENTARY INFORMATION:

Public Comments Invited: You are asked to comment on any aspect of this information collection, including: (a) Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for Office of Management and Budget (OMB's) clearance of this information collection.

OMB Control Number: 2120–XXX.

Title: Expedited SGI Waiver or Authorization for UAS Operations.

Form Numbers: FAA Request Form for Expedited SGI Waiver or Authorization for UAS Operations.

Type of Review: New of an information collection.

Background: When a UAS operator requests a special government interest (SGI) waiver they must go through the SGI process. The UAS operator must have an existing Part 107 Remote Pilot with a current certificate, or must have an existing Certificate of Waiver or Authorization (COA) to fly the UAS. To submit a waiver through this process, fill out the Emergency Operation Request Form and send it to the FAA's System Operations Support Center (SOSC). If approved, the FAA will add an amendment to the existing COA or Remote Pilot Certificate that authorizes the UAS pilot to fly under certain conditions for the specified operation. If denied, operators should not fly outside the provisions of their existing COA or part 107. Operators have the option to amend their requests.

Typically, UAS operators request exceptions through the Airspace Access Program (AAP). However, in the event that AAP becomes unavailable, a backup method is necessary to manually document exception requests. The form to support this backup method will gather essential information to evaluate whether: (1) the requester has a valid purpose for the waiver; (2) the proposed waiver can be executed safely; and (3) the requester holds the appropriate licensing, COA, or credentials.

Respondents: 300 UAS operators.

Frequency: Information is collected on occasion.

Estimated Average Burden per Response: 15 minutes.

Estimated Total Annual Burden: 75 hours.

Issued in Washington, DC, on May 28, 2025.

Lalesh K. Nagy,

Management & Program Analyst, System Operations Security, System Operations Services, AJR–223.

[FR Doc. 2025–09955 Filed 6–6–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2025–0095]

Request for Comments on the Renewal of a Previously Approved Collection: Application for Waiver of the Coastwise Trade Laws for Small Passenger Vessels

AGENCY: Maritime Administration, DOT.

ACTION: Notice.

SUMMARY: The Maritime Administration (MARAD) invites public comments on its intention to request approval from the Office of Management and Budget (OMB) to renew an information collection in accordance with the Paperwork Reduction Act of 1995. The proposed collection OMB 2133–0529 (Application for Waiver of the Coastwise Trade Laws for Small Passenger Vessels) is used to identify the effect of potential foreign-built small passenger vessel coastwise operations on U.S. vessel builders and coastwise trade businesses. Since the last renewal there was an increase in the total respondents, responses, burden hours and cost to respondents. We are required to publish this notice in the **Federal Register** to obtain comments from the public and affected agencies.

DATES: Comments must be submitted on or before *August 8, 2025*.

ADDRESSES: You may submit comments identified by Docket No. MARAD–2025–0095 through one of the following methods:

- *Federal eRulemaking Portal:* www.regulations.gov. Search using the above DOT docket number and follow the online instructions for submitting comments.

- *Mail or Hand Delivery:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Instructions: All submissions must include the agency name and docket number for this rulemaking.

Note: All comments received will be posted without change to www.regulations.gov including any personal information provided.

Comments are invited on: (a) whether the proposed collection of information is reasonable for the Department's performance; (b) the accuracy of the estimated burden; (c) ways for the Department to enhance the quality, utility, and clarity of the information collection; and (d) ways that the burden could be lessened without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

FOR FURTHER INFORMATION CONTACT:

Patricia Hagerty, 202–366–0903, Office of Cargo and Commercial Sealift, Maritime Administration, U.S. Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590, Email: smallvessels@dot.gov.

SUPPLEMENTARY INFORMATION:

Title: Application for Waiver of the Coastwise Trade Laws for Small Passenger Vessels.

OMB Control Number: 2133–0529.

Type of Request: Extension without change of a currently approved collection.

Abstract: Owners of foreign-built small passenger vessels must request an eligibility determination from the Maritime Administration (MARAD) to engage in coastwise trade. This collection of information provide justification for a positive determination and a uniform mean for MARAD to obtain relevant information to perform its administrative function in accordance with statute.

Respondents: Owners and prospective owners, vessel agents, brokers and charterers of U.S. built vessels; was not U.S. built and is at least 3 years old; or if U.S. rebuilt, was rebuilt in the U.S. or outside of the United States at least 3 years before a coastwise endorsement under 46 U.S.C. (b) would take effect.

Affected Public: U.S. vessel builders and owners of U.S. passenger vessels.

Estimated Number of Respondents: 200.

Estimated Number of Responses: 200.

Estimated Hours per Response: 1.

Annual Estimated Total Annual Burden Hours: 200.

Frequency of Response: Annually.

(Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1.49.)

By Order of the Maritime Administration.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2025–10405 Filed 6–6–25; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF THE TREASURY**Office of the Comptroller of the Currency****Agency Information Collection Activities: Information Collection Renewal; Comment Request; Survey of OCC-Supervised Community Banks**

AGENCY: Office of the Comptroller of the Currency (OCC), Treasury.

ACTION: Notice and request for comment.

SUMMARY: The OCC, as part of its continuing effort to reduce paperwork and respondent burden, invites comment on a continuing information collection, as required by the Paperwork Reduction Act of 1995 (PRA). In accordance with the requirements of the PRA, the OCC may not conduct or sponsor, and the respondent is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number. The OCC is soliciting comment concerning the revision to its information collection titled, "Survey of OCC-Supervised Community Banks."

DATES: Comments must be received by August 8, 2025.

ADDRESSES: Commenters are encouraged to submit comments by email, if possible. You may submit comments by any of the following methods:

- *Email:* prainfo@occ.treas.gov.
- *Mail:* Chief Counsel's Office,

Attention: Comment Processing, Office of the Comptroller of the Currency, Attention: 1557-0236, 400 7th Street SW, Suite 3E-218, Washington, DC 20219.

- *Hand Delivery/Courier:* 400 7th Street SW, Suite 3E-218, Washington, DC 20219.

- *Fax:* (571) 293-4835.

Instructions: You must include "OCC" as the agency name and "1557-0236" in your comment. In general, the OCC will publish comments on www.reginfo.gov without change, including any business or personal information provided, such as name and address information, email addresses, or phone numbers. Comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not include any information in your comment or supporting materials that you consider

confidential or inappropriate for public disclosure.

Following the close of this notice's 60-day comment period, the OCC will publish a second notice with a 30-day comment period. You may review comments and other related materials that pertain to this information collection beginning on the date of publication of the second notice for this collection by the method set forth in the next bullet.

- **Viewing Comments Electronically:** Go to www.reginfo.gov. Hover over the "Information Collection Review" tab and click on "Information Collection Review" from the drop-down menu. From the "Currently under Review" drop-down menu, select "Department of Treasury" and then click "submit." This information collection can be located by searching OMB control number "1557-0236" or "Survey of OCC-Supervised Community Banks." Upon finding the appropriate information collection, click on the related "ICR Reference Number." On the next screen, select "View Supporting Statement and Other Documents" and then click on the link to any comment listed at the bottom of the screen.

- For assistance in navigating www.reginfo.gov, please contact the Regulatory Information Service Center at (202) 482-7340.

FOR FURTHER INFORMATION CONTACT: Shaquita Merritt, Clearance Officer, (202) 649-5490, Chief Counsel's Office, Office of the Comptroller of the Currency, 400 7th Street SW, Washington, DC 20219. If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services.

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501 *et seq.*), Federal agencies must obtain approval from the OMB for each collection of information that they conduct or sponsor. "Collection of information" is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) to include agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of title 44 generally requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To

comply with this requirement, the OCC is publishing notice of a revision to this collection.

Title: Survey of OCC-Supervised Community Banks.

OMB Control No.: 1557-0236.

Type of Review: Regular.

Affected Public: Businesses or other for-profit.

Description: The OCC has a continuing commitment to assess its efforts to provide support and technical assistance to OCC-supervised national banks and Federal savings associations (community banks) that primarily serve the communities in which they are located. To perform this assessment, it is necessary to obtain from community banks feedback on the effectiveness of the OCC's current efforts and suggestions for enhancing its supervisory efforts and assistance. Previously, the OCC limited the scope of its survey to a specific subset of community banks. The OCC is revising this information collection to remove this subset limitation. This revision provides the OCC with flexibility in administering the survey and enables the agency to determine which community banks to survey each year considering various factors such as specific business models.

Using the Survey of OCC-Supervised Community Banks,¹ the OCC will collect non-generalizable information about customer satisfaction. The OCC will use this information to assess the needs of the community banks surveyed and its current efforts to address those needs. This information will enable the OCC to focus and enhance its supervisory, training, and outreach activities with respect to community banks.

Estimated Frequency of Response: Annually.

Estimated Number of Respondents: 827.

Estimated Responses per Respondent: 1.

Estimated Number of Hours per Response: 2 hours.

Estimated Total Annual Burden: 1,654 hours.

Comments submitted in response to this notice will be summarized and included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on:

(a) Whether the collection of information is necessary for the proper performance of the functions of the OCC, including whether the information has practical utility;

(b) The accuracy of the OCC's estimate of the burden of the collection of information;

(c) Ways to enhance the quality, utility, and clarity of the information to be collected;

(d) Ways to minimize the burden of the collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

(e) Estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Patrick T. Tierney,
Assistant Director, Office of the Comptroller of the Currency.

[FR Doc. 2025-10396 Filed 6-6-25; 8:45 am]

BILLING CODE 4810-33-P

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