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OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 755

RIN 3206–AO71

Appeal Procedures for Recoupment of Awards, Bonuses, or Relocation Expenses Awarded or Approved for All Employees of the Department of Veterans Affairs

AGENCY: Office of Personnel Management.

ACTION: Final rule.

SUMMARY: The Office of Personnel Management (OPM) is issuing a final rule to implement provisions of the Department of Veterans Affairs Accountability and Whistleblower Protection Act of 2017 that permit current and former employees of the Department of Veterans Affairs (VA) to appeal the recoupment of awards, bonuses, or relocation expenses awarded or approved for these individuals. This regulation prescribes general procedures applicable to appeals to the Director of OPM regarding an order by the Secretary of the VA, or designee, directing the employee or former employee to repay the amount, or a portion of the amount, of any award, bonus, or relocation expenses paid to the employee.

DATES: Effective August 25, 2025.

FOR FURTHER INFORMATION CONTACT: Allen Brooks by email at *employeeaccountability@opm.gov* or by telephone at (202) 606–2930.

SUPPLEMENTARY INFORMATION:

Background

The Department of Veterans Affairs (VA) Accountability and Whistleblower Protection Act of 2017, Public Law 115–41 (June 23, 2017) (''Accountability Act'' hereafter), authorizes the Secretary of the VA to issue an order directing a VA employee to repay, in whole or in part, any award or bonus paid on or after June 23, 2017, to an employee under title 5, United States Code, including chapters 45 or 53, or title 38, United States Code, if it is determined the employee engaged in misconduct or poor performance prior to the payment of the award or bonus, and the award or bonus would not have been paid, in whole or in part, had the misconduct or poor performance been known prior to payment. Furthermore, the law authorizes the Secretary of the VA to issue an order to an employee to repay the amount, or a portion of the amount, paid to or on behalf of an employee under title 5 for relocation expenses, including 5 U.S.C. 5724 and 5724a, or title 38, if it is determined the relocation expenses were paid on or after June 23, 2017, following an act of fraud or malfeasance that influenced the authorization of the relocation expenses. Finally, the law authorizes the Secretary of the VA to reduce retirement benefits of employees convicted of certain crimes and removed for performance or misconduct. In all cases, the law provides that, upon issuance of an order by the Secretary, the individual has the right to appeal the order to the Director of the Office of Personnel Management (OPM). However, this rulemaking only addresses appeals to the Director of OPM regarding recoupment of awards, bonuses, and relocation expenses. Appeals of orders regarding reduction of retirement benefits of employees convicted of certain crimes will be addressed in a future rulemaking.

Legislative Requirements

Section 204 of Public Law 115–41 amended subchapter I of chapter 7 of title 38, United States Code, by adding a new section 721. Specifically, 38 U.S.C. 721 outlines procedural requirements for recoupment of awards or bonuses paid to VA employees. If the Secretary determines an individual has engaged in misconduct or poor performance prior to payment of the award or bonus and that such award or bonus would not have been paid, in whole or in part, had the misconduct or poor performance been known prior to payment, the Secretary must provide certain procedural protections before issuing an order for repayment. Before such repayment, the employee is afforded (A) notice of the proposed order; and (B) an opportunity to respond to the proposed order by not later than 10 business days after the receipt of such notice. If the individual responds to the proposed order, the Secretary will issue an order not later than five business days after receiving the individual's response. If the individual does not respond to the proposed order, the Secretary will issue an order not later than 15 business days after the Secretary provides notice to the individual. These procedures are outlined in VA policies [1] and are not part of this rulemaking. It is important to note that neither the law nor VA policies require the VA to have taken a disciplinary action, adverse action, or performance-based action for the Secretary to seek recoupment of any awards or bonuses, nor do they prohibit recouping an award or bonus in addition to taking a disciplinary, adverse, or performance-based action. The order by the Secretary only needs to show that the Secretary has determined the employee has engaged in misconduct or poor performance and that the award or bonus would not have been paid had the misconduct or poor performance been known at the time of the award. Upon the issuance of an order by the Secretary, the individual may appeal the order to the Director of OPM within seven business days after the date of such issuance. This final rule establishes the appeal procedures to OPM.

Section 205 of Public Law 115–41 amended subchapter I of chapter 7 of title 38, United States Code, by adding a new section 723. Specifically, 38 U.S.C. 723 outlines procedural requirements for recoupment of relocation expenses paid to or on behalf of VA employees. If the Secretary determines that relocation expenses were paid following an act of fraud or malfeasance that influenced the authorization of the relocation expenses, the Secretary must provide certain procedural protections before the Secretary decides to issue an order directing an individual to repay the amount, or a portion of the amount, paid to or on behalf of the individual for relocation expenses. Before such repayment, the employee is afforded (A) notice of the proposed order; and (B) an opportunity to respond to the proposed

[1] See VA Handbook 5017/20, January 29, 2024, Procedures for Recoupment of Award or Bonus, p. VI–3, available at *https://www.va.gov/vapubs/viewPublication.asp?Pub_ID=1483*.

order by not later than 10 business days after the receipt of such notice. If the individual responds to the proposed order, the Secretary will issue an order not later than five business days after receiving the individual's response. If the individual does not respond to the proposed order, the Secretary will issue an order not later than 15 business days after the Secretary provides notice to the individual. These procedures are also outlined in VA policies [2] and are not part of this rulemaking. It is important to note that neither the law nor VA policies require the VA to have taken a disciplinary action or adverse action for the Secretary to seek recoupment of relocation expenses, nor do they prohibit recouping relocation expenses in addition to taking a disciplinary, adverse, or performance-based action. The order by the Secretary only needs to show that the Secretary has determined the employee has engaged in an act of fraud or malfeasance that influenced the authorization of the relocation expenses. Upon the issuance of an order by the Secretary, the individual may appeal the order to the Director of OPM within seven business days after the date of such issuance. As noted earlier, this final rule addresses the appeal procedures to OPM.

Interim Final Rule With Request for Comments

OPM issued an interim final rule with request for comments, published at 90 FR 3601 on January 15, 2025, to establish a new part in the Code of Federal Regulations at 5 CFR part 755 with subparts A and B. Subpart A outlines appeal procedures for recoupment of awards and bonuses for all employees of the VA. Subpart B outlines appeal procedures for recoupment of relocation expenses for all employees of the VA. In addition to the statutory requirements guiding OPM in the development of the interim final rule, OPM was informed by the procedures established by the VA regarding recoupment of awards, bonuses, or relocation expenses outlined in VA Handbook 5017/20, Employee Recognition and Awards.

OPM received submissions from two individuals, one organization, and one national union during the 60-day public comment period for the interim final rule. At the conclusion of the comment period, OPM reviewed and analyzed the comments and responses provided to OPM's questions. In general, the comments express concern about OPM's rulemaking process and appeal procedures. The comments also demonstrate an interest in ensuring that VA employees have a fair opportunity for meaningful review of a VA recoupment order.

The next sections provide a brief description of new part 755 followed by a summary of the comments received and a discussion of the suggestions for revision that were considered and either adopted, adopted in part, or declined, and the rationale therefor.

5 CFR Part 755: Appeal Procedures for Recoupment of Awards, Bonuses, or Relocation Expenses Awarded or Approved for All Employees of the Department of Veterans Affairs

The interim final rule adding a new 5 CFR part 755 implemented the appeals procedures for recoupment of awards, bonuses, and relocation expenses for employees of the VA. Part 755 is entitled ''Appeal Procedures for Recoupment of Awards, Bonuses, or Relocation Expenses Awarded or Approved for All Employees of the Department of Veterans Affairs.'' Subpart A outlines appeal procedures for recoupment of awards and bonuses for all employees of the VA. Subpart B outlines appeal procedures for recoupment of relocation expenses for all employees of the VA. OPM invited comments on the interim final rule and on additional topics for consideration for this final rule.

General Comment

An individual questioned why VA employees should be allowed an appeals process and urged ''[n]o appeals of any shape or form.'' The individual alleged that there are VA employees who take advantage of their positions and authority and poor policy enforcement while the VA ''unduly den[ies] benefits'' to veterans.

OPM will not make any revisions based on this comment. The Accountability Act authorizes an appeal process for VA employees subject to the recoupment of an award, bonus, or relocation expenses under the statute. The law provides that, upon issuance of such a recoupment order by the VA Secretary, the individual has the right to appeal the order to the Director of the OPM. Thus, it is the law, not OPM's rulemaking, that provides appeal rights to VA employees. While the law does not require OPM to issue a regulation regarding the appeals process, OPM believes that doing so will help employees and the VA avoid confusion about how OPM will administer the appeals process. Providing clarity to the appeals process will also aide OPM in meeting its statutory deadline for issuing a decision within 30 business days after receiving an appeal.

Comments Related to Procedures for Submitting Appeals

Sections 755.102 and 755.202 describe the procedures for VA employees to follow when submitting an appeal regarding, respectively, a VA order for recoupment of an award or bonus under 38 U.S.C. 721 or recoupment of relocation expenses under 38 U.S.C. 723. The regulations also require that VA provide OPM a copy of the evidence file relied upon in proposing and deciding its recoupment order. The interim final rule specified that, if OPM requests that the VA provide information in addition to the evidence file, VA must also furnish to the employee a copy of any additional information requested by and provided to OPM.

An organization recommended that OPM revise §§ 755.102(a) and 755.202(a) to ''clearly state that 'good cause shown' for untimely filing of an appeal includes evidence that a delay occurred in the employee's receipt of notice from OPM.'' The organization is concerned that, if VA opts to transmit a recoupment order through the U.S. Postal Service, postal delay in receipt of the order could prevent an employee from making a timely appeal. The organization thinks that OPM's appeals process could thus run afoul of Congress' due process intent.

OPM will not revise the rule based on this comment. OPM notes that the employee will receive notice of a recoupment order from VA, not OPM. OPM believes that it is unnecessary to detail in the regulatory text the circumstances that could excuse an untimely filing but meets the good cause standard. As stated in the interim final rule, OPM will apply the approach taken by the Merit Systems Protection Board in *Alonzo* v. *Department of the Air Force,* 4 MSPB 262, 4 M.S.P.R. 180 (1980). In *Alonzo,* the Board established a non-exhaustive set of factors for determining whether an employee establishes good cause for the untimely filing of an appeal. These factors will allow OPM to consider a variety of circumstances using well-established law without enumerating each exception in regulation, including delays attributed to the U.S. Postal Service.

The organization also recommended that OPM revise the regulations to provide employees a right of reply to the VA evidence file submissions required under §§ 755.102(c) and 755.202(c). The organization expressed concern that the VA may try to ''unfairly game the OPM

[2] See *id.,* Procedures for Recoupment of Relocation Expenses, p. VI–6.

appeal mechanism'' by raising new facts or arguments not previously presented to the employee in prior proceedings.

For consistency in the treatment of VA submissions of the evidence file and additional information, OPM revises the final rule to state that VA will furnish a copy of both the evidence file and any additional information to OPM and the employee. The requirement to serve the employee and OPM the same submissions will promote transparency in the adjudicative process and provide a check on any attempt to raise new issues or withhold evidence or arguments submitted by the employee to the VA. However, OPM believes it is unnecessary to provide employees a right of reply to VA's submissions due to the limited nature of OPM's review of the VA order, as discussed in more detail below. Moreover, the VA will not have a right to respond to the employee's appeal to OPM. The employee and VA will have had an opportunity to present their respective positions on the propriety of the VA recoupment during VA's decision-making process.

Comments Related to Basis of OPM's Appeal Decision

Sections 755.103 and 755.203 provide that OPM will fulfill its statutory obligation to render a timely decision on any appeal of a VA recoupment order by basing the decision on the written record only, which will include the submissions by the employee and the agency. OPM's appeal decision regarding a VA recoupment order is limited to whether the procedures in VA's recoupment policies were followed, or, in the absence of such policies, whether the order was otherwise in compliance with 38 U.S.C. 721–723. OPM will accept the facts found by the VA regarding the disciplinary or adverse action, performance-based action, or other type of finding or action, if any, which was relied upon by the VA in making its recoupment decision.

OPM received a comment from an individual who stated that OPM's interim final rule lacked sufficient detail in §§ 755.103 and 755.203 about what a VA employee must establish to prove that a recoupment order is erroneous. The same commenter asked what will happen if the VA fails to adhere to a timeframe in its policies or states an incorrect award amount in its proposal notice. The individual went on to ask that OPM address whether the employee is required to prove that an error prejudiced the employee in some way.

OPM will not revise §§ 755.103 and 755.203 based on these comments. The regulatory text is sufficiently detailed for a VA employee to understand what is needed to prove that a recoupment order is erroneous. OPM does not require any particular form—only a ''statement.'' The statement must explain why the employee believes the recoupment order is in error. That statement will vary based on the specific facts of each case. In addition, the regulations specify that OPM's review is limited to whether the VA followed its procedures (or, in the absence of such procedures, the relevant statutory provision). Thus, the statement must explain how the VA erred in following its procedures. If an employee alleges that the VA erred in adhering to a timeframe or made a technical error in its proposal notice, OPM will consider whether the VA's error would result in a different outcome.

An individual commenter asserted that a procedural review will not provide an employee a meaningful opportunity to put forth an argument that the VA erred on a substantive issue in the recoupment process. In addition, an organization commented that OPM should expand the scope of its review under §§ 755.103 and 755.203 to remove ''artificial'' constraints that are not required by 38 U.S.C. 721(b) and 723(b). Specifically, the organization urged that OPM revise §§ 755.103 and 755.203 to add a substantive assessment of VA's exercise of its authority under sections 721(a)(1) and 723(a)(1). The organization also commented that §§ 755.103 and 755.203 should be revised to delete the language, ''OPM will accept the facts found by the VA regarding the disciplinary or adverse action, or performance-based action, or other type of finding or action, if any, which was relied upon by the VA in making its recoupment decision.'' The organization recommends a *de novo* appeal decision in which OPM makes its own factual findings. To do otherwise, according to the organization, would prevent employees from receiving a meaningful post-decision assessment and allow OPM to ''abdicate its responsibility to conduct appellate review as required under 38 U.S.C. 721(b), 723(b).''

A national union likened OPM's appeal procedures to ''procedural rubber-stamping'' that will deprive employees of ''a meaningful, substantive right of appeal consistent with the legislative purpose and plain text of 38 U.S.C. 721–723.'' The union argued that the statutory language in sections 721 and 723 places no limitation on the scope of an employee's appeal and OPM's standards of review. The union added that OPM's rule is not in accordance with law because OPM limits its review to procedural compliance with agency policy.

OPM disagrees with the commenters and will not expand the scope of OPM's review. Prior to a VA recoupment order, the VA renders a determination under section 721(a)(1) that the individual engaged in misconduct or demonstrated poor performance, or a determination under section 723(a)(1) that the individual engaged in fraud or malfeasance. Such determinations will involve factual findings that can be challenged and assessed through the response period afforded an employee, or if those factual findings are the basis for disciplinary or adverse action, a grievance, appeal, or other appropriate administrative process. Further, a reading of sections 721(b) and 723(b) requiring *de novo* review by OPM ignores the time limitation placed upon OPM to issue a decision within 30 business days. OPM does not believe Congress intended for it to conduct a full review of the facts and reach its own conclusions underlying a recoupment order based on the limited amount of time afforded. To read these two sections otherwise would be a novel interpretation without parallel in the body of statutory law governing federal employment and would impose substantial burden on OPM, creating the risk that it could not render a decision within the 30-day deadline for issuing a decision. Thus, OPM concludes that the statutory timeframes established by Congress suggest that Congress did not intend for OPM to conduct a more fulsome or comprehensive review of the merits concerning the VA's order.

In its own analysis of Congress' intent, the organization provided a brief discussion of the legislative history and argued that Congress did not indicate that it intended to limit OPM's review to whether VA followed its procedures. The organization pointed to legislative history that Congress intended to preserve minimal Constitutional due process and to allow for post-decisional appeal. The organization pointed to statements that Congress designed the recoupment process such that ''each [employee] would receive pre-decisional due process and enough process after a decision to pass constitutional muster.'' The organization cited that such constitutional muster ''requires that an individual receive notice of an action affecting the individual's interests and a reasonable opportunity to contest that action.'' The organization concludes that reading into the statute a solely procedural review is ''contrary to the canon of avoidance of absurd result.''

OPM disagrees with the organization's argument that the legislative history indicates Congress' desire to require OPM review both substantive and procedural review of VA recoupment orders. The organization relies on legislative history that describes the constitutional minimum pre-decisional process required for every recoupment order—advance notice and an opportunity to respond to an order before the VA issues an order. The same legislative history did not, however, speak to OPM's post-decisional review. Nevertheless, OPM believes that its regulations provide the constitutional minimum consistent with Congress' intent and the statutory text.

Comments Related to Finality of Appeal Decision

Sections 755.105 and 755.205 establish that OPM's decision in a VA recoupment order appeal is final, pursuant to 38 U.S.C. 721(b)(2) and 723(b)(2), respectively. In response to OPM's Request for Comment section of the interim final rule, both the national union and the organization responded that, yes, a VA employee may seek judicial review of an OPM appeal decision. The union and organization stated that OPM's regulations should clarify additional appeal rights available to employees.

The commenters stated that the statutory text in sections 721 and 723 does not preclude judicial review. To that point, the union and organization cited *Immigration and Naturalization Service* v. *St. Cyr,* 533 U.S. 289, 298, 298 fn.9 (2001) for the proposition that ''a statute should not be construed as barring judicial review of administrative actions, absent a clear statement of congressional intent to do so.'' In addition, both commenters noted that ''other adverse actions'' under the Accountability Act are subject to judicial review. On the latter point, the organization referred to *Trinka* v. *McDonough,* Civil Action No. 21–2904 (RC) (September 21, 2023) (Contreras, J.) *(citing Order, McLafferty* v. *Wilkie,* No. 20–1772, at 2 (Fed. Cir. Aug. 31, 2020), ECF No. 10).

In addition to ''the constitutionality challenge discussed in *Trinka* and *McLafferty,*'' the organization raised what it sees as other ''potential causes'' of action for judicial review: (1) an arbitrary and capricious review under the APA, 5 U.S.C. 702; (2) an ''illegal exaction'' review under the Tucker Act if the employee wants to challenge the recoupment after payment; and (3) enforcement of OPM's decision in mandamus if the VA does not prevail in the appeals process, pursuant to 28 U.S.C. 1361. The national union pointed to the availability of 28 U.S.C. 1361 for an employee to seek judicial review if the VA fails to act on OPM's reversal of a recoupment order.

OPM declines the commenters' recommended modifications to the regulations to address further appeal rights. In 38 U.S.C. 714, Congress expressly provided for appeal rights to the U.S. Court of Appeals for the Federal Circuit or to any court of appeals of competent jurisdiction. In 38 U.S.C. 713, Congress granted a right to judicial review for decisions to remove a covered senior executive from the civil service. Accordingly, in *Trinka,* the court reviewed a grievance decision that affirmed the senior executive's removal under section 713, pursuant to *McLafferty* (federal district courts have jurisdiction to review final grievance decisions governed by 38 U.S.C. 713(b)(5)). Congress could have explicitly provided for judicial review of OPM appeal decisions of VA recoupment orders and chose not to do so.

Additionally, OPM notes that a recoupment action is not an adverse action under 38 U.S.C. 714 or chapter 75 of title 5. The applicability of judicial review for adverse actions may or may not be instructive for appeal decisions involving VA recoupment actions. The organization did not provide additional details about the other potential causes of action it identified and why those considerations favor an amendment to §§ 755.105 and 755.205. Accordingly, OPM is not persuaded to revise the regulatory text to add whether or where judicial review may occur.

The commenters also opined that OPM should affirmatively provide notice of available judicial review options to avoid prejudice to employees. Sections 721 and 723 do not require that OPM affirmatively provide notice of judicial review options in its appeal decision. In the absence of clear statutory entitlement to judicial review, OPM does not believe the lack of notice regarding possible further judicial review will prejudice an employee. Accordingly, OPM's decision notice to the employee will not include a statement of ''appeal rights.''

In the next sections, we outline the specific amendments, provide a regulatory analysis and address related comments, and summarize and address responses to OPM's request for comment regarding additional considerations for the implementation and impact of this rule.

Subpart A: Awards and Bonuses

Under part 755, OPM added a new subpart A ''Awards and Bonuses.'' The provisions of subpart A, as revised in this final rule, are outlined below.

Section 755.101 Scope of Subpart and Definitions

Subpart A applies to a current or former civil service employee of the VA. OPM has concluded that a ''current employee'' is an individual appointed in the civil service as outlined in 5 U.S.C. 2105 or under title 38 regarding VA civil service employees. This subpart does not apply to contractor employees performing work at the VA on behalf of a contractor because contractor employees are not appointed in the civil service. In recognition of the possibility that VA may issue a recoupment order after an employee has left the VA, for example through transfer to another agency, removal, resignation, or retirement from federal service, former VA employees are also covered by this appeal process.

Specifically, subpart A is limited to appeals filed pursuant to 38 U.S.C. 721 by an ''employee'' of the VA to the Director of OPM, or designee, regarding an order by the Secretary of the VA, or designee, directing the employee to repay the amount, or a portion of the amount, of any award or bonus paid to the employee under title 5, including chapters 45 or 53, or under title 38. OPM has determined this includes, among other provisions under title 5, awards and bonuses paid pursuant to 5 U.S.C. chapter 45 (Awards); 5 U.S.C. 5336 (Additional step increases, commonly known as Quality Step Increases); 5 U.S.C. 5384 (Performance awards in the Senior Executive Service); 5 U.S.C. 5753 and 5754 (Recruitment, relocation, and retention bonuses); and any title 38 authorities regarding awards and bonuses.

OPM's review on appeal is limited to whether the procedures in VA's policies on recoupment were followed or, in the absence of any such policies, the VA's order was otherwise in compliance with 38 U.S.C. 721. As discussed in more detail elsewhere in this rule (see, *e.g.,* discussion regarding § 755.103), OPM concludes, based on the statutory timeframes established by Congress, that Congress did not intend for OPM to conduct a more fulsome or comprehensive review of the merits concerning the VA's order. Furthermore, Congress did not provide OPM the authority to adjudicate the underlying decisions by the VA regarding any disciplinary or adverse action or any performance-based action. Accordingly,

subpart A does not cover appeals regarding any disciplinary or adverse action, or any performance-based action taken by the VA, even if such action serves as the basis for the Secretary of the VA, or designee, to order recoupment of a bonus or award paid to an employee of the VA. Likewise, OPM will not review any claims of discrimination, prohibited personnel practice, or other collateral issues claim raised in any appeal. Depending on the employee, VA may have multiple legal authorities available for addressing misconduct and performance issues, such as 5 U.S.C. chapter 75 (Adverse Actions); 5 U.S.C. 4303 (Actions based on unacceptable performance); 5 U.S.C. 3592 (addressing unacceptable performance for SES); and various title 38 authorities for addressing misconduct or unacceptable performance. These statutory authorities have separate appeals or grievance procedures to address any adverse actions or performance-based actions taken by the VA and which may serve as the basis for the Secretary of the VA, or designee, to order recoupment of awards or bonuses. Employees may file discrimination complaints to the Equal Employment Opportunity Commission (EEOC) or to the Department of Labor's Veterans' Employment and Training Service (DOL VETS) and prohibited personnel practice complaints with the U.S. Office of Special Counsel (OSC). VA employees should consult with their servicing human resources office with questions regarding applicable grievance or appeal rights regarding any disciplinary or adverse action, or performance-based actions, that may be taken against an employee.

To implement the statutory timeframes established by Congress, OPM is defining the term ''business days'' to mean weekdays, which are Monday through Friday, except when such a day is designated as a federal holiday by OPM, or the employee's assigned facility or OPM is closed for regular business, *e.g.,* inclement weather or lapse in appropriations. OPM notes that this definition is similar to the definition of ''Business Days'' outlined in VA's policy regarding the recoupment of awards and bonuses but notes that the calculation of business days is slightly different from that established in VA's policy. VA's definition of a business day is based upon the employee's receipt of an order, whereas OPM defines a business day, for the purposes of an appeal to OPM, as beginning on the first business day after the issuance of the order to the employee. OPM's approach to calculating business days mirrors the statutory language in 38 U.S.C. 721(b)(1) and promotes consistent use of the term.

Section 755.102 Procedures for Submitting Appeals

This section describes the procedures for VA employees to follow when submitting an appeal regarding a VA order for recoupment of an award or bonus under 38 U.S.C. 721. An employee may file an appeal to the Director of OPM by U.S. mail or by email, within seven business days after the date of issuance of the order pursuant to 38 U.S.C. 721(a)(3). This time limit is established in law. Appeals which are untimely filed may be dismissed resulting in the VA's decision being upheld. OPM, for good cause shown, may accept an untimely appeal. OPM adopts the approach taken by the Merit Systems Protection Board in *Alonzo* v. *Department of the Air Force,* 4 MSPB 262, 4 M.S.P.R. 180 (1980), in determining whether an employee establishes good cause for the untimely filing of an appeal.

If the employee elects to file by the U.S. mail, it must be addressed to Director, U.S. Office of Personnel Management, 1900 E Street NW, Room 7H28 (Attention: Accountability and Workforce Relations), Washington, DC 20415. OPM will rely upon the postmark to determine timeliness for filing the appeal. If the employee elects to file by email, it must be sent to *employeeaccountability@opm.gov.* OPM will rely upon the date the email was sent to determine timeliness for filing the appeal.

The law does not specify the content for any appeal filed with OPM. Therefore, OPM has determined what information OPM needs to adequately consider the appeal. OPM is requiring that minimum information to be included in any appeal to reflect the narrow grant of authority 38 U.S.C. 721 gives to OPM. The appeal must be submitted in writing and must be signed by the employee or their representative. OPM is not requiring a specific form be used in filing the appeal, but any appeal must include the specified information for OPM to properly adjudicate the appeal. The written appeal must include (1) a copy of the notice of proposed order received pursuant to 38 U.S.C. 721(a)(2)(A); (2) a copy of the employee's response to the proposed order, if any; (3) a copy of the order received pursuant to 38 U.S.C. 721(a)(3); (4) a statement explaining why the employee believes the order received pursuant to 38 U.S.C. 721(a)(3) is in error; (5) the name, mailing address, telephone number, and email address of the employee and, if applicable, the same information for their representative; and (6) the name, mailing address, telephone number, and email address of the VA official who issued the order pursuant to 38 U.S.C. 721(a)(3). OPM will notify the VA upon receipt of a complete, timely appeal. The VA must provide OPM and the employee a copy of the evidence file relied upon in proposing and deciding its recoupment order as soon as possible but no later than five business days after OPM sends its notice to the VA. For OPM to make an appropriate decision, OPM must have all necessary facts and evidence relied upon by the VA when making its recoupment decision. If necessary, OPM may request VA provide information in addition to the evidence file. For example, OPM may need additional information to address the employee's belief the order by the VA was in error. Any additional information requested by OPM must be provided to OPM within five business days after OPM's request. VA must also furnish a copy of any additional information requested by and provided to OPM to the employee. VA's failure to provide the evidence file or any requested additional information to OPM and the employee will result in a finding against the VA.

An employee covered by this subpart is entitled to be represented by an attorney or other representative. OPM may disallow as an employee's representative an individual whose activities as representative would cause a conflict of interest or position, or an employee of any agency whose release from their official position would give rise to unreasonable costs or whose priority work assignments preclude their release. This is consistent with other complaint processes regulated by OPM (*e.g.,* classification appeals and complaints involving violations of the Fair Chance Act of 2019).

Section 755.103 Basis of Appeal Decision

The law provides that, upon the issuance of an order by the Secretary, an individual shall have an opportunity to appeal the order to the Director of OPM within seven business days after the date of such issuance. The law further provides that the Director shall make a final decision regarding the appeal within 30 business days after receiving the appeal. Therefore, due to this compressed timeline, OPM has determined the best way to fulfill its obligation to render a timely decision on any appeal is to base the decision on the written record only, which will include the submissions by the employee and

the agency. There will be no formal hearing procedures for this appeal.

The burden is upon the employee to establish the timeliness of the appeal and to explain why the VA's order is in error. OPM may uphold the VA order if the employee or their designated representative fails to provide required information. As noted previously, OPM will also uphold the VA order if the appeal was untimely filed without good cause shown for the delay.

Since Congress did not provide OPM the authority to adjudicate decisions by the VA regarding any disciplinary or adverse action, or any performance-based action, OPM's review of the VA order is limited to whether the procedures in VA's policies on recoupment of awards and bonuses [3] pursuant to 38 U.S.C. 721 were followed, or, in the absence of such policies, whether the order was otherwise in compliance with the statute. In other words, OPM will not review whether any disciplinary or adverse action, or performance-based action, which may have been relied upon by the VA in its recoupment order, was appropriate. OPM will accept the facts found by the VA regarding the disciplinary or adverse action, performance-based action, or other type of finding or action, if any, which was relied upon by the VA in making its recoupment decision. As noted earlier, OPM will not review any claims of discrimination, prohibited personnel practices, or other collateral issues raised in any appeal. Employees may file complaints with the EEOC, DOL VETS, OSC, or other administrative body having jurisdiction. where appropriate.

Section 755.104 Form of Appeal Decision

Within 30 business days after receiving an appeal, OPM will make a decision on the employee's appeal. OPM will then send a written appeal decision to the employee or to the employee's representative, if any, advising whether the VA order is upheld by OPM. OPM will send the VA a copy of the appeal decision. This time limit is consistent with the statutory requirements.

Section 755.105 Finality of Appeal Decision

Pursuant to 38 U.S.C. 721(b)(2), the OPM decision on appeal is final. There will not be any further administrative review available within OPM, and thus this rule does not establish any process for requests for reconsideration. The law is silent regarding any statutory right to judicial review of an OPM appeal decision. Accordingly, although OPM will send its appeal decision to the employee, OPM will not provide an accompanying statement of ''appeal rights.''

Subpart B: Relocation Expenses

Under part 755, OPM added a new subpart B ''Relocation Expenses.'' These provisions of subpart B, as revised in this final rule, are outlined below.

Section 755.201 Scope of Subpart and Definitions

Like subpart A, subpart B applies to a current or former civil service employee of the VA. OPM has concluded that a ''current employee'' is an individual appointed in the civil service as outlined in 5 U.S.C. 2105 or under title 38 regarding VA civil service employees. This subpart does not apply to contractor employees performing work at the VA on behalf of a contractor because contractor employees are not appointed in the civil service. In recognition of the possibility that VA may issue a recoupment order for relocation expenses after an employee has left the VA, for example through transfer to another agency, resignation from federal service, removal, or retirement from federal service, former VA employees are covered by this appeal process.

Specifically, subpart B is limited to appeals filed pursuant to 38 U.S.C. 723 by an ''employee'' of the VA to the Director of OPM, or designee, regarding an order by the Secretary of the VA, or designee, directing the employee to repay the amount, or a portion of the amount, paid to or on behalf of the employee for relocation expenses under title 5, including any expenses under section 5724 or 5724a of title 5, or under title 38.

OPM's review on appeal is limited to whether the procedures in VA's policies on recoupment of relocation expenses were followed or, in the absence of any such policies, whether the VA's order was otherwise in compliance with 38 U.S.C. 723. As discussed in more detail elsewhere in this rule (see, *e.g.,* discussion regarding § 755.203), OPM concludes, based on the statutory timeframes established by Congress, that Congress did not intend for OPM to conduct a more fulsome or comprehensive review of the merits concerning the VA's order. Furthermore, as previously discussed in subpart A, Congress did not provide OPM the authority to adjudicate the underlying decisions by the VA regarding any disciplinary or adverse action or any performance-based action. Accordingly, subpart B does not cover appeals regarding any disciplinary or adverse action, or any performance-based action taken by the VA, even if such action serves as the basis for the Secretary of the VA, or designee, to order recoupment of relocation expenses paid to an employee of the VA. Likewise, OPM will not review any discrimination claim or prohibited personnel practice claim raised in any appeal. Depending on the employee, VA may have multiple legal authorities for addressing misconduct and performance issues such as 5 U.S.C. chapter 75 (Adverse Actions); 5 U.S.C. 4303 (Actions based on unacceptable performance); 5 U.S.C. 3592 (addressing unacceptable performance for SES); and any title 38 authorities for addressing misconduct or unacceptable performance. These statutory authorities have separate appeals or grievance procedures to address any adverse actions or performance-based actions taken by the VA and which may serve as the basis for the Secretary of the VA, or designee, to order recoupment of relocation expenses. Employees may file complaints with the EEOC, DOL VETS, or OSC, where appropriate. VA employees should consult with their servicing human resources office with questions regarding applicable grievance or appeal rights regarding any disciplinary or adverse action, or performance-based actions, that may be taken against an employee.

OPM is defining ''business days'' to mean weekdays, which are Monday through Friday, except when such a day is designated as a federal holiday by OPM, or the employee's assigned facility or OPM is closed for regular business, *e.g.,* inclement weather or lapse in appropriations. OPM notes that this definition is similar to the definition of ''Business Days'' outlined in VA's policy regarding the recoupment of relocation expenses but notes that the calculation of business days is slightly different from that established in VA's policy. VA's definition of a business day is based upon the employee's receipt of an order, whereas OPM defines a business day, for the purposes of an appeal to OPM, as beginning on the first business day after the issuance of the order to the employee. OPM's approach to calculating business days mirrors the statutory language in 38 U.S.C. 721(b)(1) and promotes consistent use of the term.

[3] See *id.,* Procedures for Recoupment of Award or Bonus, p. VI–3.

Section 755.202 Procedures for Submitting Appeals

This section describes the procedures for VA employees to follow when submitting an appeal regarding a VA order for recoupment of relocation expenses as provided by 38 U.S.C. 723. An employee may file an appeal to the Director of OPM by U.S. mail or by email, within seven business days after the date of issuance of the order pursuant to 38 U.S.C. 723(a)(3). Like the time limit established for recoupment of awards and bonuses, this time limit is established in law. Appeals which are untimely filed may be dismissed resulting in the VA's decision being upheld. OPM, for good cause shown, may accept an untimely appeal. OPM adopts the approach taken by the Merit Systems Protection Board in *Alonzo* v. *Department of the Air Force,* 4 MSPB 262, 4 M.S.P.R. 180 (1980), in determining whether an employee establishes good cause for the untimely filing of an appeal.

If the employee elects to file by the U.S. mail, it must be addressed to Director, U.S. Office of Personnel Management, 1900 E Street NW, Room 7H28 (Attention: Accountability and Workforce Relations), Washington, DC 20415. OPM will rely upon the postmark to determine timeliness for filing the appeal. If the employee elects to file by email, it must be sent to *employeeaccountability@opm.gov.* OPM will rely upon the date the email was sent to determine timeliness for filing the appeal.

The law does not specify the content for any appeal filed with OPM. Therefore, OPM has determined what information OPM needs to adequately consider the appeal. OPM is requiring that minimum information to be included in any appeal to reflect the narrow grant of authority 38 U.S.C. 721 gives to OPM. The appeal must be submitted in writing and must be signed by the employee or their representative. OPM is not requiring a specific form be used in filing the appeal, but any appeal must include the specified information for OPM to properly adjudicate the appeal. The written appeal must include (1) a copy of the notice of proposed order received pursuant to 38 U.S.C. 723(a)(2)(A); (2) a copy of the employee's response to the proposed order, if any; (3) a copy of the order received pursuant to 38 U.S.C. 723(a)(3); (4) a statement explaining why the employee believes the order received pursuant to 38 U.S.C. 723(a)(3) is in error; (5) the name, mailing address, telephone number, and email address of the employee and the same information for their representative, if the employee has elected to be represented; and (6) the name, mailing address, telephone number, and email address of the VA official who issued the order pursuant to 38 U.S.C. 723(a)(3). OPM will notify the VA upon receipt of a complete, timely appeal. The VA must provide OPM and the employee a copy of the evidence file relied upon in proposing and deciding its recoupment order as soon as possible but no later than five business days after OPM sends its notice to the VA. For OPM to make an appropriate decision, OPM must have all necessary facts and evidence relied upon by the VA when making its recoupment decision. If necessary, OPM may request VA provide information in addition to the evidence file. For example, OPM may need additional information to address the employee's belief the order by the VA was in error. Any additional information requested by OPM must be provided to OPM within five business days after OPM's request. VA must also furnish a copy of any additional information requested by and provided to OPM to the employee. VA's failure to provide the evidence file or any requested additional information to OPM and the employee will result in a finding against the VA.

An employee covered by this subpart is entitled to be represented by an attorney or other representative. OPM may disallow as an employee's representative an individual whose activities as representative would cause a conflict of interest or position, or an employee of any agency whose release from their official position would give rise to unreasonable costs or whose priority work assignments preclude their release. This is consistent with other complaint processes regulated by OPM.

Section 755.203 Basis of Appeal Decision

The law provides that, upon the issuance of an order by the Secretary, an individual shall have an opportunity to appeal the order to the Director of OPM within seven business days after the date of such issuance. The law further provides that the Director shall make a final decision regarding the appeal within 30 business days after receiving the appeal. Therefore, due to this compressed timeline, OPM has determined the best way to fulfill its obligation to render a timely decision on any appeal is to base the decision on the written record only, which will include the submissions by the employee and the agency. Like the appeal process for recoupment of awards and bonuses, there will be no formal hearing procedures for this appeal.

The burden is upon the employee to establish the timeliness of the appeal and to explain why the VA's order is in error under 38 U.S.C. 723. OPM may uphold the VA order if the employee or their designated representative fails to provide required information. As noted previously, OPM will also uphold the VA order if the appeal was untimely filed without good cause shown for the delay.

Since Congress did not provide OPM the authority to adjudicate decisions by the VA regarding any disciplinary or adverse action, or any performance-based action, OPM's review of the VA order is limited to whether the procedures in VA's policies on recoupment of relocation expenses [4] pursuant to 38 U.S.C. 723 were followed, or, in the absence of such policies, compliance with the statute. In other words, OPM will not review whether any disciplinary or adverse action, or performance-based action, which may have been relied upon by the VA in its recoupment order, was appropriate. OPM will accept the facts found by the VA regarding any disciplinary or adverse action, or performance-based action and relied upon by the VA in making its recoupment decision. OPM will not review any discrimination claim or prohibited personnel practice claim raised in any appeal. Employees may file complaints with the EEOC, DOL VETS, or OSC, where appropriate.

Section 755.204 Form of Appeal Decision

Within 30 business days after receiving an appeal, OPM will make a decision on the employee's appeal. OPM will then send a written appeal decision to the employee or to the employee's representative, if any, advising whether the VA order is upheld by OPM. OPM will send the VA a copy of the appeal decision. This time limit is consistent with the statutory requirements.

Section 755.205 Finality of Appeal Decision

Pursuant to 38 U.S.C. 723(b)(2), the OPM appeal decision is final. There will not be any further administrative review available within OPM, and thus this rule does not establish any process for requests for reconsideration. Like appeals of recoupment of awards and bonuses, the law is silent regarding any statutory right to judicial review of an

[4] See *id.,* Procedures for Recoupment of Relocation Expenses, Page VI–6.

OPM appeal decision. Accordingly, although OPM will send its appeal decision to the employee, OPM will not provide an accompanying statement of ''appeal rights.''

OPM's Request for Comment

Given the unique nature of OPM's responsibility for adjudicating employee appeals on matters specific only to the VA, OPM requested comment on the implementation and impact of the interim final rule. In the paragraphs that follow, OPM restates the questions and discusses the responses from three commenters.

• If a disciplinary or adverse action, or performance-based action, relied upon by the VA in recoupment of an award, bonus, or relocation expense is subject to a grievance or appeal in a separate process and the grievance or appeal is still pending, how should this impact any decision by OPM? What if the disciplinary or adverse action, or performance-based action, relied upon by the VA is later overturned in the separate process after any decision by OPM regarding the recoupment by the VA?

The national union stated that, if the VA seeks recoupment while the disciplinary or adverse action, or performance-based action is still in litigation, OPM should stay its adjudication of the employee appeal pending resolution of the litigation. The union suggested that OPM should reverse the VA's recoupment order through its appeal process if the underlying disciplinary or adverse action, or performance-based action, relied upon by the VA in recoupment is overturned, rescinded, vacated or otherwise undone. The organization also recommended that OPM stay VA's recoupment action pending litigation of any underlying adverse personnel action. Additionally, the organization made a similar suggestion that, if the underlying adverse personnel action is undone, then the recoupment should also be undone.

An individual also responded to OPM's request for comments regarding how any pending appeal would impact a decision by OPM. The individual suggested that OPM's decision on a VA recoupment order should not be implemented until any pending grievance or appeal of the underlying action is resolved. As to OPM's request for comments regarding the impact of an overturned personnel action on OPM's decision, the individual recommended that OPM's decision is issued and implemented only if the decision reverses the VA recoupment order.

OPM thanks the commenters for their responses. However, OPM will not make any revisions based on these comments. After careful consideration, OPM has concluded that a decision by OPM should not be impacted by a grievance or appeal in a separate process in a disciplinary or adverse action, or performance-based action, relied upon by the VA in recoupment of an award, bonus, or relocation expense. Congress afforded OPM only 30 business days to adjudicate an appeal filed seven business days after the date of an order. Such a limited timeframe indicates that Congress intended for OPM to conduct a limited review of the Secretary's order and issue a prompt decision on the employee's appeal. In addition, Congress did not authorize OPM to stay a decision on a recoupment appeal pending the outcome of collateral litigation. Further, even if, after OPM makes its decision, a tribunal overturns a disciplinary or adverse action, or performance-based action that was relied upon by the VA, Congress did not authorize OPM to reopen or revisit its decisions on recoupment appeals. Finally, allowing for OPM to stay or revisit its decisions based on underlying substantive matters is incongruent with OPM's conclusion that its review under 38 U.S.C. 721(a) and 723(a) is limited to VA's compliance with its internal policy or, in the absence of such policy, compliance with the law.

• May VA bargaining unit employees use the negotiated grievance process under 5 U.S.C. 7121 to challenge a VA recoupment order in lieu of filing an appeal with OPM? Or do 38 U.S.C. 721 and 723 provide the sole method to challenge a VA recoupment order?

The national union put forth that the plain text of sections 721 and 723 ''does not supersede 5 U.S.C. 7121, and therefore, cannot be interpreted to exclude or otherwise prohibit a grievance being filed under the negotiated grievance procedure.'' The commenting organization provided a similar rationale, noting that no provision in sections 721 and 723 expressly excludes coverage by a negotiated grievance procedure. The organization also stated that the terms of the applicable collective bargaining agreement would decide whether a covered employee can grieve a recoupment order. Both the national union and organization stated that sections 721 and 723 cannot be read to mean that an OPM appeal is the sole method to contest a VA recoupment order. They concluded that the statute should be interpreted instead to mean that an employee may file a negotiated grievance or an appeal to OPM, but not both.

As stated in the interim final rule, it was unclear to OPM whether the appeal rights to OPM are the exclusive process for bargaining unit employees to challenge a VA order on recoupment of awards or bonuses or whether VA bargaining unit employees may file a grievance under any applicable negotiated grievance procedure which ends in binding arbitration. After consideration of these comments, it is not clear to OPM that Congress intended to exclude VA bargaining unit employees from pursuing a grievance under a negotiated grievance procedure concerning a recoupment award issued under 38 U.S.C. 721(a) or 723(a). However, it is unnecessary for OPM to decide this question of statutory interpretation as such issues are more appropriate for resolution through the procedures established by the Federal Labor Relations Authority. However, OPM agrees with the commenters' arguments that an employee could not both file grievance and a recoupment appeal. Accordingly, OPM is revising §§ 755.102 and 755.202 to collect information related to any grievance as part of the appeal and to clarify that an employee must elect to pursue either an appeal to OPM or negotiated grievance procedures.

• Does coverage by the negotiated grievance procedure depend on whether the award or bonus was paid under title 5 authority or by title 38 authority?

The national union responded that the authority, whether title 5 or title 38, for the award is irrelevant. The union pointed to 38 U.S.C. 7422(a), stating that the statute entitles bargaining unit employees to collective bargaining and negotiated grievance procedures. The union noted that an employee who contests a VA recoupment is not challenging the award itself but rather the recoupment of the award. Such a challenge, in the union's view, is not excluded by 38 U.S.C. 7422(b). Lastly, the union stated that relocation expenses are similar to payments for travel and training, which the VA has previously found under 38 U.S.C. 7422(d) are not matters that would be excluded from negotiated grievance procedures by 38 U.S.C. 7422(b). The organization shared a perspective similar to the national union's and posited that the ''sole limitation'' is whether coverage is excluded by 38 U.S.C. 7422.

• OPM appreciates the commenters' feedback on this question but will not make changes to the regulations based on the feedback. Because the Secretary of Veterans Affairs retains exclusive

authority, subject to judicial review, to determine whether an award or bonus paid under title 38 for employees described under 38 U.S.C. 7421(b) falls within the exclusion in 38 U.S.C. 7422(b), OPM will defer to VA on the applicability of that statute to recoupments. May a VA employee seek judicial review of an OPM final decision? If so, where would judicial review occur?

As discussed in the sections about comments on §§ 755.105 and 755.205, both the national union and the organization responded that, yes, a VA employee may seek judicial review of an OPM appeal decision. The commenters stated that OPM should clarify in its regulations additional appeal rights available to employees. In addition, the comments recommended that OPM should affirmatively provide notice of available judicial review options to avoid prejudice to employees. For the reasons provided in the comment discussion for §§ 755.105 and 755.205, OPM declines the recommendation to modify the regulations to address further appeal rights.

- Should OPM publish its appeal decisions and make them publicly available?

The national union and the organization both believe OPM should publish its appeal decisions and make them publicly available, in the same manner that OPM makes publicly available OPM's decisions on compensation and leave claims. The commenters recommended that OPM protect the employee's privacy by identifying the cases by an OPM case number and pseudonym or redacted name.

OPM appreciates the responses and will take them under advisement in developing internal procedures.

Waiver of Notice of Proposed Rule Making and Related Comments

OPM issued an interim final rule because it determined that, under the Administrative Procedure Act (APA), 5 U.S.C. 553(b)(B), it would be impracticable to delay a final regulation until a public notice and comment process had been completed. A national union asserted that OPM's issuance of the interim final rule was without good cause, in violation of the APA, and done in haste. The union recommended that OPM rescind the interim final rule and issue a notice of proposed rulemaking to solicit public comment consistent with the APA and the Accountability Act. The union averred that, as far as the union was aware, the VA had not exercised its recoupment authority. In support of its claim, the union included a copy of a negative June 2022 VA response to a Freedom of Information Act (FOIA) request for records related to the recoupment of awards or bonuses under 38 U.S.C. 721.

OPM disagrees with the union's assertion that the interim final rule was without good cause and in violation of the APA. As the union noted, VA finalized its internal policies regarding implementation of the authority to recoup awards, bonuses, and relocation expenses on January 29, 2024. Following the issuance of that policy, VA began using the authority to pursue recoupment actions. Therefore, it was imperative that OPM prepare to receive and adjudicate appeals from VA employees. In fact, two VA recoupment orders were appealed to OPM shortly before publication of the interim final rule, and the appeals were adjudicated during the comment period. The fact that VA began ordering recoupment of awards prior to OPM's publication of the interim final rule confirms that OPM's waiver of notice and comment was prudent and in the public interest.

Although OPM has statutory authority to hear appeals, the public is better served to have clear, established procedures that are easily accessible in the Code of Federal Regulations than for OPM to operate under uncodified procedures that could be variable or haphazard pending a final rule. Accordingly, to ensure the regulations accurately reflect the current state of the law and to provide clear procedures for an employee seeking OPM review of a VA recoupment order, OPM correctly determined that good cause existed to waive the general notice of proposed rulemaking pursuant to 5 U.S.C. 553(b)(B).

The national union also asserted that OPM violated the APA by not affording the public an opportunity to participate in the rulemaking process as required by 5 U.S.C. 553(c). OPM disagrees. Given that OPM reasonably found that good cause existed pursuant to section 553(b)(B), OPM was not required to allow for public comment prior to publication of a final rule. Nonetheless, OPM gave interested persons an opportunity to participate in the rulemaking through public comment as part of the interim final rule. OPM welcomed comment on the provisions codified in its interim final rule and on a number of additional procedural topics that OPM expressly sought to address before finalizing its appeal procedures. OPM has now solicited and responded to comment, thus fulfilling all of the procedural requirements under the APA.

Regarding the union's perspective that OPM acted in haste, OPM determined that, after the VA finalized its internal policy, expeditious issuance of an interim final regulation was required to prevent confusion and promote fairness as VA exercises its statutory authority resulting in appeals to OPM. We note that OPM developed its interim final rule after review of VA's policies and procedures, consideration of legal and policy options, and in consultation with VA. OPM developed procedures only after it had a better understanding of what process VA would provide and what record would be available for OPM review.

Waiver of Delay in Effective Date and Related Comments

Pursuant to 5 U.S.C. 553(d)(3), OPM found that good cause existed to waive the 30-day delay in effective date for the interim final rule and made those interim procedural regulations effective upon publication. The delay in effective date was waived because the provisions of the law regarding recoupment of bonuses, awards, or relocation expenses (*see* 38 U.S.C. 721 and 723) became effective upon enactment, June 23, 2017, and the VA finalized its internal procedures regarding this law on January 29, 2024.

The national union characterized OPM's interim final rule as lacking an explanation for its delay in rulemaking and speculative regarding the potential impact if OPM were to adhere to the 30-day delay in effective date. For these reasons, the union believed the interim final rule was arbitrary and capricious under the APA.

OPM notes that the union has described OPM's rulemaking as both hasty and unjustifiably delayed. Neither is the case, and nor was the interim final rule arbitrary and capricious. As explained in the interim final rule, OPM considered the VA's internal procedures, first, to ensure it designed an effective and efficient process for adjudicating appeals given the limited period of time afforded OPM by sections 721(b) and 723(b) to issue a decision. To issue a rule before VA established its internal procedures would have been unworkable and may have created inefficiencies that would either delay or rush OPM in reaching a decision; both of which would unnecessarily prejudice VA employees and the VA.

As noted above, after VA finalized its policy, the VA began exercising its authority under this statute. Subsequent to the union's 2022 FOIA request, the VA informed OPM that it had issued several recoupment orders. Therefore, OPM's justification for waiving the

delay in effective date was not speculative. In December 2024, two VA employees appealed their recoupment orders to OPM, and OPM was aware that additional recoupment orders and appeals could occur at any time. A delay in the effective date would not have addressed the immediate need to avoid confusion and inconsistency in how to file new appeals with OPM and to provide information about the content needed for such appeals.

Regulatory Impact Analysis

A. Statement of Need

The interim final rule implemented portions of sections 204 and 205 of the Accountability Act, which provides VA employees certain appeal rights to the Director of OPM regarding decisions by the VA to recoup awards, bonuses, or relocation expenses. These sections of the Accountability Act amend chapter 7 of title 38, United States Code. Under these authorities, OPM prescribed additional details of the appeal process to provide consistency and transparency.

After consideration of public comments about the interim final rule, OPM determined that minor changes to the appeal procedures were needed. OPM added provisions to § 755.102(b) and § 755.202(b) that require an employee to disclose information concerning any grievance concerning the recoupment award. OPM also added a requirement in § 755.102(c) and § 755.202(c) for the VA provide to the VA employee copies of information provided to OPM. OPM also added new subparagraphs (e) to both § 755.102 and § 755.202 that preclude OPM from asserting jurisdiction over an appeal of a recoupment award where the employee first elects to challenge a recoupment award through a negotiated grievance process.

B. Regulatory Alternatives

An alternative to this final rule was to rescind the provisions of the interim final rule and publish a new notice of proposed rulemaking, as suggested by one commenter. As discussed in the section ''Waiver of Notice of Proposed Rule Making and Related Comments,'' VA began exercising its authority under 38 U.S.C. 721 and 723 in 2024. OPM's rescission of the interim final rule would result in confusion regarding how OPM will administer the appeals process as the law only outlines the right to appeal to the Director of OPM; the time limit for a VA employee to file an appeal; and a time limit for the Director to issue a decision regarding any appeal. To leave VA employees without any procedures for appealing those decisions would not be in their interest. Accordingly, OPM determined that this was not an appropriate course of action.

Another alternative was for OPM to refrain from publishing this final rule. OPM found good cause to adopt interim regulations prior to receiving public comment; however, OPM sought public input to ensure that it had considered a range of viewpoints and concerns prior to finalizing those processes. Although OPM is only making minor changes in response to public comments, OPM believes that the changes made in this rule will better guide VA employees through the appeals process.

C. Impact

OPM is issuing this final rule to provide consistency and transparency regarding appeals by VA employees involving orders by the VA to recoup awards, bonuses, or relocation expenses previously paid to these employees. Congress provided VA employees appeal rights regarding such orders by the VA. OPM's final rule provides more clarity regarding this appeal process. It provides VA employees with structure and an explanation of what to expect and provides employees with security that they will receive fair, consistent treatment in the consideration of an appeal.

D. Costs

The costs associated with this final rule are de minimis. OPM estimates that the final rule would result in costs of about $7,100 to OPM for each appeal filed with OPM. This estimate is slightly larger than the $6,937.20 estimated in the interim final rule. The difference between the two estimates is attributed to the difference between salary rates used to estimate labor costs. The interim final rule used the 2024 salary rates. This final rule used the 2025 salary rates.

As already noted, this final rule specifies that VA will provide both OPM and the employee a copy of the evidence file for the appeal process. OPM anticipates a negligible cost to VA for providing the requested file to the employee in addition to OPM. While VA may incur some costs regarding decisions it makes regarding recoupment of awards, bonuses, or relocation expenses, such matters are not covered by this final rule and are covered by VA policies.

OPM does not expect the changes in this final rule to result in any costs to VA employees that were not accounted for in the interim final rule.

E. Benefits

This final rule will benefit VA employees. This rule will provide consistency and transparency regarding the procedures OPM will follow when processing appeals by VA employees regarding decisions by the VA regarding recoupment of awards, bonuses, or relocations expenses. This final rule provides clarity regarding the procedural protections Congress has provided VA employees on such matters.

Regulatory Compliance

1. Regulatory Review

OPM has examined the impact of this rule as required by Executive Orders 12866 and 13563, which direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public, health, and safety effects, distributive impacts, and equity). A regulatory impact analysis must be prepared for rules that have an annual effect on the economy of $100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities. This rulemaking does not reach that threshold but has otherwise been designated as a ''significant regulatory action'' under section 3(f) of Executive Order 12866. This rule is not an E.O. 14192 regulatory action because it is does not impose any more than de minimis regulatory costs.

2. Regulatory Flexibility Act

The Acting Director of OPM certifies this regulation will not have a significant impact on a substantial number of small entities because it will apply only to Federal agencies and individuals (Federal employees and former employees).

3. Federalism

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

4. Unfunded Mandates Reform Act

Section 202 of the Unfunded Mandates Reform Act of 1995 (UMRA) requires that agencies assess anticipated costs and benefits before issuing any rule that would impose spending costs on State, local, or tribal governments in the aggregate, or on the private sector, in any 1 year of $100 million in 1995 dollars, updated annually for inflation. That threshold is currently approximately $206 million. This rulemaking will not result in the expenditure by State, local, or tribal governments, in the aggregate, or by the private sector, in excess of the threshold. Therefore, no written assessment of unfunded mandates is required.

Paperwork Reduction Act

Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) (PRA), unless the collection of information displays a currently valid Office of Management and Budget (OMB) Control Number.

Case records are subject to the Privacy Act and are covered by OPM System of Records Notice (SORN) ''OPM/Internal-29, VA Recoupment and Reduction Appeals to OPM'' (90 FR 3970).

List of Subjects in 5 CFR Part 755

Administrative practice and procedure, Government employees.

Jerson Matias,

Federal Register Liaison.

Accordingly, for the reasons stated in the preamble, OPM amends 5 CFR part 755 as follows:

PART 755—APPEAL PROCEDURES FOR RECOUPMENT OF AWARDS, BONUSES, OR RELOCATION EXPENSES AWARDED OR APPROVED FOR ALL EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS (VA)

■ 1. The authority citation for part 755 continues to read as follows:

Authority: 5 U.S.C. 1103; 38 U.S.C. 721 and 723.

Subpart A—[Amended]

■ 2. Remove the authority citation for subpart A.

■ 3. Amend § 755.102 by revising paragraphs (b) and (c) and adding paragraph (e) to read as follows:

§ 755.102 Procedures for submitting appeals.

* * * * *

(b) *Content of appeals.* An appeal must be submitted by the employee in writing and must be signed by the employee or their representative. While no specific form is required, the appeal must include:

(1) A copy of the notice of proposed order received pursuant to 38 U.S.C. 721(a)(2)(A);

(2) A copy of the employee's response to the proposed order, if any;

(3) A copy of the order received pursuant to 38 U.S.C. 721(a)(3);

(4) A copy of any grievance filed by the employee under a negotiated grievance procedure pursuant to 5 U.S.C. 7121 seeking to reverse a recoupment order;

(5) A statement explaining why the employee believes the order received pursuant to 38 U.S.C. 721(a)(3) is in error and whether the employee filed a grievance under a negotiated grievance procedure pursuant to 5 U.S.C. 7121 seeking to reverse a recoupment order;

(6) The name, mailing address, telephone number, and email address of the employee and their representative (if applicable); and

(7) The name, mailing address, telephone number, and email address of the VA official who issued the order pursuant to 38 U.S.C. 721(a)(3).

(c) *VA submission of evidence file.* OPM will notify the VA upon receipt of a complete, timely appeal. The VA must provide OPM and the employee a copy of the evidence file as soon as possible but no later than five business days. If necessary, OPM may request VA provide information in addition to the evidence file. Any additional information requested by OPM must be provided to OPM and the employee within five business days after OPM's request. VA must also furnish a copy of any additional information requested by and provided to OPM to the employee. VA's failure to provide the evidence file or any requested additional information to OPM and the employee will result in a finding against VA.

* * * * *

(e) *Election under a negotiated grievance procedure.* When an employee has an option of pursuing either a recoupment appeal to OPM or a grievance under a negotiated grievance procedure pursuant to 5 U.S.C. 7121, OPM will only review a recoupment appeal where the employee files a timely appeal first with OPM. Where an employee makes a timely election to file a recoupment appeal and a grievance on the same day, OPM will not consider the recoupment appeal absent clear and unmistakable evidence that the employee filed his or her recoupment appeal before filing a grievance.

Subpart B—[Amended]

■ 4. Remove the authority citation for subpart B.

■ 5. Amend § 755.202 by revising paragraphs (b) and (c) and adding paragraph (e) to read as follows:

§ 755.202 Procedures for submitting appeals.

* * * * *

(b) *Content of appeals.* An appeal must be submitted by the employee in writing and must be signed by the employee or their representative. While no specific form is required, the appeal must include:

(1) A copy of the notice of proposed order received pursuant to 38 U.S.C. 723(a)(2)(A);

(2) A copy of the employee's response to the proposed order, if any;

(3) A copy of the order received pursuant to 38 U.S.C. 723(a)(3);

(4) A copy of any grievance filed by the employee under a negotiated grievance procedure pursuant to 5 U.S.C. 7121 seeking to reverse a recoupment order;

(5) A statement explaining why the employee believes the order received pursuant to 38 U.S.C. 723(a)(3) is in error and whether the employee filed a grievance under a negotiated grievance procedure pursuant to 5 U.S.C. 7121 seeking to reverse a recoupment order;

(6) The name, mailing address, telephone number, and email address of the employee and their representative (if applicable); and

(7) The name, mailing address, telephone number, and email address of the VA official who issued the order pursuant to 38 U.S.C. 723(a)(3).

(c) *VA submission of evidence file.* OPM will notify the VA upon receipt of a complete, timely appeal. The VA must provide OPM and the employee a copy of the evidence file as soon as possible but no later than five business days. If necessary, OPM may request VA provide information in addition to the evidence file. Any additional information requested by OPM must be provided to OPM and the employee within five business days after OPM's request. VA must also furnish a copy of any additional information requested by and provided to OPM to the employee. VA's failure to provide the evidence file or any requested additional information to OPM and the employee will result in a finding against VA.

* * * * *

(e) *Election under a negotiated grievance procedure.* When an employee has an option of pursuing either a recoupment appeal to OPM or a grievance under a negotiated grievance procedure pursuant to 5 U.S.C. 7121, OPM will only review a recoupment appeal where the employee files a timely appeal first with OPM. Where an employee makes a timely election to file a recoupment appeal and a grievance on the same day, OPM will not consider the recoupment appeal absent clear and unmistakable evidence that the employee filed his or her recoupment appeal before filing a grievance.

[FR Doc. 2025–14006 Filed 7–24–25; 8:45 am]

BILLING CODE 6325–39–P

DEPARTMENT OF AGRICULTURE

Farm Service Agency

7 CFR Part 760

[FSA–2025–0007]

RIN 0560–AI71

Supplemental Disaster Relief Program (SDRP) Stage 1; Approval of Information Collection Request

AGENCY: Farm Service Agency, U.S. Department of Agriculture (USDA).

ACTION: Final rule; notice of approval of Information Collection Request (ICR).

SUMMARY: The final rule entitled Supplemental Disaster Relief Program (SDRP) Stage 1 was published on July 10, 2025. The Office of Management and Budget cleared the associated information collection requirements (ICR) on July 1, 2025. This document announces approval of the ICR.

DATES: The ICR associated with the final rule published in the **Federal Register** on July 10, 2025, at 90 FR 30561 was approved by OMB on July 1, 2025, under OMB Control Number 0503–0028.

FOR FURTHER INFORMATION CONTACT: Kathy Sayers; telephone: (202) 720–6870; email: *Kathy.Sayers@usda.gov.* Individuals with disabilities who require alternative means for communication should contact the USDA Target Center at (202) 720–2600 (voice and text telephone (TTY mode)) or dial 711 for Telecommunications Relay Service (both voice and text telephone users can initiate this call from any telephone).

SUPPLEMENTARY INFORMATION: The information collection request has been approved by OMB under the control number of 0503–0028; Expiration Date: 10/31/2027. FSA will use data already on file with FSA or RMA to generate pre-filled applications for producers and verify eligibility using the following forms: CCC–901, CCC–902E, CCC–902I, and FSA–510. In addition, for the information collection changes related to the existing approval under 0503–0028, the agency is seeking to use FSA–526 and a letter to producers with this data collection. The FSA–526 and letter to producers are the only new data collection activities associated with this request; the pre-filled applications are generated with data previously collected and already on file, with no additional burden to producers. The total annual burden hours for this information collection is 183,445. This final rule is a one-time announcement of SDRP Stage 1 federal financial assistance funding.

William Beam,

Administrator, Farm Service Agency.

[FR Doc. 2025–14094 Filed 7–24–25; 8:45 am]

BILLING CODE 3411–E2–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2024–2591; Airspace Docket No. 24–AGL–26]

RIN 2120–AA66

Amendment of VOR Federal Airways V–38, V–133, and V–144, and Revocation of VOR Federal Airway V–214 in the Vicinity of Zanesville, OH

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Very High Frequency Omnidirectional Range (VOR) Federal Airways V–38, V–133, and V–144; and revokes VOR Federal Airway V–214. The FAA is taking this action due to the planned decommissioning of the VOR portion of the Zanesville, OH (ZZV), VOR/Distance Measuring Equipment (VOR/DME) navigational aid (NAVAID). The Zanesville VOR is being decommissioned in support of the FAA's VOR Minimum Operational Network (MON) program.

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

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

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

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

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

History

The FAA published an NPRM for Docket No. FAA–2024–2591 in the **Federal Register** (89 FR 97567; December 9, 2024), proposing to amend VOR Federal Airways V–38, V–133, and V–144, and to revoke VOR Federal Airway V–214 due to the planned decommissioning of the VOR portion of the Zanesville, OH, VOR/DME NAVAID. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. No comments were received.

Differences From the NPRM

Subsequent to publication of the NPRM, the FAA separately published a final rule for Docket No. FAA–2024–2512 in the **Federal Register** (90 FR 21408; May 20, 2025), amending VOR Federal Airway V–38 by replacing the

Cape Charles, VA, VOR/Tactical Air Navigation (VORTAC) route point with a new route point located at the intersection of the Harcum, VA, VORTAC 100° and the Norfolk, VA, VORTAC 026° radials (LNSKY Fix). That airway amendment is effective August 7, 2025. This final rule incorporates the amendments effectuated by the separate rulemaking identified above, and makes additional amendments to V–38 on top of the amendments previously made. The FAA finds that good cause exists not to recirculate the NPRM for public notice and comment because the resulting airspace will not change from what was originally proposed.

Incorporation by Reference

VOR Federal Airways are published in paragraph 6010(a) 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 amending VOR Federal Airways V–38, V–133, and V–144, and revoking VOR Federal Airway V–214 due to the planned decommissioning of the VOR portion of the Zanesville, OH, VOR/DME NAVAID. The airway changes are described below.

V–38: Prior to this final rule, as amended by FAA Docket No. FAA–2024–2512 (90 FR 21408; May 20, 2025), V–38 extended between the Moline, IL, VOR/DME and the intersection of the Fort Wayne, IN, VORTAC 091° and Rosewood, OH, VORTAC 334° radials (WINES Fix); and between the Appleton, OH, VORTAC and the intersection of the Harcum, VA, VORTAC 100° and the Norfolk, VA, VORTAC 026° radials (LNSKY Fix). The airway segment between the Appleton VORTAC and the Parkersburg, WV, VOR/DME is removed. As amended, the route is changed to now extend between the Moline VOR/DME and the intersection of the Fort Wayne VORTAC 091° and Rosewood VORTAC 334° radials (WINES Fix), and between the Parkersburg VOR/DME and the intersection of the Harcum, VA, VORTAC 100° and the Norfolk, VA, VORTAC 026° radials (LNSKY Fix).

V–133: Prior to this final rule, V–133 extended between the intersection of the Charlotte, NC, VOR/DME 305° and Barretts Mountain, NC, VOR/DME 197° radials (LINCO Fix) and the Zanesville, OH, VOR/DME; between the Saginaw, MI, VOR/DME and the Houghton, MI, VOR/DME; and between the International Falls, MN, VOR/DME and the Red Lake, Ontario (ON), Canada, VOR. The airspace within Canada is excluded. The airway segment between the Charleston, WV, VOR/DME and the Zanesville VOR/DME is removed. As amended, the airway is changed to now extend between the intersection of the Charlotte VOR/DME 305° and Barretts Mountain VOR/DME 197° radials (LINCO Fix) and the Charleston VOR/DME, between the Saginaw VOR/DME and the Houghton VOR/DME, and between the International Falls VOR/DME and the Red Lake, ON, Canada, VOR. The airspace within Canada continues to be excluded.

V–144: Prior to this final rule, V–144 extended between the Fort Wayne, IN, VORTAC and the Linden, VA, VORTAC. The airway segment between the Appleton, OH, VORTAC and the Morgantown, WV, VOR/DME is removed. As amended, the airway is changed to now extend between the Fort Wayne VORTAC and the Appleton VORTAC, and between the Morgantown VOR/DME and the Linden VORTAC.

V–214: Prior to this final rule, V–214 extended between the intersection of the Appleton, OH, VORTAC 236° and Zanesville, OH, VOR/DME 274° radials (GLOOM Fix) and the Bellaire, OH, VOR/DME. The airway is removed in its entirety.

All NAVAID radials listed in the airway descriptions in the regulatory text of this final rule are unchanged and stated in degrees True north.

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 amending VOR Federal Airways V–38, V–133, and V–144, and revoking VOR Federal Airway V–214 qualifies for categorical exclusion under the National Environmental Policy Act (42 U.S.C. 4321, *et seq.*) and in accordance with FAA Order 1050.1G, *FAA National Environmental Policy Act Implementing Procedures,* paragraph B–2.5(a), which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (*see* 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points); and paragraph B–2.5(i), which categorically excludes from further environmental impact review the establishment of new or revised air traffic control procedures conducted at 3,000 feet or more above ground level (AGL); procedures conducted below 3,000 feet AGL that do not cause traffic to be routinely routed over noise sensitive areas; modifications to currently approved procedures conducted below 3,000 feet AGL that do not significantly increase noise over noise sensitive areas; and increases in minimum altitudes and landing minima. As such, this action is not expected to result in any potentially significant environmental impacts. In accordance with the FAA's NEPA implementation policy and procedures regarding Extraordinary Circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis. The FAA has determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact statement.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

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

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

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

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 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 6010(a) Domestic VOR Federal Airways.

* * * * *

V–38 [Amended]

From Moline, IL; INT Moline 082° and Peotone, IL, 281° radials; Peotone; Fort Wayne, IN; to INT Fort Wayne 091° and Rosewood, OH, 334° radials. From Parkersburg, WV; Elkins, WV; Gordonsville, VA; Richmond, VA; Harcum, VA; to INT Harcum 100° and Norfolk, VA, 026° radials.

* * * * *

V–133 [Amended]

From INT Charlotte, NC, 305° and Barretts Mountain, NC, 197° radials; Barretts Mountain; to Charleston, WV. From Saginaw, MI; Traverse City, MI; Escanaba, MI; Sawyer, MI; to Houghton, MI. From International Falls, MN; to Red Lake, ON, Canada. The airspace within Canada is excluded.

* * * * *

V–144 [Amended]

From Fort Wayne, IN; to Appleton, OH. From Morgantown, WV; Kessel, WV; to Linden, VA.

* * * * *

V–214 [Removed]

* * * * *

Issued in Washington, DC, on July 22, 2025.

Brian Eric Konie,

Manager (A), Rules and Regulations Group.

[FR Doc. 2025–14040 Filed 7–24–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1308

[Docket No. DEA–989]

Schedules of Controlled Substances: Extension of Temporary Placement of Clonazolam, Diclazepam, Etizolam, Flualprazolam, and Flubromazolam in Schedule I of the Controlled Substances Act

AGENCY: Drug Enforcement Administration, Department of Justice.

ACTION: Temporary scheduling order; extension.

SUMMARY: The Acting Administrator of the Drug Enforcement Administration (DEA) is issuing this temporary scheduling order to extend the temporary schedule I status of five designer benzodiazepines—clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam. In an order dated July 26, 2023, DEA temporarily placed these five substances in schedule I of the Controlled Substances Act. This temporary order will extend the temporary scheduling of five designer benzodiazepines for one year, or until the permanent scheduling action for these substances is completed, whichever occurs first. As a result of this order, the regulatory controls and administrative, civil, and criminal sanctions applicable to schedule I controlled substances will continue to be imposed on persons who handle (manufacture, distribute, reverse distribute, import, export, engage in research, conduct instructional activities or chemical analysis with, or possess) or propose to handle these five specified controlled substances.

DATES: This temporary scheduling order, which extends schedule I control of five specific substances covered by an order (88 FR 48112, July 26, 2023), is effective July 26, 2025, and expires on July 26, 2026. If DEA publishes a final rule making this scheduling action permanent, this order will expire on the effective date of that rule, if the effective date is earlier than July 26, 2026.

FOR FURTHER INFORMATION CONTACT: Terrence L. Boos, Drug and Chemical Evaluation Section, Diversion Control Division, Drug Enforcement Administration; Mailing Address: 8701 Morrissette Drive, Springfield, Virginia 22152; Telephone: (571) 362–3249.

SUPPLEMENTARY INFORMATION: In this order, the Drug Enforcement Administration (DEA) extends the temporary scheduling of the following five controlled substances in schedule I of the Controlled Substances Act (CSA), including their salts, isomers, and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

- clonazolam (6-(2-chlorophenyl)-1-methyl-8-nitro-4*H*-benzo[*f*][1,2,4]triazolo[4,3-*a*][1,4]diazepine),
- diclazepam (7-chloro-5-(2-chlorophenyl)-1-methyl-1,3-dihydro-2*H*-benzo[*e*][1,4]diazepin-2-one),
- etizolam (4-(2-chlorophenyl)-2-ethyl-9-methyl-6*H*-thieno[3,2-*f*][1,2,4]triazolo[4,3-*a*][1,4]diazepine),
- flualprazolam (8-chloro-6-(2-fluorophenyl)-1-methyl-4*H*-benzo[*f*][1,2,4]triazolo[4,3-*a*][1,4]diazepine), and
- flubromazolam (8-bromo-6-(2-fluorophenyl)-1-methyl-4*H*-benzo[*f*][1,2,4]triazolo[4,3-*a*][1,4]diazepine).

Background and Legal Authority

On July 26, 2023, pursuant to 21 U.S.C. 811(h)(1), DEA published an order in the **Federal Register** temporarily placing the five designer benzodiazepines referenced above in schedule I of the CSA based upon a finding that these substances pose an imminent hazard to the public safety.[1] That temporary order was effective upon the date of publication. Pursuant to 21 U.S.C. 811(h)(2), the temporary scheduling of a substance expires at the end of two years from the date of issuance of the scheduling order, except that DEA may extend temporary scheduling of that substance for up to one year during the pendency of proceedings under 21 U.S.C. 811(a)(1) with the respect to the temporarily controlled substance. In this instance, the temporary scheduling of these five designer benzodiazepines expires on July 26, 2025, unless extended.

Proceedings for the issuance, amendment, or repeal of the scheduling of any drug or other substance under 21 U.S.C. 811(a) may be initiated by the Attorney General (delegated to the Administrator of DEA pursuant to 28 CFR 0.100) on her own motion, at the request of the Secretary of the Department of Health and Human Services (HHS), or on the petition of any interested party.[2] The Acting

[1] *Schedules of Controlled Substances: Temporary Placement of Etizolam, Flualprazolam, Clonazolam, Flubromazolam, and Diclazepam in Schedule I,* 88 FR 48112 (July 26, 2023).

[2] 21 U.S.C. 811(a). As discussed in a memorandum of understanding entered into by the Food and Drug Administration (FDA) and the National Institute on Drug Abuse (NIDA), FDA acts

Administrator of DEA, on his own motion pursuant to 21 U.S.C. 811(a), has initiated proceedings under 21 U.S.C. 811(a)(1) to permanently schedule the following designer benzodiazepines: clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam. DEA is publishing a notice of proposed rulemaking elsewhere in this issue of the **Federal Register** for the permanent placement of these five benzodiazepines in schedule I. If that proposed rule is finalized, DEA will publish a final rule in the **Federal Register** to make permanent the schedule I status of these substances.

Pursuant to 21 U.S.C. 811(h)(2), the Acting Administrator orders that the temporary scheduling of these five benzodiazepines—clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam—and their salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible, be extended for one year, or until the permanent scheduling proceeding is completed, whichever occurs first.

Regulatory Matters

The CSA provides for an expedited temporary scheduling action where such action is necessary to avoid an imminent hazard to the public safety.[3] This provision of the CSA allows the Attorney General, by order, to temporarily place substances in schedule I.[4] The same subsection also provides that the temporary scheduling of a substance shall expire at the end of two years from the date of the issuance of the order scheduling such substance, except that the Attorney General may, during the pendency of proceedings to permanently schedule the substance under 21 U.S.C. 811(a)(1), extend the temporary scheduling for up to one year.

To the extent that 21 U.S.C. 811(h) directs that temporary scheduling actions be issued by order and sets forth the procedures by which such orders are to be issued and extended, the notice and comment requirements of section 553 of the Administrative Procedure Act (APA),[5] do not apply to this extension of the temporary scheduling action. The APA expressly differentiates between orders and rules, as it defines an ''order'' to mean a ''final disposition, whether affirmative, negative, injunctive, or declaratory in form, of an agency *in a matter other than rule making.*'' [6] This contrasts with permanent scheduling actions, which are subject to formal rulemaking procedures done ''on the record after opportunity for a hearing,'' and final decisions that conclude the scheduling process and are subject to judicial review.[7] The specific language chosen by Congress indicates an intention for DEA to proceed through the issuance of an order instead of proceeding by rulemaking. Given that Congress specifically requires the Attorney General to follow rulemaking procedures for other kinds of scheduling actions,[8] it is noteworthy that, in subsection 811(h), Congress authorized the issuance of temporary scheduling actions by order rather than by rule.

In the alternative, even if this action were subject to 5 U.S.C. 553, the Acting Administrator finds that there is good cause under 5 U.S.C. 553(b)(B) and (d)(3) to forgo the notice-and-comment requirements and the delayed effective date requirements of such section, as any further delays in the process for extending the temporary scheduling order would be impracticable and contrary to the public interest in view of the manifest urgency to avoid an imminent hazard to the public safety that these substances would present if scheduling expired, for the reasons expressed in the temporary scheduling order.[9]

Further, DEA believes that this order extending the temporary scheduling action is not a ''rule'' as defined by 5 U.S.C. 601(2) and, accordingly, is not subject to the requirements of the Regulatory Flexibility Act (RFA). The requirements for the preparation of an initial regulatory flexibility analysis in 5 U.S.C. 603(a) are not applicable where, as here, DEA is not required by section 553 of the APA or any other law to publish a general notice of proposed rulemaking. Therefore, in this instance, since DEA believes this temporary scheduling action is not a ''rule,'' it is not subject to the requirements of the RFA when issuing this temporary action.

In addition, in accordance with the principles of Executive Orders (E.O.) 12866 and 13563, this action is not a significant regulatory action. E.O. 12866 directs agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health, and safety effects; distributive impacts; and equity). E.O. 13563 is supplemental to and reaffirms the principles, structures, and definitions governing regulatory review as established in E.O. 12866. E.O. 12866, sec. 3(f), provides the definition of a ''significant regulatory action,'' requiring review by the Office of Management and Budget. Because this is not a rulemaking action, this is not a significant regulatory action as defined in section 3(f) of E.O. 12866. DEA scheduling actions are not subject to either E.O. 14192, Unleashing Prosperity Through Deregulation, or E.O. 14294, Fighting Overcriminalization in Federal Regulations.

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

As noted above, this action is an order, not a rule. Accordingly, the Congressional Review Act (CRA) is inapplicable, as it applies only to rules. However, if this were a rule, pursuant to the CRA, ''any rule for which an agency for good cause finds that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest, shall take effect at such time as the federal agency promulgating the rule determines.'' [10]

It is in the public interest to maintain the temporary placement of these five substances in schedule I because they pose a public health risk. These substances are clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam, including their salts, isomers, and salts of isomers. The temporary scheduling action was taken pursuant to 21 U.S.C. 811(h), which is specifically designed to enable DEA to act in an expeditious manner to avoid

as the lead agency within HHS in carrying out the Secretary's scheduling responsibilities under the CSA, with the concurrence of NIDA. *Memorandum of Understanding with the National Institute on Drug Abuse,* 50 FR 9518 (Mar. 8, 1985). Because the Secretary has delegated to the Assistant Secretary for Health of HHS the authority to make domestic drug scheduling recommendations, *see Comprehensive Drug Abuse Prevention and Control Act of 1970, Public Law 91–513, As Amended; Delegation of Authority,* 58 FR 35460 (July 1, 1993), for purposes of this temporary order, all subsequent references to ''Secretary'' have been replaced with ''Assistant Secretary.''

[3] 21 U.S.C. 811(h).

[4] *Id.*

[5] 5 U.S.C. 553.

[6] 5 U.S.C. 551(6) (emphasis added).

[7] 21 U.S.C. 811(a) and 877.

[8] *See* 21 U.S.C. 811(a).

[9] *See Schedules of Controlled Substances: Temporary Placement of Etizolam, Flualprazolam, Clonazolam, Flubromazolam, and Diclazepam in Schedule I,* 88 FR 48112 (July 26, 2023).

[10] 5 U.S.C. 808(2).

an imminent hazard to the public safety. Under 21 U.S.C. 811(h), temporary scheduling orders are not subject to notice and comment rulemaking procedures. For the same reasons that underlie 21 U.S.C. 811(h), that is, the need to keep these five substances in schedule I because they pose an imminent hazard to public safety, it would be contrary to the public interest to delay implementation of this extension of the temporary scheduling order. Further, public notice and comment is impracticable in the amount of time remaining before expiration of the temporary scheduling order and considering the manifest urgency to avoid an imminent hazard to the public safety that these substances would present if scheduling expired, for the reasons expressed in the temporary scheduling order. Therefore, in accordance with section 808(2) of the CRA, this order extending the temporary scheduling order for five designer benzodiazepines, currently covered under the temporary order, shall take effect immediately upon its publication.

Nonetheless, DEA has submitted a copy of this temporary order to both Houses of Congress and to the Comptroller General, although such filing is not required under the Small Business Regulatory Enforcement Fairness Act of 1996 (Congressional Review Act), 5 U.S.C. 801–808 because, as noted above, this action is an order, not a rule.

Signing Authority

This document of the Drug Enforcement Administration was signed on July 22, 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 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. 2025–14037 Filed 7–24–25; 8:45 am]

BILLING CODE 4410–09–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1 and 76

[MB Docket Nos. 02–144; MM Docket Nos. 92–266, 93–215; CS Docket No. 94–28; FCC 25–33; FR ID 304837]

Cable Television Rates

AGENCY: Federal Communications Commission.

ACTION: Final rule; announcement of effective date.

SUMMARY: In this document, the Federal Communications Commission (FCC) announces that the Office of Management and Budget (OMB) has approved the information collection non-substantive changes under OMB Control Numbers 3060–0609 and 3060–0685, the discontinuance of OMB Control Numbers 3060–0607, 3060–0601, 3060–0594 and 3060–0688, and the effective date for amendments adopted by the Report and Order, FCC 25–33, 90 FR 31145 (Order), which were delayed. This document is consistent with the Order, which states that the Media Bureau will publish a document in the **Federal Register** announcing the effective date of the delayed amendments.

DATES: Amendatory instructions 2 (47 CFR 1.1204), 3 (47 CFR 1.1206), 5 (47 CFR 76.911), 6 (47 CFR 76.922), 10 (47 CFR 76.934), 15 (47 CFR 76.944), and 21 (47 CFR 76.990), published at 90 FR 31145 on July 14, 2025, are effective August 13, 2025.

FOR FURTHER INFORMATION CONTACT: For additional information on this proceeding, contact Katie Costello, Policy Division, Media Bureau at *Katie.Costello@fcc.gov* or (202) 418–2233.

SUPPLEMENTARY INFORMATION: This document announces that OMB approved the modifications to the information collection requirements in 47 CFR 76.934, the discontinuance of the information collection requirements in § 76.922, and the discontinuance of information collection requirements associated with discontinued FCC Forms 1200, 1220 and 1235 on July 15, 2025. This document also announces that OMB approved the discontinuance of information collection requirements for discontinued FCC Form 1210 on July 17, 2025. These forms were discontinued and these rule sections were modified in the Order, FCC 25–33, published at 90 FR 31145 on July 14, 2025. The Commission publishes this document as an announcement of the effective date of August 13, 2025 for 47 CFR 1.1204, 1.1206, 76.911, 76.922, 76.934, 76.944 and 76.990.

Synopsis

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the FCC is notifying the public that it received final OMB approvals on July 15, 2025 for the information collection requirements contained in 47 CFR 76.934, the discontinuance of information collection requirements in 47 CFR 76.922 and the discontinuance of information collection requirements for obsolete FCC Forms 1200, 1220 and 1235 and on July 17, 2025 for the discontinuance of information collection requirements for FCC form 1210. Further the FCC is notifying the public that revisions to 47 CFR 1.1204, 1.1206. 76.911, 76.922, 76.934, 76.944 and 76.990 are effective August 13, 2025. Under 5 CFR part 1320, an agency may not conduct or sponsor a collection of information unless it displays a current, valid OMB Control Number.

No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a current, valid OMB Control Number. The OMB Control Numbers are 3060–0601, 3060–0594, 3060–0688, 3060–0607, 3060–0609 and 3060–0685.

The foregoing notice is required by the Paperwork Reduction Act of 1995, Public Law 104–13, October 1, 1995, and 44 U.S.C. 3507.

Federal Communications Commission.

Marlene Dortch,

Secretary.

[FR Doc. 2025–14093 Filed 7–24–25; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 73 and 74

[MB Docket Nos. 20–401, 17–105; FCC 24–121; FR ID 304894]

Program Originating FM Broadcast Booster Stations

AGENCY: Federal Communications Commission.

ACTION: Final rule; announcement of effective date.

SUMMARY: In this document, the Federal Communications Commission (Commission) announces that the Office of Management and Budget has approved new information collection requirements under OMB Control Number 3060–1334, as adopted in the Federal Communications Commission's Second Report and Order and Order on

Reconsideration, FCC 24–121 (Second Report and Order). This Second Report and Order established the specific processing, licensing, and service rules for the voluntary, limited use of FM booster stations to originate content on a permanent basis and initiated the accompanying use of FCC Form 2100, Schedule 336 to notify the Commission of such operations. This document is consistent with the Second Report and Order, which stated that the Commission will publish a document in the **Federal Register** announcing the effective date for these amended rule sections and revise the rules accordingly.

DATES: Amendatory instructions 5 (47 CFR 73.3526), 6 (47 CFR 73.3527), 9 (47 CFR 74.1204), and 10 (47 CFR 74.1206), published at 89 FR 100868 on Dec. 13, 2024, are effective July 25, 2025.

FOR FURTHER INFORMATION CONTACT: Cathy Williams, Office of the Managing Director, Federal Communications Commission, at (202) 418–2918 or *Cathy.Williams@fcc.gov*.

SUPPLEMENTARY INFORMATION: This document announces that the Office of Management and Budget (OMB) approved the information collection requirements in 47 CFR 73.3526, 73.3527, 74.1204, and 74.1206, and FCC Form 2100, Schedule 336, on July 14, 2025. These rule sections were adopted in the Second Report and Order, FCC 24–121. The Commission publishes this document as an announcement of the effective date for these amended rules. If you have any comments on the burden estimates listed below, or how the Commission can improve the collections and reduce any burdens caused thereby, please contact Cathy Williams, *Cathy.Williams@fcc.gov.* Please include the OMB Control Number in your correspondence. The Commission will also accept your comments via email at *PRA@fcc.gov.*

Synopsis

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the Commission is notifying the public that it received final OMB approval on July 14, 2025, for the information collection requirements contained in 47 CFR 73.3526, 73.3527, 74.1204, and 74.1206, and FCC Form 2100, Schedule 336. Under 5 CFR part 1320, an agency may not conduct or sponsor a collection of information unless it displays a current, valid OMB Control Number.

No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a current, valid OMB Control Number. The OMB Control Number for the information collection requirements in 47 CFR 73.3526, 73.3527, 74.1204, and 74.1206, and FCC Form 2100, Schedule 336, is 3060–1334.

The foregoing notice is required by the Paperwork Reduction Act of 1995, Public Law 104–13, October 1, 1995, and 44 U.S.C. 3507.

The total annual reporting burdens and costs for the respondents are as follows:

OMB Control Number: 3060–1334.

Title: FM Booster Program Origination Notification; Form 2100, Schedule 336; 47 CFR 74.1206.

Form Number: Form 2100, Schedule 336.

Type of Review: New collection.

Respondents: Business or other for-profit entities.

Number of Respondents and Responses: 1,260 respondents; 1,260 responses.

Estimated Hours per Response: 1 hour–10 hours.

Frequency of Response: On occasion reporting requirement.

Total Annual Burden: 1,350 hours.

Total Annual Cost: $568,500.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for this collection of information is contained in sections 154(i), 303, 310, and 553 of the Communications Act of 1934, as amended.

Needs and Uses: On November 21, 2024, the Commission adopted the Second Report and Order and Order on Reconsideration, MB Docket Nos. 20–401, 17–105, FCC 24–121 (Second Report and Order), which allows FM and low power FM (LPFM) broadcasters to use FM booster stations to originate program content, for up to three minutes of each hour. This option allows FM and LPFM broadcasters to air programming on booster stations different from their primary station to better meet the needs and interests of local listeners.

FM boosters are low power, secondary stations that operate in the FM broadcast band. They must be licensed to the same broadcaster and on the same frequency as the primary station, and rebroadcast that primary station's signal within its protected contour. Until this proceeding, FM boosters were traditionally used only as a means to enhance weak signals of a primary FM station and could not originate programming. With advances in technology it is now possible for FM broadcasters to customize the content delivered to different parts of their service areas by using boosters to air programming different from their primary FM station. Since the April 2024 adoption of the First Report and Order in this proceeding, MB Docket Nos. 20–401, 17–105, FCC 24–35, the Commission has allowed the use of program originating FM boosters on a temporary, experimental basis. The Second Report and Order now establishes specific processing, licensing, and service rules and permanently authorizes broadcasters to originate programming on FM boosters without the need for an experimental authorization.

Program Origination Notification Form. In the Second Report and Order, the Commission establishes that FM licensees can apply for boosters on a first come/first served basis. Before commencing program origination the licensee will file a notification (FM Booster Program Origination Notification) using an electronic form that will be available in the Media Bureau's Licensing and Management System (LMS) database. The notification will enable the Commission and interested parties to identify which FM boosters are originating programming. Program originating FM booster licensees will be required to file the notification form in LMS 15 days prior to commencing origination, and 30 days after permanently terminating origination. Per 47 CFR 74.1232(g), no more than 25 program originating booster stations may be licensed to a single full service FM broadcast station. A separate form is required for each FM booster station.

To facilitate the rollout of this service, the Commission directed the Media Bureau to create a notification form and consistent with this directive, the Media Bureau created the FM Booster Program Origination Notification, FCC Form 2100, Schedule 336.

In addition to the standard general contact information, the FM Booster Program Origination Notification, FCC Form 2100, Schedule 336 includes the following elements:

(1) The call sign and facility identification number of the program originating FM booster station;

(2) If applicable, the date on which the program originating FM booster station will commence (or has terminated) originating content;

(3) The name and telephone number of a technical representative the Commission or the public can contact in the event of interference;

(4) A certification that the program originating FM booster station complies with all Emergency Alert System (EAS) requirements contained in part 11 of our rules;

(5) A certification that the program originating FM booster station will originate programming for no more than three minutes of each broadcast hour; and

(6) A certification that the program originating FM booster minimizes interference to the primary station through synchronization or terrain shielding.

To implement this new information requirement contained in the Second Report and Order, the Commission added new § 74.1206 to the rules.

EAS-specific Notification. In response to public safety concerns about the potential impact on the Emergency Alert System (EAS), the Commission will also require primary station broadcasters whose signals are specified in a state emergency communications plan, to notify their State Emergency Communications Committee(s) (SECC) of their use of program originating boosters. Broadcasters must notify the appropriate SECC(s) at least 30 days prior to employing a program originating booster, or implementing a change to a booster's status. This requirement has been codified in new rule § 74.1206. This information collection regarding the EAS-specific notification and 47 CFR 74.1206 has received OMB approval.

OPIF Public Interest Certification by Licensees of Program Originating FM Boosters. To ensure that program originating booster stations are used appropriately, the Commission adopted a public interest self-certification requirement. Specifically, every licensee of a full service FM primary station using a program originating FM booster station, as defined in 47 CFR 74.1201(f)(2), shall concurrently with its quarterly issues programs lists for the primary station, place a booster public interest certification in the online public file of its FM primary station. The certification must contain the call sign(s) of the relevant booster(s) and certify that in originating programming over the booster(s), the licensee has considered the characteristics and needs of the coverage area of the booster station and has not used the booster to exclude or diminish service to other populations within that area or any other area served by the booster's primary station. This requirement has been codified in rule §§ 73.3526(a)(3) and (e)(20) and 73.3527(a)(3) and (e)(16), the online public inspection file rule for commercial stations and noncommercial educational stations, respectively. This information collection regarding the OPIF public interest certification by licensees of program originating FM boosters, and the modifications to 47 CFR 73.3526 and 73.3527, has received OMB approval.

Interference Regarding FM Booster Applications. In the *Second Report and Order* the Commission adopted the proposed amendment to § 74.1204(f) of the rules to provide a mechanism for complaints of predicted interference against a pending FM booster construction permit application. By amending § 74.1204(f) to allow complaints of predicted interference against pending FM booster construction permit applications, we are establishing a process that will provide the earliest indication that a developing booster station may cause interference that must be resolved under § 74.1203 once the booster station commences broadcasts. This information collection regarding the predicted interference complaint process at the construction permit application stage, and the modification to 47 CFR 74.1204(f), has received OMB approval.

Federal Communications Commission.

Marlene Dortch,

Secretary.

[FR Doc. 2025–14013 Filed 7–24–25; 8:45 am]

BILLING CODE 6712–01–P

Proposed Rules

Federal Register
Vol. 90, No. 141
Friday, July 25, 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 THE TREASURY

Office of the Comptroller of the Currency

12 CFR Chapter I

[Docket ID OCC–2023–0016]

FEDERAL RESERVE SYSTEM

12 CFR Chapter II

[Docket No. OP–1828]

FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Chapter III

RIN 3064–ZA39

Regulatory Publication and Review Under the Economic Growth and Regulatory Paperwork Reduction Act of 1996

AGENCY: Office of the Comptroller of the Currency (OCC), Treasury; Board of Governors of the Federal Reserve System (Board); Federal Deposit Insurance Corporation (FDIC).

ACTION: Regulatory review; request for comments.

SUMMARY: Pursuant to the Economic Growth and Regulatory Paperwork Reduction Act of 1996 (EGRPRA), the OCC, Board, and FDIC (collectively, the agencies) are reviewing agency regulations to identify outdated or otherwise unnecessary regulatory requirements on insured depository institutions and their holding companies. Since February 2024, the agencies published three **Federal Register** documents requesting comment on multiple categories of regulations. This fourth **Federal Register** document requests comment on the final three categories of regulations: Banking Operations, Capital, and the Community Reinvestment Act, and agency rules issued in final form as of July 25, 2025, including those covered by the three prior documents.

DATES: Written comments must be received no later than October 23, 2025.

ADDRESSES: Comments should be directed to:

OCC: Commenters are encouraged to submit comments through the Federal eRulemaking Portal. Please use the title ''Regulatory Publication and Review Under the Economic Growth and Regulatory Paperwork Reduction Act of 1996'' to facilitate the organization and distribution of the comments. You may submit comments by any of the following methods:

- *Federal eRulemaking Portal—Regulations.gov:*

Go to *https://regulations.gov/.* Enter ''Docket ID OCC–2023–0016'' in the Search Box and click ''Search.'' Public comments can be submitted via the ''Comment'' box below the displayed document information or by clicking on the document title and then clicking the ''Comment'' box on the top-left side of the screen. For help with submitting effective comments, please click on ''Commenter's Checklist.'' For assistance with the *Regulations.gov* site, please call 1–866–498–2945 (toll free) Monday–Friday, 9 a.m.–5 p.m. ET, or email *regulationshelpdesk@gsa.gov.*

- *Mail:* Chief Counsel's Office, Attention: Comment Processing, Office of the Comptroller of the Currency, 400 7th Street SW, Suite 3E–218, Washington, DC 20219.
- *Hand Delivery/Courier:* 400 7th Street SW, Suite 3E–218, Washington, DC 20219.

Instructions: You must include ''OCC'' as the agency name and ''Docket ID OCC–2023–0016'' in your comment. In general, the OCC will enter all comments received into the docket and publish the comments on the *Regulations.gov* website 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.

You may review comments and other related materials that pertain to this action by the following method:

- *Viewing Comments Electronically—Regulations.gov:*

Go to *https://regulations.gov/.* Enter ''Docket ID OCC–2023–0016'' in the Search Box and click ''Search.'' Click on the ''Dockets'' tab and then the document's title. After clicking the document's title, click the ''Browse All Comments'' tab. Comments can be viewed and filtered by clicking on the ''Sort By'' drop-down on the right side of the screen or the ''Refine Comments Results'' options on the left side of the screen. Supporting materials can be viewed by clicking on the ''Browse Documents'' tab. Click on the ''Sort By'' drop-down on the right side of the screen or the ''Refine Results'' options on the left side of the screen checking the ''Supporting & Related Material'' checkbox. For assistance with the *Regulations.gov* site, please call 1–866–498–2945 (toll free) Monday–Friday, 9 a.m.–5 p.m. ET, or email *regulationshelpdesk@gsa.gov.*

The docket may be viewed after the close of the comment period in the same manner as during the comment period.

Board: You may submit comments, identified by Docket No. OP–1828 by any of the following methods:

- *Agency Website: https://www.federalreserve.gov.* Follow the instructions for submitting comments at *https://www.federalreserve.gov/generalinfo/foia/ProposedRegs.cfm.*
- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments.
- *Email: regs.comments@federalreserve.gov.* Include the docket number in the subject line of the message.
- *Fax:* 202–452–3819 or 202–452–3102.
- *Mail:* Ann E. Misback, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.

Public Inspection: In general, all public comments will be made available on the Board's website at *www.federalreserve.gov/generalinfo/foia/ProposedRegs.cfm* as submitted, and will not be modified to remove confidential, contact or any identifiable information. Public comments may also be viewed electronically or in paper in Room M–4365A, 2001 C Street NW, Washington, DC 20551, between 9 a.m. and 5 p.m. during Federal business weekdays. For security reasons, the Board requires that visitors make an

appointment to inspect comments by calling (202) 452–3684. Upon arrival, visitors will be required to present valid government-issued photo identification and to submit to security screening in order to inspect and photocopy comments. For users of TTY–TRS, please call 711 from any telephone, anywhere in the United States.

FDIC: You may submit comments, identified by ''EGRPRA,'' by any of the following methods:

- *FDIC Website: https://www.fdic.gov/regulations/laws/federal/.* Follow instructions for submitting comments on the agency website.
- *Email: Comments@fdic.gov.* Include EGRPRA in the subject line of the message.
- *Mail:* Jennifer M. Jones, Deputy Executive Secretary, Attention: Comments—EGRPRA, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.
- *Hand Delivery to FDIC:* Comments may be hand-delivered to the guard station at the rear of the 550 17th Street NW building (located on F Street) on business days between 7 a.m. and 5 p.m.
- *Public Inspection:* Comments received, including any personal information provided, may be posted without change to *https://www.fdic.gov/resources/regulations/federal-register-publications/.* Commenters should submit only information that the commenter wishes to make available publicly. The FDIC may review, redact, or refrain from posting all or any portion of any comment that it may deem to be inappropriate for publication, such as irrelevant or obscene material. The FDIC may post only a single representative example of identical or substantially identical comments, and in such cases will generally identify the number of identical or substantially identical comments represented by the posted example. All comments that have been redacted, as well as those that have not been posted, that contain comments on the merits of the proposed rule will be retained in the public comment file and will be considered as required under all applicable laws. All comments may be accessible under the Freedom of Information Act.

FOR FURTHER INFORMATION CONTACT:

OCC: Allison Hester-Haddad, Special Counsel, Daniel Amodeo, Counsel, or John Cooper, Counsel, Chief Counsel's Office (202) 649–5490, 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.

Board: Katie Ballintine, Assistant Director, (202) 452–2555, and Colton Hamming, Financial Institution Policy Analyst III, (202) 452–3932, Division of Supervision and Regulation; Mandie Aubrey, Senior Counsel, (202) 452–2595, Division of Consumer and Community Affairs; Jay Schwarz, Deputy Associate General Counsel, (202) 452–2970, David Cohen, Counsel, (202) 452–5259, and Vivien Lee, Attorney, (202) 452–2029, Legal Division, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551. For users of TTY–TRS, please call 711 from any telephone, anywhere in the United States.

FDIC: Ryan C. Senegal, Chief, Policy & Program Development Section, (980) 249–3863, Division of Risk Management Supervision; or William Piervincenzi, Supervisory Counsel, (202) 898–6957, Legal Division.

SUPPLEMENTARY INFORMATION:

I. Introduction

Section 2222 of EGRPRA [1] requires that not less frequently than once every 10 years, the Federal Financial Institutions Examination Council (FFIEC) [2] and the agencies [3] conduct a review of their regulations to identify outdated or otherwise unnecessary regulatory requirements imposed on insured depository institutions. In conducting this review, the FFIEC or the agencies will (a) categorize their regulations by type and (b) at regular intervals, provide notice and solicit public comment on categories of regulations, requesting commenters to identify areas of regulations that are outdated, unnecessary, or unduly burdensome.[4]

The EGRPRA also requires the FFIEC or the agencies to publish in the **Federal Register** a summary of the comments received, identifying significant issues raised and commenting on those issues. It also directs the agencies to eliminate unnecessary regulations, as appropriate. Finally, the statute requires the FFIEC to submit a report to Congress that summarizes any significant issues raised in the public comments and the relative merits of those issues. The report must include an analysis of whether the agencies are able to address the regulatory burdens associated with such issues or whether those burdens must be addressed by legislative action.

II. The EGRPRA Review's Targeted Focus

The EGRPRA regulatory review provides an opportunity for the public and the agencies to evaluate groups of related regulations and to identify opportunities for burden reduction.[5] For example, the EGRPRA review may facilitate the identification of statutes and regulations that share similar goals or complementary methods where one or more agencies could eliminate the overlapping regulatory requirements. Alternatively, commenters may identify regulations or statutes that impose requirements that are no longer consistent with current business practices and may warrant revision or elimination.

The EGRPRA review also provides the agencies and the public with an opportunity to consider how to reduce the impact of regulations on community banks or their holding companies. The agencies are aware of the role that these institutions play in providing consumers and businesses across the nation with essential financial services and access to credit. The agencies are especially concerned about the impact of requirements for these smaller institutions. The agencies understand that when a new regulation is issued or a current regulation is amended, smaller institutions may have to devote a significant amount of their resources to determine if and how the regulation will

[1] 12 U.S.C. 3311.

[2] The FFIEC is an interagency body empowered to prescribe uniform principles, standards, and report forms for the Federal examination of financial institutions and to make recommendations to promote uniformity in the supervision of financial institutions. The FFIEC does not issue regulations that impose burden on financial institutions and, therefore, we have not separately captioned the FFIEC in this document.

[3] The FFIEC is comprised of the OCC, Board, FDIC, National Credit Union Administration (NCUA), Consumer Financial Protection Bureau (CFPB), and State Liaison Committee. Of these, only the OCC, Board, and FDIC are statutorily required to undertake the EGRPRA review. The NCUA elected to participate in the first and second EGRPRA reviews, and the NCUA Board again has elected to participate in this review process.

Consistent with its approach during the first and second EGRPRA reviews, NCUA will separately issue documents and requests for comment on its rules. The CFPB is required to review its significant rules and publish a report of its review no later than five years after they take effect. *See* 12 U.S.C. 5512(d). This process is separate from the EGRPRA process.

[4] Insured depository institutions are also subject to regulations that are not reviewed under the EGRPRA process because they were not prescribed by the agencies. Examples include rules for which rulemaking authority was transferred to the CFPB and anti-money laundering regulations issued by the Department of the Treasury's Financial Crimes Enforcement Network, among others. If, during the EGRPRA process, the agencies receive a comment about a regulation that is not subject to the EGRPRA review, we will forward that comment to the appropriate agency.

[5] *See supra* note 1.

affect them. Through the public comment process, the EGRPRA review can help the agencies identify and target regulatory changes to reduce impacts for those smaller institutions.

Burden reduction must be compatible with consumer protection and the safety and soundness of insured depository institutions, their affiliates, and the financial system as a whole. Burden reduction also must be consistent with the agencies' statutory mandates, many of which require the issuance of regulations. EGRPRA recognizes that effective burden reduction may require statutory changes. Accordingly, as part of this review, the agencies specifically ask the public to comment on the relationship among burden reduction, regulatory requirements, policy objectives, and statutory mandates. The agencies also seek quantitative data about the impact of rules, where available.

The agencies note that they must consider regulatory burden each time an agency proposes, adopts, or amends a rule. For example, under the Paperwork Reduction Act of 1995 [6] and the Regulatory Flexibility Act,[7] the agencies assess each rulemaking with respect to the burdens the rule might impose. The agencies also invite the public to comment on proposed rules as required by the Administrative Procedure Act.[8]

III. The EGRPRA Review Process

Taken together for purposes of the EGRPRA review process, the agencies' regulations covering insured depository institutions encompass more than 100 subjects.[9] Consistent with the EGRPRA statute and past practice, the agencies have grouped these regulations into the following 12 categories listed in alphabetical order: Applications and Reporting; Banking Operations; Capital; Community Reinvestment Act; Consumer Protection; [10] Directors, Officers and Employees; International Operations; Money Laundering; Powers and Activities; Rules of Procedure; Safety and Soundness; and Securities. These categories were used during the prior EGRPRA reviews. The agencies determined the categories by sorting the regulations by type and sought to have no category be too large or broad. These categories remain useful for the review, and the agencies have not modified the categories for purposes of this review.

To carry out the EGRPRA review, the agencies have now published four **Federal Register** documents with each addressing three categories of rules. Each **Federal Register** document provided a 90-day comment period. On February 6, 2024, the agencies published the first document, addressing the following categories of regulations: Applications and Reporting; Powers and Activities; and International Operations.[11] On August 1, 2024, the agencies published a second document, addressing Consumer Protection, Directors, Officers and Employees, and Money Laundering.[12] On December 11, 2024, the agencies published a third document addressing Rules of Procedure; Safety and Soundness; and Securities.[13] Today, the agencies are publishing the fourth document addressing the categories of Banking Operations, Capital, and the Community Reinvestment Act.[14] The agencies invite the public to identify outdated, unnecessary, or unduly burdensome regulatory requirements for insured depository institutions and their holding companies in these three categories and any other rules finalized by the agencies as of July 25, 2025.

To assist the public's understanding of how the agencies have organized the EGRPRA review, the agencies have prepared a chart that lists the categories of regulations for which the agencies are requesting comments. The chart's left column divides the categories into specific subject-matter areas. The headings at the top of the chart identify the types of institutions affected by the regulations.

The agencies will review the comments received and determine whether further action is appropriate with respect to the regulations. The agencies will consult and coordinate with each other and expect generally to make this determination jointly, as appropriate, in the case of rules that have been issued on an interagency basis. Similarly, as appropriate, the agencies will coordinate to amend or repeal those rules on an interagency basis. For rules issued by a single agency, the issuing agency will review the comments received and independently determine whether amendments to or repeal of its rules are appropriate.

Further, as part of the EGRPRA review, the agencies are holding a series of public outreach meetings to provide an opportunity for bankers, consumer and community groups, and other interested parties to present their views directly to senior management and staff of the agencies. More information about the outreach meetings can be found on the agencies' EGRPRA website, *https://egrpra.ffiec.gov.*

IV. Request for Comments on Regulations in the Banking Operations, Capital, and Community Reinvestment Categories and on Any Rules Finalized by the Agencies as of July 25, 2025

The agencies are requesting comment on regulations in the Banking Operations, Capital, and the Community Reinvestment Act categories to identify outdated, unnecessary, or unduly burdensome requirements for insured depository institutions and their holding companies. The agencies seek comment on all rules finalized by the agencies as of July 25, 2025. In addition to comments on regulations in these categories generally, the agencies are requesting comments on certain specific regulations described below within these categories issued since the last EGRPRA review. Where possible, the agencies ask commenters to cite to specific regulatory language or provisions. The agencies also welcome suggested alternative provisions or language in support of a comment, where appropriate. The agencies will consider comments submitted anonymously.

Specific Issues for Commenters to Consider

The agencies specifically invite comment on the following issues as they pertain to the agencies' Banking Operations, Capital, and the Community Reinvestment Act rules addressed in this document. The agencies have asked these same questions for each document issued in connection with the EGRPRA process and invite comments on these questions for the categories in the previous EGRPRA documents.

- *Need and purpose of the regulations.*
  - *Question 1:* Have there been changes in the financial services industry, consumer behavior, or other circumstances that cause any regulations in these categories to be outdated, unnecessary, or unduly burdensome? If so, please identify the

[6] 44 U.S.C. 3501–3521.

[7] 5 U.S.C. 610.

[8] 5 U.S.C. 551–559.

[9] Consistent with EGRPRA's focus on reducing burden on insured depository institutions, the agencies have not included their internal, organizational, or operational regulations in this review. These regulations impose minimal, if any, burden on insured depository institutions.

[10] The agencies are seeking comment only on consumer protection regulations for which they retain rulemaking authority for insured depository institutions and holding companies under the Dodd-Frank Wall Street Reform and Consumer Protection Act, Public Law 111–203, 124 Stat. 1376 (2010) (Dodd-Frank Act).

[11] 89 FR 8084 (Feb. 6, 2024).

[12] 89 FR 62679 (Aug. 1, 2024).

[13] 89 FR 99751 (Dec. 11, 2024).

[14] With respect to the Community Reinvestment Act regulations, the agencies invite public comment on the legacy CRA regulations. *See* discussion of the Interagency 2023 CRA rule, *infra.*

regulations, provide any available quantitative analyses or data, and indicate how the regulations should be amended.

○ *Question 2:* Do any of these regulations impose burdens not required by their underlying statutes? If so, please identify the regulations and indicate how they should be amended.

• *Overarching approaches/ flexibilities.*

○ *Question 3:* With respect to the regulations in these categories, could an agency use a different regulatory approach to lessen the burden of the regulations and achieve statutory intent?

○ *Question 4:* Do any of these rules impose unnecessarily inflexible requirements? If so, please identify the regulations and indicate how they should be amended.

• *Cumulative effects.*

○ *Question 5:* Looking at the regulations in a category as a whole, are there any requirements that are redundant, inconsistent, or overlapping in such a way that taken together, impose an unnecessary burden that could potentially be addressed? If so, please identify those regulations, provide any available quantitative analyses or data, and indicate how the regulations should be amended.

○ *Question 6:* Have the agencies issued similar regulations in the same area that should be considered together as bodies of regulation, when assessing the cumulative effects on an insured depository institution or holding company? If so, please identify the regulations, why they should be considered together, and any available analyses or data for the agencies' consideration.

○ *Question 7:* Could any regulations or category of regulations be streamlined or simplified to reduce unduly burdensome or duplicative regulatory requirements?

• *Effect on competition.*

○ *Question 8:* Do any of the regulations in these categories create competitive disadvantages for one part of the financial services industry compared to another or for one type of insured depository institution compared to another? If so, please identify the regulations and indicate how they should be amended.

• *Reporting, recordkeeping, and disclosure requirements.*

○ *Question 9:* Do any of the regulations in these categories impose outdated, unnecessary, or unduly burdensome reporting, recordkeeping, or disclosure requirements on insured depository institutions or their holding companies?

○ *Question 10:* Could an insured depository institution or its holding company fulfill any of these requirements through new technologies (if they are not already permitted to do so) and experience a burden reduction? If so, please identify the regulations and indicate how they should be amended.

• *Unique characteristics of a type of institution.*

○ *Question 11:* Do any of the regulations in these categories impose requirements that are unwarranted by the unique characteristics of a particular type of insured depository institution or holding company? If so, please identify the regulations and indicate how they should be amended.

• *Clarity.*

○ *Question 12:* Are the regulations in these categories clear and easy to understand?

○ *Question 13:* Are there specific regulations for which clarification is needed? If so, please identify the regulations and indicate how they should be amended.

• *Impact to community banks and other small, insured depository institutions.*

○ *Question 14:* Are there regulations in these categories that impose outdated, unnecessary, or unduly burdensome requirements on a substantial number of community banks, their holding companies, or other small, insured depository institutions or holding companies?

○ *Question 15:* Have the agencies issued regulations pursuant to a common statute that, as applied by the agencies, create redundancies or impose inconsistent requirements?

○ *Question 16:* Should any of these regulations issued pursuant to a common statute be amended or repealed to minimize this impact? If so, please identify the regulations and indicate how they should be amended.

○ *Question 17:* Have the effects of any regulations in these categories changed over time that now have a significant economic impact on a substantial number of small, insured depository institutions or holding companies? If so, please identify the regulations and indicate how they should be amended. The agencies seek information on (1) the continued need for the rule; (2) the complexity of the rule; (3) the extent to which the rule overlaps, duplicates or conflicts with other Federal rules, and, to the extent feasible, with State and local governmental rules; and (4) the degree to which technology, economic conditions, or other factors have changed in the area affected by the rule.

• *Scope of rules.*

○ *Question 18:* Is the scope of each rule in these categories consistent with the intent of the underlying statute(s)?

○ *Questions 19:* Could the agencies amend the scope of a rule to clarify its applicability or reduce the burden, while remaining faithful to statutory intent? If so, please identify the regulations and indicate how they should be amended.

Specific Interagency Regulations Issued Since the Last EGRPRA Review

• *Simplifications to the Regulatory Capital Rule Pursuant to the Economic Growth and Regulatory Paperwork Reduction Act (EGRPRA) of 1996.* In July 2019, consistent with the goals of the EGRPRA, the agencies finalized rules that simplified certain aspects of the regulatory capital requirements for banking organizations with less than $250 billion in total consolidated assets or $10 billion in total consolidated foreign financial exposure.[15] Specifically, this rule (1) simplified the regulatory capital treatment for mortgage servicing assets, temporary difference deferred tax assets, and holdings of regulatory capital instruments issued by other financial institutions and (2) simplified the calculation for limitations on minority interest includable in regulatory capital. Initially, the simplified requirements were to become effective on April 1, 2020. However, in November 2019, the agencies issued a subsequent notice to allow banking organizations to begin using the simplified requirements on January 1, 2020.[16] Banking organizations that chose not to adopt the simplifications on the earlier timetable were still permitted to wait until April 1, 2020, to implement the requirements.

• *Community Bank Leverage Ratio.* In November 2019, the agencies implemented section 201 of the Economic Growth, Regulatory Relief, and Consumer Protection Act (EGRRCPA)[17] by revising their respective regulatory capital rules to provide a simplified measure of capital adequacy for qualifying community banking organizations.[18] Under this rule, banking organizations with less than $10 billion in total consolidated assets that meet the qualifying criteria, including maintaining leverage ratio greater than nine percent, may elect to use the community bank leverage ratio

[15] 84 FR 35234 (July 22, 2019).

[16] 84 FR 61804 (Nov. 13, 2019).

[17] *See* Economic Growth, Regulatory Relief, and Consumer Protection Act, Public Law 115–174, 132 Stat. 1296 (2018).

[18] 84 FR 61776 (Nov. 13, 2019), as corrected by 84 FR 70887 (Dec. 26, 2019), 85 FR 10968 (Feb. 26, 2020).

framework. These banking organizations will be considered to have met the capital requirements for the ''well capitalized'' category under the agencies' prompt corrective action framework and will no longer be subject to the generally applicable risk-based capital rule.

• *Regulatory Capital Rule: Implementation and Transition of the Current Expected Credit Losses Methodology for Allowances and Related Adjustments to the Regulatory Capital Rule and Conforming Amendments to Other Regulations.* In February 2019, the agencies adopted a final rule to address changes to credit loss accounting under U.S. generally accepted accounting principles, including banking organizations' implementation of the current expected credit losses methodology (CECL).[19] The final rule provides banking organizations the option to phase in over a three-year period the day-one adverse effects on regulatory capital that may result from the adoption of the new accounting standard. In addition, the final rule revises the agencies' regulatory capital rule, stress testing rules, and regulatory disclosure requirements to reflect CECL, and makes conforming amendments to other regulations that reference credit loss allowances.

• *Applicability Thresholds for Regulatory Capital and Liquidity Requirements.* In November 2019, the agencies published a final rule to revise the framework for determining the applicability of regulatory capital and standardized liquidity requirements for large U.S. banking organizations, the U.S. intermediate holding companies (IHC) of certain foreign banking organizations, and certain of their depository institution subsidiaries.[20]

• *Capital Requirements for High Volatility Commercial Real Estate (HVCRE) Exposures.* In December 2019, the agencies implemented section 214 of the EGRRCPA by revising the definition of *HVCRE* exposure, which had the effect of limiting the scope of the heightened risk weight applied to certain acquisition, development, and construction lending exposures.[21]

• *Standardized Approach for Counterparty Credit Risk (SA–CCR).* In January 2020, the agencies published a final rule to provide an updated framework for measuring the exposure amount of derivatives contracts for the purpose of measuring their regulatory capital requirements.[22] The final rule replaced the current exposure methodology (CEM) with the standardized approach for counterparty credit risk for the largest and most complex banking organizations, while permitting smaller banks to use either CEM or SA–CCR. SA–CCR is a more risk-sensitive approach that better reflects industry practices including margining for derivative contracts. Initially, the rule provided that banking organizations would have the option of using the SA–CCR beginning on April 1, 2020, and the largest, most complex banking organizations would be required to use it on January 1, 2022. The agencies issued a subsequent notice in March 2020 providing that banks would be permitted to begin using SA–CCR for their first quarter 2020 Call Report filings.[23] For the largest and most complex banking organizations, mandatory use of SA–CCR would continue to be delayed until January 1, 2022.

• *Exclusion from the Supplementary Leverage Ratio Calculation of Certain Central Bank Deposits for Banking Organizations Predominantly Engaged in Custody, Safekeeping, and Asset Servicing Activities.* In January 2020, the agencies implemented section 402 of the EGRRCPA by amending the supplementary leverage ratio, which is a measure of capital adequacy that applies to large banking organizations.[24] Section 402 provides that the supplementary leverage ratio must not take into account funds of a custodial bank that are deposited with certain central banks, provided that any amount that exceeds the value of deposits of the custodial bank that are linked to fiduciary or custodial and safekeeping accounts must be taken into account. Therefore, this rule, which became effective on April 1, 2020, provides that custodial banks are permitted to exclude from their total leverage exposure (the denominator of the supplementary leverage ratio) the lesser of (1) deposits at central banks and (2) client deposits linked to fiduciary or custodial and safekeeping accounts. Federal Reserve Board regulations generally define ''custodial banking organization'' to include a top-tier depository institution holding company domiciled in the United States that has assets under custody that are at least 30 times the amount of the depository institution holding company's total assets.

• *Regulatory Capital Rule and Total Loss-Absorbing Capacity Rule: Eligible Retained Income.* In October 2020, the agencies adopted revisions to a definition of eligible retained income made under the interim final rule published in the **Federal Register** on March 20, 2020, for all depository institutions, bank holding companies, and savings and loan holding companies subject to the agencies' capital rule.[25] The final rule revises the definition of eligible retained income to make more gradual any automatic limitations on capital distributions that could apply under the agencies' capital rule. Separately, in this final rule, the Board also adopted as final the definition of eligible retained income made under the interim final rule published in the **Federal Register** on March 26, 2020, for purposes of the Board's total loss-absorbing capacity (TLAC) rule. The final rule adopts these interim final rules with no changes.

• *Investments in Certain Unsecured Debt Instruments Issued by Global Systemically Important U.S. Bank Holding Companies, Certain Intermediate Holding Companies, and Global Systemically Important Foreign Banking Organizations.* In January 2021, the agencies published a final rule that applies to advanced approaches banking organizations (generally, the largest, most interconnected banking organizations) with the aim of reducing both interconnectedness within the financial system and systemic risks.[26] The final rule requires advanced approaches banking organizations to deduct from their regulatory capital calculations certain investments in unsecured debt instruments issued by foreign or U.S. global systemically important banking organizations (GSIBs) for the purposes of meeting minimum total loss-absorbing capacity requirements and, where applicable, long-term debt requirements, or for investments in unsecured debt instruments issued by GSIBs that are *pari passu* or subordinated to such debt instruments. Under this rule, an advanced approaches banking organization may exclude from deduction investments in certain covered debt instruments up to five percent of its common equity tier 1 capital. Notably, use of this exclusion is tailored, depending on whether the advanced approaches banking organization is a U.S. GSIB. For U.S. GSIBs, the exclusion is available only for investments in covered debt

[19] 84 FR 4222 (Feb. 14, 2019).

[20] 84 FR 59230 (Nov. 1, 2019).

[21] 84 FR 68019 (Dec. 13, 2019).

[22] 85 FR 4362 (Jan. 24, 2020), as corrected by 85 FR 57956 (Sept. 2020).

[23] 85 FR 17721 (Mar. 31, 2020).

[24] 85 FR 4569 (Jan. 27, 2020).

[25] 85 FR 63423 (Oct. 8, 2020), as corrected 86 FR 3761 (Jan. 15, 2021).

[26] 86 FR 708 (Jan. 6, 2021).

instruments that are held in accordance with market making activities, as identified using criteria from regulations implementing section 13 of the Bank Holding Company Act (commonly known as the Volcker Rule).

• *Interagency 2023 CRA Rule.* In October 2023, the agencies jointly issued a final rule (Interagency 2023 CRA Rule) that amended their regulations implementing the Community Reinvestment Act of 1977 to update how CRA activities qualify for consideration, where CRA activities are considered, and how CRA activities are evaluated.[27] The Interagency 2023 CRA Rule included an April 1, 2024, effective date and transition provisions for most substantive provisions; however, the rule has been challenged in litigation and is currently enjoined.[28] As such, the agencies continue to assess banks' CRA performance under the 1995 version of the CRA rules (legacy CRA regulations).[29] On March 28, 2025, the agencies announced their intention to issue a proposal both to rescind the Interagency 2023 CRA Rule and reinstate the CRA framework that existed prior to the Interagency 2023 CRA Rule.[30] Therefore, the agencies invite public comment on the legacy CRA regulations.

• *Community Reinvestment Act (CRA) Supplemental Rule.* In March 2024, the agencies published an interim final rule and a final rule that revised the applicability date of certain provisions of the Interagency 2023 CRA Rule [31] and made certain other technical amendments to the Interagency 2023 CRA Rule and related regulations.[32]

• *Revisions to Remove Obsolete References in the CRA Regulations.* In December 2015, the agencies made technical edits to the CRA regulations to remove obsolete references to the Office of Thrift Supervision (OTS) and update cross-references to regulations implementing certain Federal consumer financial laws.[33]

• *CRA Conforming Amendments Related to Home Mortgage Disclosure Act (HMDA) Changes.* In November 2017, the agencies published a final rule that modified the definitions of ''home mortgage loan'' and ''consumer loan,'' related cross references, and the public file content requirements to conform to revisions made by the Consumer Financial Protection Bureau to Regulation C, which implements HMDA. The final rule also removed obsolete references to the Neighborhood Stabilization Program.[34]

Specific OCC Regulations Issued Since the Last EGRPRA Review

• *Assessment of Fees.* In July 2014, the OCC published a final rule that raised marginal assessments on national banks and Federal savings associations with more than $40 billion in assets.[35] This increase reflected new supervisory and regulatory initiatives that required additional resources, especially for large bank supervision and regulation. Marginal assessment rates for national banks and Federal savings associations had not increased between 1995 and 2013, and changes in 2008 lowered some large entities' marginal assessment rates. In August 2019, the OCC issued a separate assessments final rule in which it allowed banks that exit the jurisdiction of the OCC to receive a refund of certain prospectively paid assessments.[36]

• *CRA Rescind and Replace Rule.* In December 2021, the OCC adopted a final CRA rule based largely on the agencies' 1995 CRA rules.[37] This action rescinded and replaced the CRA final rule published by the OCC in June 2020, which updated and revised the OCC's CRA rule and integrated the CRA regulations in 12 CFR parts 25 (national banks) and 195 (savings associations).[38]

Specific Board Regulations Issued Since the Last EGRPRA Review

• *Availability of Funds and Collection of Checks.* In June 2017 and September 2018, the Board amended Regulation CC, Availability of Funds and Collection of Checks, which implements the Expedited Funds Availability Act of 1987 (EFA Act), the Check Clearing for the 21st Century Act of 2003 (Check 21 Act), and the official staff commentary to the regulation.[39] Among other amendments, the Board modified the current check collection and return requirements to reflect the virtually all-electronic check collection and return environment and to encourage all depositary banks to receive, and paying banks to send, returned checks electronically, and included provisions to address situations where there is a dispute as to whether a check has been altered or was issued with an unauthorized signature, and the original paper check is not available for inspection. The Board and CFPB also amended Regulation CC in July 2019 and May 2024 to implement a statutory requirement in the EFA Act to adjust the dollar amounts under the EFA Act for inflation, incorporate the Economic Growth, Regulatory Relief, and Consumer Protection Act (EGRRCPA) amendments, which include extending coverage to American Samoa, the Commonwealth of the Northern Mariana Islands, and Guam, and implement technical edits.[40]

• *Collection of Checks and Other Items by Federal Reserve Banks and Funds Transfers Through Fedwire.* In November 2018 and June 2022, the Board published final amendments to Regulation J, collection of checks and other items by Federal Reserve Banks and funds transfers through the Fedwire funds service and the FEDNOW service.[41] Among other provisions, the amendments clarify and simplify certain provisions in Regulation J, remove obsolete provisions, and align the rights and obligations of sending banks, paying banks, and Federal Reserve Banks with the Board's amendments to Regulation CC to reflect the virtually all-electronic check collection and return environment. Additionally, the Board published final provisions to govern funds transfers through the Federal Reserve Banks' FedNow℠ Service and changes and clarifications to regulations

[27] 89 FR 6574 (Feb. 1, 2024).

[28] *See Texas Bankers Association* v. *Office of the Comptroller of the Currency,* No. 2:24–CV–025–Z–BR (N.D. Tex. 2024); *see also Texas Bankers Association* v. *Board of Governors of the Federal Reserve System,* No. 24–10367 (5th Cir. 2024).

[29] The text of the legacy CRA regulations may be found: (i) in the 2022, 2023, or 2024 bound versions of title 12 of the Code of Federal Regulations; (ii) in the historical version of the Electronic Code of Federal Regulations (eCFR) as of March 29, 2024; or (iii) in appendix G of the Interagency 2023 CRA Rule as published in the eCFR on February 1, 2024.

[30] *See* Joint Press Release, *Agencies Announce Intent to Rescind 2023 Community Reinvestment Act Final Rule* (March 28, 2025), *https://www.federalreserve.gov/newsevents/pressreleases/bcreg20250328a.htm; https://occ.gov/news-issuances/news-releases/2025/nr-ia-2025-26.html; https://www.fdic.gov/news/press-releases/2025/agencies-announce-intent-rescind-2023-community-reinvestment-act-final.*

[31] *See* Interagency 2023 CRA Rule discussion, *supra.*

[32] 89 FR 22060 (March 29, 2024). The supplemental rule included technical amendments to the agencies' CRA sunshine regulations, codified at 12 CFR parts 35 (OCC), 207 (Regulation G) (Board), and 346 (FDIC). In addition, the supplemental rule included technical amendments to the OCC's public welfare investment regulation, codified at 12 CFR part 24, and the OCC's regulation concerning conversions from mutual to stock form, codified at 12 CFR part 192.

[33] 80 FR 81162 (Dec. 29, 2015).

[34] 82 FR 55734 (Nov. 24, 2017).

[35] 79 FR 38769 (July 9, 2014).

[36] 84 FR 43475 (Aug. 21, 2019).

[37] 86 FR 71328 (Dec. 15, 2021).

[38] 85 FR 34734 (June 5, 2020).

[39] 82 FR 27552 (June 15, 2017); 83 FR 46849 (Sept. 17, 2018).

[40] 84 FR 31687 (July 3, 2019), as corrected by 84 FR 45403 (Aug. 29, 2019); 89 FR 43737 (May 20, 2024).

[41] 83 FR 61509 (Nov. 30, 2018); 87 FR 34350 (June 6, 2022).

governing the Fedwire Funds Service, to reflect the fact that the Reserve Banks will be operating a second funds transfer service in addition to the Fedwire Funds Service, as well as technical corrections to regulations governing the check service.

• *Debit Card Interchange Fees and Routing.* In October 2022, the Board adopted a final rule that amends Regulation II to specify that the requirement that each debit card transaction must be able to be processed on at least two unaffiliated payment card networks applies to card-not-present transactions, the requirement that debit card issuers ensure that at least two unaffiliated networks have been enabled to process a debit card transaction, and standardize and clarify the use of certain terminology.[42]

• *Regulation D: Reserve Requirements of Depository Institutions.* In July 2023, the Board amended two sections of Regulation D to conform the provisions to prior regulatory amendments.[43]

• *Supervision and Regulation Assessments of Fees for Bank Holding Companies and Savings and Loan Holding Companies With Total Consolidated Assets of $100 Billion or More.* In December 2020, the Board adopted a final rule to amend the Board's assessment rule, Regulation TT, pursuant to Section 318 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (the Dodd-Frank Act), to address amendments made by section 401 of the EGRRCPA.[44] The final rule raises the minimum threshold for being considered an assessed company from $50 billion to $100 billion in total consolidated assets for bank holding companies and savings and loan holding companies and adjusts the amount charged to assessed companies with total consolidated assets between $100 billion and $250 billion to reflect changes in supervisory and regulatory responsibilities resulting from EGRRCPA.

• *Total Loss-Absorbing Capacity, Long-Term Debt, and Clean Holding Company Requirements for Systemically Important U.S. Bank Holding Companies and Intermediate Holding Companies of Systemically Important Foreign Banking Organizations.* In January 2017, the Board adopted a final rule to require a U.S. top-tier bank holding company identified under the Board's rules as a global systemically important bank holding company (covered BHC) to maintain outstanding a minimum amount of loss-absorbing instruments, including a minimum amount of unsecured long-term debt.[45] In addition, the final rule prescribes certain additional buffers, the breach of which would result in limitations on the capital distributions and discretionary bonus payments of a covered BHC. The final rule applies similar requirements to the top-tier U.S. intermediate holding company of a global systemically important foreign banking organization with $50 billion or more in U.S. non-branch assets (covered IHC). The final rule also imposes restrictions on other liabilities that a covered BHC or covered IHC may have outstanding in order to improve their resolvability and resiliency; these restrictions are referred to in the final rule as ''clean holding company requirements.''

• *Amendments to the Capital, Capital Plan, and Stress Test Rules.* In February 2017 and March 2020, the Board adopted final rules amending the Board's regulatory capital rule, capital plan rule, stress test rules, and Stress Testing Policy Statement.[46] Among other changes, the rules simplify the Board's capital framework while preserving capital requirements for large firms and integrates the capital rule with the Comprehensive Capital Analysis and Review (CCAR) through the establishment of the stress capital buffer requirement. Through the integration of the capital rule and CCAR, the final rule removed redundant elements of the current capital and stress testing frameworks that currently operate in parallel rather than together, including the CCAR quantitative objection and the assumption that a banking organization makes all capital actions under stress.

• *Capital Planning and Stress Testing Requirements for Large Bank Holding Companies, Intermediate Holding Companies and Savings and Loan Holding Companies.* In February 2021, the Board adopted a final rule to tailor the requirements in the Board's capital plan rule based on risk.[47] Specifically, as indicated in the Board's October 2019 rulemaking that updated the prudential framework for large bank holding companies and U.S. intermediate holding companies of foreign banking organizations (tailoring framework), the final rule modifies the capital planning, regulatory reporting, and stress capital buffer requirements for firms subject to ''Category IV'' standards under that framework. To be consistent with recent changes to the Board's stress testing rules, the final rule made other changes to the Board's stress testing rules, Stress Testing Policy Statement, and regulatory reporting requirements, such as the assumptions relating to business plan changes and capital actions and the publication of company-run stress test results for savings and loan holding companies. The final rule also applied the capital planning and stress capital buffer requirements to covered saving and loan holding companies subject to Category II, Category III, and Category IV standards under the tailoring framework.

• *Regulatory Capital Rules: Risk-Based Capital Requirements for Depository Institution Holding Companies Significantly Engaged in Insurance Activities.* In October 2023, the Board finalized risk-based capital requirements for depository institution holding companies that are significantly engaged in insurance activities.[48] This risk-based capital framework, termed the Building Block Approach, adjusts and aggregates existing legal entity capital requirements to determine enterprise-wide capital requirements. The final rule also contains a risk-based capital requirement excluding insurance activities, in compliance with section 171 of The Dodd-Frank Act. The Board also adopted a reporting form FR Q–1 related to the Building Block Approach. The capital requirements and associated reporting form meet statutory mandates and help to prevent the economic and consumer impacts resulting from the failure of organizations engaged in banking and insurance.

Specific FDIC Regulations Issued Since the Last EGRPRA Review

• *Small Bank Assessments.* In 2016, the FDIC refined the deposit insurance assessment system for small insured depository institutions that have been federally insured for at least five years. The rule revised the financial ratios method so that it would be based on a statistical model estimating the probability of failure over three years, updated the financial measures used in the financial ratios method consistent with the statistical model, and eliminated risk categories for established small banks and using the financial ratios method to determine assessment rates for all such banks.[49] In 2018, technical amendments were made to the assessment rules to clarify that small bank assessment credits would be applied when the reserve ratio of the

[42] 87 FR 61217 (Oct. 11, 2022).

[43] 88 FR 45057 (July 14, 2023).

[44] 85 FR 78949 (Dec. 8, 2020).

[45] 82 FR 8266 (Jan. 24, 2017).

[46] 82 FR 9308 (Feb. 3, 2017); 85 FR 15576 (Mar. 18. 2020).

[47] 86 FR 7927 (Feb. 3, 2021), as corrected by 86 FR 9261 (Feb. 12., 2021).

[48] 88 FR 82950 (Nov. 27, 2023).

[49] 81 FR 32180 (May 20, 2016), as amended at 85 FR 71227 (Nov. 9, 2020).

Deposit Insurance Fund (DIF) is at least 1.38 percent, removed a data item from the Call Report, and re-incorporated the capital definitions and ratio thresholds used for prompt corrective action that were inadvertently removed in the 2016 rulemaking.[50] In 2019, the FDIC amended the deposit insurance assessment regulations that govern the use of small bank assessment credits and one-time assessment credits by certain insured depository institutions to require these credits to continue as long as the DIF reserve ratio is at least 1.35 percent.[51]

- *Troubled Debt Restructuring Accounting Standards.* The FDIC incorporated updated accounting standards in the risk-based deposit insurance assessment system applicable to all large IDIs. The rule modified borrowers experiencing financial difficulty in the underperforming assets ratio and higher-risk assets ratio for purposes of deposit insurance assessments.[52]
- *Initial Base Deposit Insurance Assessment.* In 2019 and 2022, the FDIC adopted a final rule to increase initial base deposit insurance assessment rate schedules by two basis points. The increase in the assessment rate schedules increased the likelihood that the reserve ratio will reach the statutory minimum of 1.35 percent by the statutory deadline of September 30, 2028, consistent with the FDIC's Amended Restoration Plan, and is intended to support growth in the DIF in progressing towards the FDIC's long-term goal of a 2 percent Designated Reserve Ratio (DRR).[53]
- *Surcharges.* Pursuant to the Dodd-Frank Act and the FDIC's authority under section 7 of the Federal Deposit Insurance Act, the FDIC imposed a surcharge on the quarterly assessments of insured depository institutions with total consolidated assets of $10 billion or more.[54]
- *Assessments.* Shortly after the banking agencies adopted the final rule that provided for a simple measure of capital adequacy for certain community banking organizations, the FDIC amended its deposit insurance assessment to apply the CBLR framework to the deposit insurance assessment system.[55]
- *Special Assessment Pursuant to Systemic Risk Determination.* In response to the closures of Silicon Valley Bank and Signature Bank, the FDIC implemented a $16.3 billion special assessment at a quarterly rate of 3.36 basis points to recover the loss to the DIF.[56]
- *Reciprocal Deposits.* The FDIC amended its regulations implementing brokered deposits and interest rate restrictions to conform with changes to section 29 of the Federal Deposit Insurance Act made by section 202 of the Economic Growth, Regulatory Relief, and Consumer Protection Act related to reciprocal deposits.[57]
- *Current Expected Credit Losses Methodology.* The FDIC addressed the temporary deposit insurance assessment effects resulting from certain optional regulatory capital transition provisions relating to the implementation of the current expected credit losses methodology by adopting amendments to remove the double counting of a specified portion of the CECL transitional amount or the modified CECL transitional amount, as applicable, in certain financial measures that are calculated using the sum of Tier 1 capital and reserves and that are used to determine assessment rates for large or highly complex IDIs. The final rule also adjusted the calculation of the loss severity measure to remove the double counting of a specified portion of the CECL transitional amounts for a large or highly complex IDI.[58]
- *Company-Run Stress Testing Requirements for State Nonmember Banks and State Savings Associations.* In 2019, the FDIC revised the minimum threshold from $10 billion to $250 billion for company-run stress tests applicable to state nonmember banks and state savings associations. The FDIC also revised the frequency of required stress tests from annual to periodically and reduced the number of required stress testing scenarios from three to two.[59]

V. Request for Additional Comments on All Regulations

The agencies also invite comment on the following questions regarding the agencies' rules in any of the 12 categories of regulations in this current notice and previous EGRPRA documents.

- *Question 20:* Are there additional comments you would like to provide about the compliance costs for any of the EGRPRA categories included in prior EGRPRA notices? If possible, please provide specific quantitative information about the costs incurred. If possible, provide a specific breakdown of costs paid to various services, *e.g.,* labor, legal and other consulting services, technology.
- *Question 21:* Are there analyses that quantify the monetary costs necessary to comply with each of these rules? If possible, please provide a specific breakdown of costs paid to various services, *e.g.,* labor, technology, legal or other consulting services.
- *Question 22:* Looking at the regulations in a category as a whole, what changes would effectively minimize monetary compliance costs while still maintaining the firm's safety and soundness? If possible, provide specific quantitative information about the current costs incurred and the associated cost reductions.
- *Question 23:* Are there additional costs incurred for maintaining reporting, recordkeeping, and disclosure requirements for these rules that you wish to highlight in addition to your response to question 13? If possible, provide a specific breakdown of costs paid to various services, *e.g.,* labor, legal and other consulting services, technology, for reporting, recordkeeping, and disclosure.
- *Question 24:* Are there special considerations that might increase or decrease compliance costs compared to typical compliance expenses for other firms for the rules in these categories? Responses are encouraged to be as specific and quantitative as possible about the differences in costs incurred and the special characteristics that drive those differences.

VI. The Agencies' Review of Regulations Under Section 610 of the Regulatory Flexibility Act (RFA)

Consistent with past practice, the agencies will use the EGRPRA review to satisfy their respective obligations under section 610 of the RFA.[60] To that end,

[50] 83 FR 14565 (Apr. 5, 2018).

[51] 84 FR 65269 (Nov. 27, 2019).

[52] 87 FR 64348 (Oct. 24, 2022).

[53] 87 FR 64314 (Oct. 24, 2022).

[54] 81 FR 16059 (Mar. 25, 2016), as amended at 83 FR 14568 (Apr. 5, 2018).

[55] 84 FR 66833 (Dec. 6, 2019).

[56] 88 FR 83329 (Nov. 29, 2023).

[57] 84 FR 1346 (Feb. 4, 2019).

[58] 86 FR 11391 (Feb. 25, 2021).

[59] 84 FR 56929 (Oct. 24, 2019), as corrected at 84 FR 64984 (Nov. 26, 2019).

[60] Section 610 of the Regulatory Flexibility Act, 5 U.S.C. 610, imposes a continuing obligation on the agencies to review regulations that may have a significant economic impact upon a substantial number of small entities within 10 years after a final rulemaking is published. A subset of the rules the agencies will review under EGRPRA will also be reviewed under the section 610 review criteria. The agencies will indicate which rules are subject to section 610 review. The factors the agencies consider in evaluating a rule under 5 U.S.C. 610 are (1) the continued need for the rule; (2) the nature of complaints or comments received concerning the rule from the public; (3) the complexity of the rule; (4) the extent to which the rule overlaps, duplicates or conflicts with other Federal rules, and, to the extent feasible, with State and local governmental rules; and (5) the length of time since the rule has been evaluated or the degree to which technology,

for each rule that has a significant impact on a substantial number of small entities issued in the last 10 years, the agencies invite comment on (1) the continued need for the rule; (2) the complexity of the rule; (3) the extent to which the rule overlaps, duplicates or conflicts with other Federal rules, and, to the extent feasible, with State and local governmental rules; and (4) the length of time since the rule has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the rule. The purpose of the review will be to determine whether such rules should be continued without change, or should be amended or rescinded, consistent with the stated objectives of applicable statutes, to minimize any significant economic impact of the rules upon a substantial number of such small entities.

The FDIC identified one rule pertaining to Capital that requires review under the RFA. The agencies did not identify any additional rules in the categories of Banking Operations, Capital, and Community Reinvestment that require review under the RFA. Accordingly, the agencies will consider public comments submitted through the EGRPRA review process and agency experience to identify regulations where the agencies can reduce burdens that have a significant impact on a substantial number of small, insured depository institutions.[61]

Title: Regulatory Capital Rules: Regulatory Capital, Implementation of Basel III, Capital Adequacy, Transition Provisions, Prompt Corrective Action, Standardized Approach for Risk Weighted Assets, Market Discipline and Disclosure Requirements, Advanced Approaches Risk Based Capital Rule, and Market Risk Capital Rule.

Citation: 78 FR 55340 and 79 FR 20754.

Authority: 12 U.S.C. 1831o(c) and See 12 U.S.C. 3907.

Description: The FDIC adopted an interim final rule that revised its risk-based and leverage capital requirements for FDIC-supervised institutions. The interim final rule is substantially identical to a joint final rule issued by the OCC and the Board. The interim final rule implements a revised definition of regulatory capital, a new common equity tier 1 minimum capital requirement, a higher minimum tier 1 capital requirement, and, for advanced approaches or Category III FDIC-supervised institutions,[62] a supplementary leverage ratio that incorporates a broader set of exposures in the denominator. The interim final rule incorporates these new requirements into the FDIC's prompt corrective action framework. In addition, the interim final rule establishes limits on FDIC-supervised institutions' capital distributions and certain discretionary bonus payments if the FDIC-supervised institution does not hold a specified amount of common equity tier 1 capital in addition to the amount necessary to meet its minimum risk-based capital requirements. The interim final rule amends the methodologies for determining risk-weighted assets for all FDIC-supervised institutions. The interim final rule also adopts changes to the FDIC's regulatory capital requirements that meet the requirements of section 171 and section 939A of the Dodd-Frank Wall Street Reform and Consumer Protection Act. The interim final rule was subsequently adopted as final.[63]

Prior RFA Analysis: A final regulatory flexibility analysis was prepared in accordance with 5 U.S.C. 604 in conjunction with an interim final rule.[64] In the interim final rule and subsequent final rule, the FDIC considered comments received on initial regulatory flexibility analyses included in three proposed rulemakings that preceded the interim and final rules.[65]

Subject	National banks	State member banks	State non-member banks	Federal savings associations	State savings associations	BHCs & FHCs --- SLHCs
Banking Operations						
OCC Regulations						
Assessment of Fees	12 CFR part 8			12 CFR part 8.		
National Bank and Federal Savings Associations Operations.	12 CFR part 7, subpart C.			12 CFR part 7, subpart C.		
Savings Association Operations				12 CFR part 163.		
Definitions for Regulations Affecting Federal Savings Associations.				12 CFR part 141.		
Definitions for Regulations Affecting All Savings Associations.				12 CFR part 161.		
Board Regulations						
Assessment of Fees						12 CFR part 246 [Reg. TT]. --- 12 CFR part 246≤ [Reg. TT].
Availability of Funds and Collection of Checks.	12 CFR part 229 [Reg. CC].	12 CFR part 229 [Reg. CC].	12 CFR part 229 [Reg. CC].	12 CFR part 229 [Reg. CC].	12 CFR part 229 [Reg. CC].	
Collection of Checks and Other Items by Federal Reserve Banks and Funds Transfers Through Fedwire.	12 CFR part 210 [Reg. J].	12 CFR part 210 [Reg. J].	12 CFR part 210 [Reg. J].	12 CFR part 210 [Reg. J].	12 CFR part 210 [Reg. J].	
Debit Card Interchange Fees	12 CFR part 235 [Reg. II].	12 CFR part 235 [Reg. II].	12 CFR part 235 [Reg. II].	12 CFR part 235 [Reg. II].	12 CFR part 235 [Reg. II].	

economic conditions, or other factors have changed in the area affected by the rule.

[61] The review will be consistent with the requirements of a Regulatory Flexibility Act, section 610 review. The agencies will determine whether particular rules should be continued without change, amended, or rescinded, consistent with the objectives of applicable statutes, to minimize any significant economic impact of the rules on a substantial number of small, insured depository institutions.

[62] The applicability of the supplementary leverage ratio was expanded from advanced approaches banking organizations to include Category III banking organizations in the agencies' tailoring final rule issued in 2019. *See Changes to Applicability Thresholds for Regulatory Capital and Liquidity Requirements,* 84 FR 59230 (Nov. 1, 2019).

[63] 79 FR 20754 (Apr. 14, 2014).

[64] 78 FR 55340 (Aug. 10, 2013).

[65] 77 FR 52792 (Aug. 30, 2012); 77 FR 52888 (Aug. 30, 2012); 77 FR 52978 (Aug. 30, 2012).

Subject	National banks	State member banks	State non-member banks	Federal savings associations	State savings associations	BHCs & FHCs --- SLHCs
Reimbursement for Providing Financial Records; Recordkeeping Requirements for Certain Financial Records.	12 CFR part 219 [Reg. S].	12 CFR part 219 [Reg. S].	12 CFR part 219 [Reg. S].	12 CFR part 219 [Reg. S].	12 CFR part 219 [Reg. S].	
Reserve Requirements of Depository Institutions.	12 CFR part 204 [Reg. D].	12 CFR part 204 [Reg. D].	12 CFR part 204 [Reg. D].	12 CFR part 204 [Reg. D].	12 CFR part 204 [Reg. D].	
Payment System Risk Reduction Policy.	Federal Reserve Regulatory Service 9–1000.	Federal Reserve Regulatory Service 9–1000.	Federal Reserve Regulatory Service 9–1000.	Federal Reserve Regulatory Service 9–1000.	Federal Reserve Regulatory Service 9–1000.	
FDIC Regulations						
Assessments	12 CFR part 327 ..	12 CFR part 327 ..	12 CFR part 327 ..	12 CFR part 327 ..	12 CFR part 327.	
Capital						
Interagency Regulations						
Capital Adequacy: General Provisions Ratio Requirements and Buffers Definition of Capital Transition Provisions.	12 CFR part 3, subparts A–C, G.	12 CFR part 217, subparts A–C, G [Reg. Q].	12 CFR part 324, subparts A–C, G.	12 CFR part 3, subparts A–C, G.	12 CFR part 324, subparts A–C, G.	12 CFR part 217, subparts A–C, G, and H [Reg. Q]. --- 12 CFR part 217, subparts A–C, G [Reg. Q].
Capital Adequacy: Risk-Weighted Assets—Standardized Approach.	12 CFR part 3, subpart D.	12 CFR part 217, subpart D [Reg. Q].	12 CFR part 324, subpart D.	12 CFR part 3, subpart D.	12 CFR part 324, subpart D.	12 CFR part 217, subpart D [Reg. Q]. --- 12 CFR part 217, subpart D [Reg. Q].
Capital Adequacy: Risk-Weighted Assets—Internal Ratings-Based and Advanced Measurement Approaches.	12 CFR part 3, subpart E.	12 CFR part 217, subpart E [Reg. Q].	12 CFR part 324, subpart E.	12 CFR part 3, subpart E.	12 CFR part 324, subpart E.	12 CFR part 217, subpart E [Reg. Q]. --- 12 CFR part 217, subpart E [Reg. Q].
Capital Adequacy: Risk-Weighted Assets—Market Risk.	12 CFR part 3, subpart F.	12 CFR part 217, subpart F [Reg. Q].	12 CFR part 324, subpart F.	12 CFR part 3, subpart F.	12 CFR part 324, subpart F.	12 CFR part 217, subpart F [Reg. Q]. --- 12 CFR part 217, subpart F [Reg. Q].
Prompt Corrective Action	12 CFR part 6	12 CFR part 208, subpart D [Reg. H]; 12 CFR part 263, subpart H.	12 CFR part 324, subpart H.	12 CFR part 6; 12 CFR 165.8; 12 CFR 165.9.	12 CFR part 324, subpart H.	12 CFR part 208, subpart D [Reg. H]. 12 CFR part 263, subpart H. ---
OCC Regulations						
Capital Adequacy: Establishment of Minimum Capital Ratios for an Individual Bank or Individual Federal Savings Association Enforcement Issuance of a Directive Interpretations.	12 CFR part 3, subparts H–K.	.....	.....	12 CFR part 3, subparts H–K.		
Annual Stress Tests	12 CFR part 46	.....	.....	12 CFR part 46.		
Changes in Permanent Capital of a National Bank or Federal Savings Association; Subordinated Debt Issued by a National Bank or Federal Savings Association.	12 CFR 5.46–.47 ..	.....	.....	12 CFR 5.45, 5.56.		
Board Regulations						
Capital Adequacy: Risk-Based Capital Requirements for Depository Institution Holding Companies Significantly Engaged in Insurance Activities.	.....	.....	.....	.....	.....	12 CFR part 217, subpart J [Reg Q].
Capital Planning	.....	.....	.....	.....	.....	12 CFR part 225.8 [Reg. Y]. ---

Subject	National banks	State member banks	State non-member banks	Federal savings associations	State savings associations	BHCs & FHCs --- SLHCs
Stress Tests—U.S. Organizations Company Run and Supervisory.	.....	12 CFR part 252, subparts B, E, and F [Reg. YY].	.....	.....	.....	12 CFR part 252, subparts B, E, and F [Reg. YY]. --- 12 CFR Part 238, subparts O and P [Reg. LL].
Total Loss-Absorbing Capacity, Long Term Debt, and Clean Holding Company Requirements.	.....	.....	.....	.....	.....	12 CFR part 252, subpart G and P [Reg. YY]. ---
FDIC Regulations						
Annual Stress Tests	.....	.....	12 CFR part 325 ..	.....	12 CFR part 325.	
Community Reinvestment Act [1]						
Interagency Regulations						
Community Reinvestment Act	12 CFR part 25	12 CFR part 228 [Reg. BB].	12 CFR part 345 ..	12 CFR part 25	12 CFR part 25	12 CFR part 228 [Reg BB]. --- 12 CFR part 228 [Reg BB].
Disclosure and Reporting of CRA-Related Agreements.	12 CFR part 35	12 CFR part 207 [Reg. G].	12 CFR part 346 ..	12 CFR part 35	12 CFR part 346 ..	12 CFR part 207 [Reg G]. --- 12 CFR part 207 [Reg G].

[1] Community development regulations are being published for comment as part of the Powers and Activities category.

Rodney E. Hood,

Acting Comptroller of the Currency.

By order of the Board of Governors of the Federal Reserve System.

Ann E. Misback,

Secretary of the Board.

Federal Deposit Insurance Corporation.

By order of the Board of Directors.

Dated at Washington, DC, on July 15, 2025.

Jennifer M. Jones,

Deputy Executive Secretary.

[FR Doc. 2025–14060 Filed 7–24–25; 8:45 am]

BILLING CODE 4810–33–P; 6210–01–P; 6714–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2025–2037; Airspace Docket No. 25–AEA–14]

RIN 2120–AA66

Amendment of Class D Airspace and Establishment of Class E2 Airspace Over Hampton Roads, VA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend Class D airspace and establish Class E airspace extending upward from the surface above Langley Air Force Base (AFB), Hampton Roads, VA, as the air traffic control tower will shift to part-time operations. This action also proposes to update the geographic coordinates of the airport. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations in the area.

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

ADDRESSES: Send comments identified by FAA Docket No. FAA–2025–2037 and Airspace Docket No. 25–AEA–14 using any of the following methods:

* *Federal eRulemaking Portal:* Go to *www.regulations.gov* and follow the online instructions for sending your comments electronically.

* *Mail:* Docket Operations, M–30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.

* *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except for Federal holidays.

* *Fax:* Fax comments to Docket Operations at (202) 493–2251.

Docket: Background documents or comments received may be read at *www.regulations.gov* at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except for Federal holidays.

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

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

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

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

safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority, as it would amend Class D airspace and establish Class E2 airspace in Hampton Roads, VA.

Comments Invited

The FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should submit only one time if comments are filed electronically, or commenters should send only one copy of written comments if comments are filed in writing.

The FAA will file in the docket all comments it receives, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, the FAA will consider all comments it receives on or before the closing date for comments. The FAA will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. The FAA may change this proposal in light of the comments it receives.

Privacy: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edits, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *www.dot.gov/privacy*.

Availability of Rulemaking Documents

An electronic copy of this document may be downloaded through the internet at *www.regulations.gov*. Recently published rulemaking documents can also be accessed through the FAA's web page at *www.faa.gov/air_traffic/publications/airspace_amendments/*.

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Operations office (see **ADDRESSES** section for address, phone number, and hours of operations). An informal docket may also be examined during regular business hours at the office of the Eastern Service Center, Federal Aviation Administration, Room 210, 1701 Columbia Ave., College Park, GA 30337.

Incorporation by Reference

Class D and Class E airspace designations are published in paragraphs 5000 and 6002 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document proposes to amend the current version of that order, FAA Order JO 7400.11J, dated July 31, 2024, and effective September 15, 2024. These updates would 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 Proposal

This action proposes an amendment to 14 CFR part 71 to amend Class D airspace for Langley AFB, Hampton Roads, VA, as the air traffic control tower will no longer be full-time. During the periods when the tower is not in operation, Class E airspace would be activated. This action also proposes to update the geographic coordinates of the airport. Lastly, this action also proposes to establish Class E surface airspace over Langley AFB, Hampton Roads, VA, at the request of the Department of the Air Force. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations in the area.

Regulatory Notices and Analyses

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

Environmental Review

This proposal will be subject to an environmental analysis in accordance with the National Environmental Policy Act (NEPA), 42 U.S.C. 4321, *et seq.,* prior to any final regulatory action by the FAA.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

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

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

■ 1. The authority citation for 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 5000 Class D Airspace.

* * * * *

AEA VA D Hampton Roads, VA [Amended]

Langley AFB, Hampton, VA
(Lat. 37°04′58″ N, long. 76°21′38″ W)

That airspace extending upward from the surface to and including 2,500 feet MSL within a 4.4-mile radius of Langley AFB. 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.

* * * * *

Paragraph 6002 Class E Airspace Areas Designated as Surface Areas.

* * * * *

AEA VA E2 Hampton Roads, VA [New]

Langley AFB, VA
(Lat. 37°04′58″ N, long. 76°21′38″ W)

That airspace extending upward from the surface to and including 2,500 feet MSL within a 4.4-mile radius of Langley AFB. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

* * * * *

Issued in College Park, Georgia, on July 22, 2025

Patrick Young,

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

[FR Doc. 2025–14001 Filed 7–24–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1308

[Docket No. DEA–989]

Schedules of Controlled Substances: Placement of Clonazolam, Diclazepam, Etizolam, Flualprazolam, and Flubromazolam in Schedule I of the Controlled Substances Act

AGENCY: Drug Enforcement Administration, Department of Justice.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Drug Enforcement Administration proposes placing clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam and their salts, isomers, and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation, as identified in this proposed rule, in schedule I of the Controlled Substances Act. These five substances were temporarily scheduled in an order dated July 26, 2023, and subsequently extended until July 26, 2026, pursuant to an extension published elsewhere in this issue of the **Federal Register**. This action will also enable the United States to meet its obligations under the 1971 Convention on Psychotropic Substances. If finalized, this action would make permanent the existing regulatory controls and administrative, civil, and criminal sanctions applicable to schedule I controlled substances on persons who handle (manufacture, distribute, import, export, engage in research, conduct instructional activities or chemical analysis, or possess), or propose to handle these five specific controlled substances.

DATES: Comments must be submitted electronically or postmarked on or before August 25, 2025.

Interested persons may file a request for a hearing or waiver of hearing pursuant to 21 CFR 1308.44 and in accordance with 21 CFR 1316.47 and/or 1316.49, as applicable. Requests for a hearing and waivers of an opportunity for a hearing or to participate in a hearing, together with a written statement of position on the matters of fact and law asserted in the hearing, must be received on or before August 25, 2025.

ADDRESSES: Interested persons may file written comments on this proposal in accordance with 21 CFR 1308.43(g). The electronic Federal Docket Management System will not accept comments after 11:59 p.m. Eastern Time on the last day of the comment period. To ensure proper handling of comments, please reference ''Docket No. DEA–989'' on all electronic and written correspondence, including any attachments.

- *Electronic comments:* The Drug Enforcement Administration (DEA) encourages commenters to submit all comments electronically through the Federal eRulemaking Portal which provides the ability to type short comments directly into the comment field on the web page or to attach a file for lengthier comments. Please go to *http://www.regulations.gov* and follow the online instructions at that site for submitting comments. Upon completion of your submission, you will receive a Comment Tracking Number. If you have received a Comment Tracking Number, your comment has been successfully submitted and there is no need to resubmit the same comment. Commenters should be aware that the electronic Federal Docket Management System will not accept comments after 11:59 p.m. Eastern Time on the last day of the comment period.
- *Paper comments:* Paper comments that duplicate electronic submissions are not necessary and are discouraged. Should you wish to mail a paper comment *in lieu of* an electronic comment, it should be sent via regular or express mail to: Drug Enforcement Administration, Attn: DEA Federal Register Representative/DPW, 8701 Morrissette Drive, Springfield, Virginia 22152.
- *Hearing requests:* All requests for a hearing and waivers of participation, together with a written statement of position on the matters of fact and law asserted in the hearing, must be filed with the DEA Administrator, who will make the determination of whether a hearing will be needed to address such matters of fact and law in the rulemaking. Such requests must be sent to: Drug Enforcement Administration, Attn: Administrator, 8701 Morrissette Drive, Springfield, Virginia 22152. For informational purposes, a courtesy copy of requests for hearing and waivers of participation should also be sent to: (1) Drug Enforcement Administration, Attn: Hearing Clerk/OALJ, 8701 Morrissette Drive, Springfield, Virginia 22152; and (2) Drug Enforcement Administration, Attn: DEA Federal Register Representative/DPW, 8701 Morrissette Drive, Springfield, Virginia 22152.

FOR FURTHER INFORMATION CONTACT: Dr. Terrence L. Boos, Drug and Chemical Evaluation Section, Diversion Control Division, Drug Enforcement Administration; Telephone: (571) 362–3249.

As required by 5 U.S.C. 553(b)(4), a summary of this proposed rule may be found in the docket for this rulemaking at *http://www.regulations.gov.*

SUPPLEMENTARY INFORMATION: The Drug Enforcement Administration (DEA) proposes to permanently schedule the following five controlled substances in schedule I of the Controlled Substances Act (CSA), including their salts, isomers, and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

- clonazolam (6-(2-chlorophenyl)-1-methyl-8-nitro-4*H*-benzo[*f*][1,2,4]triazolo[4,3-*a*][1,4]diazepine),
- diclazepam (7-chloro-5-(2-chlorophenyl)-1-methyl-1,3-dihydro-2*H*-benzo[*e*][1,4]diazepin-2-one),
- etizolam (4-(2-chlorophenyl)-2-ethyl-9-methyl-6*H*-thieno[3,2-*f*][1,2,4]triazolo[4,3-*a*][1,4]diazepine),
- flualprazolam (8-chloro-6-(2-fluorophenyl)-1-methyl-4*H*-benzo[*f*][1,2,4]triazolo[4,3-*a*][1,4]diazepine), and
- flubromazolam (8-bromo-6-(2-fluorophenyl)-1-methyl-4*H*-benzo[*f*][1,2,4]triazolo[4,3-*a*][1,4]diazepine).

Posting of Public Comments

All comments received in response to this docket are considered part of the public record. DEA will make comments available for public inspection online at *http://www.regulations.gov,* unless reasonable cause is given. Such information includes personal or business identifiers (such as name, address, state of federal identifiers, etc.) voluntarily submitted by the commenter.

Commenters submitting comments which include personal identifying information (PII), confidential, or proprietary business information that the commenter does not want made publicly available should submit two copies of the comment. One copy must be marked ''CONTAINS CONFIDENTIAL INFORMATION'' and should clearly identify all PII or business information the commenter does not want to be made publicly

available, including any supplemental materials. DEA will review this copy, including the claimed PII and confidential business information, in its consideration of comments. The second copy should be marked ''TO BE PUBLICLY POSTED'' and must have all claimed confidential PII and business information already redacted. DEA will post only the redacted comment on *http://www.regulations.gov* for public inspection. DEA generally will not redact additional information contained in the comment marked ''TO BE PUBLICLY POSTED.'' The Freedom of Information Act applies to all comments received.

For easy reference, an electronic copy of this document and supplemental information to this proposed scheduling action are available at *http://www.regulations.gov.*

Request for Hearing or Appearance; Waiver

Pursuant to 21 U.S.C. 811(a), this action is a formal rulemaking ''on the record after opportunity for a hearing.'' Such proceedings are conducted pursuant to the provisions of the Administrative Procedure Act (APA), 5 U.S.C. 551–559.[1] Interested persons, as defined in 21 CFR 1300.01(b), may file requests for a hearing in conformity with the requirements of 21 CFR 1308.44(a) and 1316.47(a), and such requests must:

(1) state with particularity the interest of the person in the proceeding;

(2) state with particularity the objections or issues concerning which the person desires to be heard; and

(3) state briefly the position of the person with regard to the objections or issues.

Any interested person may file a waiver of an opportunity for a hearing or to participate in a hearing in conformity with the requirements of 21 CFR 1308.44(c), together with a written statement of position on the matters of fact and law involved in any hearing.[2]

All requests for a hearing and waivers of participation, together with a written statement of position on the matters of fact and law involved in such hearing, must be sent to DEA using the address information provided above. The decision whether a hearing will be needed to address such matters of fact and law in the rulemaking will be made by the Administrator. If a hearing is needed, DEA will publish a notice of hearing on the proposed rulemaking in the **Federal Register**.[3] Further, once the Administrator determines a hearing is needed to address such matters of fact and law in rulemaking, he will then designate an Administrative Law Judge (ALJ) to preside over the hearing. The ALJ's functions shall only commence upon designation, as provided in 21 CFR 1316.52.

In accordance with 21 U.S.C. 811 and 812, the purpose of a hearing would be to determine whether clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam meet the statutory criteria for placement in schedule I, as proposed in this rulemaking.

Legal Authority

The CSA provides that proceedings for the issuance, amendment, or repeal of the scheduling of any drug or other substance may be initiated by the Attorney General (delegated to the Administrator of DEA pursuant to 28 CFR 0.100) on her own motion, at the request of the Secretary of the Department of Health and Human Services (HHS), or on the petition of an interested party.[4] This proposed action was initiated on the Acting Administrator's own motion and is supported by, *inter alia,* a recommendation from the Acting Assistant Secretary for Health of HHS (Assistant Secretary) and an evaluation of all other relevant data by DEA. If finalized, this action would make permanent the existing temporary regulatory controls and administrative, civil, and criminal sanctions of schedule I controlled substances on any person who handles or proposes to handle these five substances.

In addition, the United States is a party to the 1971 United Nations Convention on Psychotropic Substances (1971 Convention), Feb. 21, 1971, 32 U.S.T. 543, 1019 U.N.T.S. 175, as amended. Procedures respecting changes in drug schedules under the 1971 Convention are set forth in 21 U.S.C. 811(d)(2)–(4). When the United States receives notification of a scheduling decision pursuant to Article 2 of the 1971 Convention indicating that a drug or other substance has been added to a schedule specified in the notification, the Secretary of HHS,[5] after consultation with the Attorney General, shall first determine whether existing legal controls under subchapter I of the CSA and the Federal Food, Drug, and Cosmetic Act (FD&C Act)[6] meet the requirements of the schedule specified in the notification with respect to the specific drug or substance.[7] In the event that the Secretary did not consult with the Attorney General, and the Attorney General did not issue a temporary order, as provided under 21 U.S.C. 811(d)(4), the procedures for permanent scheduling set forth in 21 U.S.C. 811(a) and (b) control.

Pursuant to 21 U.S.C. 811(a)(1) and (2), the Attorney General (as delegated to the Administrator of DEA) may, by rule, and upon the recommendation of the Secretary, add to such a schedule or transfer between such schedules any drug or other substance, if she finds that such drug or other substance has a potential for abuse, and makes with respect to such drug or other substance the findings prescribed by 21 U.S.C. 812(b) for the schedule in which such drug or other substance is to be placed.

Background

On May 7, 2020, the Secretariat of the United Nations advised the Secretary of State of the Unites States that the Commission on Narcotic Drugs (CND), during its 63rd Session on March 4, 2020, voted to place etizolam and flualprazolam in Schedule IV of the 1971 Convention (CND Decisions 63/12, 63/13). On June 10, 2021, the Secretariat advised the Secretary of State that the CND, during its 64th Session, voted to place clonazolam, diclazepam, and flubromazolam in Schedule IV of the 1971 Convention (CND Decisions 64/6, 64/7, 64/8). As a signatory party to this international treaty, the United States is required, by scheduling under the CSA, to place appropriate controls on the five designer benzodiazepines to meet the requirements of this treaty.

To meet the minimum requirements of this treaty and to confront these emerging substances, DEA published an order in the **Federal Register** on July 26, 2023, temporarily placing clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam in schedule I of the CSA based upon a finding that these substances pose an imminent hazard to the public safety under 21 U.S.C. 811(h)(1).[8] That temporary order was effective upon the date of publication.

[1] 21 CFR 1308.41–1308.45; 21 CFR part 1316, subpart D.

[2] 21 CFR 1316.49.

[3] 21 CFR 1308.44(b), 1316.53.

[4] 21 U.S.C. 811(a).

[5] As discussed in a memorandum of understanding entered into by the U.S. Food and Drug Administration (FDA) and the National Institute on Drug Abuse (NIDA), FDA acts as the lead agency within HHS in carrying out the Secretary's scheduling responsibilities under the CSA, with the concurrence of NIDA. *Memorandum of Understanding with the National Institute on Drug Abuse,* 50 FR 9518 (Mar. 8, 1985). The Secretary has delegated to the Assistant Secretary for Health of HHS the authority to make domestic drug scheduling recommendations. *Comprehensive Drug Abuse Prevention and Control Act of 1970, Public Law 91–513, As Amended; Delegation of Authority,* 58 FR 35460 (July 1, 1993).

[6] 21 U.S.C. 355.

[7] 21 U.S.C. 811(d)(3).

[8] *Schedules of Controlled Substances: Temporary Placement of Etizolam, Flualprazolam, Clonazolam,*

Pursuant to 21 U.S.C. 811(h)(2), the temporary scheduling of a substance expires at the end of two years from the date of issuance of the scheduling order, except that DEA may extend temporary scheduling of that substance for up to one year during the pendency of proceedings under 21 U.S.C. 811(a)(1) with the respect to the temporarily controlled substance. The temporary control of these five substances is set to expire on July 26, 2025. DEA is publishing a temporary scheduling order to extend the temporary schedule I status of these five substances elsewhere in this issue of the **Federal Register**, which will extend the temporary scheduling of these substances for one year, or until the permanent scheduling action for these substances is completed, whichever occurs first.

The Acting Administrator, on his own motion pursuant to 21 U.S.C. 811(a), is initiating proceedings to permanently schedule clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam, including their salts, isomers, and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation. DEA gathered and reviewed the available information regarding the pharmacology, chemistry, trafficking, actual abuse, pattern of abuse, and the relative potential for abuse for these substances. On March 17 and 24, 2022, in accordance with 21 U.S.C. 811(b), the former Administrator submitted a request to the former Assistant Secretary to provide DEA with a scientific and medical evaluation of available information and a scheduling recommendation for these five substances.

On June 18, 2025, the Acting Assistant Secretary submitted HHS's scientific and medical evaluation, entitled ''Basis for the Recommendation to Control Clonazolam, Diclazepam, Etizolam, Flualprazolam, and Flubromazolam, and Their Salts, in Schedule I of the Controlled Substances Act,'' and scheduling recommendation to the Acting Administrator. Following consideration of the eight factors and findings related to these substances' abuse potential, legitimate medical use, and dependence liability, HHS recommended that clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam and their salts be controlled in schedule I of the CSA under 21 U.S.C. 812(b).

Flubromazolam, and Diclazepam in Schedule I, 88 FR 48112 (July 26, 2023).

Proposed Determination to Permanently Schedule Clonazolam, Diclazepam, Etizolam, Flualprazolam, and Flubromazolam

As discussed in the background section, the Acting Administrator is initiating proceedings, pursuant to 21 U.S.C. 811(a), to permanently add clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam, including their salts, isomers, and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation, to schedule I. In accordance with 21 U.S.C. 811(c), upon receipt of the scientific and medical evaluation and scheduling recommendation from HHS, DEA reviewed the documents and all other relevant data and conducted its own eight-factor analysis of the abuse potential of these five substances. Included below is a brief summary of each factor as analyzed by HHS and DEA and as considered by DEA in its proposed scheduling action. Please note that both DEA and HHS analyses are available in their entirety under ''Supporting Documents'' of the public docket for this proposed rule at *http://www.regulations.gov* under ''Docket Number DEA–989.''

1. The Drug's Actual or Relative Potential for Abuse

In addition to considering the information HHS provided in its scientific and medical evaluation document for clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam, DEA also considered all other relevant data regarding actual or relative potential for abuse of these five substances. The term ''abuse'' is not defined in the CSA; however, the legislative history of the CSA suggests that DEA consider the following criteria when determining whether a particular drug or substance has a potential for abuse: [9]

(a) There is evidence that individuals are taking the drug or drugs containing such a substance in amounts sufficient to create a hazard to their health or to the safety of other individuals or to the community; or

(b) There is significant diversion of the drug or drugs containing such a substance from legitimate drug channels; or

(c) Individuals are taking the drug or drugs containing such a substance on their own initiative rather than on the basis of medical advice from a practitioner licensed by law to administer such drugs in the course of his professional practice; or

(d) The drug or drugs containing such a substance are new drugs so related in their action to a drug or drugs already listed as having a potential for abuse to make it likely that the drug will have the same potentiality for abuse as such drugs, thus making it reasonable to assume that there may be significant diversions from legitimate channels, significant use contrary to or without medical advice, or that it has a substantial capability of creating hazards to the health of the user or to the safety of the community.

Toxicological and epidemiological data, as well as numerous case reports and U.S. poison center data, indicate that individuals are taking the five designer benzodiazepines in amounts sufficient to create a hazard to their health, the safety of other individuals, or the community. The U.S. Food and Drug Administration (FDA) has not approved clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam under the FD&C Act, and thus, these five substances not legally marketed as drugs in the United States. Therefore, HHS has not identified significant diversion of these substances from legitimate drug channels in the United States and is not aware of any research or legitimate manufacturing activities in the United States from which these substances can be diverted. These substances are thus presumed to be obtained from clandestine manufacturing or diverted from international countries for nonmedical use, on an individual's own initiative, rather than on the basis of medical advice from a licensed practitioner.

In addition, law enforcement data indicate that clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam have been encountered in the U.S. illicit drug market. DEA's National Forensic Laboratory Information System (NFLIS) registered a collective total of 50,015 reports, from all 50 states and Washington, DC, pertaining to the trafficking, distribution, and abuse of the five designer benzodiazepines.[10] As such,

[9] Comprehensive Drug Abuse Prevention and Control Act of 1970, H.R. Rep. No. 91–1444, 91st Cong., Sess. 1 (1970); reprinted in 1970 U.S.C.C.A.N. 4566, 4603.

[10] The National Forensic Laboratory Information System (NFLIS) represents an important resource in monitoring illicit drug trafficking, including the diversion of legally manufactured pharmaceuticals into illegal markets. NFLIS is a comprehensive information system that includes data from forensic laboratories that handle more than 96% of an estimated 1.0 million distinct annual federal, state, and local drug analysis cases. NFLIS includes drug chemistry results from completed analyses only.

Continued

these data suggest that clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam are being abused and thus pose safety hazards to the health of users or the community.

Lastly, based on available data, these five designer benzodiazepines are structurally and pharmacologically related to classical benzodiazepines (*e.g.,* alprazolam), which are positive allosteric modulators of γ-aminobutyric acid type A ($GABA_A$) receptors. This allosteric modulation is thought to be responsible for the sedative-hypnotic, subjective effects commonly reported on drug user forums. According to HHS, in vitro binding data, animal behavioral data, and anecdotal reports involving human use indicate that the five designer benzodiazepines bind to $GABA_A$ receptors and produce similar drug effects, as well as adverse effects, associated with the benzodiazepine class, which have a potential for abuse. Thus, the five designer benzodiazepines have a similar potential for abuse and present a hazard to the health and safety of individuals and the community.

2. Scientific Evidence of the Drug's Pharmacological Effects, if Known

Published scientific data on the functional activity of the five designer benzodiazepines is limited; however, in vitro binding and animal behavioral studies demonstrate that the pharmacological mechanisms of action of these five substances are similar to those of the benzodiazepine drug class. These substances bind to the $GABA_A$ receptors with high affinity; this affinity increases in the presence of GABA and is blocked by the $GABA_A$ receptor antagonist, flumazenil.[11] In addition, in drug discrimination experiments,[12] the data demonstrate that these substances fully substitute for the discriminative stimulus effects of midazolam, a schedule IV benzodiazepine.[13]

Clinical studies have not been conducted to evaluate the pharmacological effects of clonazolam, diclazepam, flualprazolam, or flubromazolam. However, a few clinical studies exist for etizolam, which select countries have approved for limited use. According to HHS, these studies compared the therapeutic effects of etizolam to known benzodiazepines, such as alprazolam, but did not address the abuse potential of the drug. In addition, trip reports on user forums indicate that these five substances produce CNS depression and sedative-hypnotic effects, similar to other benzodiazepines. These data, collectively with the extensive clinical studies on classical benzodiazepines, strongly suggest that these five designer benzodiazepines have pharmacological effects similar to those of other known benzodiazepines.

3. The State of Current Scientific Knowledge Regarding the Drug or Other Substance

The five designer benzodiazepines share structural similarities with other substances of the benzodiazepine class. Benzodiazepines are named after their parent structure, which is formed from the fusion of two ring systems—the benzene ring and diazepine ring. Diclazepam contains this parent structure and is further modified with the addition of a methyl and keto group. Clonazolam, flualprazolam, and flubromazolam are considered to be part of the class of benzodiazepines known as triazolobenzodiazepines because they contain the parent structure and the addition of a triazole ring fused to the diazepine ring. Etizolam is considered to be a thienotriazolodiazepine because it contains the triazolo-diazepine fused rings, but with a thiophene ring replacing the benzene ring. Although etizolam is structurally different from a classical benzodiazepine, etizolam has similar pharmacological and chemical properties and thus considered to be an analog of benzodiazepines.[14] In addition, all five designer benzodiazepines have a pendant phenyl group that is further substituted with a halogen in the ortho position.

4. Its History and Current Pattern of Abuse

Classical benzodiazepines have been extensively prescribed in the United States; however, these medications have also been used non-therapeutically and recreationally, with initial reports of abuse soon after pharmaceutical development (Loveridge, 1981; Woody et al., 1975). Unlike these classical benzodiazepines that have FDA approval, clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam have no legitimate channel as marketed drug products in the United States. Despite this, available data from user reports, toxicological cases, scientific literature, and law enforcement seizures indicate that each of these substances appear on the illicit drug market and are trafficked for their psychoactive effects. Based on these available data, the five designer benzodiazepines are often used alone or in combination with other substances, such as fentanyl, traditional and NPS benzodiazepines, NPS opioids, and stimulants. The five designer benzodiazepines substances have been encountered in various forms (*e.g.,* powder, tablet, liquid), are primarily reported as orally consumed (at doses less than 4 mg), and lead to toxicity and other adverse health consequences, including death.

The misuse and abuse of benzodiazepines have been demonstrated and are well-characterized.[15] According to the Substance Abuse and Mental Health Services Administration's National Survey on Drug Use and Health 2023 annual report,[16] 4.7 million people reported misusing prescription tranquilizers or sedatives (*e.g.,* benzodiazepines) in the past year. Of the 4.7 million people who reported misusing prescription tranquilizers or sedatives in the past year in 2023, 4.0 million individuals were aged 26 years

While NFLIS data is not direct evidence of abuse, it can lead to an inference that a drug has been diverted and abused. *See Schedules of Controlled Substances: Placement of Carisoprodol Into Schedule IV,* 76 FR 77330, 77332 (Dec. 12, 2011). NFLIS data were queried on May 29, 2025.

[11] In vitro pharmacology data was collected through the DEA–Veterans Affairs interagency agreement, ''In Vitro Receptor and Transporter Assays for Abuse Liability Testing for the DEA by the VA.''

[12] Drug discrimination is widely used to determine whether a new test drug or substance is pharmacologically similar to a known drug of abuse. The discriminative stimulus effects of a given drug in animals and its subjective effects in humans are strongly correlated. *See* Balster, R. L., & Bigelow, G. E. (2003). Guidelines and methodological reviews concerning drug abuse liability assessment. *Drug and alcohol dependence, 70*(3 Suppl), S13–S40. *https://doi.org/10.1016/s0376-8716(03)00097-8. See also* Schuster, C. R., & Johanson, C. E. (1988). Relationship between the discriminative stimulus properties and subjective effects of drugs. *Psychopharmacology series, 4,* 161–175. *https://doi.org/10.1007/978-3-642-73223-2_13. See also* Solinas, M., Panlilio, L. V., Justinova, Z., Yasar, S., & Goldberg, S. R. (2006). Using drug-discrimination techniques to study the abuse-related effects of psychoactive drugs in rats. *Nature protocols, 1*(3), 1194–1206. *https://doi.org/10.1038/nprot.2006.167.*

[13] Drug Enforcement Administration Contract 15DDHQ21P00000835, ''Evaluation of synthetic opioid substances using analgesia and drug discrimination assays.'' Annual report for 2022, unpublished.

[14] *See* Sanna, E., Pau, D., Tuveri, F., Massa, F., Maciocco, E., Acquas, C., Floris, C., Fontana, S.N., Maira, G., & Biggio, G. (1999). Molecular and neurochemical evaluation of the effects of etizolam on GABAA receptors under normal and stress conditions. *Arzneimittel-Forschung, 49*(2), 88–95. *https://doi.org/10.1055/s-0031-1300366.*

[15] *See* Votaw, V.R., Geyer, R., Rieselbach, M.M., & McHugh, R.K. (2019). The epidemiology of benzodiazepine misuse: A systematic review. *Drug and alcohol dependence, 200,* 95–114. *https://doi.org/10.1016/j.drugalcdep.2019.02.033.*

[16] Key substance use and mental health indicators in the United States: Results from the 2023 National Survey on Drug Use and Health (HHS Publication No. PEP24–07–021, NSDUH Series H–59). Center for Behavioral Health Statistics and Quality, Substance Abuse and Mental Health Services Administration. *https://www.samhsa.gov/data/report/2023-nsduh-annual-national-report.*

or older and included both males and females. Drug user reports indicate that the population likely to abuse the five designer benzodiazepines appears to be the same as those abusing prescription benzodiazepines, barbiturates, and other sedative-hypnotic substances. This is reflected in available reports for toxicological cases involving flualprazolam; in these cases, users had an average age of 32 years and included both males and females.[17] In addition, available reports for toxicological cases involving etizolam and flubromazolam indicate that users had an average age of 39 years and included both males and females.[18] These users are likely to obtain the substances through unregulated sources and, therefore, with uncertain and inconsistent identity, purity, and quantity of these substances. Consequently, this poses significant, adverse health risks to the end user.

5. The Scope, Duration, and Significance of Abuse

Law enforcement data, including data from DEA's NFLIS, indicate that the abuse of the five designer benzodiazepines have become increasingly widespread across the United States. NFLIS-Drug [19] registered a collective total of 50,015 reports, from all 50 states and Washington, DC, pertaining to the trafficking, distribution, and abuse of the five designer benzodiazepines. Through May 2025, NFLIS-Drug reported 16,326 total encounters of clonazolam since 2015; 706 of diclazepam since 2014; 19,650 of etizolam since 2002; 10,468 of flualprazolam since 2004; and 2,865 of flubromazolam since 2015.

In addition, HHS evaluated reports of human exposure to benzodiazepines to U.S. poison centers and included data over a 10-year period (2012–2021). According to HHS, among the five designer benzodiazepines, etizolam had the highest number of total exposure cases (n = 878) and total abuse cases (n = 377), followed by clonazolam (n = 343 and n = 162, respectively), flubromazolam (n = 96; n = 47), diclazepam (n = 78; n = 32), and flualprazolam (n = 67; n = 30).[20] Moreover, many toxicological cases have involved these five substances, including cases submitted to and analyzed by DEA's Toxicology Testing Program (DEA TOX).[21] Through May 2025, DEA TOX detected clonazolam in 11 cases since 2019, metabolite 8-amino clonazolam [22] in 57 cases since 2021, etizolam in 16 cases since 2019, flualprazolam in 24 cases since 2019, and flubromazolam in 6 cases since 2020. Similarly, according to HHS, the National Medical Service Labs detected clonazolam (n = 14), diclazepam (n = 40), etizolam (n = 772), and flubromazolam (n = 151) among 131,883 postmortem blood samples from January 1, 2018, through June 30, 2020.[23] The Center for Forensic Science Research and Education also reported steady increases in postmortem cases and toxicology reports associated with clonazolam, etizolam, flualprazolam, and flubromazolam through June 2022.[24] Collectively, these data strongly suggest that the clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam are increasingly abused in the United States.

6. What, if Any, Risk There is to the Public Health

The increase in benzodiazepine-related overdoses in the United States has been exacerbated by the availability of NPS benzodiazepines on the illicit drug market. Public health risks associated with clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam abuse relate to their pharmacological similarities with known benzodiazepines. These similarities result in similar adverse reactions in humans and expectedly include CNS depressant-like effects, such as slurred speech, ataxia, altered mental state, and respiratory depression. Abuse of clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam—both alone and in combination with other substances—have resulted in adverse effects, including impaired driving, unintentional overdose, emergency department visits, and fatalities, within the United States and in other countries. Thus, these data collectively indicate that the abuse of clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam pose increased risks to public health.

7. Its Psychic or Physiological Dependence Liability

Published scientific data on the dependence liability of the five designer benzodiazepines is limited; however, collective data from preclinical studies, trip reports on user forums, and case studies strongly suggest that the five designer benzodiazepines produce both psychic and physiological dependence that are consistent with the known dependence produced by classical benzodiazepines. According to HHS, every benzodiazepine that has been studied in a nonclinical or clinical model of dependence has been shown to produce physical dependence—a conclusion that the scientific and medical community generally accepts. Data from preclinical studies demonstrate that the pharmacological

[17] *See* Krotulski, A.J., Papsun, D.M., Homan, J.W., Nelson, L., & Logan, B.K. (2019). Flualprazolam: Potent benzodiazepine identified among death and impaired driving cases in the U.S. (December 2019 Report). Center for Forensic Science Research and Education. *https://www.cfsre.org/images/content/reports/public_alerts/2019.12.05.Public-Alert_Flualprazolam_NPS-Discovery_120519.pdf.*

[18] *See* Aldy, K., Mustaquim, D., Campleman, S., Meyn, A., Abston, S., Krotulski, A., Logan, B., Gladden, M.R., Hughes, A., Amaducci, A., Shulman, J., Schwarz, E., Wax, P., Brent, J., Manini, A., & Toxicology Investigators Consortium Fentalog Study Group (2021). Notes from the field: Illicit benzodiazepines detected in patients evaluated in emergency departments for suspected opioid overdose—Four States, October 6, 2020–March 9, 2021. *MMWR. Morbidity and mortality weekly report, 70*(34), 1177–1179. *https://doi.org/10.15585/mmwr.mm7034a4.*

[19] DEA's National Forensic Laboratory Information System (NFLIS) is a comprehensive information system that collects scientifically verified data on drug items and cases submitted to and analyzed by participating federal, state, and local forensic drug laboratories within the United States. NFLIS-Drug, a component of NFLIS, includes drug chemistry results from completed analyses only. While NFLIS data are not direct evidence of abuse, it can lead to an inference that a drug has been diverted and abused. *See Schedules of Controlled Substances: Placement of Carisoprodol Into Schedule IV,* 76 FR 77330, 77332 (Dec. 12, 2011). NFLIS-Drug data were queried on May 29, 2025. NFLIS-Drug reports are still pending for 2024 and 2025 due to normal lag time.

[20] *See* HHS's scientific and medical evaluation, entitled ''Basis for the Recommendation to Control Clonazolam, Diclazepam, Etizolam, Flualprazolam, and Flubromazolam, and Their Salts, in Schedule I of the Controlled Substances Act.''

[21] DEA's Toxicology Testing Program (DEA TOX) is a surveillance program that aims to detect novel psychoactive substances (NPS) in fatal and nonfatal overdose cases within the United States. From these cases, biological samples, as well as drug paraphernalia (on limited occasions), are submitted for analysis by hospitals, medical examiners, poison centers, and law enforcement nationwide. DEA TOX data include confirmed detections of NPS through the data query date, May 27, 2025.

[22] The amino metabolite of clonazolam has been noted in literature as both 7-aminoclonazolam and 8-aminoclonazolam; however, the proper nomenclature is 8-aminoclonazolam, based on the International Union of Pure and Applied Chemistry (IUPAC) rules for a triazolobenzodiazepine. *See* Maskell, P.D., Parks, C., Button, J., Liu, H., & McKeown, D.A. (2021). Clarification of the correct nomenclature of the amino metabolite of clonazolam: 8-Aminoclonazolam. *Journal of analytical toxicology, 45*(2), e1–e2. *https://doi.org/10.1093/jat/bkaa169.*

[23] The National Medical Service (NMS) Labs is a reference laboratory that provides clinical and postmortem toxicological testing. NMS Labs data does not include cause-of-death data. According to HHS, FDA contracted NMS Labs (U.S. Food and Drug Administration Solicitation 75F40119R00070) to receive a study report (Loperamide Postmortem Toxicology, November 6, 2020) that tabulated the number of blood specimens in which a specific substance was detected, using liquid chromatography–time-of-flight mass spectrometry, from January 1, 2018 through June 30, 2020.

[24] The Center for Forensic Science Research and Education's quarterly trend reports are available online at *https://www.cfsre.org/nps-discovery/trend-reports/nps-benzodiazepines/report/49?trend_type_id=1* (last accessed June 3, 2025).

mechanisms of action of the five designer benzodiazepines is similar to those of the benzodiazepine drug class; thus, clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam are expected to produce psychic and physiological dependence. In addition, trip reports on user forums indicate that clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam produce benzodiazepine-like effects and can have significantly higher potencies in comparison to other classical benzodiazepine drugs; thus, the five designer benzodiazepines are expected to produce psychic and physiological dependence. Lastly, available case studies for etizolam exemplify the dependence potential of this designer benzodiazepine in young adults. Overall, based on the pharmacological similarities of clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam to classical benzodiazepines that have demonstrated psychic and physiological dependence liability, these five designer benzodiazepines are expected to also produce both psychic and physiological dependence.

8. Whether the Substance is an Immediate Precursor of a Substance Already Controlled Under the CSA

The five designer benzodiazepines—clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam—are not known to be immediate precursors of any controlled substance of the CSA, as defined by 21 U.S.C. 802(23).

Conclusion

After considering the scientific and medical evaluation and accompanying recommendation of HHS, and DEA's own eight-factor analysis, DEA finds that these facts and all relevant data constitute substantial evidence of potential for abuse of clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam. As such, DEA proposes to permanently schedule these five designer benzodiazepines as controlled substances under the CSA.

Proposed Determination of Appropriate Schedule

The CSA establishes five schedules of controlled substances known as schedules I, II, III, IV, and V. The CSA also outlines the findings required to place a drug or other substance in any particular schedule.[25] After consideration of the analysis and recommendation of the Assistant Secretary of HHS and review of all other available data, the Acting Administrator of DEA, pursuant to 21 U.S.C. 811(a) and 812(b)(1), finds that:

(1) Clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam have a high potential for abuse. These five designer benzodiazepines are pharmacologically similar to classical benzodiazepines (*e.g.,* diazepam), which have been shown to produce dependence and are abused by millions of individuals in the United States. In vitro binding affinity and functional activity studies, as well as in vivo drug discrimination studies, demonstrate that these substances are highly potent positive allosteric modulators of $GABA_A$ receptors—a mechanism of action that accounts for the inhibitory effects of GABA, decreased neuronal activity, and result in the pharmacological properties of the benzodiazepine class. These pharmacological properties include CNS depressant effects, such as anxiolytic, amnesic, anticonvulsant, sedative-hypnotic, respiratory depressant, and muscle relaxant effects. This finding is consistent with drug abuse patterns and adverse outcomes from epidemiological data sources. Thus, these five substances have a high potential for abuse.

(2) Clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam have no currently accepted medical use in treatment in the United States. According to HHS, FDA has not approved a marketing application for clonazolam, diclazepam, etizolam, flualprazolam, or flubromazolam. In addition, there are no adequate and well-controlled clinical studies for any of these substances, and there are no well-defined finished dosage forms for any of these substances. Furthermore, these five substances have no known therapeutic applications in the United States. Thus, these five substances have no currently accepted medical use in treatment in the United States.[26]

(3) There is a lack of accepted safety for use of clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam under medical supervision. As stated by HHS, because these five substances have no approved medical use and have not been investigated as new drugs, their safety for use under medical supervision has not been determined. Therefore, there is a lack of accepted safety for use of these five substances under medical supervision.

Based on these findings, the Acting Administrator of DEA concludes that clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam, including their salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation, warrant continued control in schedule I of the CSA.[27]

Requirements for Handling Clonazolam, Diclazepam, Etizolam, Flualprazolam, and Flubromazolam

As discussed above, these five designer benzodiazepines are currently subject to a temporary scheduling order adding them to schedule I under the CSA. If this rule is finalized as proposed, clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam would be subject, on a permanent basis, to the CSA's schedule I regulatory controls and administrative, civil, and criminal sanctions applicable to the manufacture, distribution, dispensing, importing, exporting, research, and conduct of instructional activities, including the following:

1. *Registration.* Any person who handles (manufactures, distributes,

[25] 21 U.S.C. 812(b).

[26] Pursuant to 21 U.S.C. 812(b)(1)(B), when placing a drug or other substance in schedule I of the CSA, DEA must consider whether the substance has a currently accepted medical use in treatment in the United States. First, DEA looks to whether the drug or substance has FDA approval. When no FDA approval exists, DEA has traditionally applied a five-part test to determine whether a drug or substances has a currently accepted medical use: (1) the drug's chemistry must be known and reproducible; (2) there must be adequate safety studies; (3) there must be adequate and well-controlled studies proving efficacy; (4) the drug must be accepted by qualified experts; and (5) the scientific evidence must be widely available. *Marijuana Scheduling Petition; Denial of Petition; Remand,* 57 FR 10499 (Mar. 26, 1992), pet. for rev. denied, *Alliance for Cannabis Therapeutics* v. *Drug Enforcement Admin.,* 15 F.3d 1131, 1135 (D.C. Cir. 1994). DEA and HHS applied the traditional five-part test for currently accepted medical use in this matter. In a recent published letter in a different context, HHS applied an additional two-part test to determine currently accepted medical use for substances that do not satisfy the five-part test: (1) whether there exists widespread, current experience with medical use of the substance by licensed health care practitioners operating in accordance with implemented jurisdiction-authorized programs, where medical use is recognized by entities that regulate the practice of medicine, and, if so, (2) whether there exists some credible scientific support for at least one of the medical conditions for which the part 1 is satisfied. On April 11, 2024, the Department of Justice's Office of Legal Counsel (OLC) issued an opinion, which, among other things, concluded that HHS's two-part test would be sufficient to establish that a drug has a currently accepted medical use. Office of Legal Counsel, Memorandum for Merrick B. Garland Attorney General Re: Questions Related to the Potential Rescheduling of Marijuana at 3 (Apr. 11, 2024). In its eight-factor assessment, HHS determined that clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam do not satisfy this two-part test. Therefore, since both DEA and HHS have determined that these substances do not satisfy the five-part test, and HHS has determined that the substances do not satisfy the additional two-part test, DEA concludes that clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam do not have a currently accepted medical use.

dispenses, imports, exports, engages in research, or conducts instructional activities or chemical analysis with, or possesses) clonazolam, diclazepam, etizolam, flualprazolam, or flubromazolam must be registered with DEA to conduct such activities pursuant to 21 U.S.C. 822, 823, 957, and 958 and in accordance with 21 CFR parts 1301 and 1312.

2. *Security.* Clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam are subject to schedule I security requirements and must be handled and stored pursuant to 21 U.S.C. 821 and 823 and in accordance with 21 CFR 1301.71 through 1301.76. Non-practitioners handling these five substances also must comply with the screening requirements of 21 CFR 1301.90 through 1301.93.

3. *Labeling and Packaging.* All labels and labeling for commercial containers of clonazolam, diclazepam, etizolam, flualprazolam, or flubromazolam must comply with 21 U.S.C. 825 and be in accordance with 21 CFR part 1302.

4. *Quota.* Only registered manufacturers are permitted to manufacture clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam in accordance with a quota assigned pursuant to 21 U.S.C. 826 and in accordance with 21 CFR part 1303.

5. *Inventory.* Any person registered with DEA to handle clonazolam, diclazepam, etizolam, flualprazolam, or flubromazolam must have an initial inventory of all stocks of controlled substances (including these substances) on hand on the date the registrant first engages in the handling of controlled substances pursuant to 21 U.S.C. 827 and 958, and in accordance with 21 CFR 1304.03, 1304.04, and 1304.11. After the initial inventory, every DEA registrant must take a new inventory of all stocks of controlled substances (including clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam) on hand every two years pursuant to 21 U.S.C. 827 and 958 and in accordance with 21 CFR 1304.03, 1304.04, and 1304.11.

6. *Records and Reports.* Every DEA registrant must maintain records and submit reports with respect to clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam pursuant to 21 U.S.C. 827, 832(a), and 958(e) and in accordance with 21 CFR 1301.74(b), 1301.74(c), 1301.76(b), and parts 1304, 1312, and 1317. Manufacturers and distributors would be required to submit reports regarding clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam to the Automation of Reports and Consolidated Order System pursuant 21 U.S.C. 827, and in accordance with 21 CFR parts 1304 and 1312.

7. *Order Forms.* Every DEA registrant who distributes clonazolam, diclazepam, etizolam, flualprazolam, or flubromazolam must comply with the order form requirements pursuant to 21 U.S.C. 828 and 21 CFR part 1305.

8. *Importation and Exportation.* All importation and exportation of clonazolam, diclazepam, etizolam, flualprazolam, or flubromazolam must be in compliance with 21 U.S.C. 952, 953, 957, and 958 and in accordance with 21 CFR part 1312.

9. *Liability.* Any activity involving clonazolam, diclazepam, etizolam, flualprazolam, or flubromazolam not authorized by, or in violation of, the CSA or its implementing regulations is unlawful, and may subject the person to administrative, civil, and/or criminal sanctions.

Regulatory Analyses

Executive Orders 12866, 13563, 14192, and 14294 (Regulatory Review)

In accordance with 21 U.S.C. 811(a), this proposed scheduling action is subject to formal rulemaking procedures done ''on the record after opportunity for a hearing,'' which are conducted pursuant to the provisions of 5 U.S.C. 556 and 557. The CSA sets forth the criteria for scheduling a drug or other substance. Such actions are exempt from review by the Office of Management and Budget (OMB) pursuant to section 3(d)(1) of Executive Order (E.O.) 12866 and the principles reaffirmed in E.O. 13563. DEA scheduling actions are not subject to either E.O. 14192, Unleashing Prosperity Through Deregulation, or E.O. 14294, Fighting Overcriminalization in Federal Regulations.

Executive Order 12988, Civil Justice Reform

This proposed regulation meets the applicable standards set forth in sections 3(a) and 3(b)(2) of E.O. 12988 to eliminate drafting errors and ambiguity, minimize litigation, provide a clear legal standard for affected conduct, and promote simplification and burden reduction.

Executive Order 13132, Federalism

This proposed rulemaking does not have federalism implications warranting the application of E.O. 13132. The proposed rule does not have substantial direct effects on the States, on the relationship between the National Government and the States, or the distribution of power and responsibilities among the various levels of government.

Executive Order 13175, Consultation and Coordination With Indian Tribal Governments

This proposed rule does not have Tribal implications warranting the application of E.O. 13175. It does not have substantial direct effects 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.

Regulatory Flexibility Act

The Acting Administrator, in accordance with the Regulatory Flexibility Act, 5 U.S.C. 601–612, has reviewed this proposed rule and, by approving it, certifies that it will not have a significant economic impact on a substantial number of small entities.

On July 26, 2023, DEA published an order to temporarily place five designer benzodiazepines, as defined in the order, in schedule I of the CSA pursuant to the temporary scheduling provisions of 21 U.S.C. 811(h). DEA estimates that all entities handling or planning to handle clonazolam, diclazepam, etizolam, flualprazolam, or flubromazolam have already established and implemented systems and processes required to handle these substances. DEA proposes placing clonazolam, diclazepam, etizolam, flualprazolam, and flubromazolam, including its salts, isomers, and salts of isomers, in schedule I on a permanent basis.

According to HHS, these five designer benzodiazepines have a high potential for abuse, have no currently accepted medical use in treatment in the United States, and lack accepted safety for use under medical supervision. There appear to be no legitimate sources for clonazolam, diclazepam, etizolam, flualprazolam, or flubromazolam as a marketed drug in the United States, but DEA notes that these substances are available for purchase from legitimate suppliers for scientific research. There is no evidence of significant diversion of these five substances from legitimate suppliers. Therefore, DEA has concluded that this proposed rule, if finalized, will not have a significant economic impact on a substantial number of small entities.

If finalized, this action would impose the regulatory controls and administrative, civil, and criminal sanctions applicable to schedule I controlled substances on persons who handle (manufacture, distribute, reverse distribute, import, export, engage in

research, conduct instructional activities or chemical analysis with, or possess), or propose to handle clonazolam, diclazepam, etizolam, flualprazolam, or flubromazolam, including its salts, isomers, and salts of isomers, or any combination thereof. DEA determines the industries that best represent these business activities using the North American Industry Classification System (NAICS).[28] From Statistics of U.S. Businesses (SUSB) data, DEA determined the number of firms and small firms for each of the affected industries, and by comparing the number of affected small entities to the number of small entities for each industry, DEA determined whether a substantial number of small entities are affected in any of the industries. The following table lists the number of firms, small firms, and percent small firms in each affected industry.

TABLE 1—BUSINESS ACTIVITY AND CORRESPONDING NAICS INDUSTRIES

Business activity	NAICS code	NAICS industry description	Firms[29]	SBA size standard[30]	Small firms[31]	Percent small entities
Manufacturer	325412	Pharmaceutical Preparation Manufacturing	1,179	1,300	1,099	93.2
Distributor, Importer, Exporter.	424210	Drugs and Druggists' Sundries Merchant Wholesalers	7,012	250	6,760	96.4
	424690	Other Chemical and Allied Products Merchant Wholesalers.	5,487	175	5,197	94.7
Researcher	541715	Research and Development in the Physical, Engineering, and Life Sciences (except Nanotechnology and Biotechnology).	10,042	1,000	9,599	95.6
	611310	Colleges, Universities, and Professional Schools	2,494	$34.5	1,515	60.8

Based on the American Chemical Society's SciFinder database, DEA identified ten entities supplying clonazolam, diclazepam, etizolam, flualprazolam, or flubromazolam across the industries 325412, 424210, and 424690. Two of these entities have already registered with DEA to handle controlled substances. Hence, DEA expects only eight entities will be impacted by this rule. Assuming that all affected suppliers were small entities and concentrated in the smallest NAICS industry, 325412, they would account for only 0.73 percent of the small entities in those industries, not a substantial number.[32]

Additionally, DEA expects that the number of researchers working with clonazolam, diclazepam, etizolam, flualprazolam, or flubromazolam is small, because each of these substances is not approved for medical use and has a substantial capability to be a hazard to the health of the user and to the safety of the community. Also, DEA believes that the researchers working with clonazolam, diclazepam, etizolam, flualprazolam, or flubromazolam may also work with other controlled substances; hence, these researchers are likely already registered with DEA and are qualified to handle controlled substances. For these reasons, DEA believes the number of affected researchers that are small entities is not a substantial number of small entities in the 541715 and 622310 industries.

In summary, the small entities affected by this proposed rule are those in 325412—Pharmaceutical Preparation Manufacturing, 424210—Drugs and Druggists' Sundries Merchant Wholesalers, and 424690—Other Chemical and Allied Products Merchant Wholesalers. The affected small entities account for less than 0.73 percent of the small businesses and are not likely to manufacture or carry inventory of clonazolam, diclazepam, etizolam, flualprazolam, or flubromazolam, including its salts, isomers, and salts of isomers. As such, the proposed rule, if finalized, is not expected to result in a significant economic impact on a substantial number of small entities.

Unfunded Mandates Reform Act of 1995

In accordance with the Unfunded Mandates Reform Act (UMRA) of 1995, 2 U.S.C. 1501 *et seq.,* DEA has determined and certifies that this action would not result in any Federal mandate that may result ''in the expenditure by State, local, and Tribal governments, in the aggregate, or by the private sector, of $100,000,000 or more (adjusted annually for inflation) in any 1 year. . . .'' Therefore, neither a Small Government Agency Plan nor any other action is required under UMRA of 1995.

Paperwork Reduction Act of 1995

This proposed rule would not impose a new collection or modify an existing collection of information under the Paperwork Reduction Act of 1995.[33] Also, this proposed rule would not impose new or modify existing recordkeeping or reporting requirements on state or local governments, individuals, businesses, or organizations. However, this proposed rule would require compliance with the following existing OMB collections: 1117–0003, 1117–0004, 1117–0006, 1117–0008, 1117–0009, 1117–0010, 1117–0012, 1117–0014, 1117–0021, 1117–0023, 1117–0029, and 1117–0056. 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.

List of Subjects in 21 CFR Part 1308

Administrative practice and procedure, Drug traffic control, Reporting and recordkeeping requirements.

For the reasons set out above, DEA proposes to amend 21 CFR part 1308 as follows:

PART 1308—SCHEDULES OF CONTROLLED SUBSTANCES

■ 1. The authority citation for 21 CFR part 1308 continues to read as follows:

[28] Executive Office of the President Office of Management and Budget, North American Industry Classification System, United States, 2022, *https://www.census.gov/naics/reference_files_tools/2022_NAICS_Manual.pdf* (last accessed 4/2/2024).

[29] Statistics of U.S. Businesses, 2022 SUSB Annual Data Tables by Establishment Industry, *https://www.census.gov/data/tables/2021/econ/susb/2021-susb-annual.html* (last accessed 6/24/2025).

[30] U.S. Small Business Administration (SBA), Table of size standards, Version March 2023, Effective: March 17, 2023, *https://www.sba.gov/sites/default/files/2023-06/Table%20of%20Size%20Standards_Effective%20March%2017%2C%202023%20%282%29.pdf* (last accessed 6/24/2025).

[31] Based on the estimated number of firms below the SBA size standard for each industry.

[32] 8/1,099 = 0.73%.

[33] 44 U.S.C. 3501–3521.

Authority: 21 U.S.C. 811, 812, 871(b), 956(b), unless otherwise noted.

■ 2. In § 1308.11:

■ a. Redesignate paragraphs (e)(1) through (3) as paragraphs (e)(6) through (8);

■ b. Add new paragraphs (e)(1) through (5); and

■ c. Remove and reserve paragraphs (h)(57) through (61).

The addition reads as follows:

§ 1308.11 Schedule I.

* * * * *

(e) * * *

* * * * * * *	
(1) Clonazolam (Other name: 6-(2-chlorophenyl)-1-methyl-8-nitro-4*H*-benzo[*f*][1,2,4]triazolo[4,3-*a*][1,4]diazepine)	2786
* * * * * * *	
(2) Diclazepam (Other name: 7-chloro-5-(2-chlorophenyl)-1-methyl-1,3-dihydro-2*H*-benzo[*e*][1,4]diazepin-2-one)	2789
* * * * * * *	
(3) Etizolam (Other name: 4-(2-chlorophenyl)-2-ethyl-9-methyl-6*H*-thieno[3,2-*f*][1,2,4]triazolo[4,3-*a*][1,4]diazepine)	2780
* * * * * * *	
(4) Flualprazolam (Other name: 8-chloro-6-(2-fluorophenyl)-1-methyl-4*H*-benzo[*f*][1,2,4]triazolo[4,3-*a*][1,4]diazepine)	2785
* * * * * * *	
(5) Flubromazolam (Other name: 8-bromo-6-(2-fluorophenyl)-1-methyl-4*H*-benzo[*f*][1,2,4]triazolo[4,3-*a*][1,4]diazepine)	2788
* * * * * * *	

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Signing Authority

This document of the Drug Enforcement Administration was signed on July 22, 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 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. 2025–14022 Filed 7–24–25; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF EDUCATION

34 CFR Chapter VI

[Docket ID ED–2025–0151]

Public Hearing; Negotiated Rulemaking Committees

AGENCY: Office of Postsecondary Education, Department of Education.

ACTION: Intent to establish negotiated rulemaking committees.

SUMMARY: We announce our intention to establish two negotiated rulemaking committees to prepare regulations for the Federal student financial assistance programs authorized under Title IV of the Higher Education Act (HEA) of 1965, as amended (Title IV, HEA programs). One committee will consider changes to the Federal student loan programs and the other committee will consider changes to institutional and programmatic accountability, the Pell Grant Program, and other changes to the Title IV, HEA programs.

This rulemaking is necessary to implement recent statutory changes to the Title IV, HEA programs included in Pub. L. 119–21, known as the *One Big Beautiful Bill Act,* that President Trump signed into law on July 4, 2025, as well as to implement other Administration priorities.

Prior to submitting draft regulations to the negotiated rulemaking process, the Department invites the public to provide advice and recommendations addressing the implementation of the changes to the Title IV, HEA programs included in Pub. L. 119–21 during a virtual public hearing that will be held on August 7, 2025, from 9:00 a.m. to noon and 1:00 p.m. to 4:00 p.m., Eastern time. As part of the hearing record, the Department will also accept written comments providing advice and recommendations on the implementation of the changes to the Title IV, HEA programs included in Pub. L. 119–21 through August 25, 2025.

DATES: The dates, times, and locations for the virtual public hearing and the schedule for negotiations are listed under the **SUPPLEMENTARY INFORMATION** section of this document. The Department will accept written comments providing advice and recommendations for the hearing record via the Federal eRulemaking portal through August 25, 2025.

ADDRESSES: Submit your comments through the Federal eRulemaking Portal at *regulations.gov*. The Department will not accept comments submitted by fax or by email or comments submitted after the comment period closes. To ensure we do not receive duplicate copies, please submit your comments only once. Additionally, please include the Docket ID at the top of your comments.

Information on using *Regulations.gov,* including instructions for submitting comments, is available on the site under ''FAQ.'' If you require an accommodation or cannot otherwise submit your comments via *Regulations.gov*, please contact *regulationshelpdesk@gsa.gov* or by phone at 1–866–498–2945. If you are deaf, hard of hearing, or have a speech disability and wish to access telecommunications relay services, please dial 7–1–1.

Privacy Note: The Department's policy is to make all comments received from members of the public available for public viewing in their entirety on the Federal eRulemaking Portal at *www.regulations.gov*. Therefore, commenters should only include in their comments information that they wish to make publicly available. Additionally, commenters should not include in their comments any personally identifiable information on other individuals. The Department reserves the right to redact at any time any personally identifiable information in comments about other individuals.

Mass Writing Campaigns: In instances where individual submissions appear to be duplicates or near duplicates of

comments prepared as part of a writing campaign, the Department will post one representative sample comment along with the total comment count for that campaign to *Regulations.gov*. The Department will consider these comments along with all other comments received.

FOR FURTHER INFORMATION CONTACT: For general information about negotiated rulemaking, see the Frequently Asked Questions section of the Negotiated Rulemaking Process for Title IV regulations website at: *https://www.ed.gov/laws-and-policy/higher-education-laws-and-policy/negotiated-rulemaking-process-title-iv-regulations-frequently-asked-questions*.

For information about the virtual public hearing, or for additional information about negotiated rulemaking, *contact:* Tamy Abernathy, U.S. Department of Education, Office of Postsecondary Education, 400 Maryland Avenue SW, 5th floor, Washington, DC 20202. *Telephone:* (202) 245–4595. *Email: NegRegNPRMHelp@ed.gov*.

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

SUPPLEMENTARY INFORMATION:

Public Hearing

We will hold a virtual public hearing on August 7, 2025, from 9:00 a.m. to 4:00 p.m. with a one-hour recess from noon to 1:00 p.m. for interested parties to provide advice and recommendations on the implementation of the changes to the Title IV, HEA programs enacted in Pub. L. 119–21, as well to implement other Administration priorities. Further information on the public hearing is available at *https://www.ed.gov/laws-and-policy/higher-education-laws-and-policy/higher-education-policy/negotiated-rulemaking-for-higher-education-2025-2026*.

Individuals who would like to speak at the virtual public hearing must register in advance by sending an email message to *negreghearing@ed.gov* no later than 12:00 p.m., Eastern time, July 28, 2025. The message should include the name of the speaker, the general topic(s) the individual would like to address, and one or more times during the day which the individual would be available to speak. We will attempt to accommodate each speaker, however, if we are unable to do so, we will select speakers on a first-come, first-served basis based on the date and time we received their email message. We will limit each participant to three minutes. For those who need a reasonable accommodation in order to provide a live comment during the hearing, please see the ''Reasonable Accommodations'' section below for information about how to make such a request.

The Department will notify registrants of the time slot reserved for them to speak and will provide information on how to log in to the hearing as a speaker. An individual may make only one presentation at the virtual hearing. If we receive more registrations than we are able to accommodate, the Department reserves the right to reject the registration of an entity or individual that is affiliated with an entity or individual that is already scheduled to speak, and to select among registrants to ensure a broad range of entities and individuals is allowed to present. If all time slots are not filled before the day of the hearing, we will accept registrations for any remaining time slots on a first-come, first-served basis beginning at 8:00 a.m. on the day of the virtual hearing at *negreghearing@ed.gov*.

Reasonable Accommodations: The hearing will be accessible to individuals with disabilities. Information for contacting the Department to request auxiliary aids or services to provide a live comment will be included in the registration process for speaking at the hearing. If you will need an auxiliary aid or service to provide your comments, please notify the person listed under **FOR FURTHER INFORMATION CONTACT** in this notice at least two weeks before the scheduled meeting date.

Registration is also required to view the virtual hearing. American Sign Language translation and closed captioning will be provided for the virtual hearing. We will post registration links for attendees who wish to observe on our website at *https://www.ed.gov/laws-and-policy/higher-education-laws-and-policy/higher-education-policy/negotiated-rulemaking-for-higher-education-2025-2026*. The Department will also post transcripts of the hearing on that site.

The Department will accept written comments providing advice and recommendations via the Federal eRulemaking portal through August 25, 2025. See the **ADDRESSES** section of this document for submission information.

Negotiated Rulemaking

We announce our intent to develop proposed Title IV, HEA program regulations by following the negotiated rulemaking procedures in section 492 of the HEA (20 U.S.C. 1098a). That section requires that, after obtaining advice and recommendations from individuals and representatives of groups involved in the Title IV, HEA programs and before publishing any proposed regulations to implement programs authorized under Title IV of the HEA, the Secretary prepare draft regulations and submit such regulations to a negotiated rulemaking process. We intend to choose members for two rulemaking committees from individuals nominated by groups involved in the Title IV, HEA programs. We will select participants with demonstrated experience in the relevant subjects under negotiation, in accordance with section 492(b)(1) of the HEA (20 U.S.C. 1098a).

Constituency Groups for Negotiator Nominations

We have identified the following constituency groups involved in the Title IV, HEA program regulations being negotiated by each committee. We will choose participants for each constituency group on the committee from individuals nominated by various organizations within each of these constituency groups involved in the Title IV, HEA programs.

Constituency groups which will be represented on the Reimagining and Improving Student Education (RISE) Committee addressing loan issues will consist of the following:

- Student loan borrowers, including borrowers in school, deferment, forbearance, delinquent, default, and currently in repayment.
- Student loan borrowers who are veterans, U.S. military service members, or groups representing them.
- Legal assistance organizations that represent students and borrowers, consumer advocates, and civil rights groups that represent students.
- State officials, including state student grant agencies, state higher education executive officers, and representatives of state authorizing agencies.
- Public institutions of higher education, including institutions eligible to receive Federal assistance under Title III and Title V of the HEA, Tribal Colleges and Universities, and Historically Black Colleges and Universities.
- Private nonprofit institutions of higher education, including institutions eligible to receive Federal assistance under Title III and Title V of the HEA, Tribal Colleges and Universities, and Historically Black Colleges and Universities.
- Proprietary institutions of higher education, as defined in 34 CFR 600.5.
- Student loan servicers, collection agencies, lenders, and guaranty agencies.

• Organizations representing taxpayers and the public interest.

Nominations for committee members serving on the RISE Committee may be sent to the following email address: *nominationsfederalstudentloans@ed.gov* by August 25, 2025. Please be sure to include the constituency group and the RISE Committee in your nomination.

The constituency groups for the Accountability in Higher Education and Access through Demand-driven Workforce Pell (AHEAD) Committee addressing institutional and program accountability, Pell Grants, and other issues will include the following:

• Students who are currently enrolled and receiving assistance from the Title IV, HEA programs.

• Students who are veterans, U.S. military service members or groups representing them.

• Employers and groups representing the business community, including small, medium, and large businesses.

• Legal assistance organizations that represent students, consumer advocates, and civil rights groups that represent students.

• Public institutions of higher education, including institutions eligible to receive Federal assistance under Title III and Title V of the HEA, Tribal Colleges and Universities, and Historically Black Colleges and Universities.

• Private nonprofit institutions of higher education including institutions eligible to receive Federal assistance under Title III and Title V of the HEA, Tribal Colleges and Universities, and Historically Black Colleges and Universities.

• Proprietary institutions of higher education, as defined in 34 CFR 600.5.

• State workforce agencies and workforce development boards.

• State grant agencies, and other state and non-profit higher education financing organizations.

• State higher education executive officers, State authorizing agencies, and other State regulators.

• Accrediting agencies recognized by the Secretary of Education.

• Organizations representing taxpayers and the public interest.

Nominations for committee members serving on the AHEAD Committee may be submitted to the following email address: *negregnominations@ed.gov* by August 25, 2025. Please be sure to include the constituency group and the AHEAD Committee in your nomination.

A participant chosen by the Department is expected to represent the interests of their constituency group and to participate in the negotiations in a manner consistent with the goal of developing proposed regulations on which the committee will reach consensus, which means no member of the committee dissents from the proposed regulations.

Nominations Process

We request nominations include the information described in this section.

(1) The name of the nominee;

(2) The name of the constituency (or constituencies) for which the nominee is being nominated (see Constituency Groups for Negotiator Nominations);

(3) The nominee's place of employment or institution at which they are or were enrolled and, if different, the organization the nominee represents;

(4) A resume or evidence of the nominee's expertise and experience in the topics proposed for negotiations;

(5) The nominee's contact information, including email address, telephone number, and mailing address; and

(6) Committee nominated to—the RISE Committee or the AHEAD Committee.

If you wish to nominate the same person for both committees, you will need to submit two nominations, one to each email address.

Please see the **ADDRESSES** section for submission information. We will confirm receipt of nominations to the submitter. The Department will provide additional information to those we select to serve as negotiators. Once complete, a list of negotiators will be posted here: *https://www.ed.gov/laws-and-policy/higher-education-laws-and-policy/higher-education-policy/negotiated-rulemaking-for-higher-education-2025-2026*. The Department will also provide information about how any committee vacancies can be filled at the beginning of the first committee meeting.

Schedule for Negotiations

The RISE Committee will meet in-person for two multi-day sessions on the following dates:

Session 1: September 29, September 30, October 1, October 2, and October 3, 2025.

Session 2: November 3, November 4, November 5, November 6, and November 7, 2025.

The AHEAD Committee will meet in-person for two multi-day sessions on the following dates:

Session 1: December 8, December 9, December 10, December 11, and December 12, 2025.

Session 2: January 5, January 6, January 7, January 8, and January 9, 2026.

The committees will meet each day from 9:00 a.m. to 12:00 p.m. and 1:00 p.m. to 4:00 p.m. Eastern time. During these times, the committees may temporarily recess for caucuses or work sessions to develop new regulatory language for consideration by the full committee.

The meetings will be conducted in person and be available for the public to watch in person or via livestream on the internet. Registration is required to observe the meetings in person or via livestream. Space may be limited for the in-person meetings. We will post a registration link on our website at *https://www.ed.gov/laws-and-policy/higher-education-laws-and-policy/higher-educationpolicy/negotiated-rulemaking-for-higher-education-2025-2026* no later than one week prior to the start of negotiations for each committee. Please note any in-person visitors to the Department must present a driver's license (DL) or identification (ID) that is compliant with the REAL ID Act; a current military ID; or a valid passport. Those persons not in possession of a DL/ID that is REAL ID compliant, a current military ID, or a valid passport, will not be allowed to enter the building. The Department will also post recordings and transcripts of the meetings on the site listed above.

Regulatory Issues

We intend to prepare draft regulations implementing changes to the Title IV, HEA programs included in Public Law 119–21 and any other topics presented at the public hearing, and to submit such regulations to the negotiated rulemaking process in each committee prior to publishing proposed regulations in the **Federal Register**.

The proposed issues for negotiation in the RISE Committee include:

1. Phase-out of graduate and professional PLUS Loans.

2. Establishment of new annual loan limits for graduate and professional students and parent borrowers, and implementation of new lifetime borrowing caps.

3. Simplification of student loan repayment plans into a standard repayment plan and a single income-based Repayment Assistance Plan (RAP) for new borrowers, elimination of the Income-Contingent Repayment (ICR) plan, and streamlining requirements for Income-Based Repayment plans for existing borrowers.

4. Institutional flexibility to apply lower annual limits for student and parent borrowers for selected programs of study.

5. Modifications to loan rehabilitation, including allowing defaulted borrowers to rehabilitate their loans a second time and setting

minimum monthly payment amounts for such loans, phase-out of unemployment and economic hardship deferments, and limitations on a borrower's ability to receive a general forbearance.

6. Other provisions included in Public Law 119–21 that are effective upon enactment, on July 1, 2026, on July 1, 2027, or on July 1, 2028.

The proposed issues for negotiation in the AHEAD Committee include:

1. Changes in institutional and programmatic accountability measures, including loss of Direct Loan eligibility for certain programs with low earnings outcomes for 2 out of 3 years, and Financial Value Transparency and Gainful Employment.

2. Establishment of program eligibility requirements for a new Workforce Pell Grant for students enrolled in programs that last a duration of 8–15 weeks, are transferable to a recognized postsecondary credential or degree, are approved by the state governor, and have strong outcomes.

3. Exclusion of Pell Grant assistance for students who receive grant or scholarship aid covering their entire cost of attendance or for students with a Student Aid Index in excess of twice the maximum Pell Grant award.

4. Other provisions included in Public Law 119–21 that are effective upon enactment, on July 1, 2026, on July 1, 2027, or on July 1, 2028.

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

Program Authority: 20 U.S.C 1098a.

James P. Bergeron,

Acting Under Secretary.

[FR Doc. 2025–13998 Filed 7–24–25; 8:45 am]

BILLING CODE 4000–01–P

Notices

Federal Register
Vol. 90, No. 141
Friday, July 25, 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

Animal and Plant Health Inspection Service

[Docket No. APHIS–2020–0032]

Notice of Decision To Deregulate Light Brown Apple Moth for Fruit Imported From New Zealand Into the United States

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public of our decision to deregulate light brown apple moth (LBAM) for fruit imported from New Zealand into the United States. Currently, fruit imported from New Zealand into the United States must be accompanied by a phytosanitary certificate with an additional declaration stating that the fruit is free of LBAM. Based on the findings of a commodity import evaluation document, which we made available to the public for review and comment through a previous notice, we are removing the requirement for the additional declaration. Accordingly, we are revising the U.S. Department of Agriculture's Animal and Plant Health Inspection Service Agricultural Commodity Import Requirements database regarding LBAM requirements for fruit imported from New Zealand into the United States. This change will harmonize our domestic and import requirements.

DATES: The articles covered by this notification may be authorized for importation under the revised requirements after July 25, 2025.

FOR FURTHER INFORMATION CONTACT: Ms. Julie Orr, Regulatory Policy Specialist IRM–PEIP–PPQ–APHIS, 1400 Independence SW, Washington, DC 20250; (240) 946–0542; *Julie.Orr@usda.gov.*

SUPPLEMENTARY INFORMATION:

Background

Under the regulations in ''Subpart L—Fruits and Vegetables'' (7 CFR 319.56–1 through 319.56–12, referred to below as the regulations), the Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture (USDA) prohibits or restricts the importation of fruits and vegetables into the United States from certain parts of the world to prevent plant pests from being introduced into and spread within the United States.

Section 319.56–4 of the regulations provides the requirements for authorizing the importation of fruits and vegetables into the United States, as well as revising existing requirements for the importation of fruits and vegetables. Paragraph (c) of that section provides that the name and origin of all fruits and vegetables authorized importation into the United States, as well as the requirements for their importation, be listed on the USDA's APHIS Agricultural Commodity Import Requirements (ACIR) database (*https://acir.aphis.usda.gov/s/*). It also provides that, if the Administrator of APHIS determines that any of the phytosanitary measures required for the importation of a particular fruit or vegetable are no longer necessary to reasonably mitigate the plant pest risk posed by the fruit or vegetable, APHIS will publish a notice in the **Federal Register** making its pest risk documentation and determination available for public comment.

The light brown apple moth (LBAM), *Epiphyas postvittana* (Tortricidae), is a native pest of Australia and is now widely distributed in New Zealand, the United Kingdom, Ireland, and New Caledonia. LBAM is a pest of concern in the United States and elsewhere because it can damage a wide range of fruits, vegetables, and other valuable plants. It was reported in Hawaii in the late 1800s and detected in Alameda County, California in 2007. In response to the 2007 detection, APHIS conducted delimiting surveys and issued a series of Federal Orders to establish quarantines and host lists and to regulate the movement of LBAM hosts from affected areas.

However, since 2007, APHIS has developed pest risk assessments (PRAs) for a number of LBAM hosts and established that standard commercial production practices are sufficient to remove any risk from the spread of LBAM in commercially produced commodities. As a result, APHIS has determined that due to both the absence of significant damage in commercial agriculture and the availability of effective treatments, Federal involvement to regulate LBAM as a pest of quarantine significance for these commodities appears to be no longer necessary.[1]

Currently, fruit from New Zealand imported into the United States must be accompanied by a phytosanitary certificate with an additional declaration that the fruit is free of LBAM. However, under International Standards for Phytosanitary Measures 20,[2] APHIS cannot regulate an imported commodity for a specific pest more stringently than it regulates the commodity domestically unless this discrepancy is technically justified.

In accordance with the requirements of § 319.56–4, we published a notice[3] in the **Federal Register** on November 25, 2024 (89 FR 92887–92888, Docket No. APHIS–2020–0032), in which we announced the availability of a commodity import evaluation document (CIED) for public review and comment. Based on the findings of pest risk assessments cited in the CIED, APHIS has concluded that consignments of commercially produced fresh fruit from New Zealand may safely be imported to the United States without requiring LBAM-specific mitigations.

We proposed to no longer require the additional declaration of LBAM freedom for the following commodities imported from New Zealand into the United States:

Apple—*Malus domestica*
Apricot—*Prunus armeniaca*
Avocado—*Persea americana*
Blackberry—*Rubus* sp.
Blueberry—*Vaccinium angustifolium, Vaccinium ashei, Vaccinium corymbosum, Vaccinium virgatum*
Cherry—*Prunus avium*
Currant—*Ribes* spp.
Feijoa—*Acca sellowiana*
Grapes—*Vitis vinifera*

[1] The Federal Order removing domestic quarantines and other restrictions imposed by previous orders may be viewed at *https://www.aphis.usda.gov/plant_health/downloads/da-2021-29-lbam-deregulation.pdf.*

[2] The document may be viewed at *http://www.fao.org/3/a-y5721e.pdf.*

[3] To view the notice, supporting documents, and the comments we received, go to *www.regulations.gov.* Enter APHIS–2020–0032 in the Search field.

Kiwi—*Actinidia* spp. (*A. deliciosa, A. arguta, A. chinensis, A. kolomikta, A. melanandra, A. polygama, A. rubricaulis* var. *coriacea*
Loquat—*Eriobotrya japonica* (Into Guam and CNMI)
Nectarine—*Prunus persica nucipersica*
Peach—*Prunus persica var. persica*
Pear—*Pyrus communis*
Plum—*Prunus domestica ssp. domestica*
Raspberry—*Rubus* sp.
Sand Pear—*Pyrus pyrifolia var. culta*
Strawberry—*Fragaria x ananassa*

If consignments of the above fruits are not precleared, the consignment will need to be accompanied by a phytosanitary certificate issued by the National Plant Protection Organization (NPPO) of New Zealand.

Additionally, consignments of citrus (*Citrus* spp) and persimmon (*Diospyros kaki*) fruit must be accompanied by a phytosanitary certificate issued by the NPPO of New Zealand with an additional declaration stating the fruit is free of *Cnephasia jactatana, Coscinoptycha improbana, Ctenopseustis obliquana, Pezothrips kellyanus,* and *Planotortrix excessana.*

We solicited comments on the notice for 60 days ending January 24, 2025. We received two comments by that date, one from a New Zealand industry organization and one from a New Zealand government ministry. Both commenters expressed support for the notice. One commenter, from the government ministry, requested assurances that, upon arrival, inspections of non-precleared consignments will be commensurate with risk, and that the higher sampling rates specific for LBAM host commodities are removed from the inspection manual.

We note that no port-of-entry inspection procedures target LBAM specifically. Rather, the inspection procedures employed on fruits and vegetables from New Zealand match those for agricultural commodities from numerous other countries and have been developed to detect quarantine pests as well as hitchhikers, weeds, and soil. After the deregulation of LBAM, the inspection procedures at the port of entry will remain the same for the listed agricultural commodities from New Zealand if they have not been pre-cleared in the country of origin.

Therefore, in accordance with the regulations in § 319.56–4(c), we are announcing our decision to deregulate LBAM for fruit imported from New Zealand into the United States subject to the phytosanitary measures identified in the CIED that accompanied the initial notice.

The conditions will be listed in the ACIR database. In addition to these specific measures, fruit from New Zealand will be subject to the general requirements listed in § 319.56–3 that are applicable to the importation of all fruits and vegetables.

Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the recordkeeping and burden requirements associated with this action are included under the Office of Management and Budget control number 0579–0049.

E-Government Act Compliance

The Animal and Plant Health Inspection Service is committed to compliance with the E-Government Act to promote the use of the internet and other information technologies, to provide increased opportunities for citizen access to Government information and services, and for other purposes. For information pertinent to E-Government Act compliance related to this notice, please contact *APHIS.PRA@usda.gov.*

Authority: 7 U.S.C. 1633, 7701–7772, and 7781–7786; 21 U.S.C. 136 and 136a; 7 CFR 2.22, 2.80, and 371.3.

Done in Washington, DC, this 22nd day of July 2025.

Michael Watson,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2025–14091 Filed 7–24–25; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2025–0023]

Notice of Request for Revision to and Extension of Approval of an Information Collection; Importation of Poultry Meat and Other Poultry Products From Sinaloa and Sonora, Mexico; Poultry and Pork Transiting the United States

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Request for revision to and extension of approval of an information collection; comment request.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Animal and Plant Health Inspection Service's intention to request a revision to and extension of approval of an information collection associated with the regulations for the importation of poultry meat and other poultry products from Sinaloa and Sonora and for pork and poultry products transiting the United States.

DATES: We will consider all comments that we receive on or before September 23, 2025.

ADDRESSES: You may submit comments by either of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov/#!docketDetail;D=APHIS-2025-0023.*
- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS–2025–0023, Regulatory Analysis and Development, PPD, APHIS, 5601 Sunnyside Avenue, Beltsville, MD 20705.

Supporting documents and any comments we receive on this docket may be viewed at *http://www.regulations.gov/#!docketDetail;D=APHIS-2025-0023* or in our reading room, which is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW, Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799–7039 before coming.

FOR FURTHER INFORMATION CONTACT: For information on the importation of poultry meat and other poultry products from Sinaloa and Sonora, Mexico; poultry and pork transiting the United States, contact Dr. Nathaniel J. Koval, VS, APHIS, 69 Thomas Johnson Drive, Frederick, MD, 21702, or at 301–851–3434. For more information on the information collection process, email *APHIS.PRA@usda.gov.*

SUPPLEMENTARY INFORMATION:

Title: Importation of Poultry Meat and Other Poultry Products From Sinaloa and Sonora, Mexico; Poultry and Pork Transiting the United States.

OMB Control Number: 0579–0144.

Type of Request: Revision to and extension of approval of an information collection.

Abstract: The Animal Health Protection Act is the primary Federal law governing the protection of animal health. The law gives the Secretary of Agriculture broad authority to detect, control, or eradicate pests or diseases of livestock or poultry. The Secretary may also prohibit or restrict the import or export of any animal or related material if necessary to prevent the spread of any livestock or poultry pest or disease.

Disease prevention is the most effective method for maintaining a healthy animal population and for enhancing the U.S. Department of Agriculture's Animal and Plant Health Inspection Service's (APHIS') ability to allow U.S. animal producers to compete

in the world market of animal and animal product trade. APHIS is the agency charged with carrying out disease prevention by regulating the importation of animals and animal products into the United States. The regulations under which APHIS conducts these disease prevention activities are contained in 9 CFR parts 91 through 99. These regulations govern the importation of animals and animal products.

APHIS currently places certain restrictions on the importation and in-transit movement of fresh (chilled or frozen) pork and pork products from Mexico because of the presence of classical swine fever (CSF) in some areas of Mexico. However, the regulations in § 94.15 allow pork and pork products from certain Mexican States to transit the United States, under seal, for export to another country.

In addition, the regulations in § 94.6 provide the requirements for, among other things, the importation of poultry carcasses, parts, products, and eggs (other than hatching eggs) from regions where Newcastle disease (ND) is considered to exist. However, § 94.15 also allows poultry carcasses, parts, products, and eggs (other than hatching eggs) that do not qualify for entry into the United States to transit the United States via land ports, for immediate export, from Mexican States that Mexico considers to be free of ND.

APHIS believes that allowing such in-transit movements presents a negligible risk of introducing CSF or ND into the United States while simultaneously avoiding unnecessary restrictions on trade.

APHIS also currently has regulations in place that restrict the importation of poultry meat and other poultry products from Mexico due to the presence of ND in that country. However, under the regulations in § 94.30, APHIS allows the importation of poultry meat and poultry products from the Mexican States of Sinaloa and Sonora, if imported according to APHIS' requirements, because APHIS has determined that poultry meat and products from these two Mexican States pose a negligible risk of introducing ND into the United States.

To ensure these commodities are safe for importation, APHIS requires that certain information collection activities take place such as foreign meat inspection certificates, serially numbered seals, emergency action notification, and pre-arrival notifications.

We are asking OMB to approve our use of these information collection activities, as described, for an additional 3 years.

The purpose of this notice is to solicit comments from the public (as well as affected agencies) concerning our information collection. These comments will help us:

(1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of our estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, through use, as appropriate, of automated, electronic, mechanical, and other collection technologies; *e.g.,* permitting electronic submission of responses.

Estimate of burden: The public burden for this collection of information is estimated to average .999 hours per response.

Respondents: Federal animal health authorities in Mexico and U.S. importers and exporters of poultry meat, other poultry products, pork, and pork products from Mexico.

Estimated annual number of respondents: 69.

Estimated annual number of responses per respondent: 30.

Estimated annual number of responses: 2,097.

Estimated total annual burden on respondents: 2,095 hours. (Due to averaging, the total annual burden hours may not equal the product of the annual number of responses multiplied by the reporting burden per response.)

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Done in Washington, DC, this 21st day of July 2025.

Michael Watson,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2025–14090 Filed 7–24–25; 8:45 am]

BILLING CODE 3410–34–P

COMMISSION ON CIVIL RIGHTS

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

AGENCY: U.S. Commission on Civil Rights.

ACTION: Notice of public meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act, that the Illinois Advisory Committee (Committee) to the U.S. Commission on Civil Rights will hold a public business meeting via Zoom at 2:00 p.m. CT on Wednesday, August 6, 2025. The purpose of this meeting is to discuss potential civil rights topics of study for the Committee's first project.

DATES: Wednesday, August 6, 2025, from 2:00 p.m.–3:30 p.m. Central Time.

ADDRESSES: The meeting will be held via Zoom Webinar.

Registration Link (Audio/Visual): https://www.zoomgov.com/webinar/register/WN_tNjaJb9cSqKWAHQXE9pe1g.

Join by Phone (Audio Only): (833) 435–1820 USA Toll-Free; Meeting ID: 161 206 6289.

FOR FURTHER INFORMATION CONTACT: Ana Victoria Fortes, Designated Federal Officer, at *afortes@usccr.gov* or (202) 681–0857.

SUPPLEMENTARY INFORMATION: This committee meeting is available to the public through the registration link above. Any interested member of the public may listen to the meeting. An open comment period will be provided to allow members of the public to make a statement as time allows. Per the Federal Advisory Committee Act, public minutes of the meeting will include a list of persons who are present at the meeting. If joining via phone, callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Closed captioning will be available for individuals who are deaf, hard of hearing, or who have certain cognitive or learning impairments. To request additional accommodations, please email Liliana Schiller, Support Services Specialist, at *lschiller@usccr.gov* at least 10 business days prior to the meeting.

Members of the public are entitled to submit written comments; the comments must be received in the regional office within 30 days following the meeting. Written comments may be emailed to Ana Victoria Fortes at *afortes@usccr.gov.* Persons who desire additional information may contact the Regional Programs Coordination Unit at (202) 681–0857.

Records generated from this meeting may be inspected and reproduced at the

Regional Programs Coordination Unit Office, as they become available, both before and after the meeting. Records of the meetings will be available via this file sharing website. Persons interested in the work of this Committee are directed to the Commission's website, *http://www.usccr.gov,* or may contact the Regional Programs Coordination Unit at the above phone number.

Agenda

I. Welcome & Roll Call
II. Discuss Topics for Study
III. Public Comment
IV. Next Steps
V. Adjournment

Dated: July 22, 2025.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2025–14018 Filed 7–24–25; 8:45 am]

BILLING CODE P

COMMISSION ON CIVIL RIGHTS

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

AGENCY: U.S. Commission on Civil Rights.

ACTION: Notice of public meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act, that the Georgia Advisory Committee (Committee) to the U.S. Commission on Civil Rights will hold a public business meeting via Zoom. The purpose of the meeting is to discuss civil rights concerns in the state for potential study.

DATES: Tuesday, August 12, 2025, from 12:00 p.m.–1:00 p.m. Eastern Time.

ADDRESSES: The meeting will be held via Zoom Webinar.

Registration Link (Audio/Visual): https://www.zoomgov.com/webinar/register/WN_6ew4lpBrRLOEjEVHipNOBQ.

Join by Phone (Audio Only): (833) 435–1820 USA Toll-Free; Meeting ID: 160 290 1828.

FOR FURTHER INFORMATION CONTACT: Mallory Trachtenberg, Designated Federal Officer, at *mtrachtenberg@usccr.gov* or (202) 809–9618.

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

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

Records generated from this meeting may be inspected and reproduced at the Regional Programs Coordination Unit Office, as they become available, both before and after the meeting. Records of the meetings will be available via the file sharing website, *https://bit.ly/42t1cCA.* Persons interested in the work of this Committee are directed to the Commission's website, *http://www.usccr.gov,* or may contact the Regional Programs Coordination Unit at *svillanueva@usccr.gov.*

Agenda

I. Welcome & Roll Call
II. Approval of Minutes
III. Committee Discussion
IV. Next Steps
V. Public Comment
VI. Adjournment

Dated: July 23, 2025.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2025–14101 Filed 7–24–25; 8:45 am]

BILLING CODE 6335–01–P

DEPARTMENT OF COMMERCE

International Trade Administration

Initiation of Antidumping and Countervailing Duty Administrative Reviews

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

SUMMARY: The U.S. Department of Commerce (Commerce) has received requests to conduct administrative reviews of various antidumping duty (AD) and countervailing duty (CVD) orders with June anniversary dates. In accordance with Commerce's regulations, we are initiating those administrative reviews.

DATES: Applicable July 25, 2025.

FOR FURTHER INFORMATION CONTACT: Brenda E. Brown, AD/CVD Operations, Customs Liaison Unit, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230, telephone: (202) 482–4735.

SUPPLEMENTARY INFORMATION:

Background

Commerce has received timely requests, in accordance with 19 CFR 351.213(b), for administrative reviews of various AD and CVD orders with June anniversary dates. All deadlines for the submission of various types of information, certifications, comments, or actions by Commerce discussed below refer to the number of calendar days from the applicable starting time.

Respondent Selection

In the event that Commerce limits the number of respondents for individual examination for administrative reviews initiated pursuant to requests made for the orders identified below, Commerce intends to select respondents based either on U.S. Customs and Border Protection (CBP) data for U.S. imports during the period of review (POR) or questionnaires in which we request the quantity and value (Q&V) of sales, shipments, or exports during the POR. Where Commerce selects respondents based on CBP data, we intend to place the CBP data on the record within five days of publication of the initiation notice. Where Commerce selects respondents based on Q&V data, Commerce intends to place the Q&V questionnaire on the record of the review within five days of publication of the initiation notice. In either case, we intend to make our respondent selection decision within 35 days of the **Federal Register** publication of the initiation notice. Comments regarding the CBP data (and/or Q&V data (where applicable)) and respondent selection should be submitted within seven days after the placement of the CBP data/submission of the Q&V data on the record of the review. Parties wishing to submit rebuttal comments should submit those comments within five days

after the deadline for the initial comments.

In the event that Commerce decides it is necessary to limit individual examination of respondents and conduct respondent selection under section 777A(c)(2) of the Tariff Act of 1930, as amended (the Act), the following guidelines regarding collapsing of companies for purposes of respondent selection will apply. In general, Commerce has found that determinations concerning whether particular companies should be ''collapsed'' (*e.g.,* treated as a single entity for purposes of calculating AD rates) require a substantial amount of detailed information and analysis, which often require follow-up questions and analysis. Accordingly, Commerce will not conduct collapsing analyses at the respondent selection phase of the review and will not collapse companies at the respondent selection phase unless there has been a determination to collapse certain companies in a previous segment of the AD proceeding (*e.g.,* investigation, administrative review, new shipper review, or changed circumstances review). For any company subject to the review, if Commerce determined, or continued to treat, that company as collapsed with others, Commerce will assume that such companies continue to operate in the same manner and will collapse them for respondent selection purposes. Otherwise, Commerce will not collapse companies for purposes of respondent selection.

Parties are requested to (a) identify which companies subject to review previously were collapsed, and (b) provide a citation to the proceeding in which they were collapsed. Further, if companies are requested to complete the Q&V questionnaire for purposes of respondent selection, in general, each company must report volume and value data separately for itself. Parties should not include data for any other party, even if they believe they should be treated as a single entity with that other party. If a company was collapsed with another company or companies in the most recently completed segment of the proceeding where Commerce considered collapsing that entity, complete Q&V data for that collapsed entity must be submitted.

Notice of No Sales

With respect to AD administrative reviews, we intend to rescind the review where there are no suspended entries for a company or entity under review and/or where there are no suspended entries under the company-specific case number for that company or entity. Where there may be suspended entries, if a producer or exporter named in this notice of initiation had no exports, sales, or entries during the POR, it may notify Commerce of this fact within 30 days of publication of this initiation notice in the **Federal Register** for Commerce to consider how to treat suspended entries under that producer's or exporter's company-specific case number.

Deadline for Withdrawal of Request for Administrative Review

Pursuant to 19 CFR 351.213(d)(1), a party that has requested a review may withdraw that request within 90 days of the date of publication of the notice of initiation of the requested review. The regulation provides that Commerce may extend this time if it is reasonable to do so. Determinations by Commerce to extend the 90-day deadline will be made on a case-by-case basis.

Deadline for Particular Market Situation Allegation

Section 504 of the Trade Preferences Extension Act of 2015 amended the Act by adding the concept of a particular market situation (PMS) for purposes of constructed value under section 773(e) of the Act.[1] Section 773(e) of the Act states that ''if a particular market situation exists such that the cost of materials and fabrication or other processing of any kind does not accurately reflect the cost of production in the ordinary course of trade, the administering authority may use another calculation methodology under this subtitle or any other calculation methodology.'' When an interested party submits a PMS allegation pursuant to section 773(e) of the Act, Commerce will respond to such a submission consistent with 19 CFR 351.301(c)(2)(v). If Commerce finds that a PMS exists under section 773(e) of the Act, then it will modify its dumping calculations appropriately.

Neither section 773(e) of the Act nor 19 CFR 351.301(c)(2)(v) set a deadline for the submission of PMS allegations and supporting factual information. However, in order to administer section 773(e) of the Act, Commerce must receive PMS allegations and supporting factual information with enough time to consider the submission. Thus, should an interested party wish to submit a PMS allegation and supporting new factual information pursuant to section 773(e) of the Act, it must do so no later than 20 days after submission of initial responses to section D of the questionnaire.

Separate Rates

In proceedings involving non-market economy (NME) countries, Commerce begins with a rebuttable presumption that all companies within the country are subject to government control and, thus, should be assigned a single AD deposit rate. It is Commerce's policy to assign all exporters of merchandise subject to an administrative review in an NME country this single rate unless an exporter can demonstrate that it is sufficiently independent so as to be entitled to a separate rate.

To establish whether a firm is sufficiently independent from government control of its export activities to be entitled to a separate rate, Commerce analyzes each entity exporting the subject merchandise. In accordance with the separate rates criteria, Commerce assigns separate rates to companies in NME cases only if respondents can demonstrate the absence of both *de jure* and *de facto* government control over export activities.

All firms listed below that wish to qualify for separate rate status in the administrative reviews involving NME countries must complete, as appropriate, either a Separate Rate Application or Certification, as described below. In addition, all firms that wish to qualify for separate rate status in the administrative reviews of AD orders in which a Q&V questionnaire is issued must complete, as appropriate, either a Separate Rate Application or Certification, and respond to the Q&V questionnaire.

For these administrative reviews, in order to demonstrate separate rate eligibility, Commerce requires entities for whom a review was requested, that were assigned a separate rate in the most recent segment of this proceeding in which they participated, to certify that they continue to meet the criteria for obtaining a separate rate. The Separate Rate Certification form will be available on Commerce's website at *https://access.trade.gov/Resources/nme/nme-sep-rate.html* on the date of publication of this **Federal Register** notice. In responding to the certification, please follow the ''Instructions for Filing the Certification'' in the Separate Rate Certification. Separate Rate Certifications are due to Commerce no later than 14 calendar days after publication of this **Federal Register** notice. In addition to filing a Separate Rate Certification with Commerce no later than 14 calendar days after

[1] *See* Trade Preferences Extension Act of 2015, Public Law 114–27, 129 Stat. 362 (2015).

publication of this **Federal Register** notice. The deadline and requirement for submitting a Separate Rate Certification applies equally to NME-owned firms, wholly foreign-owned firms, and foreign sellers who purchase and export subject merchandise to the United States.

Entities that currently do not have a separate rate from a completed segment of the proceeding [2] should timely file a Separate Rate Application to demonstrate eligibility for a separate rate in this proceeding. In addition, companies that received a separate rate in a completed segment of the proceeding that have subsequently made changes, including, but not limited to, changes to corporate structure, acquisitions of new companies or facilities, or changes to their official company name,[3] should timely file a Separate Rate Application to demonstrate eligibility for a separate rate in this proceeding. The Separate Rate Application will be available on Commerce's website at *https://access.trade.gov/Resources/nme/nme-sep-rate.html* on the date of publication of this **Federal Register** notice. In responding to the Separate Rate Application, refer to the instructions contained in the application. Separate Rate Applications are due to Commerce no later than 14 calendar days after publication of this **Federal Register** notice. The deadline and requirement for submitting a Separate Rate Application applies equally to NME-owned firms, wholly foreign-owned firms, and foreign sellers that purchase and export subject merchandise to the United States.

Exporters and producers must file a timely Separate Rate Application or Certification if they want to be considered for individual examination. Furthermore, exporters and producers who submit a Separate Rate Application or Certification and subsequently are selected as mandatory respondents will no longer be eligible for separate rate status unless they respond to all parts of the questionnaire as mandatory respondents.

Certification Eligibility

Commerce may establish a certification process for companies whose exports to the United States could contain both subject and non-subject merchandise. Companies under review that were deemed to not be eligible to participate in the certification program of that proceeding may submit a Certification Eligibility Application to establish that they maintain the necessary systems to track their sales to the United States of subject and non-subject goods.

All firms listed below that are not currently eligible to certify but wish to establish certification eligibility are required to submit a Certification Eligibility Application. The Certification Eligibility Application will be available on Commerce's website at *https://access.trade.gov/Resources/Certification-Eligibility-Application.pdf.*

Certification Eligibility Applications must be filed according to Commerce's regulations and are due to Commerce no later than 30 calendar days after the publication of the **Federal Register** notice.

Exporters and producers that are not currently eligible to certify, who submit a Certification Eligibility Application, and are subsequently selected as mandatory respondents must respond to all parts of the questionnaire as mandatory respondents for Commerce to consider their Certification Eligibility Application.

Initiation of Reviews

In accordance with 19 CFR 351.221(c)(1)(i), we are initiating administrative reviews of the following AD and CVD orders and findings. We intend to issue the final results of these reviews not later than June 30, 2026.

	Period to be reviewed
AD Proceedings	
ARGENTINA: Raw Honey A–357–823	6/1/24–5/31/25
Algodonera Avellaneda S.A.	
Annamell Imp. E Exp. De Produtos Apicolas Ltda.	
Apicola Danangie	
Apidouro Comercial Exportadora E Importadora Ltda.	
Argentik LLC	
Asociación De Cooperativas Argentinas Cooperativa Limitada	
Associacion de Cooperativas Argentinas C.L.	
Azul Agronegocios S.A.	
Breyer E Cia. Ltda.	
CAM Honey Brothers S.A.	
Camino de Circunvalancion y Calle	
Cladan S.A.	
Compania Apicola Argentina S.A.	
Compania Inversora Platense S.A.	
Conexao Agro Ltda. ME	
Cooperativa Apicola La Colmena Ltda.	
Cooperativa de Provisión Apícola COSAR Limitada	
D'Ambros Maria de los Angeles y D'Ambros Maria Daniela SRL	
D'Ambros Maria de los Angeles D'Ambros Maria Daniela SRL	
D'Ambros Maria de los Angeles y D'Ambros Maria Daniela SH	
D'Ambros Maria de los Angeles D'Ambros Maria Daniela SH	
Flora Nectar Industria Comercio Importacao E Exportacao Ltda.	
Gasrroni S.R.L.	
Geomiel S.A.	
Gruas San Blas S.A.	
Honey & Grains Srl	

[2] Such entities include entities that have not participated in the proceeding, entities that were preliminarily granted a separate rate in any currently incomplete segment of the proceeding (*e.g.,* an ongoing administrative review, new shipper review, *etc.*) and entities that lost their separate rate in the most recently completed segment of the proceeding in which they participated.

[3] Only changes to the official company name, rather than trade names, need to be addressed via a Separate Rate Application. Information regarding new trade names may be submitted via a Separate Rate Certification.

	Period to be reviewed
Industrial Haedo S.A.	
Mieles Cor Pam Srl	
Naiman S.A.	
Newsan S.A.	
NEXCO S.A.	
Osbo S.A.	
Patagonik Food S.A.	
Patagonik S.A.	
Promiel Srl (Vicentin S.A.I.C.)	
Terremare Foods S.A.S.	
Villamora S.A.	
BRAZIL: Raw Honey A–351–857	6/1/24–5/31/25
Annamell Imp. E Exp. De Produtos Apicoloas Ltda.[4]	
Apiário Diamante Comercial Exportadora Ltda/Apiário Diamante Produção e Comercial de Mel Ltda.	
Apiários Adams Agroindustrial Comercial Exportadora Ltda.	
Apidouro Comercial Exportadora E Importadora Ltda.	
Apis Nativa Agroindustrial Exportadora Ltda.	
Breyer & Cia. Ltda.[5]	
Carnauba Do Brasil Ltda.	
Central De Cooperativas Apicolas Do (CASA APIS)	
Conexão Agro Ltda ME	
Cooperativa Mista Dos Apicultores D	
Cooperativa Mista Dos Apicultores Da Microrregiao de Simplicio Mendes—PI	
Floranectar Ind. Comp. Imp. E Exp. De Mel[6]	
Lamberhoney Industria Comercio Exportacao Ltda/Lambertucci Industria Comercio Exportaca	
Lambertucci	
Matrunita	
Matrunita Da Amazonia Apicultura Ltda.	
Melbras Importadora e Exportadora Agroindustria Ltda.[7]	
Minamel Agroindustria Ltda.[8]	
Nectar Floral	
Novomel	
S&A HONEY LTDA.[9]	
Safe Logistics	
Samel Honey	
Samel Industria Alimenticia Ltda.	
STM Trading	
Wenzel's Apicultura Comercio Industria Import.[10]	
BRAZIL: Brass Rod A–351–859	12/1/23–5/31/25
Termomecanica Sao Paulo S.A.	
GERMANY: Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel A–428–845	6/1/24–5/31/25
Benteler Automobiltechnik GmbH	
Benteler Distribution International GmbH; BENTELER Steel/Tube GmbH	
Benteler Lightweight Protection GmbH	
Benteler Steel & Tube Corporation	
Mubea Fahrwerksfedern GmbH	
Salzgitter AG	
Salzgitter Mannesmann Line Pipe GmbH	
Salzgitter Mannesmann Precision Tubes GmbH	
INDIA: Brass Rod A–533–915	12/1/23–5/31/25
Rajhans Metals Private Limited	
Shree Extrusions Limited	
INDIA: Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel A–533–873	6/1/24–5/31/25
Goodluck India Limited; Good Luck Industries; Goodluck Industries; Good Luck Steel Tubes Limited	
Salem Steel N.A., LLC	
Tube Products of India, Ltd., a unit of Tube Investments of India Limited	
INDIA: Glycine A–533–883	6/1/24–5/31/25
Aditya Chemicals	
Adwith Nutrichem Private Limited	
Avid Organics Private Limited (Avid)	
Bajaj Healthcare Limited	
Elementis Specialties India Private Limited	
Euroasias Organics Private Limited	
Euroasia Trans Continental	
Galaxy Surfactants Limited	
Glisten Biotech	
Grauer & Weil (India) Limited	
Gujarat Ambuja Export Limited	
Gulbrandsen Technologies (India) Private Limited	
Indiana Chem Port	
Kronox Lab Sciences Private Limited	
Mass Dye Chem. Private Limited	
Medilane Healthcare Private Limited	

	Period to be reviewed
Meteoric Biopharmaceuticals Private Limited	
Mulji Mehta Enterprises	
Mulji Mehta Pharma	
Mumbai Merchant	
Nature Bio	
Paras Intermediates Private Limited	
Priya Chemicals	
Promois International Limited	
Shari Pharmachem Private Limited	
Strava Healthcare Private Limited	
Tarkesh Trading Company	
Valaji Pharma Chem	
Venus International Exports Private Limited	
INDIA: Non-Refillable Steel Cylinders A–533–912	12/1/23–5/31/25
Bhiwadi Cylinders Private Limited; Sapphire (India) Private Limited	
INDIA: Raw Honey A–533–903	6/1/24–5/31/25
AA Food Factory	
AKR Great Honeybee Private Limited	
Allied Natural Product	
Alpro	
Ambrosia Natural Products (India) Private Limited; Ambrosia Enterprise; Sunlite India	
Agro Producer Co. Ltd.	
Aone Enterprises	
Apibee Natural Product Private Limited	
Apis India Limited	
Apl Logistics	
Bee Hive Farms	
Brij Honey Private Limited	
Dabur India Limited	
Ess Pee Quality Products	
Ganpati Natural Products	
GMC Natural Product	
Hi-Tech Natural Products India Limited [11]	
Indocan Honey Pvt. Limited; Queenbee Foods Pvt. Ltd.; Pearlcot Enterprises	
Infinator Pvt., Ltd.	
J. B. Overseas	
Kejriwal Bee Care India Private Limited	
KK Natural Food Industries LLP	
Natural Agro Foods	
NYSA Agro Foods	
Salt Range Foods Pvt. Ltd.	
Shakti Apifoods Pvt. Limited	
Shan Organics	
Shiv Apiaries	
Sunlite Organic	
UTMT	
Vedic Systems	
Yieppie International	
INDIA: Quartz Surface Products A–533–889	6/1/24–5/31/25
Aarks Exp.	
Acromont Corp.	
Advantis Quartz Ll	
Aequitas Estones Pvt., Ltd.	
Aequitas Exp. Pvt., Ltd.	
Agarwal Techstone	
Agl Stones LLP	
Ajit Marbles Pvt., Ltd.	
Ajr Quartz Private Ltd.	
Alkara Stones Private Ltd.	
Amazoone Ceramic Ltd.	
Anish Hospitality Manufacturers Pvt., Ltd.	
Anisha Interiors & Imp. & Exp. Llp	
Aqs Rock Surfaces LLP	
Argil Ceramics	
Arklite Speciality Lamps Ltd.	
Arl Infratech Ltd.	
ARO Granite Industries Ltd.	
Artino Quartz Private Ltd.	
Asher Stone LLP	
Asian Granito India Ltd.	
Aura Granite	
Ava Stones Private Ltd.	
Baba Super Minerals Private Ltd.	

	Period to be reviewed
Bajaj And Mehta Imp. & Exp. Pvt., Ltd.	
Beyyond Rocks Private Limited	
Camrola Quartz Limited	
Chariot International Pvt., Ltd.	
Citta Surfaces India LLP	
Classic Marble Co. Pvt., Ltd.	
Creative Quartz LLP	
Crystal Surface	
Cuarzo	
Dazzling Stones	
Divya Gem Stonex	
Divyashakti Ltd.	
Eelq Stone Llp	
Emcer Tiles Private Ltd.	
Engistone India Private Ltd.	
Enigma Exim	
Esprit Stones Private Ltd.	
Eternal Surfaces Private Ltd.	
Evetis Stone India Private	
Fairdeal Surfaces	
Flex Stone Inc.	
Flipspaces Technology Labs Pvt., Ltd.	
Forms And Surfaces India Pvt., Ltd.	
Future Stone Works Private Ltd.	
Galaxy Gem Stone	
Galaxy Overseas	
Gallery Of Marble	
Gcl Stones	
Geetanjali Quartz Pvt., Ltd.	
Gita Hospitality Pvt., Ltd.	
Global Quartz Pvt. Ltd.	
Global Stones Pvt Ltd.	
Global Surfaces Ltd.	
Glossy Imp. & Exp. Private Ltd.	
Glowstone Industries Private Ltd.	
Gorbandh Marbles Pvt., Ltd.	
Granite Mart Limited	
Haique Stones Private Ltd.	
Hi Elite Quartz LLP	
Hilltop Stones Pvt., Ltd.	
Igm Surfaces Pvt., Ltd.	
Imperiaal Granimarmo Private Ltd.	
Inani Marble Industries	
International Stones India Private Limited	
Iraj Evolution Design Co. Pvt., Ltd.	
J T Enterprisess Exim Private Ltd.	
Jagson India	
Jbb Stones India Pvt., Ltd.	
Jyothi Granite Exp. India Pvt. Lt	
Jyothi Quartz Surfaces	
Keros Stone LLP	
Kgk Artistic Stones LLP	
Krishna Sai Exp.	
La Rubino Surfaces Pvt., Ltd.	
Lakshmi Galaxy Enterprises	
M And G Imp. & Exp. (India) Private Ltd.	
M.B. Granites Private Ltd.	
Magmatic Stone International	
Mahi Granites Pvt., Ltd.	
Malbros Marbles & Granites Industries	
Marudhar Rocks International Pvt Ltd; Marudhar Quartz Surfaces Pvt Ltd.	
Moon Rock & Surfaces Private Ltd.	
Mpg Stone Pvt., Ltd.	
Mpg Surfaces Pvt., Ltd.	
Mq Surfaces Pvt., Ltd.	
Nice Quartz and Stones Private Ltd.	
Oceanic 6 Solutionz	
Pacific Industries Limited	
Pacific Quartz Surfaces LLP	
Paradigm Granite Pvt., Ltd.	
Paradigm Stone India Private Ltd.	
Pearl Quartz Stone Private Ltd.	
Pelican Quartz Stone	

	Period to be reviewed
Petros Stone LLP	
Plutus Marbles LLP p	
PM Quartz Surfaces Private Ltd.	
Pokarna Engineered Sone Limited	
Prakash Marble Industries	
Prasheel International Private Ltd.	
Pristine Quartz Pvt., Ltd.	
Qrox Surfaces	
Quartzart Stones LLP	
Quartzkraft LLP	
R S G Stones	
Radiant Rocks Private Ltd.	
Raj Chatra Granites	
Raj Kesari Rocks Private Ltd.	
Rakman Stone Exp. Pvt., Ltd.	
Ramesh Slate Works	
Ravileela Granites Ltd.	
Renshou Industries	
Roar Stonex	
Rocks and Resources	
Rocks Forever	
Rsg Fabrications LLP	
Rsg Stones	
Rudra Quartz LLP	
S N K Granite Exp.	
Safayar Ceramics Private Ltd.	
Sati Exp. India Private Ltd.	
Satya International	
Shivam Surface India LLP	
Shree Sai Enterprises	
Singhaniya Stones	
Sketch Quartz Private Ltd.	
Snk Granite Exp.	
Stone Empire Private Ltd.	
Stone Imp. & Exp. (India) Private Ltd.	
Stone India Ltd.	
Stone Planet Exp.	
Stoneby India Llp	
Suvraj Quartz	
Svg Exports Private Limited	
Tab India Granites Pvt., Ltd.	
Tripura Stones Private Ltd.	
Universal Quartz &Natural Stone Pvt Ltd.	
Upsurfaces Corporations Llp	
Variety Art Stones Ltd.	
Venkata Sri Balaji Quartz Surfaces	
Virgos International	
Welspun Global Brands Ltd.	
Yalavarthi Granites And Furniture Private Ltd.	
Yamuna Slate Industries	
Yash Gems	
Zinith Surfaces	
ITALY: Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel A–475–838	6/1/24–5/31/25
Dalmine, S.p.A.	
Tenaris Global Services (U.S.A.) Corporation	
JAPAN: Glycine A–588–878	6/1/24–5/31/25
Ajinomoto Co., Inc.	
Ajinomoto Healthcare, Inc.	
Nagase & Co., Ltd.	
Resonac Corporation	
Sojitz Corporation	
Sojitz Logistics Corporation	
Yuki Gosei Kogyo Co., Ltd.	
MALAYSIA: Prestressed Concrete Steel Wire Strand A–557–819	6/1/24–5/31/25
Kiswire Sdn. Bhd.	
Southern Steel Sdn. Bhd.	
Southern PC Steel Sdn. Bhd.	
Wei Dat Steel Wire Sdn. Bhd.	
MEXICO: Brass Rod A–201–858	12/1/23–5/31/25
Industrias Unidas S.A. de C.V.	
REPUBLIC OF KOREA: Brass Rod A–580–916	12/1/23–5/31/25
Booyoung Industry	
Daechang Co., Ltd.	

	Period to be reviewed
REPUBLIC OF TÜRKIYE: Common Alloy Aluminum Sheet [12] A–489–839	4/1/24–3/31/25
ASAS Aluminyum Sanayi ve Ticaret A.S	
Assan Aluminyum Sanayi ve Ticaret A.S.	
Kibar Americas, Inc.	
Kibar Dis Ticaret A.S	
Teknik Aluminyum Sanayi A.S.	
REPUBLIC OF TÜRKIYE: Quartz Surface Products A–489–837	6/1/24–5/31/25
AKG Yalitim ve Insaat Malzemeleri Sanayi ve Ticaret A.S.	
Belenco Dis Ticaret A.S.; Peker Yuzey Tasarimlari Sanayi ve Ticaret A.S.	
Cimstone Insaat Malzemeleri San.Ve TIC. A.S.	
SOCIALIST REPUBLIC OF VIETNAM: Boltless Steel Shelving Units Prepackaged for Sale A–552–835	11/29/23–5/31/25
Cuong Nghia Imp. Exp.	
Great Star Vietnam Co. Ltd.	
Parkway Thanh Phong Co., Ltd.	
Quoc Ham Co., Ltd.	
Thanh Phong Production and Trade Limited Company	
Xinguang (Vietnam) Logistic Equipment Co., Ltd.	
SOCIALIST REPUBLIC OF VIETNAM: Raw Honey A–552–833	6/1/24–5/31/25
Ban Me Thuot Honeybee Joint Stock Company	
Ban Me Thuot Honeybee JSC	
Bao Nguyen Honeybee Co. Ltd.	
Daisy Honey Bee Joint Stock Company	
Daisy Honey Bee JSC	
Dak Nguyen Hong Exploitation of Honey Company Limited TA	
Daklak Honey Bee JSC	
Daklak Honeybee Joint Stock Company	
Dong Nai Honey Bee Corp.	
Dongnai HoneyBee Corporation	
Golden Bee Company Limited	
Golden Honey Co., Ltd.	
Hai Phong Honeybee Company Limited/Haiphong Honeybee Co., Ltd.	
Hanoi Honey Bee Joint Stock Company	
Hanoi Honeybee Joint Stock Company	
Hanoibee JSC	
Highlands Honeybee Travel Co., Ltd.	
Hoa Viet Honeybee Co., Ltd.	
Hoa Viet Honeybee One Member Company Limited	
Hoang Tri Honey Bee Company Limited	
H.T. Honey Co., Ltd.	
Hoang Tri Honey Bee Company Ltd.	
Hoaviet Honeybee Co., Ltd.	
Honey Holding I, Ltd.	
Hung Binh Phat	
Hung Binh Phat Co., Ltd.	
Hung Thinh Trading Pvt.	
Huong Rung Co., Ltd.	
Huong Rung Trading—Investment and Export Company	
Huong Rung Trading-Investment and Export Company Limited	
Huong Viet Honey Co., Ltd.	
Nguyen Hong Honey Co., Ltd. Ta	
Nguyen Hong Honey Co., LTDTA	
Nhieu Loc Company Limited	
Phong Son Co., Ltd.	
Phong Son Limited Company	
Saigon Bees Co., Limited	
Saigon Bees Company Limited	
Southern Honey Bee Co., Ltd.	
Southern Honey Bee Company LTD	
Spring Honeybee Co., Ltd.	
Thai Hoa Mat Bees Rasing Co., Ltd.	
Thai Hoa Mat Bees Raising Co., Ltd.	
Thai Hoa Viet Mat Bees Raising Co.	
Thanh Hao Bees Company Limited	
TNB Foods Co., Ltd.	
Viet Thanh Food Co., Ltd.	
Viet Thanh Food Technology Development Investment Company Limited	
Vinawax Producing Trading and Service Company Limited	
SOUTH AFRICA: Brass Rod A–791–828	12/1/23–5/31/25
Non-Ferrous Metal Works (SA) (PTY) Ltd.	
SPAIN: Chlorinated Isocyanurates A–469–814	6/1/24–5/31/25
Electroquímica de Hernani, S.A.	
Ercros, S.A.	
Industrias Químicas Tamar, S.L.	

	Period to be reviewed
SPAIN: Finished Carbon Steel Flanges A–469–815	6/1/24–5/31/25
ULMA Forja, S.Coop	
SPAIN: Prestressed Concrete Steel Wire Strand A–469–821	6/1/24–5/31/25
Global Special Steel Products S.A.U. (d.b.a. Trenzas y Cables de Acero PSC, S.L.)	
SWITZERLAND: Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel A–441–801	6/1/24–5/31/25
Benteler Rothrist AG	
Mubea Präzisionsstahlrohr AG	
Mubea Inc	
TAIWAN: Boltless Steel Shelving Units Prepackaged for Sale A–583–871	11/29/23–5/31/25
Taiwan Shin Yeh Enterprise Co., Ltd	
THAILAND: Boltless Steel Shelving Units Prepackaged for Sale [13] A–549–846	11/29/23–5/31/25
ABC Tools Mfg. Corp.	
Bangkok Sheet Metal Public Co., Ltd.	
Fuding Industries Company Limited	
Great Star Industries	
Pengdong Electromechanical (Thailand) Co., Ltd.	
Thai First Precision Industry Company Limited	
THE PEOPLE'S REPUBLIC OF CHINA: Chlorinated Isocyanurates A–570–898	6/1/24–5/31/25
Achlor Chemical Ltd.	
Heze Huayi Chemical Co., Ltd.	
Juancheng Kangtai Chemical Co., Ltd.; Juancheng Ouya Chemical Co., Ltd.	
THE PEOPLE'S REPUBLIC OF CHINA: Tapered Roller Bearings and Parts Thereof, Finished or Unfinished A–570–601	6/1/24–5/31/25
Shanghai Tainai Bearing Co., Ltd.	
UKRAINE: Prestressed Concrete Steel Wire Strand A–823–817	6/1/24–5/31/25
PJSC Stalkanat	
CVD Proceedings	
INDIA: Certain Non-Refillable Steel Cylinders C–533–913	9/29/23–12/31/24
Bhiwadi Cylinders Private Limited	
Sapphire (India) Private Limited	
Inox India Limited	
Mauria Udyog Limited	
INDIA: Glycine C–533–884	1/1/24–12/31/24
Aditya Chemicals	
Adwith Nutrichem Private Limited	
Avid Organics Private Limited	
Bajaj Healthcare Limited	
Elementis Specialties India Private Limited	
Euroasia Trans Continental	
Euroasias Organics Private Limited	
Galaxy Surfactants Limited	
Glisten Biotech	
Grauer & Weil (India) Limited	
Gujarat Ambuja Export Limited	
Gulbrandsen Technologies (India) Private Limited	
Indiana Chem Port	
Kronox Lab Sciences Private Limited	
Kumar Industries	
Mass Dye Chem. Private Limited	
Medilane Healthcare Private Limited	
Meteoric Biopharmaceuticals Private Limited	
Mulji Mehta Enterprises	
Mulji Mehta Pharma	
Mumbai Merchant	
Nature Bio	
Paras Intermediates Private Limited	
Priya Chemicals	
Promois International Limited	
Shari Pharmachem Private Limited	
Strava Healthcare Private Limited	
Tarkesh Trading Company	
Valaji Pharma Chem	
Venus International Exports Private Limited	
REPUBLIC OF KOREA: Brass Rod C–580–917	9/29/23–12/31/24
Booyoung Industry	
Daechang Co., Ltd.; Essentech Co., Ltd.; Seowon Co., Ltd.; Taewoo Co., Ltd.;	
IN Steel Industry Co., Ltd.; and IMI Co. Ltd.	
REPUBLIC OF TÜRKIYE: Quartz Surface Products C–489–838	1/1/24–12/31/24
AKG Yalitim ve Insaat Malzemeleri Sanayi ve Ticaret A.S.	
Belenco Dis Ticaret A.S.; Peker Yuzey Tasarimlari Sanayi ve Ticaret A.S.	
Cimstone Insaat Malzemeleri San.Ve TIC. A.S.	
Ermas Madencilik Turizm Sanayi Ve Ticaret A.S.	

	Period to be reviewed
Suspension Agreements Period To Be Reviewed	
None.	

Duty Absorption Reviews

During any administrative review covering all or part of a period falling between the first and second or third and fourth anniversary of the publication of an AD order under 19 CFR 351.211 or a determination under 19 CFR 351.218(f)(4) to continue an order or suspended investigation (after sunset review), Commerce, if requested by a domestic interested party within 30 days of the date of publication of the notice of initiation of the review, will determine whether antidumping duties have been absorbed by an exporter or producer subject to the review if the subject merchandise is sold in the United States through an importer that is affiliated with such exporter or producer. The request must include the name(s) of the exporter or producer for which the inquiry is requested.

Gap Period Liquidation

For the first administrative review of any order, there will be no assessment of antidumping or countervailing duties on entries of subject merchandise entered, or withdrawn from warehouse, for consumption during the relevant ''gap'' period of the order (*i.e.,* the period following the expiry of provisional measures and before definitive measures were put into place), if such a gap period is applicable to the POR.

Administrative Protective Orders and Letters of Appearance

Interested parties must submit applications for disclosure under administrative protective orders in accordance with the procedures outlined in Commerce's regulations at 19 CFR 351.305. Those procedures apply to administrative reviews included in this notice of initiation. Parties wishing to participate in any of these administrative reviews should ensure that they meet the requirements of these procedures (*e.g.,* the filing of separate letters of appearance as discussed at 19 CFR 351.103(d)).

Factual Information Requirements

Commerce's regulations identify five categories of factual information in 19 CFR 351.102(b)(21), which are summarized as follows: (i) evidence submitted in response to questionnaires; (ii) evidence submitted in support of allegations; (iii) publicly available information to value factors under 19 CFR 351.408(c) or to measure the adequacy of remuneration under 19 CFR 351.511(a)(2); (iv) evidence placed on the record by Commerce; and (v) evidence other than factual information described in (i)–(iv). These regulations require any party, when submitting factual information, to specify under which subsection of 19 CFR 351.102(b)(21) the information is being submitted and, if the information is submitted to rebut, clarify, or correct factual information already on the record, to provide an explanation identifying the information already on the record that the factual information seeks to rebut, clarify, or correct. The regulations, at 19 CFR 351.301, also provide specific time limits for such factual submissions based on the type of factual information being submitted. Please review the *Final Rule,*[14] available at *https://www.govinfo.gov/content/pkg/FR-2013-07-17/pdf/2013-17045.pdf,* prior to submitting factual information in this segment. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).[15]

Any party submitting factual information in an AD or CVD proceeding must certify to the accuracy and completeness of that information using the formats provided at the end of the *Final Rule.*[16] Commerce intends to reject factual submissions in any proceeding segments if the submitting party does not comply with applicable certification requirements.

Extension of Time Limits Regulation

Parties may request an extension of time limits before a time limit established under Part 351 expires, or as otherwise specified by Commerce.[17] In general, an extension request will be considered untimely if it is filed after the time limit established under Part 351 expires. For submissions which are due from multiple parties simultaneously, an extension request will be considered untimely if it is filed after 10:00 a.m. on the due date. Examples include, but are not limited to: (1) case and rebuttal briefs, filed pursuant to 19 CFR 351.309; (2) factual information to value factors under 19 CFR 351.408(c), or to measure the adequacy of remuneration under 19 CFR 351.511(a)(2), filed pursuant to 19 CFR 351.301(c)(3) and rebuttal, clarification and correction filed pursuant to 19 CFR 351.301(c)(3)(iv); (3) comments concerning the selection of a surrogate country and surrogate values and rebuttal; (4) comments concerning CBP data; and (5) Q&V questionnaires. Under certain circumstances, Commerce may elect to specify a different time limit by which extension requests will be considered untimely for submissions which are due from multiple parties simultaneously. In such a case, Commerce will inform parties in the letter or memorandum setting forth the

[4] Commerce also received a request for review of ''Annamell Imp. E Exp. De Produtos Apicolas Ltda.,'' which we consider to be the same company.

[5] Commerce also received requests for review of ''Breyer E Cia Ltda.,'' which we consider to be the same company.

[6] Commerce also received requests for review of ''Flora Nectar'' and ''Flora Nectar Industria Comercio Importacao E Exportacao Ltda.,'' which we consider to be the same company.

[7] Commerce also received requests for review of ''Melbras Importadora Agroindústria Ltda.'' and ''Melbras Importadora E Exportadora,'' which we consider to be the same company.

[8] Commerce also received requests for review of ''Minamel,'' which we consider to be the same company.

[9] Commerce also received requests for review of ''S&A Honey LTDA EPP,'' which we consider to be the same company.

[10] Commerce also received a request for review of ''Wenzel's Apicultura,'' which we consider to be the same company.

[11] We also received a review request for ''Hi Tech Natural Products India Ltd.''

[12] In the initiation notice published on June 25, 2025 (90 FR 26967), Commerce listed the wrong period of review. The correct period of review is listed above, and this notice serves as a correction.

[13] In the opportunity notice that published on June 3, 2025 (90 FR 23515), Commerce listed the wrong period of review. The correct period of review is listed above. This serves as a correction.

[14] *See Certification of Factual Information To Import Administration During Antidumping and Countervailing Duty Proceedings,* 78 FR 42678 (July 17, 2013) (*Final Rule*); *see also* the frequently asked questions regarding the *Final Rule,* available at *https://enforcement.trade.gov/tlei/notices/factual_info_final_rule_FAQ_07172013.pdf.*

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

[16] *See* section 782(b) of the Act; *see also Final Rule;* and the frequently asked questions regarding the *Final Rule,* available at *https://enforcement.trade.gov/tlei/notices/factual_info_final_rule_FAQ_07172013.pdf.*

[17] *See* 19 CFR 351.302.

deadline (including a specified time) by which extension requests must be filed to be considered timely. This policy also requires that an extension request must be made in a separate, standalone submission, and clarifies the circumstances under which Commerce will grant untimely-filed requests for the extension of time limits. Please review the *Final Rule,* available at *https://www.gpo.gov/fdsys/pkg/FR-2013-09-20/html/2013-22853.htm,* prior to submitting factual information in these segments.

Notification to Interested Parties

These initiations and this notice are in accordance with section 751(a) of the Act (19 U.S.C. 1675(a)) and 19 CFR 351.221(c)(1)(i).

Dated: July 22, 2025.

Scot Fullerton,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2025–14096 Filed 7–24–25; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C–721–002, C–729–806, C–552–854]

Steel Concrete Reinforcing Bar From Algeria, Egypt, and the Socialist Republic of Vietnam: Postponement of Preliminary Determinations in the Countervailing Duty Investigations

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

DATES: Applicable July 25, 2025.

FOR FURTHER INFORMATION CONTACT: Shane Subler or Henry Wolfe at (202) 482–6241 or (202) 482–0574, respectively, (Algeria); Lingjun Wang at (202) 482–2316 (Egypt); and Christopher Williams at (202) 482–5166 (the Socialist Republic of Vietnam (Vietnam)); AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

Background

On June 24, 2025, the U.S. Department of Commerce (Commerce) initiated countervailing duty (CVD) investigations of imports of steel concrete reinforcing bar (rebar) from Algeria, Egypt and Vietnam.[1] Currently, the preliminary determinations are due no later than August 28, 2025.

Postponement of Preliminary Determinations

Section 703(b)(1) of the Tariff Act of 1930, as amended (the Act), requires Commerce to issue the preliminary determination in a CVD investigation within 65 days after the date on which Commerce initiated the investigation. However, section 703(c)(1) of the Act permits Commerce to postpone the preliminary determination until no later than 130 days after the date on which Commerce initiated the investigation if: (A) the petitioner makes a timely request for a postponement; or (B) Commerce concludes that the parties concerned are cooperating, that the investigation is extraordinarily complicated, and that additional time is necessary to make a preliminary determination. Under 19 CFR 351.205(e), the petitioner must submit a request for postponement 25 days or more before the scheduled date of the preliminary determination and must state the reasons for the request. Commerce will grant the request unless it finds compelling reasons to deny the request.

On July 14, 2025, the petitioner[2] submitted a timely request that Commerce postpone the preliminary determinations in these CVD investigations.[3] The petitioner stated that it requests postponement so that Commerce has sufficient time to analyze initial questionnaire responses and any new subsidy allegations, consider deficiency comments, issue any supplemental questionnaire responses, and draft its preliminary determinations.[4]

In accordance with 19 CFR 351.205(e), the petitioner has stated the reasons for requesting a postponement of the preliminary determinations, and Commerce finds no compelling reason to deny the request. Therefore, in accordance with section 703(c)(1)(A) of the Act, Commerce is postponing the deadline for the preliminary determinations to no later than 130 days after the date on which these investigations were initiated, *i.e.,* November 3, 2025.[5] Pursuant to section 705(a)(1) of the Act and 19 CFR 351.210(b)(1), the deadline for the final determinations of these investigations will continue to be 75 days after the date of the preliminary determinations.

Notification to Interested Parties

This notice is issued and published pursuant to section 703(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: July 22, 2025.

Christopher Abbott,

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

[FR Doc. 2025–14095 Filed 7–24–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

Notice of Scope Ruling Applications Filed in Antidumping and Countervailing Duty Proceedings

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

SUMMARY: The U.S. Department of Commerce (Commerce) received scope ruling applications, requesting that scope inquiries be conducted to determine whether identified products are covered by the scope of antidumping duty (AD) and/or countervailing duty (CVD) orders and that Commerce issue scope rulings pursuant to those inquiries. In accordance with Commerce's regulations, we are notifying the public of the filing of the scope ruling applications listed below in the month of June 2025.

DATES: Applicable July 25, 2025.

FOR FURTHER INFORMATION CONTACT: Yasmin Bordas, AD/CVD Operations, Customs Liaison Unit, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230, telephone: (202) 482–3813.

Notice of Scope Ruling Applications

In accordance with 19 CFR 351.225(d)(3), we are notifying the public of the following scope ruling applications related to AD and CVD orders and findings filed in or around the month of June 2025. This

[1] *See Initiation of Countervailing Duty Investigations,* 90 FR 27838 (June 30, 2025) (*Initiation Notice*).

[2] The petitioner is the Rebar Trade Action Coalition.

[3] *See* Petitioner's Letter, ''Request for Extension of Preliminary Determination Deadline'' dated July 14, 2025.

[4] *Id.*

[5] Postponing these preliminary determinations to 130 days after initiation would place the deadlines on Saturday, November 1, 2025. Commerce's practice dictates that where a deadline falls on a weekend or federal holiday, the appropriate deadline is the next business day. *See Notice of Clarification: Application of ''Next Business Day'' Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, As Amended,* 70 FR 24533 (May 10, 2005).

notification includes, for each scope application: (1) identification of the AD and/or CVD orders at issue (19 CFR 351.225(c)(1)); (2) concise public descriptions of the products at issue, including the physical characteristics (including chemical, dimensional and technical characteristics) of the products (19 CFR 351.225(c)(2)(ii)); (3) the countries where the products are produced and the countries from where the products are exported (19 CFR 351.225(c)(2)(i)(B)); (4) the full names of the applicants; and (5) the dates that the scope applications were filed with Commerce and the name of the ACCESS scope segment where the scope applications can be found.[1] This notice does not include applications which have been rejected and not properly resubmitted. The scope ruling applications listed below are available on Commerce's online e-filing and document management system, Antidumping and Countervailing Duty Electronic Service System (ACCESS), at *https://access.trade.gov.*

Scope Ruling Applications

Aluminum Lithographic Printing Plates from Japan (A–588–881); Flexographic Printing Plates; [2] produced and exported from Japan; submitted by Miraclon Corporation Ltd. (Miraclon); June 4, 2025; ACCESS scope segment ''Non-Aluminum-Based Printing Plates''

Certain Walk-Behind Lawn Mowers and Parts Thereof from the People's Republic of China (China) (A–570–129/C–570–130); Walk-Behind Lawn Mowers; [3] produced in and exported from China; submitted by Daye North America, Inc. (DNA); June 6, 2025; ACCESS scope segment ''DNA US Engines''

Stainless-Steel Flanges from India (A–533–877/C–533–878); Ring-Shaped Components; [4] produced and exported from India; submitted by Pradeep Metals Limited, Inc. (Pradeep); June 25, 2025; ACCESS scope segment ''Ring-shaped Components''

Notification to Interested Parties

This list of scope ruling applications is not an identification of scope inquiries that have been initiated. In accordance with 19 CFR 351.225(d)(1), if Commerce has not rejected a scope ruling application nor initiated the scope inquiry within 30 days after the filing of the application, the application will be deemed accepted and a scope inquiry will be deemed initiated the following day—day 31.[5] Commerce's practice generally dictates that where a deadline falls on a weekend, Federal holiday, or other non-business day, the appropriate deadline is the next business day.[6] Accordingly, if the 30th day after the filing of the application falls on a non-business day, the next business day will be considered the ''updated'' 30th day, and if the application is not rejected or a scope inquiry initiated by or on that particular business day, the application will be deemed accepted and a scope inquiry will be deemed initiated on the next business day which follows the ''updated'' 30th day.[7]

In accordance with 19 CFR 351.225(m)(2), if there are companion AD and CVD orders covering the same merchandise from the same country of origin, the scope inquiry will be conducted on the record of the AD proceeding. Further, please note that pursuant to 19 CFR 351.225(m)(1), Commerce may either apply a scope ruling to all products from the same country with the same relevant physical characteristics, (including chemical, dimensional, and technical characteristics) as the product at issue, on a country-wide basis, regardless of the producer, exporter, or importer of those products, or on a company-specific basis.

For further information on procedures for filing information with Commerce through ACCESS and participating in scope inquiries, please refer to the Filing Instructions section of the Scope Ruling Application Guide, at *https://access.trade.gov/help/Scope_Ruling_Guidance.pdf.* Interested parties, apart from the scope ruling applicant, who wish to participate in a scope inquiry and be added to the public service list for that segment of the proceeding must file an entry of appearance in accordance with 19 CFR 351.103(d)(1) and 19 CFR 351.225(n)(4). Interested parties are advised to refer to the case segment in ACCESS as well as 19 CFR 351.225(f) for further information on the scope inquiry procedures, including the timelines for the submission of comments.

Please note that this notice of scope ruling applications filed in AD and CVD proceedings may be published before any potential initiation, or after the initiation, of a given scope inquiry based on a scope ruling application identified in this notice. Therefore, please refer to the case segment on ACCESS to determine whether a scope ruling application has been accepted or rejected and whether a scope inquiry has been initiated.

Interested parties who wish to be served scope ruling applications for a particular AD or CVD order may file a request to be included on the annual inquiry service list during the anniversary month of the publication of the AD or CVD order in accordance with

[1] *See Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws,* 86 FR 52300, 52316 (September 20, 2021) (*Final Rule*) (''It is our expectation that the **Federal Register** list will include, where appropriate, for each scope application the following data: (1) identification of the AD and/or CVD orders at issue; (2) a concise public summary of the product's description, including the physical characteristics (including chemical, dimensional and technical characteristics) of the product; (3) the country(ies) where the product is produced and the country from where the product is exported; (4) the full name of the applicant; and (5) the date that the scope application was filed with Commerce.'').

[2] The products are flexographic printing plates comprised of styrene polymer coating (40–80% concentration), butadiene polymer coatings (20–40% concentration), polymer resins and colorants (5–20% concentration), and polyester type substrate (5–10% concentration). These flexible printing plates are available in a range of dimensions and thicknesses. The flexographic printing plates are manufactured using a substrate produced from a material other than aluminum, *i.e.,* polyester and contain no aluminum and are not run on a lithographic printing press. Likewise, lithographic printing plates are not run on a flexographic printing press.

[3] The products are manufactured in Thailand comprising rotary walk-behind lawn mowers, both self-propelled and push, powered by internal combustion engines with a power rating of less than 3.7 kw and maximum displacement of 197cc. The walk-behind lawn mowers use a U.S.-origin engine and Chinese-origin chassis, and the components being assembled in Thailand, with the cutting deck shell and U.S.-origin engine attached in Thailand along with the blade adapter, blade, and blade mounting hardware.

[4] The products are ring-shaped components of measurement instruments, made of various metals, that house and reinforce the measurement instrument parts, and once assembled, the ring-shaped components connect the measurement instrument to the standard flange. The components are any one or a combination of the features listed below, which are identifiable on the product at time of importation: 1. non-standard bore, unfit for a pipe (common to all ring-shaped components); 2. non-standard hub; 3. precision grooves on hub surface or inside bore; 4. threads inside the bore for measurement instrument parts; 5. stepped grooves on surface of the neck; 6. stepped grooves on connection surface; 7. non-standard chamfering around the bore; 8. thread in bolt holes; 9. tapped holes on surface; 10. conical step on center hole; and, 11. non-standard length of the neck.

[5] In accordance with 19 CFR 351.225(d)(2), within 30 days after the filing of a scope ruling application, if Commerce determines that it intends to address the scope issue raised in the application in another segment of the proceeding (such as a circumvention inquiry under 19 CFR 351.226 or a covered merchandise inquiry under 19 CFR 351.227), it will notify the applicant that it will not initiate a scope inquiry, but will instead determine if the product is covered by the scope at issue in that alternative segment.

[6] *See Notice of Clarification: Application of* ''*Next Business Day*'' *Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, As Amended,* 70 FR 24533 (May 10, 2005).

[7] This structure maintains the intent of the applicable regulation, 19 CFR 351.225(d)(1), to allow day 30 and day 31 to be separate business days.

19 CFR 351.225(n) and Commerce's procedures.[8]

Interested parties are invited to comment on the completeness of this monthly list of scope ruling applications received by Commerce. Any comments should be submitted to Scot Fullerton, Acting Deputy Assistant Secretary for AD/CVD Operations, Enforcement and Compliance, International Trade Administration, via email to *CommerceCLU@trade.gov.*

This notice of scope ruling applications filed in AD and CVD proceedings is published in accordance with 19 CFR 351.225(d)(3).

Dated: July 22, 2025.

Scot Fullerton,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2025–14097 Filed 7–24–25; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Applications and Reporting Requirements for Incidental Taking of Marine Mammals by Specified Activities Under the Marine Mammal Protection Act

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the **Federal Register** on March 31st, 2025 during a 60-day comment period. This notice allows for an additional 30 days for public comments.

Agency: National Oceanic and Atmospheric Administration, Commerce.

Title: Applications and Reporting Requirements for Incidental Taking of Marine Mammals by Specified Activities under the Marine Mammal Protection Act.

OMB Control Number: 0648–0151.

Form Number(s): None.

Type of Request: Regular submission [extension and revision of a currently approved information collection].

Number of Respondents: 405.

Average Hours per Response: IHA Application—281 hours; IHA Interim Report—30 hours; IHA Draft Report—140 hours; IHA Final Report—28 hours; LOA Initial Application Preparation—1,200 hours; LOA—Draft Annual Report—225 hours; LOA Final Annual Report—70 hours; LOA Draft 5-year Report—640 hours; LOA Final 5-year report—300 hours; LOA Gulf of America Annual Application—70 hours; Gulf of America Draft Annual Report—140 hours; Gulf of America Final Annual Report—28 hours.

Total Annual Burden Hours: 77,056 hours.

Needs and Uses: This request is for an extension and revision of a currently approved information collection, 0648–0151. The main difference we expect related to this extension is that there will be a smaller number of applicants/respondents than accounted for in the existing OMB Control Number. This revision removes the passive acoustic monitoring (PAM) and protected species observer (PSO) burden estimates. The Office of Protected Resources determined that those activities do not fall under the burden associated with this collection.

The Marine Mammal Protection Act of 1972 (MMPA; 16 U.S.C. 1361 *et seq.*) prohibits the ''take'' of marine mammals unless otherwise authorized or exempted by law. Among the provisions that allow for lawful take of marine mammals, sections 101(a)(5)(A) and (D) of the MMPA direct the Secretary of Commerce to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing), within a specified geographical region if, after notice and opportunity for public comment, we find that the taking will have a negligible impact on the affected species or stock(s) and will not have an immitigable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant). NMFS also must set forth the permissible methods of taking; other means of effecting the least practicable adverse impact on the species or stock and its habitat (mitigation); and requirements pertaining to the monitoring and reporting of such taking.

Issuance of an incidental take authorization (Authorization) under MMPA section 101(a)(5)(A) (through issuance of a Letter of Authorization following issuance of incidental take regulations) or 101(a)(5)(D) (through issuance of an Incidental Harassment Authorization) requires three sets of information collection: (1) a complete application for an Authorization, as set forth in NMFS' implementing regulations at 50 CFR 216.104, which provides the information necessary to make the required statutory determinations, including estimates of take and an assessment of impacts on the affected species and stocks; (2) information relating to required monitoring; and (3) information related to required reporting. As required by the MMPA, these collections of information enable NMFS to: (1) prospectively evaluate the proposed activity's impact on marine mammals; (2) arrive at the appropriate determinations required by the MMPA and other applicable laws prior to issuing the Authorization; and (3) monitor impacts of activities for which Authorizations have been issued to determine if predictions regarding impacts on marine mammals remain valid.

Affected Public: Business or other for-profit organizations and State, Local, or Tribal/Federal government.

Frequency: Annually.

Respondent's Obligation: Mandatory.

Legal Authority: MMPA; 16 U.S.C. 1361 *et seq.*

This information collection request may be viewed at *www.reginfo.gov.* Follow the instructions to view the Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function and entering either the title of the collection or the OMB Control Number 0648–0151.

Sheleen Dumas,

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

[FR Doc. 2025–14104 Filed 7–24–25; 8:45 am]

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[8] *See Scope Ruling Application; Annual Inquiry Service List; and Informational Sessions,* 86 FR 53205 (September 27, 2021).

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF057]

Caribbean Fishery Management Council 187th Public Hybrid Meeting

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

ACTION: Notice of public hybrid meeting (in person/virtual).

SUMMARY: The Caribbean Fishery Management Council (CFMC) will hold the 187th public hybrid meeting to address the items contained in the tentative agenda included in the **SUPPLEMENTARY INFORMATION.**

DATES: The 187th CFMC public hybrid meeting will be held on August 12, 2025, from 9:00 a.m. to 4:30 p.m., AST. A closed session will be held on August 12, 2025, from 4:45 p.m. to 5:30 p.m., AST, to discuss personnel matters. The Council will reconvene on August 13, 2025, from 9:00 a.m. to 5:00 p.m., AST.

ADDRESSES: The 187th CFMC meeting will be held at Embassy Suites Hotel, Tartak Street, Carolina, Puerto Rico.

You may join the 187th CFMC public hybrid meeting via Zoom, from a computer, tablet or smartphone by entering the following address:

Join Zoom Meeting: https://us02web.zoom.us/j/83060685915?pwd=VmVsc1orSUtKck8xYk1XOXNDY1ErZz09.

Meeting ID: 843 2813 0219.

Passcode: 856050.

One tap mobile:

+17879451488,,83060685915#,,,,,,0#,,995658# Puerto Rico

+17879667727,,83060685915#,,,,,,0#,,995658# Puerto Rico

Dial by your location:

+1 787 945 1488 Puerto Rico

+1 787 966 7727 Puerto Rico

+1 939 945 0244 Puerto Rico

Meeting ID: 830 6068 5915.

Passcode: 995658.

In case there are problems, and we cannot reconnect via Zoom, the meeting will continue using GoToMeeting.

You can join the meeting from your computer, tablet, or smartphone *https://global.gotomeeting.com/join/971749317.* You can also dial in using your phone. United States: +1 (408) 650–3123 Access Code: 971–749–317.

FOR FURTHER INFORMATION CONTACT: Miguel A. Rolón, Executive Director, Caribbean Fishery Management Council, 270 Muñoz Rivera Avenue, Suite 401, San Juan, PR 00918–1903; telephone: (787) 398–3717.

SUPPLEMENTARY INFORMATION: The following items included in the tentative agenda will be discussed:

August 12, 2025

9:00 a.m.–9:30 a.m.

—Call to Order
—Roll Call
—Adoption of Agenda
—Election of Officials
—Consideration of 186th CFMC Meeting Verbatim Transcription
—Executive Director's Report

9:30 a.m.–10:30 a.m.

—Fishery Management Plans Amendments, Actions and Priorities Update for 2025—María López-Mercer, NOAA Fisheries, SERO
—Magnuson-Stevens Fisheries Conservation and Management Act Requirements for Stocks in Need of Conservation and Management, and Discussion of Modifications to the Reef Fish Fishery Management Units (FMUs)—Sarah Stephenson, NOAA Fisheries, SERO

10:30 a.m.—10:40 a.m.

—Coffee Break

10:40 a.m.–11:15 a.m.

—Continue Reef Fish FMUs Discussion

11:15 a.m.–12:15 p.m.

—E.O. 14276 Restoring America's Seafood Competitiveness—Recommendations from Ad Hoc Committee

12:15 p.m.–1:15 p.m.

—Lunch Break

1:15 p.m.–2:15 p.m.

—CFMC's Response to NOAA Fisheries on E.O. 14276

2:15 p.m.–3:15 p.m.

—2025 Annual Catch Limit Monitoring Updates—Andy Strelcheck, NOAA Fisheries, SERO
—Evaluating Alternative Accountability Measures for the Spiny Lobster Stock in Puerto Rico Federal Waters, NOAA Fisheries, SERO

3:15 p.m.–3:30 p.m.

—Coffee Break

3:30 p.m.–4:15 p.m.

—Discussion on Potential Options for Revising Accountability Measures for Pelagic Species in US Caribbean Federal Waters—NOAA Fisheries, SERO

4:15 p.m.–4:30 p.m.

—Public Comment Period (5-minute presentations)

4:30 p.m.

—Adjourn for the Day

4:45 p.m.–5:30 p.m.

—Closed Session

August 13, 2025

9:00 a.m.–9:45 a.m.

—Southeast Fishery Science Center Updates—Kevin McCarthy, Caribbean Fisheries Branch, NOAA Fisheries
—SEDAR 84
—SEDAR 91
—Upcoming SEDAR Procedural Work
—Ongoing Activities (Data Triage and History of Catch Reports)

9:45 a.m.–10:30 a.m.

—Inflation Reduction Act (IRA) Funded Projects Update—Martha Prada, IRA Coordinator
—Ecosystem-Based Fisheries Management Technical Advisory Panel (EBFM TAP) Update—Sennai Habtes, Chair
—Ecosystem Status Report—Mandy Karnauskas—SEFSC, NOAA Fisheries
—Scientific and Statistical Committee (SSC) Update—Vance Vicente, Chair

10:30 a.m.–11:00 a.m.

—Outreach and Education Advisory Panel (OEAP) Report—Jannette Ramos García, Chair
—CFMC Social Networks Report—Cristina Olán Martínez, CFMC

11:00 a.m.–11:15 a.m.

—Coffee Break

11:15 a.m.–12:00 p.m.

—CFMC Liaison Officers Reports (10 minutes each)
—St. Croix, U.S.V.I.—Liandry De La Cruz
—St. Thomas/St. John, U.S.V.I.—Nicole Greaux
—Puerto Rico—Wilson Santiago

12:00 p.m.–1:30 p.m.

—Lunch Break

1:30 p.m.–2:00 p.m.

—Recreational Fisheries Engagement and Outreach Initiatives—Helena Antoun, NOAA Fisheries

2:00 p.m.–2:45 p.m.

—District Advisory Panel (DAP) Reports (15 mins each)
—St. Thomas, U.S.V.I.—Julian Magras, Chair
—St. Croix, U.S.V.I.—Gerson Martinez, Chair
—Puerto Rico—Nelson Crespo, Chair

2:45 p.m.–3:15 p.m.

—Revisit CFMC Priorities for 2025–2026

3:15 p.m.–3:30 p.m.

—Coffee Break

3:30 p.m.–4:10 p.m.

—Enforcement Reports (10 minutes each)
—Puerto Rico DNER
—U.S.V.I. DPNR
—U.S. Coast Guard
—NOAA Fisheries Office of Law Enforcement

4:10 p.m.–4:30 p.m.

—Advisory Bodies Membership

4:30 p.m.–5:00 p.m.

—Other Business
—Letter to the CFMC on the Use of Fish Traps in Puerto Rico—Mr. Edwin Font
—Public Comment Period (5-minute presentation)
—Next Meeting

5:00 p.m.

—Adjourn

NOTE (1): Other than starting time and dates of the meetings, the established times for addressing items on the agenda may be adjusted as necessary to accommodate the timely completion of discussion relevant to the agenda items. To further accommodate discussion and completion of all items on the agenda, the meeting may be extended from or completed before the date established in this notice. Changes in the agenda will be posted to the CFMC website, Facebook, Twitter and Instagram as practicable.

NOTE (2): Financial disclosure forms are available for inspection at this meeting, as per 50 CFR part 601.

The order of business may be adjusted as necessary to accommodate the completion of agenda items. The meeting will begin on August 12, 2025, at 9:00 a.m., AST, and will end on August 13, 2025, at 5:00 p.m., AST. Other than the start time on the first day of the meeting, interested parties should be aware that discussions may start earlier or later than indicated in the agenda, at the discretion of the Chair.

Special Accommodations:

For any additional information on this public hybrid meeting, please contact Diana Martino, Caribbean Fishery Management Council, 270 Muñoz Rivera Avenue, Suite 401, San Juan, PR, 00918–1903; telephone: (787) 226–8849.

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

Dated: July 22, 2025.

Rey Israel Marquez,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2025–14042 Filed 7–24–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF068]

Western Pacific Fishery Management Council; Public Meetings

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

ACTION: Notice of public meeting.

SUMMARY: The Western Pacific Fishery Management Council (Council) will hold a meeting of its Fishery Data Collection and Research Committee (FDCRC) and FDCRC Technical Subcommittee to discuss and make recommendations on fishery management issues in the Western Pacific Region.

DATES: The meetings will be held on Tuesday, August 5, 2025, and Wednesday, August 6, 2025. For specific times and agendas, see **SUPPLEMENTARY INFORMATION**.

ADDRESSES: The Council will hold its FDCRC Technical Subcommittee meeting will be held by web conference via WebEx. Specific information on joining the meeting, connecting to the web conference and providing oral public comments will be posted on the Council website at *www.wpcouncil.org.* For assistance with the web conference connection, contact the Council office at (808) 522–8220.

The FDCRC meeting will be held as a hybrid meeting for members and the public, with a remote participation option available via Webex. In-person attendance for the FDCRC meeting will be hosted at the Council Office, 1164 Bishop Street, Suite 1400, Honolulu, HI 96813.

FOR FURTHER INFORMATION CONTACT: Contact Kitty M. Simonds, Executive Director, Western Pacific Fishery Management Council; phone: (808) 522–8220.

SUPPLEMENTARY INFORMATION: The FDCRC Technical Subcommittee meeting will be held between 12 p.m. and 5 p.m. (Hawaii Standard Time [HST]) on Tuesday, August 5, 2025. The FDCRC meeting will be held between 9 a.m. and 5 p.m. (HST) on Wednesday, August 6, 2025.

Public Comment periods will be provided in the agendas. The order in which the agenda items are addressed may change. The meetings will run as late as necessary to complete scheduled business.

Schedule and Agenda for the FDCRC Technical Subcommittee Meeting

Tuesday, August 5, 2025, 12 p.m. to 5 p.m. (HST)

1. Welcome and Introductions
2. Review of FDCRC Strategic Plan and Standard Operating Procedures and Protocols (SOPP)
3. Pacific Insular Fisheries Monitoring and Assessment Planning Summit (PIFMAPS) Action Items and Priorities Follow-up
4. Annual Stock Assessment and Fishery Evaluation (SAFE) Report Updates and Improvements
5. Exploring Alternative Data Collection Methods
   A. Barriers/Issues and Concerns
   B. Options for Improvements
6. Inflation Reduction Act Projects
7. Public Comment
8. Discussion and Recommendations
9. Other Business

Schedule and Agenda for the FDCRC Meeting

Wednesday, August 6, 2025, 9 a.m. to 5 p.m. (HST)

1. Welcome and Introductions
2. Review of Agenda
3. Review of FDCRC Strategic Plan and SOPP
   A. Strategic Plan Review
   B. SOPP Review
   C. FDCRC Technical Subcommittee Recommendations
4. Review of PIFMAPS
   A. Review of PIFMAPS Outcomes
   B. Status of Panel Recommendations
   C. Uncompleted Tasks and Priorities-Follow-up
5. Improving Annual SAFE Reports
   A. Issues and Concerns
   B. Plans for Improvements
6. Data Collection
   A. Barriers to Data Collection
   B. Alternative Data Collection Methods
7. Council Inflation Reduction Act Projects
8. Fishery Management Plan Development and Implementation
9. Public Comment
10. Discussion and Recommendations
11. Other Business

Special Accommodations: These meetings are accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kitty M. Simonds, (808) 522–8220 (voice) or (808) 522–8226 (fax), at least 5 days prior to the meeting date.

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

Dated: July 23, 2025.

Rey Israel Marquez,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2025–14088 Filed 7–24–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF067]

Mid-Atlantic Fishery Management Council (MAFMC); Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: The Mid-Atlantic Fishery Management Council's Spiny Dogfish Monitoring Committee will hold a public meeting.

DATES: The meeting will be held on Monday, August 4, 2025, from 3 p.m.–5 p.m. For agenda details, see **SUPPLEMENTARY INFORMATION**.

ADDRESSES: The meeting will be held via webinar. Connection information will be posted to the Council's calendar prior to the meeting at *www.mafmc.org.*

Council address: Mid-Atlantic Fishery Management Council, 800 N State Street, Suite 201, Dover, DE 19901; telephone: (302) 674–2331; *www.mafmc.org.*

FOR FURTHER INFORMATION CONTACT: Christopher M. Moore, Ph.D., Executive Director, Mid-Atlantic Fishery Management Council, telephone: (302) 526–5255.

SUPPLEMENTARY INFORMATION: The Mid-Atlantic Fishery Management Council's Spiny Dogfish Monitoring Committee will meet via webinar on Monday, August 4, 2025, from 3 p.m. until 5 p.m. The purpose of this meeting is for the Monitoring Committee to develop recommendations regarding the framework adjustment action to modify spiny dogfish fishery accountability measures, including catch overage paybacks. More information on this action is available at *https://www.mafmc.org/actions/spiny-dogfish-accountability-measures-fw.*

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Shelley Spedden, (302) 526–5251 at least 5 days prior to the meeting date.

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

Dated: July 22, 2025.

Rey Israel Marquez,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2025–14043 Filed 7–24–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF077]

Pacific Fishery Management Council; Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: The Pacific Fishery Management Council's (Pacific Council) Groundfish Subcommittee of the Scientific and Statistical Committee (SSC) will convene an in-person meeting to review 2025 groundfish stock assessments. The full SSC will convene an advance virtual meeting to review the recommendations of the SSC Groundfish Subcommittee for a subset of 2025 groundfish stock assessments, in addition to those reviewed during the September Pacific Council meeting. Both the full SSC and the SSC Groundfish Subcommittee meetings are open to the public with a web broadcast that provides the opportunity for remote listening and public comment.

DATES: The SSC Groundfish Subcommittee's meeting will be held Tuesday, August 12, 2025, from 8 a.m. Pacific Time until business for the day is completed, and reconvenes Wednesday, August 13, 2025, from 8 a.m. Pacific Time until business for the day has been completed. The SSC meeting will be held Wednesday, September 3, 2025, from 1 p.m. Pacific Time until 5 p.m. or until business for the day is completed.

ADDRESSES: The SSC Groundfish Subcommittee meeting will be held at the University of Washington, School of Aquatic and Fishery Sciences (SAFS) Room 203, 1122 NE Boat Street, Seattle, WA 98195; telephone: (206) 543–4270.

The full SSC meeting will be held virtually with an opportunity for remote public comment.

Specific meeting information, materials, and instructions for how to connect to these meetings remotely will be provided in the meeting announcement on the Pacific Council's website (see *www.pcouncil.org*). In the event an outage occurs, or technical issues arise that impact the experience of remote attendees, we will attempt to resolve them but ultimately, we cannot guarantee that they will be resolved satisfactorily.

Please send an email to Kris Kleinschmidt (*kris.kleinschmidt@pcouncil.org*) or contact via phone at (503) 820–2412 for technical assistance.

Council address: Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, P.O. 97220.

FOR FURTHER INFORMATION CONTACT: Marlene A. Bellman, Staff Officer, Pacific Council; telephone: (503) 820–2414; *marlene.bellman@pcouncil.org.*

SUPPLEMENTARY INFORMATION: The SSC's Groundfish Subcommittee will review full benchmark assessments and stock assessment review (STAR) reports for yellowtail rockfish in the area North of 40°10′ N latitude, quillback rockfish off California, chilipepper rockfish, rougheye/blackspotted rockfish, and sablefish. They will also review two update stock assessments for yelloweye rockfish and widow rockfish. Lastly, catch-only projections for petrale sole, canary rockfish, shortspine thornyhead, darkblotched rockfish, black rockfish off Oregon, and bocaccio will be reviewed. The SSC Groundfish Subcommittee will prepare their recommendations for the SSC and Pacific Council consideration at their meetings in September.

During the online meeting September 3, 2025, the SSC will review 2025 full benchmark assessments and stock assessment review (STAR) reports for yellowtail rockfish in the area North of 40°10′ N latitude, quillback rockfish off California, and chilipepper rockfish. The remainder of the 2025 full and update stock assessments and catch-only projections will be reviewed by the SSC at the September 2025 Council meeting in Spokane, WA.

Assessment recommendations may include endorsing these new stock assessments for management use or requesting further analyses to be reviewed at the late September Supplemental Review panel (this process is outlined in the Pacific Council's Terms of Reference for the Groundfish Stock Assessment Review Process for 2025–2026 which can be found at *https://www.pcouncil.org/documents/2024/06/terms-of-reference-for-the-groundfish-stock-assessment-review-process-for-2025-2026-june-2024.pdf/).*

Although non-emergency issues not contained in the meeting agendas may be discussed, those issues may not be the subject of formal action during these meetings. Action will be restricted to

those issues specifically listed in this document and any issues arising after publication of this document that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

Special Accommodations

Requests for sign language interpretation or other auxiliary aids should be directed to Kris Kleinschmidt *kris.kleinschmidt@pcouncil.org* (503) 820–2412 at least 10 days prior to the meeting date.

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

Dated: July 22, 2025.

Rey Israel Marquez,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2025–14044 Filed 7–24–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE875]

Marine Mammals; File No. 28810

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

ACTION: Notice; receipt of application.

SUMMARY: Notice is hereby given that NMFS Marine Mammal Laboratory, 7600 Sand Point Way NE, Seattle, WA 98115 (Responsible Party: John Bengtson, Ph.D.), has applied in due form for a permit to conduct research on pinnipeds.

DATES: Written comments must be received on or before August 25, 2025.

ADDRESSES: The application and related documents are available for review by selecting ''Records Open for Public Comment'' from the ''Features'' box on the Applications and Permits for Protected Species home page, *https://apps.nmfs.noaa.gov,* and then selecting File No. 28810 from the list of available applications. These documents are also available upon written request via email to *NMFS.Pr1Comments@noaa.gov.*

Written comments on this application should be submitted via email to *NMFS.Pr1Comments@noaa.gov.* Please include File No. 28810 in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request via email to *NMFS.Pr1Comments@noaa.gov.* The request should set forth the specific reasons why a hearing on this application would be appropriate.

FOR FURTHER INFORMATION CONTACT: Sara Young or Shasta McClenahan, Ph.D., (301) 427–8401.

SUPPLEMENTARY INFORMATION: The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222–226), and the Fur Seal Act of 1966, as amended (16 U.S.C. 1151 *et seq.*).

The applicant proposes to take six species of pinnipeds, including ESA-listed Guadalupe fur seals (*Arctocephalus townsendi*), and potential hybrids, along the U.S. west coast in the course of research to meet the mandates of the MMPA and ESA by improving NMFS' understanding of west coast pinniped species through monitoring population abundance and trends, health, and behavior. Research activities include: aerial, vessel, and ground surveys, photography/videography, capture and handling, and collection of scat and spew. Procedures to be performed on capture and/or handled individuals may include: drug administration, anesthesia, instrumentation, biopsy, marking (including hot branding); measuring, restraint, biological sampling, and weighing. Parts may be salvaged from mortalities that occur during research or carcasses encountered during research activities. Parts collected under this permit may be exported and imported for analysis, and parts may be imported from Canadian or Mexican collaborators. Conspecifics may be unintentionally harassed during research. The permit includes unintentional mortality for five target species, and hybrids, as well as intentional mortality of California sea lions (*Zalophus californianus*) to study premature and moribund pups. See the application for detailed numbers by species and procedure. The permit would be valid for 10 years from the date of issuance.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of the application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: July 22, 2025.

Shannon Bettridge,

Chief, Marine Mammal and Sea Turtle Conservation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2025–14021 Filed 7–24–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Traffic Coordination System for Space (TraCSS)

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the **Federal Register** on April 28, 2025, during a 60-day comment period. This notice allows for an additional 30 days for public comments.

Agency: National Oceanic and Atmospheric Administration, Commerce.

Title: Traffic Coordination System for Space (TraCSS) Registration and Operation.

OMB Control Number: 0648–XXXX.

Form Number(s): None.

Type of Request: Regular submission [new information collection].

Number of Respondents: 250.

Average Hours per Response: Initial registration: 5 minutes; Satellite Owner/Operator Satellite Information and Attributes (aka Satellite File—Spacecraft Owners/Operators): 2 hours; Orbit Comprehensive Message (OEM) File (*e.g.,* Spacecraft ephemeris with maneuver plan): 15 minutes.

Total Annual Burden Hours: 6,289.

Needs and Uses: This is a request for a new collection of information. The

Office of Space Commerce (OSC) is developing the Traffic Coordination System for Space (TraCSS) to provide space situational awareness (SSA) data, information, and services that support global spaceflight safety, space sustainability, and international coordination. In order to provide these services, TraCSS will enable spacecraft operators and national governments to register for the system. This will require the provision of information by these users as part of the registration process. Spacecraft operators are also asked to provide relevant operational information on an ongoing basis to facilitate provision of safety services.

The purpose of this collection is to enable TraCSS users (spacecraft operators and national governments) to register and receive spaceflight safety services from the system. The registration information will include organizational contact information, a list of spacecrafts associated with that user, and additional attributes associated with that spacecraft. Spacecraft operators will also provide an operational point of contact. In addition to information provided as part of the registration process, spacecraft operators will provide additional information, such as ephemerides with covariance and maneuver plans, on an ongoing basis. The provision of this information enables TraCSS to provide spaceflight safety services to users.

Affected Public: Business or other for-profit organizations; Not-for-profit institutions; Federal government.

Frequency: Once at registration for most information (plus occasional updates if information changes), daily for spacecraft owner/operator ephemerides with maneuver plans.

Respondent's Obligation: Voluntary.

This information collection request may be viewed at *www.reginfo.gov.* Follow the instructions to view the Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function and entering the title of the collection.

Sheleen Dumas,

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

[FR Doc. 2025–14046 Filed 7–24–25; 8:45 am]

BILLING CODE 3510–12–P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

[Docket No.: PTO–C–2025–0116]

Performance Review Board

AGENCY: United States Patent and Trademark Office, Commerce.

ACTION: Notice.

SUMMARY: In conformance with the Civil Service Reform Act of 1978, the United States Patent and Trademark Office (USPTO) announces the appointment of persons to serve as members of its Performance Review Board (PRB). The PRB reviews and makes recommendations concerning proposed performance appraisals, ratings, bonuses, pay adjustments, and other appropriate personnel actions for incumbents of Senior Level and Senior Executive Service positions at the USPTO.

ADDRESSES: Office of Human Resources, USPTO, P.O. Box 1450, Alexandria, VA 22313–1450.

FOR FURTHER INFORMATION CONTACT: Carolyn Schad, Acting Director, Human Capital Management, USPTO, at 571–272–7003.

SUPPLEMENTARY INFORMATION: The membership of the USPTO's PRB is as follows:

Coke M. Stewart, Chair, Acting Under Secretary of Commerce for Intellectual Property and Acting Director of the USPTO

William Covey, Acting Deputy Under Secretary of Commerce for Intellectual Property and Acting Deputy Director of the USPTO

Christopher J. Shipp, Chief of Staff, USPTO

Anne T. Mendez, Vice Chair, Acting Chief Administrative Officer, USPTO

Valencia Martin-Wallace, Acting Commissioner for Patents, USPTO

Coke M. Stewart,

Acting Under Secretary of Commerce for Intellectual Property and Acting Director of the United States Patent and Trademark Office.

[FR Doc. 2025–14058 Filed 7–24–25; 8:45 am]

BILLING CODE 3510–16–P

U.S. INTERNATIONAL DEVELOPMENT FINANCE CORPORATION

[DFC–004]

Submission for OMB Review; Comments Request

AGENCY: U.S. International Development Finance Corporation (DFC).

ACTION: Notice of information collection; request for comment.

SUMMARY: Under the provisions of the Paperwork Reduction Act, agencies are required to publish a Notice in the **Federal Register** notifying the public that the agency is renewing an existing information collection for OMB review and approval and requests public review and comment on the submission. The agencies received no comments in response to the sixty (60) day notice. The purpose of this notice is to allow an additional thirty (30) days for public comments to be submitted. Comments are being solicited on the need for the information; the accuracy of the burden estimate; the quality, practical utility, and clarity of the information to be collected; and ways to minimize reporting the burden, including automated collected techniques and uses of other forms of technology.

DATES: Comments must be received by August 25, 2025.

ADDRESSES: Comments and requests for copies of the subject information collection may be sent by any of the following methods:

- *Mail:* Deborah Papadopoulos, Agency Submitting Officer, U.S. International Development Finance Corporation, 1100 New York Avenue NW, Washington, DC 20527.
- *Email: fedreg@dfc.gov.*

Instructions: All submissions received must include the agency name and agency form number or OMB form number for this information collection. Electronic submissions must include the agency form number in the subject line to ensure proper routing. Please note that all written comments received in response to this notice will be considered public records.

FOR FURTHER INFORMATION CONTACT: Agency Submitting Officer: Deborah Papadopoulos, (202) 357–3979.

SUPPLEMENTARY INFORMATION: The agency received no comments in response to the sixty (60) day notice published in **Federal Register** volume 90 page 21906 on May 22, 2025. Upon publication of this notice, DFC will submit to OMB a request for approval of the following information collection.

Summary Form Under Review

Title of Collection: Investment Funds Application.

Type of Review: Extension without change of a currently approved information collection.

Agency Form Number: DFC–004.

OMB Form Number: 3015–0006.

Frequency: Once per investor per project.

Affected Public: Business or other for-profit; not-for-profit institutions; individuals.

Total Estimated Number of Annual Number of Respondents: 150.

Estimated Time per Respondent: 1.5 hours.

Total Estimated Number of Annual Burden Hours: 225 hours.

Abstract: The Investment Funds Application will be the principal document used by the agency to determine the investor's and the project's eligibility for funding and will collect information for underwriting analysis.

Lisa Wischkaemper,

Administrative Counsel, Office of the General Counsel.

[FR Doc. 2025–14053 Filed 7–24–25; 8:45 am]

BILLING CODE 3210–02–P

DEPARTMENT OF DEFENSE

Department of the Air Force

Notice of Intent To Prepare an Environmental Impact Statement for the F–35A Beddown at Moody Air Force Base, Georgia

AGENCY: Department of the Air Force, Department of Defense.

ACTION: Notice of intent.

SUMMARY: The Department of the Air Force (DAF) is issuing this Notice of Intent (NOI) to advise the public of its intent to prepare an Environmental Impact Statement (EIS) to evaluate the potential environmental consequences associated with the proposed beddown of two squadrons of F–35A aircraft at Moody Air Force Base (AFB), Lowndes and Lanier Counties, Georgia. This EIS is prepared to meet the requirements of the National Environmental Policy Act (NEPA) of 1969, as amended. The Unique Identification Number for this Draft EIS is EISX–007–57–14Y–1741608578.

DATES: A public scoping period will run through August 25, 2025. The DAF will hold two public scoping meetings virtually on Tuesday, August 12, 2025, from 5:00 p.m. to 7:00 p.m. (eastern time), and on Thursday, August 14, 2025, from 5:00 p.m. to 7:00 p.m. (eastern time). Although comments can be submitted to the DAF at any time during the EIS process, scoping comments are requested by August 24, 2025, to ensure full consideration in the draft EIS.

ADDRESSES: The meeting links for the two virtual public scoping meetings identified in the **DATES** section in this NOI are located at *moodyafb-f35beddown-eis.com.* Comments can be submitted through the U.S. mail to Attn: F–35A Beddown EIS, 4833 Conti Street, Suite 103, New Orleans, Louisiana 70119.

FOR FURTHER INFORMATION CONTACT: For questions regarding the Proposed Action, scoping, and EIS development, please contact Victoria Hernandez, Moody AFB Public Affairs Office, at (229) 257–4146 or at *23wg.pa@us.af.mil,* with ''F–35A Beddown EIS'' in the subject line. The public and interested parties can submit their comments through the project website at *moodyafb-f35beddown-eis.com.*

SUPPLEMENTARY INFORMATION: The purpose of the Proposed Action is to expand DAF's fifth-generation operational fighter fleet, including the F–35A aircraft, and beddown two F–35A squadrons at a current Active Duty operational A–10 Installation not already provisionally identified for mission recapitalization. The Proposed Action is needed to maintain combat capability and mission readiness of existing fighter squadrons following the scheduled divestment (*i.e.,* retirement) of A–10C aircraft.

Under the Proposed Action, the DAF would beddown two F–35A squadrons at Moody AFB. The proposed beddown includes aircraft operations, the necessary personnel to support those operations, and associated facility and infrastructure demolition, construction, and renovation. The planned divestment of A–10C aircraft at Moody AFB will occur before the first F–35A aircraft would arrive. DAF anticipates that F–35A aircraft would be operational at Moody AFB by October 2030.

The No Action Alternative would not beddown F–35A aircraft at Moody AFB. No proposed F–35A aircraft mission activities (*i.e.,* aircraft operations at the airfield or in the Moody Airspace Complex, facility and infrastructure projects, and personnel changes) would occur at Moody AFB. Under the No Action Alternative, the planned divestment of the A–10C aircraft based at Moody AFB would occur and the 74th Fighter Squadron and 75th Fighter Squadron would be deactivated. The retirement of A–10C aircraft includes associated personnel, A–10C aircraft airfield operations, and A–10C aircraft operations in the airspace and at Grand Bay Range.

The EIS will analyze the Proposed Action and No Action Alternative. Key resources of concern, for which adverse impacts could occur, include noise, biological resources, cultural resources, and socioeconomics. An assessment of potential impacts on all relevant resource areas will be included in the EIS, including an analysis of environmental effects that are reasonably foreseeable and have a close causal relationship to the Proposed Action.

Potential permits that may be required include, but are not limited to, General Construction Permit; State of Georgia, Environmental Protection Division Land Disturbance Permit; U.S. Environmental Protection Agency Notification of Demolition under the Asbestos National Emissions Standards for Hazardous Air Pollutants; Stormwater Permit; Synthetic Minor Permit Modification; U.S. Army Corps of Engineers Wetlands Jurisdictional Determination; and Clean Water Act 404/401 Permits. Additionally, the DAF will consult with U.S. Fish and Wildlife Service under Section 7 of the Endangered Species Act as well as Georgia and Florida State Historic Preservation Offices and federally recognized tribes regarding Section 106 consultation under the National Historic Preservation Act.

To effectively define the full range of issues and alternatives to be evaluated in the EIS, the DAF invites the public, stakeholders, and other interested parties to attend the virtual scoping meetings. Please provide comments on alternatives or impacts on relative information, studies, or analyses with respect to the Proposed Action. Comments regarding this proposal can be submitted during the scoping meetings, through the website, or by mail as identified in the **ADDRESSES** section in this NOI.

(Authority: 42 U.S.C. 4321, *et seq.*)

Tommy W. Lee,

Acting Air Force Federal Register Liaison Officer.

[FR Doc. 2025–14057 Filed 7–24–25; 8:45 am]

BILLING CODE 3911–44–P

DEPARTMENT OF DEFENSE

Department of the Air Force

[Docket ID: USAF–2025–HQ–0036]

Proposed Collection; Comment Request

AGENCY: Department of the Air Force, Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Air Force Integrated Resilience Directorate 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 September 23, 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, 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 Headquarters, United States Air Force (HQ USAF), Integrated Resilience Directorate (A1Z), 1410 Air Force Pentagon, Room 4D950 Washington, DC 20330–1410, ATTN: Dr. Lucas Keefer (*lucas.keefer@us.af.mil)* or 419–271–2384.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Interpersonal and Self-Directed Violence DAF Care Experience Survey; OMB Control Number 0701–ISDV.

Needs and Uses: This information collection is necessary to support the Department of the Air Force's (DAF) goal of assessing and comparing the proven impact of Interpersonal and Self-Directed Violence (ISDV) programs and initiatives with the desired impacts of these programs and initiatives. In the case that the proven impact is not meeting the desired impact, this information collection will also highlight gap areas for focused improvement, and potentially the need to cut or expand certain programs and initiatives. The objective of this information collection is to support the DAF in improving access to education and communication to best serve Airmen and Guardians.

The respondents include all Service Members of the Air Force and Space Force. Airmen and Guardians will voluntarily respond to help the DAF better understand ISDV-related issues. Specifically, they will help the DAF better understand their knowledge, skills, abilities, beliefs, and experiences related to ISDV-related risk and protective factors.

Affected Public: Individuals or households (Airmen and Guardians).

Annual Burden Hours: 1,000.

Number of Respondents: 6,000.

Responses Per Respondent: 1.

Annual Responses: 6,000.

Average Burden Per Response: 10 minutes.

Frequency: Quarterly.

Dated: July 23, 2025.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025–14073 Filed 7–24–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Department of the Army

Program Comment Plan for Army Warfighting Readiness and Associated Buildings, Structures, and Landscapes

AGENCY: Department of the Army, DoD.

ACTION: Notice of availability.

SUMMARY: The Department of the Army (Army) is making its *Program Comment Plan for Army Warfighting Readiness and Associated Buildings, Structures, and Landscapes* (Army Program Comment Plan) available for public review. The Army Program Comment Plan is located on the Army's website: *https://www.denix.osd.mil/army-pcwr/.* This notice of availability for public review of the Army Program Comment Plan initiates the Army's public participation requirements for the Army's proposed *Program Comment for Army Warfighting Readiness and Associated Buildings, Structures, and Landscapes* (Program Comment).

DATES: Consideration will be given to all comments on the Army Program Comment Plan that are received within 30 days following the date of this publication.

ADDRESSES: Written comments identified by ''Army Program Comment Plan'' should be submitted to: Office of the Assistant Secretary of the Army for Installations, Energy and Environment, ATTN: DASA–ESOH (Dr. David Guldenzopf), 110 Army Pentagon, Room 3E464, Washington, DC 20310, or by email to *david.b.guldenzopf.civ@army.mil.*

FOR FURTHER INFORMATION CONTACT: Dr. David Guldenzopf, Department of the Army Federal Preservation Officer, (703) 459–7756, *david.b.guldenzopf.civ@army.mil.*

SUPPLEMENTARY INFORMATION: Program Comment Plan for Army Warfighting Readiness and Associated Buildings, Structures, and Landscapes.

On 30 May 2025, the Department of the Army Federal Preservation Officer notified the Advisory Council on Historic Preservation (ACHP) of the Army's intent to request a Program Comment for Army Warfighting Readiness and Associated Buildings, Structures, and Landscapes in accordance with the National Historic Preservation Act (NHPA) 54 U.S.C. 306108, and 36 CFR 800.14(e). The goal of the Program Comment is to provide the Army compliance with the NHPA for Army warfighting readiness activities by means of the procedures in 36 CFR 800.14(e), in lieu of conducting individual projects reviews under 36 CFR 800.3 through 800.7.

James W. Satterwhite Jr.,

Army Federal Register Liaison Officer.

[FR Doc. 2025–14038 Filed 7–24–25; 8:45 am]

BILLING CODE 3711–CC–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD–2025–HA–0214]

Proposed Collection; Comment Request; Withdrawal

AGENCY: The Office of the Assistant Secretary of Defense for Health Affairs (OASD(HA)), Department of Defense (DoD).

ACTION: 60-Day information collection notice; withdrawal.

SUMMARY: On Monday, July 21, 2025, DoD published a notice in the **Federal Register** titled Proposed Collection; Comment Request. The notice published in the **Federal Register** twice. The purpose of this notice is to withdraw the unintentional duplication.

DATES: This withdrawal is effective July 25, 2025.

FOR FURTHER INFORMATION CONTACT: Aaron T. Siegel, 571–372–0488.

SUPPLEMENTARY INFORMATION: On Monday, July 21, 2025, DoD published a notice in the **Federal Register** titled Proposed Collection; Comment Request at 90 FR 34250. The FR Doc. is 2025–13651.

In the same **Federal Register** issue, an identical notice published at 90 FR 34256–34257. The FR Doc. is 2025–13632. DoD is withdrawing this identical notice.

Dated: July 23, 2025.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025–14063 Filed 7–24–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD–2025–OS–0244]

Proposed Collection; Comment Request

AGENCY: Office of the Under Secretary of Defense for Acquisition and Sustainment (OUSD(A&S)), Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the OUSD(A&S) 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 September 23, 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, 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 Assistant Secretary of Defense for Energy, Installations, and Environment, 3400 Defense Pentagon, Washington, DC 20301–3400, POC: Angela Major, 571–372–5201.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Application for Assignment to Housing, DD Form 1746, OMB Control Number 0704–AFAH.

Needs and Uses: The DD Form 1746 is used to for collection of information and supports DoDs commitment to determine assignment priority categories for housing active-duty service members, eligible civilians, local and Foreign Nationals to family housing on or off base, allows service members to communicate preferences regarding living accommodations, tracks all service members assigned to the installation, and aligns with our administration's priorities, such as reviving our warrior ethos by allowing service members to focus on their warfighter duties and missions, while providing support for family well-being and readiness.

Affected Public: Individuals and households.

Annual Burden Hours: 105,608.

Number of Respondents: 422,430.

Responses per Respondent: 1.

Annual Responses: 422,430.

Average Burden per Response: 15 minutes.

Frequency: Once.

Dated: July 22, 2025.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025–14012 Filed 7–24–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD–2025–HA–0216]

Proposed Collection; Comment Request; Withdrawal

AGENCY: The Office of the Assistant Secretary of Defense for Health Affairs (OASD(HA)), Department of Defense (DoD).

ACTION: 60-Day information collection notice; withdrawal.

SUMMARY: On Monday, July 21, 2025, DoD published a notice in the **Federal Register** titled Proposed Collection; Comment Request. The notice published in the **Federal Register** twice. The purpose of this notice is to withdraw the unintentional duplication.

DATES: This withdrawal is effective July 25, 2025.

FOR FURTHER INFORMATION CONTACT: Aaron T. Siegel, 571–372–0488.

SUPPLEMENTARY INFORMATION: On Monday, July 21, 2025, DoD published a notice in the **Federal Register** titled Proposed Collection; Comment Request at 90 FR 34251. The FR Doc. is 2025–13636.

In the same **Federal Register** issue, an identical notice published at 90 FR 34250–34251. The FR Doc. is 2025–13649. DoD is withdrawing this identical notice.

Dated: July 23, 2025.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025–14062 Filed 7–24–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

Notice of Availability of the Final Environmental Impact Statement for the Enhanced Integrated Air and Missile Defense System on Guam

AGENCY: Missile Defense Agency (MDA), Department of Defense (DoD).

ACTION: Notice of availability (NOA).

SUMMARY: The MDA, as the lead agency, has prepared a Final Environmental Impact Statement (EIS) for the Enhanced Integrated Air and Missile Defense (EIAMD) System on Guam. The United States (U.S.) Army (USA), U.S. Navy (USN), U.S. Air Force (USAF), and the Federal Aviation Administration (FAA) are cooperating agencies in the development of the Final EIS. The Final EIS includes an analysis of the potential environmental impacts that may result from the Proposed Action to construct, deploy, and operate and maintain the EIAMD system to defend Guam against advanced missile threats. The Final EIS was prepared in compliance with the National Environmental Policy Act and in accordance with MDA, USA, USN, USAF, and FAA's implementing procedures. The procedures followed in the development of the Final EIS also supports compliance with the National Historic Preservation Act of 1966 and its implementing regulations.

DATES: The MDA and USA will not issue a final decision on the proposed action until 30 days after the date that the U.S. Environmental Protection Agency (USEPA)-issued NOA is published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Mr. Mark Wright, MDA Public Affairs, at 571–231–8212, or by email: *mda.info@mda.mil.* For more information, including a downloadable copy of the Final EIS, visit the MDA website: *https://www.mda.mil/system/eiamd.*

SUPPLEMENTARY INFORMATION: A Notice of Intent to prepare an EIS was published in the **Federal Register** on May 5, 2023, which provided information about the public scoping period, how to submit public scoping comments, and the close of the public scoping period on June 27, 2023. A Notice of Scoping Comment Period Extension was published in the **Federal Register** on June 9, 2023, announcing the extension of the comment period to August 11, 2023, in response to ongoing Typhoon Mawar-related recovery efforts. The notice also stated that open house public scoping meetings would be rescheduled. A second Notice of Scoping Comment Period Extension was published in the **Federal Register** on July 21, 2023, announcing another extension of the comment period to August 18, 2023, and the rescheduled open house public scoping meetings dates. MDA published a Draft EIS NOA (89 FR 85523) in the **Federal Register** on October 28, 2024, and USEPA published a Draft EIS NOA (89 FR 85200) in the **Federal Register** on October 25, 2024, which provided notice that the Draft EIS (EISX–007–20–MDA–1725955966) was available for public review and comment from October 25, 2024, to January 8, 2025.

The MDA held two Draft EIS public meetings on November 14, 2024, and November 15, 2024, to inform the public and stakeholders about the Proposed Action and the findings of the EIS, answer questions, and solicit comments on the Draft EIS and the project's potential to affect historic properties.

The public was able to submit comments via an electronic comment form on the project website, via email, in person at the public meetings (written or oral via a court reporter), or via U.S. postal mail. The MDA received 72 comments during the Draft EIS public review and comment period. Comments on the Draft EIS were considered, incorporated, and responded to as appropriate into the Final EIS. Comments resulted in the addition of clarifying text and updated information.

Within the context of homeland defense, Guam is a key strategic location for sustaining and maintaining U.S. capabilities, deterring adversaries, responding to crises, and maintaining a free and open Indo-Pacific. As a U.S. territory, an attack on Guam would be considered a direct attack on the U.S. and would be met with an appropriate response. Currently U.S. forces are capable of defending Guam against today's regional ballistic missile threats. However, regional missile threats to Guam continue to increase and advance technologically. U.S. Indo-Pacific Command identified a requirement for a 360-degree EIAMD system on Guam as soon as possible to address the rapid evolution of adversary missile threats.

In the Final EIS, MDA, in coordination with cooperating agencies, evaluated the potential environmental impacts associated with the Proposed Action as well as a No Action Alternative. The Proposed Action is to construct, deploy, and operate and maintain a comprehensive, persistent, 360-degree EIAMD system to defend the people, infrastructure, and territory of Guam against the rapidly evolving threats of advanced cruise, ballistic, and hypersonic missile attacks from regional adversaries. The proposed system includes a combination of components from MDA, USA, and USN that would be integrated for air and missile defense. These components include missile defense radars, sensors, missile launchers and missile interceptors, and command and control systems.

The MDA and USA need to strategically locate and integrate the various system components at multiple sites around Guam. The MDA and USA identified 16 proposed sites to operate and maintain the EIAMD system on DoD properties on Guam. A limited number of the proposed sites would require real estate actions on non-DoD properties for access, or where safety zone arcs encroach on non-DoD properties. If the decision is made to proceed with the Proposed Action, site preparation and construction would span approximately 10 years beginning in 2025. The EIAMD operational capability would be phased in as each site completes construction, testing, and final system checks of the installed components. Following final construction, testing, and final system-wide checks, the EIAMD system would become fully operational.

The MDA and cooperating agencies analyzed the potential direct and indirect impacts the Proposed Action may have on airspace management, health and safety, cultural resources, terrestrial biological resources, socioeconomics, protection of children, land use and recreation, transportation, visual quality, utilities, air quality, greenhouse gases, noise, water, and geology and soils. Mitigation measures that could avoid, minimize, or mitigate potential environmental impacts of the Proposed Action are also proposed in the Final EIS.

The MDA invites all interested members of the public, as well as Federal and territorial agencies, to view the Final EIS. The Final EIS is available on the MDA public website at *www.mda.mil/system/eiamd* and at the following public libraries: (1) University of Guam Robert F. Kennedy Memorial Library, UOG Station, Mangilao, Guam 96913; (2) Nieves M. Flores Memorial Library, 254 Martyr St., Agana, Guam 96910.

The Missile Defense Agency's National Environmental Policy Act (NEPA) Implementing Procedures, Para. 4.(c) (August 8, 2014) (79 FR 46410) allow for the publication of notices in the **Federal Register** for draft and final NEPA documents. These procedures outline how the Missile Defense Agency complies with the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*).

Dated: July 22, 2025.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025–14020 Filed 7–24–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD–2024–OS–0124]

Submission for OMB Review; Comment Request

AGENCY: United States Transportation Command (USTRANSCOM), Department of Defense (DoD).

ACTION: 30-Day information collection notice.

SUMMARY: The DoD has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act.

DATES: Consideration will be given to all comments received by August 25, 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: Reginald Lucas, (571) 372–7574, *whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil.*

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Tender of Service for Personal Property Household Goods and Unaccompanied Baggage Shipments; DD Form 619; OMB Control Number 0704–0531.

Type of Request: Extension.

Number of Respondents: 833.

Responses per Respondent: 288.

Annual Responses: 239,904.

Average Burden per Response: 3 minutes.

Annual Burden Hours: 11,995.

Needs and Uses: The information collection requirement is necessary for private sector commercial transportation service providers, who are under contract with the DoD for shipment/storage of personal property, to identify ownership, and to schedule pickup and delivery of personal property.

Affected Public: Business or other for-profit.

Frequency: On occasion.

Respondent's Obligation: Voluntary.

DoD Clearance Officer: Mr. Reginald Lucas.

Dated: July 22, 2025.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025–14009 Filed 7–24–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD–2025–HA–0211]

Proposed Collection; Comment Request; Withdrawal

AGENCY: The Office of the Assistant Secretary of Defense for Health Affairs (OASD(HA)), Department of Defense (DoD).

ACTION: 60-Day information collection notice; withdrawal.

SUMMARY: On Monday, July 21, 2025, DoD published a notice in the **Federal Register** titled Proposed Collection; Comment Request. The notice published in the **Federal Register** twice. The purpose of this notice is to withdraw the unintentional duplication.

DATES: This withdrawal is effective July 25, 2025.

FOR FURTHER INFORMATION CONTACT: Aaron T. Siegel, 571–372–0488.

SUPPLEMENTARY INFORMATION: On Monday, July 21, 2025, DoD published a notice in the **Federal Register** titled Proposed Collection; Comment Request at 90 FR 34258. The FR Doc. is 2025–13633.

In the same **Federal Register** issue, an identical notice published at 90 FR 34485–34486. The FR Doc. is 2025–13699. DoD is withdrawing this identical notice.

Dated: July 23, 2025.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025–14064 Filed 7–24–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD–2025–OS–0243]

Proposed Collection; Comment Request

AGENCY: Office of the Under Secretary of Defense for Acquisition and Sustainment (USD(A&S)), Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Defense Logistics Agency 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 September 23, 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, 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 Logistics Agency, 4800 Mark Center Drive, Suite 14G07–01, Alexandria, VA 22350, ATTN: Sarah Pahl, (269) 961–4267.

SUPPLEMENTARY INFORMATION: *Title; Associated Form; and OMB Number:* Militarily Critical Technical Data Agreement; DD Form 2345; OMB Control Number 0704–0207.

Needs and Uses: The information collection requirement is necessary as a basis for certifying enterprises or individuals to have access to DoD export-controlled militarily critical technical data subject to the provisions of 32 CFR part 250. Enterprises and individuals that need access to unclassified DoD-controlled militarily critical technical data must certify on DD Form 2345, Militarily Critical Technical Data Agreement, that data will be used only in ways that will inhibit unauthorized access and maintain the protection afforded by U.S. export control laws. The information collected is disclosed only to the extent consistent with prudent business practices, current regulations, and statutory requirements and is so indicated on the Privacy Act Statement of DD Form 2345.

Affected Public: Individuals or households; businesses or other for-profit; not-for-profit institutions.

Annual Burden Hours: 2,667.

Number Of Respondents: 8,000.

Responses Per Respondent: 1.

Annual Responses: 8,000.

Average Burden Per Response: 20 minutes.

Frequency: On occasion.

Dated: July 22, 2025.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025–14014 Filed 7–24–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Department of the Navy

[Docket ID: USN–2025–HQ–0070]

Proposed Collection; Comment Request

AGENCY: Department of the Navy, Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the United States Marine Corps 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 September 23, 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, 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 Headquarters Marine Corps Records, Reports, Directives, and Forms Management Section, 3000 Marine Corps, Pentagon Rm. 2B253, ATTN: Mr. Mark Kazzi, or call 571–256–8883.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Marine Corps Officer Candidate Program Suitability Forms; NAVMC Form 10469, NAVMC Form 10064; OMB Control Number 0712–0002.

Needs and Uses: This information collection is necessary for the United States Marine Corps to verify a potential officer candidate's suitability for service. This information collection request consists of two forms used in this process: NAVMC Form 10469, ''Academic Certification for Marine Corps Officer Candidate Program,'' and NAVMC Form 10064, ''Personal Information Questionnaire.'' The NAVMC Form 10469 collects information about the candidate's educational background, and the NAVMC Form 10064 is used to evaluate the candidate's moral character. To accomplish officer procurement requirements prescribed in 10 U.S.C. 8042, 10 U.S.C. Chapter 32, the Marine Corps Recruiting Command (MCRC) Officer Commissioning Manual (MCRC Order 1100.02), and Marine Corps Order 1130.76D, the Marine Corps Officer Selection Officer (OSO) must prospect, screen, and contract qualified individuals. The NAVMC 10469 and 10064 forms are a vital part of this process.

The NAVMC Form 10469 is used to verify a potential officer candidate's academic background and standardized test scores. During their initial interview with an OSO, applicants provide information about the colleges or universities they have attended. The OSO emails the NAVMC Form 10469 to the Registrar's office of the institutions identified by the applicant. The school Registrar's office completes the form with information regarding the student's degree plan, major, credit hours, and grades. The respondent will then digitally sign the form and return it to the OSO via email. It is then uploaded into the potential officer's application via the Marine Corps Recruiting Command's Automated Commissioning Package (ACP) database.

The NAVMC 10064 is completed by the five-character references provided by potential applicants during the Marine Corps Officer Candidate application process. The OSO will contact the references and provide the PIQ via email for completion. Once a reference has completed the form, they will sign it electronically and return it to the OSO via email. In limited cases, the respondent may request to hand deliver their response to the OSO or receive/return the PIQ via the U.S. Postal Service. A prepaid envelope is provided to the respondent if required. The PIQ is used by the OSO and the selection board to assess the personal and moral character of an applicant and as a tool to better assess the possibility of them becoming a Marine Corps Officer.

Affected Public: Individuals or households.

NAVMC Form 10469

Annual Burden Hours: 875.

Number of Respondents: 3,500

Responses per Respondent: 1.

Annual Responses: 3,500.

Average Burden per Response: 15 minutes.

NAVMC Form 10064

Annual Burden Hours: 875.

Number of Respondents: 3,500

Responses per Respondent: 1.

Annual Responses: 3,500.

Average Burden per Response: 15 minutes.

Total Burden

Annual Burden Hours: 1,750.
Number of Respondents: 7,000.
Annual Responses: 7,000.
Frequency: On occasion.

Dated: July 23, 2025.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025–14074 Filed 7–24–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Department of the Navy

[Docket ID: USN–2025–HQ–0037]

Proposed Collection; Comment Request

AGENCY: Department of the Navy, Department of Defense (DoD).

ACTION: 60-Day information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the United States Marine Corps 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 September 23, 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, 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 Headquarters Marine Corps Records, Reports, Directives, and Forms Management Section, 3000 Marine Corps, Pentagon Rm. 2B253, ATTN: Mr. Mark Kazzi, or call 571–256–8883.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Marine Corps Applied Suicide Intervention Skills Training (ASIST) Surveys; OMB Control Number 0712–ASIS.

Needs and Uses: Data collection is necessary to determine the effectiveness of the LivingWorks' Applied Suicide Intervention Skills Training (ASIST) used by the Marine Corps as part of its suicide prevention program and to assess whether it is an efficient use of the Marine Corps' resources. ASIST is widely used throughout the Marine Corps. Many chaplains have been trained to teach the class, and participants can be at the unit, command, or even family service center level. However, it currently is offered on an ad hoc basis—it is not a program of record, commands are not required to use it, and it is not conducted at regular or standardized training intervals within a standardized Training Effectiveness Evaluation Plan.

The ASIST basic course is a two-day in person workshop that teaches participants to recognize someone at-risk of suicide and then provide a skilled intervention and develop a safe plan with the at-risk individual. The efficiency and effectiveness of the ASIST program for the Marine Corps has never been evaluated. To assess the efficiency and effectiveness of the ASIST program for the Marine Corps, the Marine Corps has contracted CNA to gather data from current and past course participants. Questions in the ASIST Basic survey ask participants about expected outcomes of the ASIST course: knowledge, attitudes, and confidence in suicide intervention. ASIST participants that choose to become ASIST trainers attend ASIST Training for Trainers (T4T). T4T is a five-day in-person training that prepares participants to become ASIST trainers by teaching them skills to conduct the ASIST 2-day workshop. Questions in the ASIST T4Tsurvey ask questions about the sufficiency of the T4T course and the ability of trainers to adapt the course to the Marine Corps population. At the completion of the study, CNA will provide a report to the Chaplain of the Marine Corps detailing findings from the surveys and interviews. Only aggregate data will be reported. We expect that ASIST course participants will respond to the survey to be active participants in shaping future Marine Corps programming.

Affected Public: Individuals or households (Active Duty Marines).
Annual Burden Hours: 325.
Number of Respondents: 1,300.
Responses per Respondent: 1.
Annual Responses: 1,300.
Average Burden per Response: 15 minutes.
Frequency: One-time.

Dated: July 22, 2025.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025–14015 Filed 7–24–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF ENERGY

Highly Enriched Uranium Blend Down to High-Assay Low-Enriched Uranium, at the Savannah River Site

AGENCY: Office of Environmental Management, U.S. Department of Energy.

ACTION: Amended record of decision.

SUMMARY: The U.S. Department of Energy (DOE) is amending its August 5, 1996, Record of Decision (ROD) for the *Disposition of Surplus Highly Enriched Uranium Final Environmental Impact Statement* (DOE/EIS–0240) (hereafter referred to as the HEU EIS), and its April 19, 2022, Amended ROD for the *Savannah River Site Spent Nuclear Fuel Management Environmental Impact Statement* (DOE/EIS–0279) (hereafter referred to as the SRS SNF EIS). DOE now amends its previous decisions and will blend down approximately 2.2 metric tons (MT) of highly enriched uranium (HEU) to produce high-assay low-enriched uranium (HALEU) at H-Area at the Savannah River Site (SRS). DOE anticipates this activity would begin as early as 2025 and continue approximately 2 to 4 years consistent with program and policy priorities, and funding. DOE will transport the HALEU liquid to an offsite commercial vendor for fabrication into reactor fuel for use in nuclear reactors. Because the 2.2 MT of HEU will be blended down for use in reactor fuel, it will not be sent to the

SRS liquid high-level waste (HLW) management system for disposal as described in the Amended ROD for the SRS SNF EIS.

ADDRESSES: This Amended ROD, the HEU EIS, the SRS SNF EIS, and related National Environmental Policy Act (NEPA) documents are available on the DOE NEPA website at *www.energy.gov/nepa/nepa-documents* and the SRS NEPA website at *www.srs.gov/general/pubs/envbul/nepa1.htm.* To request copies of these documents, please contact Mr. Jeffrey Bentley by mail: NEPA Document Manager, Savannah River Operations Office, U.S. Department of Energy, P.O. Box B, Aiken, South Carolina 29802; by telephone: (803) 226–5113; or by email: *jeffrey.bentley@srs.gov.*

FOR FURTHER INFORMATION CONTACT: For further information on HEU blend down to HALEU at SRS, please contact Mr. Jeffrey Bentley as listed above. For information on DOE's NEPA process, please contact Mr. William Ostrum by mail: NEPA Compliance Officer, U.S. Department of Energy, Office of Environmental Management, 1000 Independence Avenue SW, EM–4.13, Washington, DC 20585; by telephone: (202) 586–2513; or by email: *william.ostrum@hq.doe.gov.*

SUPPLEMENTARY INFORMATION:

Background

DOE's purpose and need for action, as described in the HEU EIS (DOE/EIS–0240), is as follows:

The Department of Energy proposes to blend down surplus HEU [1] from the weapons program to LEU [2] to eliminate the risk of diversion for nuclear proliferation purposes and, where practical, to reuse the resulting LEU in peaceful, beneficial ways that recover its commercial value. The purpose of the proposed action is to reduce the threat of nuclear weapons proliferation worldwide in an environmentally safe manner by reducing stockpiles of weapons-usable fissile materials, setting a nonproliferation example for other nations, and allowing peaceful, beneficial reuse of the material to the extent practical.

Comprehensive disposition actions are needed to ensure that surplus HEU is converted to proliferation-resistant forms consistent with the objectives of the President's nonproliferation policy. These proposed actions would essentially eliminate the potential for reuse of the material in nuclear weapons and would demonstrate the U.S. commitment to dispose of surplus HEU and encourage other nations to take similar actions toward reducing stockpiles of surplus HEU. The proposed actions would begin to reduce DOE's HEU inventory and costs associated with storage, accountability, and security rather than depending upon indefinite storage of all such material.

In the HEU EIS, DOE proposed to blend down surplus HEU from the weapons program to 4 weight percent U-235 LEU to eliminate the risk of diversion for nuclear proliferation purposes and, where practical, to reuse the resulting LEU in peaceful, beneficial ways that recover its commercial value. The HEU EIS assessed the disposition of a nominal 200 MT of surplus HEU. Material that could not be economically recovered would be blended to 0.9 weight percent U-235 for disposal as low-level radioactive waste (LLW).

The HEU EIS analyzed four alternatives that represented different proportions of the resulting LEU being used in commercial reactor fuel or disposed of as LLW. The Preferred Alternative was Alternative 5, the Maximum Commercial Use Alternative, which represented blending about 85 percent of the material to 4 weight percent U-235 LEU for use in nuclear reactor fuel (170 MT) and about 15 percent (30 MT) of the material to 0.9 weight percent U-235 for disposal as LLW. The HEU EIS analyzed the blending of HEU using three different processes at four potential sites including SRS. Three blending technologies were analyzed including uranyl nitrate hexahydrate (UNH) blending at SRS. The transportation of UNH was also analyzed. DOE issued the Final HEU EIS in June 1996 and issued a ROD on August 5, 1996 (61 FR 40619), selecting the Preferred Alternative, which was also the environmentally preferrable alternative.

Between 2003 and 2011, the H-Area facilities at SRS blended down 14.9 MT of HEU to produce 301 MT of 4.95 weight percent uranium-235 LEU. The LEU was sent to commercial facilities for fabrication into reactor fuel and was subsequently used in Tennessee Valley Authority (TVA) reactors to produce electricity.

HALEU [3] fuels are being developed to support the replacement of HEU fuels used in U.S. High-Performance Research Reactors as well as for use in advanced nuclear power reactor designs. The projected demand for HALEU far exceeds the current supply. The current inventory of HEU solution in storage in H-Area can be blended down to HALEU, which could help satisfy the short-term nation's needs until other commercial initiatives can begin HALEU production. Facilities for production of LEU in H-Area can be readily transitioned to HALEU production.

The DOE regulations for compliance with NEPA, 10 CFR 1021.314(c), direct that, ''[w]hen it is unclear whether or not an EIS supplement is required, DOE shall prepare a Supplement Analysis'' to assist in making that determination. In accordance with the DOE NEPA regulations, DOE prepared the *Supplement Analysis for Highly Enriched Uranium Blend Down to High-Assay Low-Enriched Uranium at the Savannah River Site* (hereafter referred to as the SRS HALEU SA) (DOE/EIS–0240–SA–02 and DOE/EIS–0279–SA–08, 2024). Based on the SRS HALEU SA, DOE determined that a supplemental or new EIS is not required.

Because the Proposed Action activities would be a small subset of HEU blend down activities evaluated in the HEU EIS, the potential environmental consequences of the Proposed Action would be similar to, or less than, those evaluated in the HEU EIS. In the SRS HALEU SA, these effects were determined to be small, and would not result in releases to the environment, or radiation doses or risks to members of the public or workers that would be substantially larger than those evaluated in the HEU EIS.

Because this HEU will be blended down for use in reactor fuel, it will not be sent to the SRS liquid HLW management system for disposal as described in the 2022 Amended ROD (87 FR 23504) for the SRS SNF EIS. Therefore, the environmental effects will be less than those described in the *Supplement Analysis for the Spent Nuclear Fuel Accelerated Basin De-inventory Mission for H-Canyon at the Savannah River Site* (DOE/EIS–0279–SA–07, 2022).

DOE concluded in the SRS HALEU SA that the proposed change and new information is not a substantial change relative to the proposal analyzed in the HEU EIS and the SRS SNF EIS, and thus, that no further NEPA documentation is required.

Amended Decision

DOE has decided to implement the Proposed Action as described in the SRS HALEU SA. DOE will not send the 2.2 MT of HEU (as uranyl nitrate liquid) to the SRS liquid HLW management system for disposal and instead will blend the HEU with natural uranium (as uranyl nitrate liquid) to produce HALEU (as uranyl nitrate liquid) at H-

[1] HEU = highly enriched uranium. Highly enriched uranium contains 20 or more weight percent uranium-235 (U-235) (the primary fissile isotope of uranium that supplies power during a nuclear chain reaction).

[2] LEU = low-enriched uranium. Low enriched uranium contains less than 20 weight percent U-235. In the HEU EIS, DOE proposed to blend down HEU to LEU containing approximately 4 weight percent U-235.

[3] HALEU is LEU enriched in U-235 to between 5 weight percent and less than 20 weight percent.

Area at SRS. DOE anticipates this activity would begin as early as 2025 and continue approximately 2 to 4 years, consistent with program and policy priorities, and funding. DOE will transport the HALEU liquid to an offsite commercial vendor for fabrication into reactor fuel for use in nuclear reactors.

In the ROD for the HEU EIS (61 FR 40619; August 5, 1996), DOE identified the Preferred Alternative as the environmentally preferable alternative; this has not changed. No environmental effects resulting from operations under this amended decision would require specific mitigation measures. DOE will continue its current practices and policies and has adopted all practicable means to avoid or minimize environmental harm, including effects to workers when implementing the actions described herein. For example, DOE will continue to evaluate and implement, as appropriate, physical modifications to the H-Area facilities and administrative practices, that would reduce personnel exposure, facility effluents, and waste generation.

Basis for Decision

The blending down of 2.2 MT of HEU to HALEU as described in the SRS HALEU SA (DOE/EIS–0240–SA–02, 2024) and this amendment to DOE's HEU EIS ROD (61 FR 40619) and SRS SNF EIS Amended ROD (87 FR 23504), takes advantage of existing processes in existing facilities. As described in the SRS HALEU SA, the activities encompassed by this amended decision will not incur potential health or environmental effects substantially different from those analyzed in existing NEPA reviews. Further, the actions resulting from this Amended ROD, would help satisfy the nation's short-term needs for HALEU until other commercial initiatives can begin production.

Signing Authority

This document of DOE was signed on April 18, 2025, by Roger A. Jarrell II, Principal Deputy Assistant Secretary for Office of Environmental Management, pursuant to delegated authority from the Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with the requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of DOE. The administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on July 22, 2025.

Jennifer Hartzell,

Alternate Federal Register Liaison Officer, U.S. Department of Energy.

[FR Doc. 2025–14017 Filed 7–24–25; 8:45 am]

BILLING CODE 6450–01–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: EC25–117–000.

Applicants: Blue Harvest Solar Park LLC, EDPR CA Solar Park LLC, EDPR CA Solar Park II LLC, Innovative Solar 42, LLC, Sandrini BESS Storage LLC, Timber Road Solar Park LLC.

Description: Joint Application for Authorization Under Section 203 of the Federal Power Act of Blue Harvest Solar Park LLC, et al.

Filed Date: 7/17/25.

Accession Number: 20250717–5160.

Comment Date: 5 p.m. ET 8/7/25.

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG25–398–000.

Applicants: Solar DG NM Amalia, LLC.

Description: Solar DG NM Amalia, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 7/22/25.

Accession Number: 20250722–5099.

Comment Date: 5 p.m. ET 8/12/25.

Docket Numbers: EG25–399–000.

Applicants: Titan Solar Energy, LLC.

Description: Titan Solar Energy, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 7/22/25.

Accession Number: 20250722–5136.

Comment Date: 5 p.m. ET 8/12/25.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER10–1781–011; ER19–2626–013; ER21–714–014; ER22–381–018; ER22–399–009; ER23–2321–009; ER25–2081–001.

Applicants: Fairbanks Solar Energy Center LLC, Dunns Bridge Energy Storage, LLC, Meadow Lake Solar Park LLC, Dunns Bridge Solar Center, LLC, Indiana Crossroads Wind Farm LLC, Rosewater Wind Farm LLC, Northern Indiana Public Service Company.

Description: Notice of Non-Material Change in Status and Market-Based Rate Tariff Revisions of Northern Indiana Public Service Company, et al.

Filed Date: 7/17/25.

Accession Number: 20250717–5163.

Comment Date: 5 p.m. ET 8/7/25.

Docket Numbers: ER25–7–001; ER22–1101–003; ER22–1102–003.

Applicants: Sierra Energy Storage, LLC, Cascade Energy Storage, LLC, Cascade Energy Storage II LLC.

Description: Notice of Change in Status of Cascade Energy Storage II LLC, et al. under ER25–7, et al.

Filed Date: 7/17/25.

Accession Number: 20250717–5162.

Comment Date: 5 p.m. ET 8/7/25.

Docket Numbers: ER25–2312–001.

Applicants: Midcontinent Grid Solutions Iowa, LLC.

Description: Tariff Amendment: Formula Rate Deferral Filing to be effective 12/31/9998.

Filed Date: 7/22/25.

Accession Number: 20250722–5092.

Comment Date: 5 p.m. ET 8/12/25.

Docket Numbers: ER25–2538–001.

Applicants: Southwest Power Pool, Inc.

Description: Tariff Amendment: 3125R19 Basin Electric Power Cooperative NITSA and NOA Amended to be effective 6/1/2025.

Filed Date: 7/22/25.

Accession Number: 20250722–5033.

Comment Date: 5 p.m. ET 8/12/25.

Docket Numbers: ER25–2906–000.

Applicants: PJM Interconnection, L.L.C.

Description: 205(d) Rate Filing: Notice of Cancellation of ISA, SA No. 6751; Queue No. AD1–043 to be effective 8/15/2025.

Filed Date: 7/21/25.

Accession Number: 20250721–5109.

Comment Date: 5 p.m. ET 8/11/25.

Docket Numbers: ER25–2907–000.

Applicants: PJM Interconnection, L.L.C.

Description: Tariff Amendment: Notice of Cancellation of ISA, Service Agreement No. 6724; Queue No. NQ186 to be effective 4/1/2025.

Filed Date: 7/22/25.

Accession Number: 20250722–5030.

Comment Date: 5 p.m. ET 8/12/25.

Docket Numbers: ER25–2908–000.

Applicants: PJM Interconnection, L.L.C.

Description: Tariff Amendment: PJM Interconnection, L.L.C. submits tariff filing per 35.15: Notice of Cancellation of ISA, Service Agreement No. 3679; Queue No. Y2–001 to be effective 7/15/2025.

Filed Date: 7/22/25.

Accession Number: 20250722–5031.
Comment Date: 5 p.m. ET 8/12/25.

Docket Numbers: ER25–2909–000.
Applicants: Tri-State Generation and Transmission Association, Inc.
Description: 205(d) Rate Filing: Tri-State Generation and Transmission Association, Inc. submits tariff filing per 35.13(a)(2)(iii: Amendment to Rate Schedule FERC No. 346 to be effective 9/22/2025.
Filed Date: 7/22/25.
Accession Number: 20250722–5041.
Comment Date: 5 p.m. ET 8/12/25.

Docket Numbers: ER25–2910–000.
Applicants: 25 Mile Creek Windfarm LLC.
Description: 205(d) Rate Filing: 25 Mile Creek Windfarm LLC Revised MBR Tariff to be effective 7/23/2025.
Filed Date: 7/22/25.
Accession Number: 20250722–5042.
Comment Date: 5 p.m. ET 8/12/25.

Docket Numbers: ER25–2911–000.
Applicants: Alta Farms Wind Project II, LLC.
Description: 205(d) Rate Filing: Alta Farms Wind Project II, LLC Revised MBR Tariff to be effective 7/23/2025.
Filed Date: 7/22/25.
Accession Number: 20250722–5043.
Comment Date: 5 p.m. ET 8/12/25.

Docket Numbers: ER25–2912–000.
Applicants: Aurora Wind Project, LLC.
Description: 205(d) Rate Filing: Aurora Wind Project, LLC Revised MBR Tariff to be effective 7/23/2025.
Filed Date: 7/22/25.
Accession Number: 20250722–5044.
Comment Date: 5 p.m. ET 8/12/25.

Docket Numbers: ER25–2913–000.
Applicants: Buffalo Dunes Wind Project, LLC.
Description: 205(d) Rate Filing: Buffalo Dunes Wind Project, LLC Revised MBR Tariff to be effective 7/23/2025.
Filed Date: 7/22/25.
Accession Number: 20250722–5046.
Comment Date: 5 p.m. ET 8/12/25.

Docket Numbers: ER25–2914–000.
Applicants: Canastota Windpower, LLC.
Description: 205(d) Rate Filing: Canastota Windpower, LLC Revised MBR Tariff to be effective 7/23/2025.
Filed Date: 7/22/25.
Accession Number: 20250722–5048.
Comment Date: 5 p.m. ET 8/12/25.

Docket Numbers: ER25–2915–000.
Applicants: Caney River Wind Project, LLC.
Description: 205(d) Rate Filing: Caney River Wind Project, LLC Revised MBR Tariff to be effective 7/23/2025.
Filed Date: 7/22/25.
Accession Number: 20250722–5061.
Comment Date: 5 p.m. ET 8/12/25.

Docket Numbers: ER25–2916–000.
Applicants: Chisholm View Wind Project II, LLC.
Description: 205(d) Rate Filing: Chisholm View Wind Project II, LLC Revised MBR Tariff to be effective 7/23/2025.
Filed Date: 7/22/25.
Accession Number: 20250722–5051.
Comment Date: 5 p.m. ET 8/12/25.

Docket Numbers: ER25–2917–000.
Applicants: Chisholm View Wind Project, LLC.
Description: 205(d) Rate Filing: Chisholm View Wind Project, LLC Revised MBR Tariff to be effective 7/23/2025.
Filed Date: 7/22/25.
Accession Number: 20250722–5054.
Comment Date: 5 p.m. ET 8/12/25.

The filings are accessible in the Commission's eLibrary system (*https://elibrary.ferc.gov/idmws/search/fercgensearch.asp*) by querying the docket number.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organization, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or *OPP@ferc.gov.*

Dated: July 22, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–14072 Filed 7–24–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 15405–000]

Bevill Hydroelectric, LLC; Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Competing Applications

On May 30, 2025, Bevill Hydroelectric, LLC, filed an application for a preliminary permit, pursuant to section 4(f) of the Federal Power Act (FPA), proposing to study the feasibility of a hydropower project to be located at the U.S. Army Corps of Engineers' (Corps) Tom Bevill Lock and Dam, on the Tennessee Tombigbee Waterway, near the City of Pickensville, Pickens County, Alabama. The sole purpose of a preliminary permit, if issued, is to grant the permit holder priority to file a license application during the permit term. A preliminary permit does not authorize the permit holder to perform any land-disturbing activities or otherwise enter upon lands or waters owned by others without the owners' express permission.

The proposed Tom Bevill Lock and Dam Hydroelectric Project would consist of the following: (1) a 50-foot-wide, 50-foot-long intake structure; (2) a 50-foot-wide, 190-foot-long reinforced concrete powerhouse located adjacent to western abutment within the spillway, containing one 12.5-megawatt, pit style turbine generator; (3) a 50-foot-long, 50-foot-wide dredged tailrace channel that would direct flow to the river downstream from the dam; and (4) a 1.3 mile-long, 69-kilovolt transmission line. The proposed project would have an estimated annual generation of 59.6 gigawatt-hours.

Applicant Contact: Jeremy King, Current Hydro, One Boston Place, Suite 2600, Boston, MA; phone at (706) 835–8516.

FERC Contact: Prabharanjani Madduri; at (202) 502–8017, or by email at *prabharanjani.madduri@ferc.gov.*

The deadline for filing comments, motions to intervene, competing applications (without notices of intent), or notices of intent to file competing applications: on or before 5:00 p.m. Eastern Time on September 15, 2025. Competing applications and notices of intent must meet the requirements of 18 CFR 4.36.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, notices of intent, and competing applications using the Commission's eFiling system at *https://*

ferconline.ferc.gov/eFiling.aspx. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *https://ferconline.ferc.gov/QuickComment.aspx.* For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include docket number P–15405.

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.*

More information about this project, including a copy of the application, can be viewed, or printed on the ''eLibrary'' link of the Commission's website at *https://elibrary.ferc.gov/eLibrary/search.* Enter the docket number (P–15405) in the docket number field to access the document. For assistance, contact FERC Online Support.

(Authority: 18 CFR 2.1.)

Dated: July 17, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–14023 Filed 7–24–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP25–1008–000.

Applicants: Transcontinental Gas Pipe Line Company, LLC.

Description: 4(d) Rate Filing: Negotiated Rate Duke Energy Florida to be effective 5/1/2025.

Filed Date: 7/22/25.

Accession Number: 20250722–5078.

Comment Date: 5 p.m. ET 8/4/25.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

The filings are accessible in the Commission's eLibrary system (*https://elibrary.ferc.gov/idmws/search/fercgensearch.asp*) by querying the docket number.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organization, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or *OPP@ferc.gov.*

Dated: July 22, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–14071 Filed 7–24–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #2

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER25–2918–000.

Applicants: Cimarron Bend Wind Project I, LLC.

Description: 205(d) Rate Filing: Cimarron Bend Wind Project I, LLC Revised MBR Tariff to be effective 7/23/2025.

Filed Date: 7/22/25.

Accession Number: 20250722–5055.

Comment Date: 5 p.m. ET 8/12/25.

Docket Numbers: ER25–2919–000.

Applicants: Cimarron Bend Wind Project II, LLC.

Description: 205(d) Rate Filing: Cimarron Bend Wind Project II, LLC Revised MBR Tariff to be effective 7/23/2025.

Filed Date: 7/22/25.

Accession Number: 20250722–5056.

Comment Date: 5 p.m. ET 8/12/25.

Docket Numbers: ER25–2920–000.

Applicants: Cimarron Bend Wind Project III, LLC.

Description: 205(d) Rate Filing: Cimarron Bend Wind Project III, LLC Revised MBR Tariff to be effective 7/23/2025.

Filed Date: 7/22/25.

Accession Number: 20250722–5057.

Comment Date: 5 p.m. ET 8/12/25.

Docket Numbers: ER25–2921–000.

Applicants: Drift Sand Wind Project, LLC.

Description: 205(d) Rate Filing: Drift Sand Wind Project, LLC Revised MBR Tariff to be effective 7/23/2025.

Filed Date: 7/22/25.

Accession Number: 20250722–5058.

Comment Date: 5 p.m. ET 8/12/25.

Docket Numbers: ER25–2922–000.

Applicants: Enel Green Power Diamond Vista Wind Project, LLC.

Description: 205(d) Rate Filing: Enel Diamond Vista Wind Project LLC Revised MBR Tariff to be effective 7/23/2025.

Filed Date: 7/22/25.

Accession Number: 20250722–5062.

Comment Date: 5 p.m. ET 8/12/25.

Docket Numbers: ER25–2923–000.

Applicants: Enel Green Power Hilltopper Wind, LLC.

Description: 205(d) Rate Filing: Enel Green Power Hilltopper Wind, LLC Revised MBR Tariff to be effective 7/23/2025.

Filed Date: 7/22/25.

Accession Number: 20250722–5066.

Comment Date: 5 p.m. ET 8/12/25.

Docket Numbers: ER25–2924–000.

Applicants: Enel Green Power Rattlesnake Creek Wind Project, LLC.

Description: 205(d) Rate Filing: Enel Rattlesnake Creek Wind Project, LLC Revised MBR Tariff to be effective 7/23/2025.

Filed Date: 7/22/25.

Accession Number: 20250722–5069.

Comment Date: 5 p.m. ET 8/12/25.

Docket Numbers: ER25–2925–000.

Applicants: Goodwell Wind Project, LLC.

Description: 205(d) Rate Filing: Goodwell Wind Project, LLC Revised MBR Tariff to be effective 7/23/2025.

Filed Date: 7/22/25.
Accession Number: 20250722–5070.
Comment Date: 5 p.m. ET 8/12/25.
Docket Numbers: ER25–2926–000.
Applicants: Lindahl Wind Project, LLC.
Description: 205(d) Rate Filing: Lindahl Wind Project, LLC Revised MBR Tariff to be effective 7/23/2025.
Filed Date: 7/22/25.
Accession Number: 20250722–5071.
Comment Date: 5 p.m. ET 8/12/25.
Docket Numbers: ER25–2927–000.
Applicants: Little Elk Wind Project, LLC.
Description: 205(d) Rate Filing: Little Elk Wind Project, LLC Revised MBR Tariff to be effective 7/23/2025.
Filed Date: 7/22/25.
Accession Number: 20250722–5072.
Comment Date: 5 p.m. ET 8/12/25.
Docket Numbers: ER25–2928–000.
Applicants: Osage Wind, LLC.
Description: 205(d) Rate Filing: Osage Wind, LLC Revised MBR Tariff to be effective 7/23/2025.
Filed Date: 7/22/25.
Accession Number: 20250722–5075.
Comment Date: 5 p.m. ET 8/12/25.
Docket Numbers: ER25–2929–000.
Applicants: Prairie Rose Wind, LLC.
Description: 205(d) Rate Filing: Prairie Rose Wind, LLC Revised MBR Tariff to be effective 7/23/2025.
Filed Date: 7/22/25.
Accession Number: 20250722–5076.
Comment Date: 5 p.m. ET 8/12/25.
Docket Numbers: ER25–2930–000.
Applicants: Red Dirt Wind Project, LLC.
Description: 205(d) Rate Filing: Red Dirt Wind Project, LLC Revised MBR Tariff to be effective 7/23/2025.
Filed Date: 7/22/25.
Accession Number: 20250722–5077.
Comment Date: 5 p.m. ET 8/12/25.
Docket Numbers: ER25–2931–000.
Applicants: Rock Creek Wind Project, LLC.
Description: 205(d) Rate Filing: Rock Creek Wind Project, LLC Revised MBR Tariff to be effective 7/23/2025.
Filed Date: 7/22/25.
Accession Number: 20250722–5079.
Comment Date: 5 p.m. ET 8/12/25.
Docket Numbers: ER25–2932–000.
Applicants: Rockhaven Wind Project, LLC.
Description: 205(d) Rate Filing: Rockhaven Wind Project, LLC Revised MBR Tariff to be effective 7/23/2025.
Filed Date: 7/22/25.
Accession Number: 20250722–5080.
Comment Date: 5 p.m. ET 8/12/25.
Docket Numbers: ER25–2933–000.
Applicants: Rocky Ridge Wind Project, LLC.
Description: 205(d) Rate Filing: Rocky Ridge Wind Project, LLC Revised MBR Tariff to be effective 7/23/2025.
Filed Date: 7/22/25.
Accession Number: 20250722–5081.
Comment Date: 5 p.m. ET 8/12/25.
Docket Numbers: ER25–2934–000.
Applicants: Seven Cowboy Wind Project, LLC.
Description: 205(d) Rate Filing: Seven Cowboy Wind Project, LLC Revised MBR Tariff to be effective 7/23/2025.
Filed Date: 7/22/25.
Accession Number: 20250722–5084.
Comment Date: 5 p.m. ET 8/12/25.
Docket Numbers: ER25–2935–000.
Applicants: Smoky Hills Wind Farm, LLC.
Description: 205(d) Rate Filing: Smoky Hills Wind Farm, LLC Revised MBR Tariff to be effective 7/23/2025.
Filed Date: 7/22/25.
Accession Number: 20250722–5085.
Comment Date: 5 p.m. ET 8/12/25.
Docket Numbers: ER25–2936–000.
Applicants: Smoky Hills Wind Project II, LLC.
Description: 205(d) Rate Filing: Smoky Hills Wind Project II, LLC Revised MBR Tariff to be effective 7/23/2025.
Filed Date: 7/22/25.
Accession Number: 20250722–5086.
Comment Date: 5 p.m. ET 8/12/25.
Docket Numbers: ER25–2937–000.
Applicants: Thunder Ranch Wind Project, LLC.
Description: 205(d) Rate Filing: Thunder Ranch Wind Project, LLC Revised MBR Tariff to be effective 7/23/2025.
Filed Date: 7/22/25.
Accession Number: 20250722–5087.
Comment Date: 5 p.m. ET 8/12/25.
Docket Numbers: ER25–2938–000.
Applicants: White Cloud Wind Project, LLC.
Description: 205(d) Rate Filing: White Cloud Wind Project, LLC Revised MBR Tariff to be effective 7/23/2025.
Filed Date: 7/22/25.
Accession Number: 20250722–5088.
Comment Date: 5 p.m. ET 8/12/25.
Docket Numbers: ER25–2939–000.
Applicants: Whitney Hill Wind Power, LLC.
Description: 205(d) Rate Filing: Whitney Hill Wind Power, LLC Revised MBR Tariff to be effective 7/23/2025.
Filed Date: 7/22/25.
Accession Number: 20250722–5091.
Comment Date: 5 p.m. ET 8/12/25.
Docket Numbers: ER25–2940–000.
Applicants: Solar DG NM Amalia, LLC.
Description: Initial Rate Filing: Market-Based Rate Application to be effective 9/21/2025.
Filed Date: 7/22/25.
Accession Number: 20250722–5097.
Comment Date: 5 p.m. ET 8/12/25.
Docket Numbers: ER25–2941–000.
Applicants: NextEra Energy Transmission MidAtlantic, Inc.
Description: 205(d) Rate Filing: NEET MidAtlantic submits Revisions to OATT, Att. H–33 & H–33A to be effective 7/23/2025.
Filed Date: 7/22/25.
Accession Number: 20250722–5098.
Comment Date: 5 p.m. ET 8/12/25.
Docket Numbers: ER25–2942–000.
Applicants: Alabama Power Company, Georgia Power Company, Mississippi Power Company.
Description: Tariff Amendment: Alabama Power Company submits tariff filing per 35.15: Origis Development (Pelham Solar + Storage) LGIA Termination Filing to be effective 7/22/2025.
Filed Date: 7/22/25.
Accession Number: 20250722–5100.
Comment Date: 5 p.m. ET 8/12/25.
Docket Numbers: ER25–2943–000.
Applicants: Tri-State Generation and Transmission Association, Inc.
Description: 205(d) Rate Filing: Amendment to Service Agreement FERC No. 842 to be effective 7/1/2025.
Filed Date: 7/22/25.
Accession Number: 20250722–5104.
Comment Date: 5 p.m. ET 8/12/25.

Take notice that the Commission received the following public utility holding company filings:

Docket Numbers: PH25–13–000.
Applicants: Enbridge Inc.
Description: Enbridge Inc. submits FERC–65A Notice of Change in Fact to Waiver Notification.
Filed Date: 7/18/25.
Accession Number: 20250718–5188.
Comment Date: 5 p.m. ET 8/8/25.

The filings are accessible in the Commission's eLibrary system (*https://elibrary.ferc.gov/idmws/search/fercgensearch.asp*) by querying the docket number.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/*

docs-filing/efiling/filing-req.pdf. For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organization, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or *OPP@ferc.gov.*

Dated: July 22, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–14069 Filed 7–24–25; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL OP–OFA–188]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information 202–564–5632 or *https://www.epa.gov/nepa.*

Weekly receipt of Environmental Impact Statements (EIS)

Filed July 14, 2025 10 a.m. EST Through July 21, 2025 10 a.m. EST

Pursuant to CEQ Guidance on 42 U.S.C. 4332.

Notice: Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: *https://cdxapps.epa.gov/cdx-enepa-II/public/action/eis/search.*

EIS No. 20250097, Draft, USFS, WA, Planning and Management of Domestic Sheep and Goat Grazing within the Range of Bighorn Sheep, Comment Period Ends: 10/24/2025, Contact: David Topolewski 509–664–9376.

EIS No. 20250098, Draft, FTA, NY, Buffalo-Amherst-Tonawanda Corridor Transit Expansion, Comment Period Ends: 09/08/2025, Contact: James A. Goveia 212–668–2325.

EIS No. 20250099, Final, MDA, GU, Enhanced Integrated Air and Missile Defense System on Guam, Review Period Ends: 08/25/2025, Contact: Mark Wright 571–231–8212.

EIS No. 20250100, Final, DOE, KS, Phase 1 Grain Belt Express Transmission Project, Review Period Ends: 08/25/2025, Contact: Todd Stribley 301–525–5944.

Dated: July 21, 2025.

Nancy Abrams,

Associate Director, Office of Federal Activities.

[FR Doc. 2025–14067 Filed 7–24–25; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

[FR ID 305012]

Sunshine Act; Deletion of Item From July 24, 2025 Open Meeting

July 22, 2025.

The following item was adopted by the Commission on July 18, 2025 and deleted from the list of items scheduled for consideration at the Thursday, July 24, 2025, Open Meeting. The item was previously listed in the Commission's Sunshine Notice on Thursday, July 17, 2025.

Item No.	Bureau	Subject
7	MANAGING DIRECTOR	*Title:* Personnel Action #25–09—Promotion *Summary:* The Commission will consider a personnel action.
8	MANAGING DIRECTOR	*Title:* Personnel Action #25–10—Promotion *Summary:* The Commission will consider a personnel action.
9	MANAGING DIRECTOR	*Title:* Personnel Action #25–11—Promotion *Summary:* The Commission will consider a personnel action.
10	MANAGING DIRECTOR	*Title:* Personnel Action #25–12—Promotion *Summary:* The Commission will consider a personnel action.
11	MANAGING DIRECTOR	*Title:* Personnel Action #25–13—Promotion *Summary:* The Commission will consider a personnel action.
12	PUBLIC SAFETY AND HOMELAND SECURITY.	*Title:* Appointment of the Defense Commissioner *Summary:* The Commission will consider a personnel action regarding the appointment of the Defense Commissioner.

Federal Communications Commission.

Marlene Dortch,

Secretary.

[FR Doc. 2025–14121 Filed 7–23–25; 4:15 pm]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–1222; FR ID 304883]

Information Collection Being Submitted for Review and Approval to Office of Management and Budget

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal Agencies to take this opportunity to comment on the following information collection. Pursuant to the Small Business Paperwork Relief Act of 2002, the FCC seeks specific comment on how it might further reduce the information collection burden for small business concerns with fewer than 25 employees.

The Commission may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written comments and recommendations for the proposed information collection should be submitted on or before August 25, 2025.

ADDRESSES: Comments should be sent 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. Your comment must be submitted into *www.reginfo.gov* per the above instructions for it to be considered. In addition to submitting in *www.reginfo.gov* also send a copy of your comment on the proposed information collection to Nicole Ongele, FCC, via email to *PRA@fcc.gov* and to *Nicole.Ongele@fcc.gov*. Include in the comments the OMB control number as shown in the **SUPPLEMENTARY INFORMATION** below.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection, contact Nicole Ongele at (202) 418–2991. To view a copy of this information collection request (ICR) submitted to OMB: (1) go to the web page *http://www.reginfo.gov/public/do/PRAMain,* (2) look for the section of the web page called ''Currently Under Review,'' (3) click on the downward-pointing arrow in the ''Select Agency'' box below the ''Currently Under Review'' heading, (4) select ''Federal Communications Commission'' from the list of agencies presented in the ''Select Agency'' box, (5) click the ''Submit'' button to the right of the ''Select Agency'' box, (6) when the list of FCC ICRs currently under review appears, look for the Title of this ICR and then click on the ICR Reference Number. A copy of the FCC submission to OMB will be displayed.

SUPPLEMENTARY INFORMATION: As part of its continuing effort to reduce paperwork burdens, as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3520), the FCC invited the general public and other Federal Agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology. Pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, see 44 U.S.C. 3506(c)(4), the FCC seeks specific comment on how it might further reduce the information collection burden for small business concerns with fewer than 25 employees.

OMB Control Number: 3060–1222.

Title: Incarcerated People's Communications Services (IPCS) Provider Annual Reporting, Certification, and Other Requirements, WC Docket Nos. 23–62, 12–375.

Form Number(s): FCC Form 2301(a) and FCC Form 2301(b).

Type of Review: Revision of a currently approved collection.

Respondents: Business or other for-profit.

Number of Respondents and Responses: 35 respondents; 38 responses.

Estimated Time per Response: 5 hours–240 hours.

Frequency of Response: Annual reporting and certification requirements, third party disclosure, waiver request, and on-occasion reporting requirements.

Obligation to Respond: Mandatory. Statutory authority for this collection of information is contained in sections 1, 2, 4(i)–(j), 5(c), 201(b), 218, 220, 225, 255, 276, 403, and 716 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 152, 154(i)–(j), 155(c), 201(b), 218, 220, 225, 255, 276, 403, and 617, and the Martha Wright-Reed Just and Reasonable Communications Act of 2022, Public Law 117–338, 136 Stat. 6156 (2022).

Total Annual Burden: 9,165 hours.

Total Annual Cost: No cost.

Needs and Uses: The Commission requires incarcerated people's communications services (IPCS) providers to file Annual Reports, which enable the Commission and the public to monitor pricing practices and trends in the IPCS marketplace generally. In 2015, pursuant to delegated authority, the Commission's Wireline Competition Bureau (WCB) created a standardized reporting template for the Annual Reports (FCC Form 2301(a)) and a related certification form (FCC Form 2301(b)), as well as instructions to guide providers through the reporting and certification process. *See Rates for Interstate Inmate Calling Services,* WC Docket No. 12–375, Second Report and Order and Third Notice of Proposed Rulemaking, 80 FR 79136 (Dec. 18, 2015) (*2015 ICS Order*). WCB first amended the instructions, reporting templates, and certification form in 2020 in order to improve the type and quality of the information collected. In 2022, WCB again amended the instructions, reporting template, and certification form to reflect reforms the Commission had adopted in 2021.

Subsequent developments generated additional changes to the instructions, reporting template, and certification form. First, in September 2022, the Commission adopted the *2022 ICS Order,* which included requirements to improve access to communications services for incarcerated people with communication disabilities, expanded the scope of the Annual Reports to reflect those new requirements, and delegated authority to WCB and the Consumer and Governmental Affairs Bureau (collectively, the Bureaus) to implement the expanded reporting obligations. *Rates for Interstate Inmate Calling Services,* WC Docket No. 12–375, Fourth Report and Order and Sixth Further Notice of Proposed Rulemaking, 87 FR 75496, (Dec. 9, 2022) (*2022 ICS Order*).

Second, on January 5, 2023, President Biden signed into law the Martha Wright-Reed Just and Reasonable Communications Act of 2022, Public Law 117–338, Stat. 6156, § 2(a)(2), (b) (the Martha Wright-Reed Act or the Act), which expanded the Commission's statutory authority over communications between incarcerated people and the non-incarcerated, including ''any audio or video communications service used by inmates . . . regardless of technology used.'' The new Act also amended section 2(b) of the Communications Act of 1934, as amended, to make clear that the Commission's authority extends to intrastate as well as interstate and international communications services used by incarcerated people.

The Martha Wright-Reed Act directed the Commission to ''promulgate any regulations necessary to implement'' the Act, including its mandate that the Commission establish a ''compensation plan'' ensuring that all rates and charges for IPCS ''are just and reasonable,'' not earlier than 18 months and not later than 24 months after the Act's January 5, 2023 enactment date. Pursuant to that directive, the Commission adopted the *2023 IPCS Notice,* seeking comment on how to interpret the Act's language to ensure that the Commission implemented the statute in a manner that fulfilled Congress's directives. *Incarcerated People's Communications Services; Implementation of the Martha-Wright Reed Act; Rates for Interstate Inmate Calling Services,* WC Docket Nos. 23–62, 12–375, Notice of Proposed Rulemaking and Order, 88 FR 20804 (Apr. 7, 2023) (*2023 IPCS Notice*). The Commission also adopted the *2023 IPCS Order,* in which it reaffirmed and updated its prior delegation of authority to the Bureaus to modify, supplement, and update the instructions and templates for the Annual Reports. *Incarcerated People's Communications Services; Implementation of the Martha-*

Wright Reed Act; Rates for Interstate Inmate Calling Services, WC Docket Nos. 23–62, 12–375, Notice of Proposed Rulemaking and Order, 88 FR 19001 (Mar. 30, 2023) (*2023 IPCS Order*).

On August 3, 2023, the Bureaus released a Public Notice, seeking comment on proposed revisions to the instructions and templates for the Annual Reports and annual certifications. *Wireline Competition Bureau and Consumer and Governmental Affairs Bureau Seek Comment on Revisions to Providers' Annual Reporting and Certification Requirements,* WC Docket Nos. 23–62 and 12–375, Public Notice, 38 FCC Rcd 6732 (WCB/CGB 2023) (*August 3, 2023 Public Notice*). On August 10, 2023, the Commission published a 60-Day Notice in the **Federal Register**, seeking public comment on the paperwork burdens associated with the proposed revisions. *Incarcerated People's Communications Services (IPCS) Provider Annual Reporting, Certification, and Other Requirements,* WC Docket Nos. 23–62, 12–375, Public Notice, 88 FR 54318 (Aug. 10, 2023). Subsequently, the Commission decided to delay seeking OMB approval of these revisions because it had not yet amended its rules to implement the expanded authority granted by the Martha Wright-Reed Act and because an Order adopting specific revisions to the annual reporting instructions, templates, and certification form had not yet been adopted.

In July 2024, the Commission adopted the *2024 IPCS Order,* which implemented the expanded authority granted to the Commission by the Martha Wright-Reed Act. *Incarcerated People's Communications Services; Implementation of the Martha Wright-Reed Act; Rates for Interstate Inmate Calling Services,* WC Docket Nos. 23–62, 12–375, Report and Order, Order on Reconsideration, Clarification and Waiver, and Further Notice of Proposed Rulemaking, 89 FR 77244 (Sept. 20, 2024) (*2024 IPCS Order*). In that Order, the Commission revised its rules by, *inter alia,* adopting permanent rate caps for audio IPCS and interim rate caps for video IPCS; adopting new facility tiers for both audio and video IPCS; prohibiting providers from imposing any ancillary service charges on IPCS consumers; and prohibiting providers from making site commission payments associated with IPCS. In the *2024 IPCS Order,* the Commission also modified the scope and content of the annual reporting requirements to reflect the reforms adopted under the Martha Wright-Reed Act. The Commission expanded its annual reporting and certification requirements to include the full scope of services and providers now subject to the IPCS rules, as it had proposed in the *August 3, 2023 Public Notice.* The Commission also largely eliminated the sections of the annual reporting rules mandating the reporting of information on ancillary service charges and site commissions, to reflect the prohibitions of those items adopted in the *2024 IPCS Order.* Finally, the Commission reaffirmed and updated its prior delegation of authority to the Bureaus to revise the requirements for the Annual Reports, to reflect the Commission's expanded authority under the Martha Wright-Reed Act and the other actions taken in the *2024 IPCS Order,* and directed the Bureaus to pay particular attention to the video IPCS marketplace and the availability and usage of telecommunications relay service (TRS) in exercising this delegated authority.

Pursuant to this updated delegated authority, on September 11, 2024, the Bureaus released a Public Notice seeking to ''expand and refresh the record on revisions to the Annual Reports instructions, templates, and certification form, in addition to those proposed in the *August 3, 2023 Public Notice,* and to implement the modifications to the annual reporting and certification requirements adopted by the Commission in the *2024 IPCS Order.*'' *Incarcerated People's Communications Services; Implementation of the Martha Wright-Reed Act; Rates for Interstate Inmate Calling Services,* WC Docket Nos. 23–62 and 12–375, Public Notice, 89 FR 80449 (Oct. 3, 2024) (*September 11, 2024 Public Notice*). The Bureaus also sought comment on any additional modifications they should consider to make these forms consistent with the new rules, including the varied compliance dates adopted in the *2024 IPCS Order* for the Commission's rate cap and site commission reforms. The Bureaus received comments from IPCS providers and public interest advocates.

On January 8, 2025, the Bureaus released an Order in which they revised the instructions, reporting templates, and certification form for the Annual Reports that IPCS providers are required to submit. *Incarcerated People's Communications Services; Implementation of the Martha Wright-Reed Act; Rates for Interstate Inmate Calling Services,* WC Docket Nos. 23–62, 12–375, Order, 90 FR 11804 (Mar. 12, 2025). These revisions reflect the Commission's expanded authority under the Martha Wright-Reed Act, as well as the proposals contained in the *August 3, 2023 Public Notice* and *September 11, 2024 Public Notice,* and the reporting requirements proposed in the *August 3, 2023 Public Notice* regarding access to IPCS by persons with communication disabilities, including access to TRS. Significantly, the revisions greatly streamline and simplify much of the rate reporting that had been proposed in the *August 3, 2023 Public Notice* and eliminate most of the reporting of site commission and ancillary service charge data that had been proposed in that Notice.

With this Notice, we seek comment on the paperwork burdens associated with the specific revisions to the instructions, reporting templates, and certification form adopted in the *2025 Annual Reports Order.*

We note that on April 1, 2025, the Commission submitted for OMB review proposed revisions to this collection associated with the rules, other than the Annual Reports rule, that the Commission adopted in the *2024 IPCS Order. See Information Collections Being Submitted for Review and Approval to the Office of Management and Budget,* 90 FR 14370 (Apr. 1, 2025). On July 8, 2025, the Commission withdrew that request for OMB review. *See Incarcerated People's Communications Services (IPCS) Provider Annual Reporting, Certification, and Other Requirements,* WC Docket Nos. 23–62, 12–375, OMB Control No. 3060–1222, Notice of Action (July 8, 2025). *https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202503-3060-020.*

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2025–14092 Filed 7–24–25; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0627; FR ID 305021]

Information Collection Being Reviewed by the Federal Communications Commission Delegated Authority

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections.

Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection burden on small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written PRA comments should be submitted on or before September 23, 2025. If you anticipate that you will be submitting comments but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Cathy Williams, FCC, via email to *PRA@fcc.gov* and to *Cathy.Williams@fcc.gov.*

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Cathy Williams at (202) 418–2918.

SUPPLEMENTARY INFORMATION: *OMB Control Number:* 3060–0627.

Title: FCC Form 302–AM, Application for AM Broadcast Station License.

Form Number: FCC Form 302–AM.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities, not for profit institutions.

Number of Respondents and Responses: 380 respondents and 380 responses.

Estimated Time per Response: 4–20 hours.

Frequency of Response: On occasion reporting requirement.

Total Annual Burden: 2,800 hours.

Total Annual Cost: $5,684,350.

Obligation To Respond: Required to obtain or retain benefits. The statutory authority is contained in Sections 154(i), 303 and 308 of the Communications Act of 1934, as amended.

Needs and Uses: Licenses and permittees of AM broadcast stations are required to file FCC Form 302–AM to obtain a new or modified station license, and/or to notify the Commission of certain changes in the licensed facilities of these stations. Additionally, when changes are made to an AM station that alter the resistance of the antenna system, a licensee must initiate a determination of the operating power by the direct method. The results of this are reported to the Commission using the FCC 302–AM.

Federal Communications Commission.

Marlene Dortch,

Secretary.

[FR Doc. 2025–14019 Filed 7–24–25; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (Act) (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the applications are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at *https://www.federalreserve.gov/foia/request.htm.* Interested persons may express their views in writing on the standards enumerated in paragraph 7 of the Act.

Comments received are subject to public disclosure. In general, comments received will be made available without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would not be appropriate for public disclosure.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551–0001, not later than August 11, 2025.

A. Federal Reserve Bank of Minneapolis (Mark Nagle, Assistant Vice President) 90 Hennepin Avenue, Minneapolis, Minnesota 55480–0291. Comments can also be sent electronically to *MA@mpls.frb.org:*

1. *The Rivlin FFC Holdings Trust, Ann Rivlin as trustee, Joel Rivlin individually and as trustee, all of Madison, Wisconsin; the AM Rivlin FFC 2025 Irrevocable Family Trust, the TS Rivlin FFC 2025 Irrevocable Family Trust, Patricia Fishback as investment advisor to the trusts, all of Brookings, South Dakota;* to join the Fishback Family Control Group, a group acting in concert, to acquire voting shares of Fishback Financial Corporation and thereby indirectly acquire voting shares of First Bank & Trust, both of Brookings, South Dakota. Ann Rivlin and Patricia Fishback are members of the Fishback Family Control Group that were previously permitted by the Federal Reserve System to acquire voting shares of Fishback Financial Corporation in their individual capacities.

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,

Associate Secretary of the Board.

[FR Doc. 2025–14068 Filed 7–24–25; 8:45 am]

BILLING CODE P

GENERAL SERVICES ADMINISTRATION

[OMB Control No. 3090–0303; Docket No. 2025–0001; Sequence No. 9]

Submission for OMB Review; General Services Administration Acquisition Regulation; Federal Supply Schedule Solicitation Information

AGENCY: Office of Acquisition Policy, General Services Administration (GSA).

ACTION: Notice; request for public comments.

SUMMARY: Under the provisions of the Paperwork Reduction Act, the Regulatory Secretariat Division will be submitting to the Office of Management and Budget (OMB) a request to review and approve a revision of a previously approved information collection requirement regarding Federal Supply Schedule Solicitation Information.

DATES: Submit comments on or before: August 25, 2025.

ADDRESSES: Written comments and recommendations for this information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Mr. Thomas O'Linn, Procurement Analyst, General Services Acquisition Policy Division, GSA, by phone at 202–445–0390 or by email at *thomas.olinn@gsa.gov.*

SUPPLEMENTARY INFORMATION:

A. Purpose

This information requirement consists of information used by contracting officers awarding GSA Multiple Award Schedule (MAS) (also known as Federal Supply Schedule (FSS)) contracts in the review and evaluation of offers.

B. Annual Reporting Burden

The annual total annual public hour burden for this information collection is estimated to be 41,658 total hours. Annual reporting burdens include the estimated respondents with one (1) submission per respondent multiplied by preparation hours per response to get the total response burden hours.

GSAR clause 552.238–84, Discounts for Prompt Payment. This clause requests an offeror to identify in their offer any discounts for early payment.

Respondents: 1,590.
Responses per respondent: 1.
Total annual responses: 1,590.
Preparation hours per response: .50 (30 minutes).
Total response burden hours: 795.

GSAR clause 552.238–87, Delivery Prices. This clause requests an offeror to identify in their offer whether or not prices submitted cover delivery f.o.b. destination in Alaska, Hawaii, and the Commonwealth of Puerto Rico.

Respondents: 1,590.
Responses per respondent: 1.
Total annual responses: 1,590.
Preparation hours per response: .50 (30 minutes).
Total response burden hours: 795.

GSAR clause 552.238–95, Separate Charge for Performance Oriented Packaging (POP)**. This clause requests an offeror, if applicable, to identify any hazardous material item (*i.e.,* SIN or Descriptive Name of Article) being offered and the separate charge that applies.

Respondents: 1,590.
Responses per respondent: 1.
Total annual responses: 1,590.
Preparation hours per response: .50 (30 minutes).
Total response burden hours: 795.

GSAR clause 552.238–96, Separate Charge for Delivery within Consignee's Premises**. This clause requests an offeror, as applicable, to identify any separate charge(s) for shipping when the delivery is within the consignee's premises (inclusive of items that are comparable in size and weight).

Respondents: 1,590.
Responses per respondent: 1.
Total annual responses: 1,590.
Preparation hours per response: .50 (30 minutes).
Total response burden hours: 795.

GSAR clause 552.238–97, Parts and Service. This clause requests an offeror, if applicable, to include in their offer the names and addresses of all supply and service points maintained in the geographic area in which the offeror would perform under the GSA FSS contract (if awarded one). Additionally, requests an offeror to indicate whether or not a complete stock of repair parts for the items being offered is carried at that point, and whether or not mechanical service is available.

Respondents: 1,590.
Responses per respondent: 1.
Total annual responses: 1,590.
Preparation hours per response: .50 (30 minutes).
Total response burden hours: 795.

GSAR clause 552.238–99, Delivery Prices Overseas. This clause requests an offeror to identify the intended geographic area(s)/countries/zones which are covered by their offer.

Respondents: 1,590.
Responses per respondent: 1.
Total annual responses: 1,590.
Preparation hours per response: .50 (30 minutes).
Total response burden hours: 795.

GSAR clause 552.238–111, Environmental Protection Agency Registration Requirement**. This clause requests offerors, if applicable, to identify the manufacturer's and/or distributor's name and EPA Registration Number for each item offered that requires registration with the EPA.

Respondents: 1,590.
Responses per respondent: 1.
Total annual responses: 1,590.
Preparation hours per response: 1.0 (1 hr.).
Total response burden hours: 1,590.

** This clause applies to specific GSA MAS solicitation large categories.

GSAR provision 552.238–118, Single-use Plastic (SUP) Free Packaging Identification. The provision applies when the resulting contract includes supplies or products. The provision provides the option for offerors to submit information about SUP free brand packaging and SUP free shipping packaging.

Respondents: 1,590.
Responses per respondent: 1.
Total annual responses: 1,590.
Preparation hours per response: 2.1.
Total response burden hours: 3,339.

GSAR clause 552.238–119, Single-use Plastic (SUP) Free Packaging Availability. The clause provides the option for contractors to submit information about SUP free brand packaging and SUP free shipping packaging.

Respondents: 1,590.
Responses per respondent: 1.
Total annual responses: 1,590.
Preparation hours per response: 20.1.
Total response burden hours: 31,959.

C. Public Comments

A 60-day notice was published in the **Federal Register** at 90 FR 21929 on May 22, 2025. No comments were received.

Obtaining Copies of Proposals: Requesters may obtain a copy of the information collection documents from the General Services Administration, Regulatory Secretariat Division (MVCB), 1800 F Street NW, Washington, DC 20405, telephone 202–501–4755. Please cite OMB Control No. 3090–0303, Federal Supply Schedule Solicitation Information, in all correspondence.

Jeffrey A. Koses,

Senior Procurement Executive, Office of Acquisition Policy, Office of Government-wide Policy.

[FR Doc. 2025–14048 Filed 7–24–25; 8:45 am]

BILLING CODE 6820–61–P

GENERAL SERVICES ADMINISTRATION

[OMB Control No. 3090–0283; Docket No. 2025–0001; Sequence No. 11]

Submission for OMB Review; Contractor Information Worksheet; GSA Form 850

AGENCY: Office of Acquisition Policy, General Services Administration (GSA).

ACTION: Notice; request for comments.

SUMMARY: Under the provisions of the Paperwork Reduction Act, the Regulatory Secretariat Division will be submitting to the Office of Management and Budget (OMB) a request to review and approve an extension to the information collection requirement regarding the Contractor Information Worksheet; GSA Form 850.

DATES: Submit comments on or before: August 25, 2025.

ADDRESSES: Written comments and recommendations for this information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Mr. Thomas O'Linn, Procurement Analyst, General Services Acquisition Policy

Division, GSA, 202–445–0390 or email *gsarpolicy@gsa.gov.*

SUPPLEMENTARY INFORMATION:

A. Purpose

The U.S. Government conducts criminal checks to establish that applicants or incumbents working for the Government under contract may have unescorted access to federally controlled facilities. GSA uses GSA Form 850, Contractor Information Worksheet, and digitally captured fingerprints to conduct an FBI National Criminal Information Check (NCIC) for each contractor's physical access determination to GSA-controlled facilities and/or logical access to GSA-controlled information systems. Manual fingerprint card SF–87 is used for exception cases such as contractor's significant geographical distance from fingerprint enrollment sites.

The Office of Management and Budget (OMB) Guidance M–05–24 for Homeland Security Presidential Directive (HSPD) 12, authorizes Federal departments and agencies to ensure that contractors have limited/controlled access to facilities and information systems. GSA Directive CIO P 2181.1 Homeland Security Presidential Directive-12, Personal Identity Verification and Credentialing (available at *http://www.gsa.gov/hspd12*), states that GSA contractors must undergo a minimum of an FBI National Criminal Information Check (NCIC) to receive unescorted physical access to GSA-controlled facilities and/or logical access to GSA-controlled information systems.

Contractors' Social Security Number is needed to keep records accurate, because other people may have the same name and birth date. Executive Order 9397, Numbering System for Federal Accounts Relating to Individual Persons, also allows Federal agencies to use this number to help identify individuals in agency records.

B. Annual Reporting Burden

Respondents: 22,284.
Responses per Respondent: 1.
Total Annual Responses: 22,284.
Hours per Response: .25.
Total Burden Hours: 5,706.

C. Public Comments

A 60-day notice was published in the **Federal Register** at 90 FR 21929 on May 22, 2025. No comments were received.

Obtaining Copies of Proposals: Requesters may obtain a copy of the information collection documents from the GSA Regulatory Secretariat Division, by calling 202–501–4755 or emailing *GSARegSec@gsa.gov.* Please cite OMB Control No. 3090–0283, Contractor Information Worksheet; GSA Form 850 in all correspondence. The form can be downloaded from the GSA Forms Library at *http://www.gsa.gov/forms.* Type GSA 850 in the form search field.

Jeffrey A. Koses,

Senior Procurement Executive, Office of Acquisition Policy, Office of Government-wide Policy.

[FR Doc. 2025–14047 Filed 7–24–25; 8:45 am]

BILLING CODE 6820–61–P

GENERAL SERVICES ADMINISTRATION

[OMB Control No. 3090–0308; Docket No. 2025–0001; Sequence No. 13]

Submission for OMB Review; General Services Administration Acquisition Regulation; Construction-Manager-as-Constructor Contracting

AGENCY: Office of Acquisition Policy, General Services Administration (GSA).

ACTION: Notice; request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, and the Office of Management and Budget (OMB) regulations, GSA invites the public to comment on an extension of a previously approved information collection requirement regarding OMB Control No. 3090–0308, Construction-Manager-as-Constructor Contracting.

DATES: Submit comments on or before August 25, 2025.

ADDRESSES: Written comments and recommendations for this information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Ms. Amy Lara, 816–589–3783, General Services Acquisition Policy Division, by email at *gsarpolicy@gsa.gov.*

SUPPLEMENTARY INFORMATION:

A. Purpose

The information collected is used by PBS to evaluate construction-related actions for approval of the contracting officer as required by the contract. As this information is still currently required, GSA seeks to have this information collection extended for three years.

B. Annual Reporting Burden

Public reporting burden for GSAR 552.236–72, *Submittals,* is estimated to average .50 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The annual reporting burden is estimated as follows:

Respondents: 995.
Responses per respondent: 5.
Total annual responses: 4,975.
Preparation hours per response: .50.
Total response burden hours: 2,488.

C. Public Comments

A 60-day notice was published in the **Federal Register** at 90 FR 21931, on May 22, 2025. No comments were received.

Obtaining Copies of Proposals: Requesters may obtain a copy of the information collection documents from the GSA Regulatory Secretariat Division, by calling 202–501–4755 or emailing *GSARegSec@gsa.gov.* Please cite OMB Control No. 3090–0308, Construction-Manager-as-Constructor Contracting, in all correspondence.

Jeffrey A. Koses,

Senior Procurement Executive, Office of Acquisition Policy, Office of Government-wide Policy.

[FR Doc. 2025–14049 Filed 7–24–25; 8:45 am]

BILLING CODE 6820–61–P

GENERAL SERVICES ADMINISTRATION

[Notice–Q–2025–01; Docket No. 2025–0002; Sequence No. 14]

Federal Secure Cloud Advisory Committee Notification of Upcoming Meeting

AGENCY: Federal Acquisition Service (Q), General Services Administration (GSA).

ACTION: Meeting notice.

SUMMARY: As stipulated by the Federal Advisory Committee Act (FACA), as amended, GSA is hereby giving notice of one (1) open public meeting of the Federal Secure Cloud Advisory Committee (FSCAC). Information on attending and providing public comment is under the **SUPPLEMENTARY INFORMATION** section.

DATES: The open public meeting will be held virtually on Thursday, August 14, 2025, from 1:30 p.m. to 4:00 p.m., Eastern Time (ET).

ADDRESSES: The meeting will be accessible via webcast. Registration is required and will be made available prior to the meeting online at *https://gsa.gov/fscac,* by selecting the ''Federal Secure Cloud Advisory Committee

meetings'' tab on the left, and then selecting the ''August 14, 2025—Virtual'' meeting accordion in order to view all meeting materials, agendas, and registration information. Registrants will receive the webcast information before the meeting.

FOR FURTHER INFORMATION CONTACT: Ryan Hoesing, Designated Federal Officer (DFO), FSCAC, GSA, 202–577–1938, *fscac@gsa.gov.*

SUPPLEMENTARY INFORMATION:

Background

GSA, in compliance with the FedRAMP Authorization Act of 2022 (the Act), established the FSCAC, a statutory advisory committee in accordance with the provisions of FACA, as amended (5 U.S.C. 10). The Federal Risk and Authorization Management Program (FedRAMP) within GSA is responsible for providing a standardized, reusable approach to security assessment and authorization for cloud computing products and services that process unclassified information used by agencies.

The FSCAC will provide advice and recommendations to the Administrator of GSA and the FedRAMP Director, the FedRAMP Board, and agencies on technical, financial, programmatic, and operational matters regarding the secure adoption of cloud computing products and services. The FSCAC will ensure effective and ongoing coordination of agency adoption, use, authorization, monitoring, acquisition, and security of cloud computing products and services to enable agency mission and administrative priorities. The purposes of the Committee are:

- To examine the operations of FedRAMP and determine ways that authorization processes can continuously be improved, including the following:
  - Measures to increase agency reuse of FedRAMP authorizations.
  - Proposed actions that can be adopted to reduce the burden, confusion, and cost associated with FedRAMP authorizations for cloud service providers (CSPs).
  - Measures to increase the number of FedRAMP authorizations for cloud computing products and services offered by small businesses concerns (as defined by section 3(a) of the Small Business Act (15 U.S.C. 632(a)).
  - Proposed actions that can be adopted to reduce the burden and cost of FedRAMP authorizations for agencies.
- Collect information and feedback on agency compliance with, and implementation of, FedRAMP requirements.
- Serve as a forum that facilitates communication and collaboration among the FedRAMP stakeholder community.

The FSCAC will meet no fewer than three (3) times a calendar year. Meetings shall occur as frequently as needed, called, and approved by the DFO.

Purpose of the Meeting and Agenda

The August 14, 2025, public meeting will be dedicated to advice and recommendations for reducing the burden and cost of managing Plans of Action and Milestones (POA&Ms) for cloud services and agencies and to develop recommendations for an updated standard. FSCAC is to propose key elements of this standard by addressing at least the following questions:

1. What are the major pain points with the current POA&M implementation for CSPs and agencies?
2. What are the security gaps and increased risks (including missed opportunities) that result from the current model?
3. What are the benefits of the current model?
4. What would a new set of POA&M requirements for FedRAMP that addresses the major pain points, and gaps while maintaining or increasing the benefits of such a process for all parties look like?

Members of the public will have the opportunity to provide oral public comments during this meeting, and may also submit public comments in writing prior to this meeting by completing the public comment form on our website, *https://gsa.gov/fscac.* The meeting agenda will be posted on *https://gsa.gov/fscac* prior to the meeting and can be accessed by selecting the ''Federal Secure Cloud Advisory Committee meetings'' tab on the left, and then selecting the ''August 14, 2025—Virtual'' meeting accordion in order to view all meeting materials, agendas, and registration information.

Meeting Attendance

This virtual meeting is open to the public. The meeting materials, registration information, and agendas for the meetings will be made available prior to the meetings online at *https://gsa.gov/fscac,*by selecting the ''Federal Secure Cloud Advisory Committee meetings'' tab on the left, and then selecting the ''August 14, 2025—Virtual'' meeting accordion. Registration for attending the virtual meeting on Thursday, August 14, 2025, is highly encouraged by 5:00 p.m. EST, on Monday, August 11, 2025. After registration, individuals will receive instructions on how to attend the meeting via email.

For information on services for individuals with disabilities, or to request accommodation for a disability, please email the FSCAC staff at *FSCAC@gsa.gov* at least 10 days prior to the meeting date. Live captioning will be provided virtually.

Public Comment

Members of the public attending will have the opportunity to provide oral public comment during the FSCAC meeting. Written public comments can be submitted at any time by completing the public comment form on our website, *https://gsa.gov/fscac,* located under the ''Get Involved'' section. All written public comments will be provided to FSCAC members in advance of the meeting if received by Wednesday, August 6, 2025, for the Thursday, August 14, 2025, meeting.

Stephanie Shutt,

Chief of Staff, Federal Acquisition Service, General Services Administration.

[FR Doc. 2025–14078 Filed 7–24–25; 8:45 am]

BILLING CODE 6820–34–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

[CFDA Number: 93.568]

Proposed Reallotment of Fiscal Year 2024 Funds for the Low Income Home Energy Assistance Program

AGENCY: Office of Community Services (OCS), Administration for Children and Families (ACF), Department of Health and Human Services (HHS).

ACTION: Notice for public comment.

SUMMARY: ACF OCS announces a preliminary determination that funds from the federal fiscal year 2024 (FY24) Low Income Home Energy Assistance Program (LIHEAP) are available for reallotment to states, territories, tribes, and tribal organizations that received FY25 direct LIHEAP awards. The purpose of this proposed action is to redistribute FY24 annual LIHEAP funds that recipients were unable to obligate or carry over to FY25. No sub-recipients of these recipients or other entities may apply for these funds.

DATES: Comments are due by: August 25, 2025.

ADDRESSES: Comments may be submitted to: Raessa Singh, Senior Advisor, Office of Community Services, Administration for Children and

Families, 330 C Street SW, 5th Floor; Mail Room 5425; Washington, DC 20201 or via email: *raessa.singh@acf.hhs.gov*.

FOR FURTHER INFORMATION CONTACT: Kate Thomas, Energy Assistance Program Specialist, Office of Community Services, 330 C Street SW, 5th Floor; Mail Room 5425; Washington, DC 20201. Telephone: 202–690–5737; email: *kate.thomas@acf.hhs.gov*.

SUPPLEMENTARY INFORMATION: After receiving Carryover and Reallotment Reports (CRRs), ACF has determined that $2,425,645 in FY24 LIHEAP funds may be available for reallotment for FY25. This determination was based on the reports of unobligated balances of 22 recipients. LIHEAP recipients submitted the FY24 CRRs to OCS, as required by regulations applicable to LIHEAP at 45 CFR 96.81(b).

The LIHEAP statute allows recipients who have funds unobligated at the end of the FY to request permission to carry over up to 10 percent of their full-year allotments to the next FY (42 U.S.C. 8626(b)(2)). Funds in excess of this amount must be returned to the U.S. Department of Health and Human Services and are subject to reallotment under 42 § U.S.C. 8626(b)(1).

In accordance with 42 U.S.C. 8626(b)(3), beginning the week of May 19, 2025, ACF began notifying each of the 22 recipients with unobligated funds above their carryover caps. In these notices, ACF informed each recipient of the amount that, according to the recipients' reports, the recipient needed to return for de-obligation and redistribution to FY25 recipients as part of the reallotment. It also gave each recipient 30 calendar days to provide comments directly to ACF.

All LIHEAP recipients that receive a portion of these funds will be notified of the final reallotment amount redistributed to them for FY25. This decision will also be published in the **Federal Register**.

The FY24 LIHEAP funds ACF preliminarily expects to become available for reallotment determination, come from the following recipients in the following amounts:

Name of recipient that has funds to be returned for reallotment	Preliminary amount available for reallotment [1]
Alaska	$487,444
District of Columbia	21,181
Idaho	530,976
Michigan	477,229
Nebraska	371,160
Bishop Paiute	4,736
Chuathbaluk Traditional Council	23,027
Conf. Tribes of Warm Springs	19,514
Cow Creek Band of Umpqua Indians	3,667
Fort Sill Apache Tribe	1,106
Hoh Tribe	7,614
Jicarilla Apache Tribe	27,714
Little River Band of Ottawa Indians	7,586
Nanticoke Lenni-Lenape Tribal Nation	58,113
Nooksack Indian Tribe	11,038
Orutsararmuit Native Council	268,644
Passamaquoddy Tribe—Pleasant Point	14,674
Quapaw Tribe	3,942
Quileute Tribe	49,452
Round Valley	26,850
Sac & Fox Tribe of Oklahoma	9,451
Samish Tribe	527
Total	2,425,645

[1] Preliminary funds for reallotment consist of the funds in excess of LIHEAP's 10 percent carryover cap that 22 recipients indicated on the CRRs as unobligated. This amount to be reconciled with recipients' Federal Financial Report (FFR) reports and PMS amounts. Final reallocation amounts will differ once reconciled.

If funds are realloted, they will be allocated in accordance with 42 U.S.C. 8623 and must be treated by LIHEAP recipients as funds appropriated for FY25. As FY25 funds, they will be subject to all requirements of the LIHEAP statute, including 42 U.S.C. 8626(b)(2), which requires that a recipient obligate at least 90 percent of its total block grant allocation for a FY by the end of the FY for which the funds are appropriated; that is, by September 30, 2025. Furthermore, recipients that receive these funds may use these funds for any purpose authorized under LIHEAP and must add them to their total LIHEAP funds payable for FY25 for purposes of calculating statutory caps on administrative costs, carryover, Assurance 16 activities, and weatherization assistance.

Additionally, all recipients of these funds must (1) ensure that these funds are included in the amounts on Lines 1.1 of their FY24 CRRs; (2) reconcile these funds, to the extent that they received them, on their corresponding FFRs; and (3) record, on their FY25 Household Reports, households that receive benefits at least partly from these funds. State recipients must also ensure that these funds are included in the Grantee Survey sections of their FY25 LIHEAP Performance Data Forms.

Statutory Authority: 42 U.S.C. 8626(b).

Anthony Petruccelli,

Senior Grants Policy Specialist, Office of Grants Policy, Office of Administration.

[FR Doc. 2025–14086 Filed 7–24–25; 8:45 am]

BILLING CODE 4184–80–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2025–N–1793]

DEPARTMENT OF AGRICULTURE

Ultra-Processed Foods; Request for Information

AGENCY: Food and Drug Administration (FDA), U.S. Department of Health and Human Services (HHS); U.S. Department of Agriculture (USDA).

ACTION: Notice; request for information.

SUMMARY: FDA and USDA (we) are requesting data and information to help develop a uniform definition of ultra-processed foods (UPF or UPFs) for human food products in the U.S. food supply. A uniform UPF definition, developed as part of a joint effort by federal agencies, would allow for consistency in research and policy to pave the way for addressing health concerns associated with the consumption of UPFs.

DATES: Either electronic or written comments on the notice must be submitted by September 23, 2025.

ADDRESSES: You may submit comments and information as follows. Please note that late, untimely filed comments will not be considered. The *https://www.regulations.gov* electronic filing system will accept comments until 11:59 p.m. Eastern Time at the end of September 23, 2025. Comments received by mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are received on or before that date.

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a

third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*

• If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

• *Mail/Hand delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

• For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2025–N–1793 for ''Ultra-Processed Foods; Request for Information.'' Received comments, those filed in a timely manner (see **ADDRESSES**), will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240–402–7500.

• Confidential Submissions—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' We will review this copy, including the claimed confidential information, in our consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf.*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240–402–7500.

FOR FURTHER INFORMATION CONTACT:

FDA: Claudine Kavanaugh, Office of Nutrition and Food Labeling, Human Foods Program, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 301–796–4647; or Meadow Platt, Office of Policy, Regulations, and Information, Human Foods Program, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240–402–2378.

USDA: Eve Stoody, Food and Nutrition Service, United States Department of Agriculture, 1320 Braddock Place, Alexandria, VA 22314, 703–305–2062.

SUPPLEMENTARY INFORMATION:

I. Background

The United States faces a growing epidemic of preventable diet-related chronic diseases, such as cardiovascular disease, and type 2 diabetes, which are leading causes of death and disability in the U.S. (Ref. 1). Improving nutrition is therefore one of the most important public health interventions for reducing chronic illnesses and premature death, and for helping make Americans healthier.

Over the last decade, concerns have grown significantly about the increased availability and consumption of foods that researchers have termed ''ultra-processed.'' Researchers have found links between consumption of these foods and a range of negative health outcomes, including cardiovascular disease, obesity, and certain cancers (see, *e.g.,* Refs. 2, 3, 4). Consumption of these foods may also be associated with lower diet quality, increased caloric intake, and the intake of food additives (see, *e.g.,* Refs. 5, 6, 7). Some researchers have estimated that more than half of calories consumed by adults and children in the U.S. are from foods that the researchers classified as ultra-processed (Refs. 8, 9).

In May 2025, the President's Make America Healthy Again (MAHA) Commission released ''The MAHA Report: Make Our Children Healthy Again: Assessment'' (MAHA Report) (Ref. 7). Among other topics, the MAHA Report highlights the prevalence of certain processed foods in the U.S. food system and notes the health concerns associated with their consumption (Ref. 7; see also Refs. 8, 9). FDA and the National Institutes of Health (NIH) have also announced plans to invest in gold standard science through the new NIH–FDA Nutrition Regulatory Science Program to help better understand how and why consumption of ultra-processed foods can harm people's health (Ref. 10).

There is no single, universally accepted definition of UPFs, and the definition of such foods has varied considerably over time (see, *e.g.,* Ref. 11). Classification systems may use either the terms ''ultra-processed'' or ''highly processed,'' and the classification of a food can vary between systems due to differing approaches to the definition (Refs. 12, 13).

The most common classification, developed by Brazilian researchers in 2009, is the ''Nova'' system (Ref. 14). In its latest iteration, the Nova system classifies foods into four food categories: group 1, unprocessed or minimally processed foods; group 2, processed culinary ingredients; group 3, processed foods; and group 4, ultra-processed foods (Ref. 15). The Nova system identifies ultra-processed foods (group 4) based on multiple factors; these factors include things like the use of certain ingredients and substances (such as emulsifiers, bulking agents, or thickeners), industrial processing technologies, as well as sophisticated packaging, that result in a palatable and appealing product (Refs. 15, 16, 17).

However, concerns have been raised about the full ability of UPF classification systems to accurately capture the characteristics of UPFs that may impact health. For example, on one hand, there is overlap between foods considered to be ultra-processed and foods that are high in added sugars, sodium, and saturated fat, which independently are recommended to be limited by the *Dietary Guidelines for Americans, 2020–2025* (Refs. 6, 18). Foods commonly considered to be ultra-processed encompass a broad range of industrially processed foods, such as soft drinks and many packaged snacks.

On the other hand, foods considered to be ultra-processed may also include foods such as whole grain products or yogurt, which are known to have beneficial effects on health and are recommended as part of healthy dietary patterns (see Ref. 18). It is important therefore to consider unintended consequences of an overly-inclusive definition of UPFs that could discourage intake of potentially beneficial foods.

Recently, some U.S. states have sought to establish their own definitions of ''ultra-processed foods,'' with proposed definitions varying. These proposed state definitions include, among others:

- Proposals to define UPFs as foods that include substances intended to have a certain effect on food (such as stabilizers and thickeners, coloring or flavoring agents) (see, *e.g.,* Pennsylvania, 2025 Bill Text PA H.B. 1132; California, 2025 Bill Text CA A.B. 1264);
- Proposals to define UPFs as foods that have undergone certain processing steps (such as hydrogenation of oils or hydrolysis of proteins) (see, *e.g.,* Massachusetts, 2025 Bill Text MA H.B. 539); and
- Proposals to define UPFs as foods that include one of anywhere between 10 and 15 listed ingredients (see, *e.g.,* Florida, 2025 Bill Text FL S.B. 1826 (seeking to define UPFs as foods that include one of 11 listed ingredients); Louisiana, 2025 Bill Text LA S.B. 117 (seeking to define UPFs as foods that include one of 15 listed ingredients); North Carolina, 2025 Bill Text NC H.B. 874 (seeking to define UPFs as foods that include one of 11 listed ingredients); Arkansas, 2025 Bill Text AR H.B. 1962 (seeking to define UPFs as foods that contain one of 10 listed ingredients); Alabama, 2025 Bill Text AL H.B. 580 (seeking to define UPFs as foods that contain one of 11 listed ingredients); South Carolina, 2025 Bill Text SC S.B. 589 (seeking to define UPFs as foods that contain one of 11 listed ingredients); Kentucky, 2025 Bill Text KY H.B. 439 (seeking to define UPFs as foods that contain one of 11 listed ingredients)).

Additionally, some third-party organizations are starting to develop their own definitions for UPFs.

There is a clear need for a uniform definition of UPFs to allow for consistency in research and policy. With this Request for Information, we seek data and information that would enable us, as part of a joint federal agency effort, to define UPFs.

II. Issues for Consideration and Request for Information

We invite comment on the questions below. Please explain your answers and provide references and data, if possible. To the extent that you rely on an existing definition of UPFs (or a facet of such definition) to inform your responses, please state which specific definition it is.

(1) What, if any, existing classification systems or policies should we consider in defining UPFs? What are the advantages and challenges in applying these systems (or aspects of them) to classify a food as ultra-processed? What are characteristics that would or would not make a given system (or aspect of the system) particularly suitable for the U.S. food supply? Please provide supporting data and explain your rationale in your response.

(2) FDA-required ingredient labeling provides important information to consumers about what is in packaged foods. The ingredient declaration on a food label lists each ingredient by its common or usual name (21 CFR 101.4(a)(1)). This ingredient name sometimes provides information on specific forms of the ingredient used, such as ''flour'' versus ''whole grain flour.'' Additionally, ingredients are declared in descending order of predominance by weight (21 CFR 101.4(a)), which may help a consumer determine the relative proportion of whole versus processed ingredients. For certain types of ingredients, such as flavorings, colorings, and chemical preservatives, labeling must also provide the function of the ingredient (see 21 CFR 101.22). The following questions focus on the ingredient list on the labeling of packaged foods.

a. In considering ingredients that appear toward the beginning of an ingredient list (that is, ingredients that likely form most of a finished food by weight), what types of ingredients (*e.g.,* ingredients that may share a similar composition, function, or purpose) might be used to characterize a food as ultra-processed? Please provide supporting data and explain your rationale in your response.

b. Ingredients that appear toward the end of an ingredient list may contribute minimally to the overall composition and weight of a finished food (for example, ingredients may sometimes be listed as containing 2% or less by weight of the finished food (21 CFR 101.4(a)(2))). What types of these less prominent ingredients (*e.g.,* ingredients that may share a similar composition, function, or purpose) might be used to characterize a food as ultra-processed?

Further, ingredients that function as flavorings are either natural flavors or artificial flavors; colorings are either certified (for instance, ''FD&C Red No. 40'') or non-certified (for instance, ''colored with beet juice'') (21 CFR 101.22). Should these various types of flavors and colors be considered separately when characterizing a food as ultra-processed? Please provide supporting data and explain your rationale in your response.

c. To what extent, if any, should the relative amount of an ingredient used in a food influence whether the food should be characterized as ultra-processed? Please provide supporting data and explain your rationale in your response.

d. What, if any, other ingredients or ingredient-related criteria not discussed previously should or should not be used to characterize a food as ultra-processed? Please provide supporting data and explain your rationale in your response.

(3) FDA defines ''manufacturing/processing,'' in part, to mean making food from one or more ingredients, or synthesizing, preparing, treating, modifying, or manipulating food, including food crops or ingredients (21 CFR 117.3; see also 21 U.S.C. 321(gg) for the statutory definition of ''processed food''). Certain FDA regulations, such as standards of identity, may prescribe methods of production or formulation (see, *e.g.,* 21 CFR part 133). Processing of a food is often achieved by a combination of physical, biological, and chemical methods; however, while processing information is sometimes found on food labeling, manufacturers are not always required to disclose processing information on food labeling. The following questions focus on the processing of an ingredient or a mixture of ingredients into the finished food and whether certain processing methods may contribute to a food being considered ultra-processed.

a. Processing a food through physical means may include cutting, extracting juice by an application of force, heating, freezing, extrusion, and other physical manipulations. What physical processes might be used to characterize a food as ultra-processed? Please provide supporting data and explain your rationale in your response.

b. Processing a food through biological means may include non-alcoholic fermentations of the food by microorganisms (for example, bacteria and yeasts), enzymatic treatment, and other biological manipulations. What biological processes might be used to characterize a food as ultra-processed?

Please provide supporting data and explain your rationale in your response.

c. Processing a food through chemical means may include pH adjustment and other chemical manipulations. What chemical processes might be used to characterize a food as ultra-processed? Please provide supporting data and explain your rationale in your response.

d. What, if any, other processing-related techniques should or should not be used to characterize a food as ultra-processed? Please provide supporting data and explain your rationale in your response.

(4) Is the term ''ultra-processed'' the best term to use, or is there other terminology that would better capture the concerns associated with these products? If there is another term to consider, please name and define that term and provide specific scenarios and citations (if available) to support its use.

(5) FDA and USDA are aware of ongoing research on nutrition and other attributes relating to the health outcomes associated with consumption of UPFs. As noted in the background, FDA is also initiating a joint effort with NIH to answer questions such as how and why UPFs can harm people's health.

a. In considering nutritional attributes (such as information presented on the Nutrition Facts label), to what extent, if any, and how, should nutritional composition or the presence of certain nutrients be incorporated in a definition of UPFs? Please provide supporting data and explain your rationale in your response.

b. What other attributes, such as energy density or palatability, might be used to characterize a food as ultra-processed? Please provide supporting data and explain your rationale in your response. If relevant to your answer, please also provide suggestions on how these attributes can be measured and/or potentially be incorporated into a definition of UPFs, if they are not readily apparent on the food labeling.

(6) FDA and USDA are exploring whether and how to incorporate various factors, such as the ones discussed in the questions above, into a uniform definition of UPFs. How might these factors be integrated in the classification of a food as ultra-processed in a way that can be systematically measured and applied to foods sold in the U.S.? And what considerations should be taken into account in incorporating such a classification in food and nutrition policies and programs?

III. References

The following references marked with an asterisk (*) are on display at the Dockets Management Staff (see **ADDRESSES**) and are available for viewing by interested persons between 9 a.m. and 4 p.m., Monday through Friday; they also are available electronically at *https://www.regulations.gov.* References without asterisks are not on public display at *https://www.regulations.gov* because they have copyright restriction. Some may be available at the website address, if listed. References without asterisks are available for viewing only at the Dockets Management Staff. Although FDA verified the website addresses in this document, please note that websites are subject to change over time.

* 1. Murphy, S.L., Kochanek, K.D., et al., ''Mortality in the United States, 2023.'' *NCHS Data Brief,* No. 521. Hyattsville, MD: National Center for Health Statistics. 2024. Accessed June 6, 2025. Available at *https://stacks.cdc.gov/view/cdc/170564.*

2. Lane M.M., Davis, J.A., et al., ''Ultraprocessed food and chronic noncommunicable diseases: a systematic review and meta-analysis of 43 observational studies.'' *Obesity Reviews.* 2021;22(3):e13146. Accessed June 6, 2025. Available at *https://doi.org/10.1111/obr.13146.*

3. Cordova R., Viallon, V., et al., ''Consumption of ultra-processed foods and risk of multimorbidity of cancer and cardiometabolic diseases: a multinational cohort study.'' *Lancet Regional Health Europe.* 2023;35:100. Accessed June 6, 2025. Available at *https://www.thelancet.com/journals/lanepe/article/PIIS2666-7762(23)00190-4/fulltext.*

4. Lane M.M., Gamage, E., et al., ''Ultra-processed food exposure and adverse health outcomes: umbrella review of epidemiological meta-analyses.'' *BMJ.* 2024;384:e077310. Accessed June 6, 2025. Available at *https://doi.org/10.1136/bmj-2023-077310.*

5. Hall, K.D., Ayuketah, A., et al., ''Ultra-Processed Diets Cause Excess Calorie Intake and Weight Gain: An Inpatient Randomized Controlled Trial of Ad Libitum Food Intake.'' *Cell Metabolism.* 2019; 30:67–77. Accessed June 2, 2025. Available at: *https://doi.org/10.1016/j.cmet.2019.05.008.*

6. Popkin, B., Miles, D., et al., ''A policy approach to identifying food and beverage products that are ultra-processed and high in added salt, sugar and saturated fat in the United States: a cross-sectional analysis of packaged foods,'' *The Lancet Regional Health—Americas.* 2024; 32: 100713. Accessed June 2, 2025. Available at *https://doi.org/10.1016/j.lana.2024.100713.*

* 7. Make America Healthy Again Commission, ''The MAHA Report: Make Our Children Healthy Again,'' The White House. 2025. Accessed June 2, 2025. Available at *https://www.whitehouse.gov/maha/.*

8. Juul, F., Parekh, N., Martinez-Steele, E., et al., ''Ultra-processed food consumption among US adults from 2001 to 2018,'' *The American Journal of Clinical Nutrition.* 2022; 115: 211–221. Accessed June 2, 2025. Available at *https://doi.org/10.1093/ajcn/nqab305.*

9. Wang, L., Martinez-Steele, E., et al., ''Trends in Consumption of Ultraprocessed Foods Among US Youths Aged 2–19 Years, 1999–2018,'' *Journal of the American Medical Association.* 2021; 326(6):519–530. Accessed June 2, 2025. Available at *https://doi.org/10.1001/jama.2021.10238.*

* 10. U.S. Food and Drug Administration and National Institutes for Health (NIH). ''FDA and NIH Announce Innovative Joint Nutrition Regulatory Science Program.'' Accessed June 2, 2025. Available at *https://www.fda.gov/news-events/press-announcements/fda-and-nih-announce-innovative-joint-nutrition-regulatory-science-program.*

11. Gibney, M.J., ''Ultra-Processed Foods: Definitions and Policy Issues.'' *Current developments in nutrition.* 2019; 3:nzy077. Accessed June 2, 2025. Available at *https://doi.org/10.1093/cdn/nzy077.*

12. Crino, M., Barakat T., et al., ''Systematic Review and Comparison of Classification Frameworks Describing the Degree of Food Processing,'' *Nutrition and Food Technology.* 2017; 3(1). Accessed June 2, 2025. Available at *http://dx.doi.org/10.16966/2470-6086.138.*

13. de Araújo, T.P., de Moraes, M.M., et al., ''Food Processing: Comparison of Different Food Classification Systems,'' *Nutrients.* 2022; 14: 729. Accessed June 2, 2025. Available at *https://doi.org/10.3390/nu14040729.*

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15. Monteiro, C.A., Cannon, G., et al., ''Ultra-processed foods, diet quality, and health using the NOVA classification system,'' *Food and Agriculture Organization of the United Nations.* 2019. Accessed June 5, 2025. Available at *https://openknowledge.fao.org/bitstreams/5277b379-0acb-4d97-a6a3-602774104629/download.*

16. Monteiro, C.A., Cannon, G., et al., ''Ultra-Processed Foods: What They Are and How to Identify Them.'' *Public Health Nutrition.* 2019; 22: 936–941. Accessed June 2, 2025. Available at *https://doi.org/10.1017/S1368980018003762.*

17. Monteiro C.A., Cannon G., et al., ''The UN Decade of Nutrition, the NOVA food classification and the trouble with ultra-processing,'' *Public Health Nutrition.* 2018; 21(1):5–17. Accessed June 2, 2025. Available at *https://doi.org/10.1017/s1368980017000234.*

* 18. U.S. Department of Agriculture and U.S. Department of Health and Human Services. *Dietary Guidelines for Americans, 2020–2025.* 9th ed. 2020. Accessed June 2, 2025. Available at

https://www.dietaryguidelines.gov/sites/default/files/2020-12/Dietary_Guidelines_for_Americans_2020-2025.pdf.

Robert F. Kennedy, Jr.,

Secretary, U.S. Department of Health and Human Services.

Brooke L. Rollins,

Secretary, U.S. Department of Agriculture.

[FR Doc. 2025–14089 Filed 7–24–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Cancellation of Meeting

Notice is hereby given of the cancellation of the Center for Scientific Review Special Emphasis Panel, Program Projects: NIA Program Project Applications (P01) Review, August 12, 2025, 9:00 a.m. to August 12, 2025, 12:00 p.m., National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 which was published in the **Federal Register** on July 2, 2025, 90 FR 29030, Doc number 29030–29031.

The meeting is cancelled due to the re-assignment of applications.

Dated: July 22, 2025.

Sterlyn H. Gibson,

Program Specialist, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–14008 Filed 7–24–25; 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 contract proposals and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; In Vitro Assessments of Antimicrobial Activity (IVAAA) N01–Task Area B: Viruses.

Date: August 27–29, 2025.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate contract proposals.

Address: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Dylan P. Flather, Ph.D., Scientific Review Officer, National Institutes of Health, Hamilton, MT 59840, (406) 802–6209, *dylan.flather@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Institutional Research Training in Neurosciences (T32/T35).

Date: September 23–24, 2025.

Time: 9:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Anita T. Tandle, Ph.D., Scientific Review Officer, Division of Extramural Activities, Scientific Review Branch, National Institute on Aging, NIH, 5601 Fishers Lane, Suite 8B, Rockville, MD 20892, (240) 204–0329, *tandlea@mail.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: July 22, 2025.

Sterlyn H. Gibson,

Program Specialist, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–14011 Filed 7–24–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[OMB Control Number 1615–0105]

Agency Information Collection Activities; Revision of a Currently Approved Collection: Notice of Entry of Appearance as Attorney or Accredited Representative

AGENCY: U.S. Citizenship and Immigration Services, Department of Homeland Security.

ACTION: 60-Day notice.

SUMMARY: The Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) invites the general public and other Federal agencies to comment upon this proposed revision of a currently approved collection of information. In accordance with the Paperwork Reduction Act (PRA) of 1995, the information collection notice is published in the **Federal Register** to obtain comments regarding the nature of the information collection, the categories of respondents, the estimated burden (*i.e.,* the time, effort, and resources used by the respondents to respond), the estimated cost to the respondent, and the actual information collection instruments.

DATES: Comments are encouraged and will be accepted for 60 days until September 23, 2025.

ADDRESSES: All submissions received must include the OMB Control Number 1615–0105 in the body of the letter, the agency name and Docket ID USCIS–2008–0037. Submit comments via the Federal eRulemaking Portal website at *https://www.regulations.gov* under e-Docket ID number USCIS–2008–0037.

FOR FURTHER INFORMATION CONTACT: USCIS, Office of Policy and Strategy, Regulatory Coordination Division, John R. Pfirrmann-Powell, Acting Chief, telephone number (240) 721–3000 (This is not a toll-free number. Comments are not accepted via telephone message). Please note contact information provided here is solely for questions regarding this notice. It is not for individual case status inquiries. Applicants seeking information about the status of their individual cases can check Case Status Online, available at the USCIS website at *https://www.uscis.gov,* or call the USCIS Contact Center at 800–375–5283 (TTY 800–767–1833).

SUPPLEMENTARY INFORMATION:

Comments

You may access the information collection instrument with instructions or additional information by visiting the Federal eRulemaking Portal site at: *https://www.regulations.gov* and entering USCIS–2008–0037 in the search box. Comments must be submitted in English, or an English translation must be provided. All submissions will be posted, without change, to the Federal eRulemaking Portal at *https://www.regulations.gov,* and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to consider limiting the amount of personal information that you provide in any voluntary submission you make to DHS. DHS may withhold information provided in comments from public viewing that it determines may impact the privacy of an individual or is offensive. For additional information,

please read the Privacy Act notice that is available via the link in the footer of *https://www.regulations.gov.*

Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Revision of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Notice of Entry of Appearance as Attorney or Accredited Representative; Notice of Entry of Appearance as Attorney in Matters Outside the Geographical Confines of the United States.

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* G–28; G–28I; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* Business or other for-profit. The data collected via the G–28 information collection instruments is used by DHS to determine eligibility of the individual to appear as a representative. Form G–28 is used by attorneys admitted to practice in the United States and accredited representatives of charitable organizations recognized by the Board of Immigration Appeals. Form G–28I is used by attorneys admitted to the practice of law in countries other than the United States and only in matters in DHS offices outside the geographical confines of the United States. If the representative is eligible, the form is filed with the case and the information is entered into DHS systems.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated total number of respondents for the information collection G–28 (paper filed) is 4,181,229 and the estimated hour burden per response is 0.833 hours; the estimated total number of respondents for the information collection G–28 (online filed) is 464,581 and the estimated hour burden per response is 0.667 hours; the estimated total number of respondents for the information collection G–28I (paper filed) is 31,362 and the estimated hour burden per response is 0.7 hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The estimated total annual hour burden associated with this collection is 3,814,793 hours.

(7) *An estimate of the total public burden (in cost) associated with the collection:* The estimated total annual cost burden associated with this collection of information is $0. Individual forms where the USCIS Form G–28 is filed would generally include a value for costs incurred for attorney services, including filing USCIS Form G–28.

Dated: July 22, 2025.

John R. Pfirrmann-Powell,

Acting Chief, Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security.

[FR Doc. 2025–14016 Filed 7–24–25; 8:45 am]

BILLING CODE 9111–97–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[A2407–014–004–065516; #O2412–014–004–047181.1; LLAZ920000; AZAZ106709063]

Public Land Order No. 7964; National Defense Operating Area Withdrawal, Yuma County, AZ

AGENCY: Bureau of Land Management, Interior.

ACTION: Public Land Order (PLO).

SUMMARY: This Order withdraws, subject to valid existing rights, approximately 285 acres of Federal lands from settlement, sale, location, and entry under the general land laws, including the United States mining laws, mineral leasing laws, and geothermal leasing laws, for a period of 3 years for use by the Department of the Navy for border security purposes. This withdrawal also transfers administrative jurisdiction of the lands to the Department of the Navy.

DATES: This PLO takes effect on July 22, 2025.

FOR FURTHER INFORMATION CONTACT: Lucas Lucero, Southwest Border Coordinator, AZ, telephone: 480–268–1387, email: *llucero@blm.gov.*

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 for contacting Mr. Lucero. 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:

Order

By virtue of the authority vested in the Secretary of the Interior by section 204 of the Federal Land Policy and Management Act of 1976 (FLPMA), 43 U.S.C. 1714, and in accordance with subsection 204(e) of that Act, it is determined that an emergency situation exists and that extraordinary measures must be taken to preserve values that would otherwise be lost. It is therefore ordered as follows:

1. Subject to valid existing rights, the following described Federal lands are hereby withdrawn from settlement, sale, location, and entry under the general land laws, including the United States mining laws, mineral leasing laws, and geothermal leasing laws, and jurisdiction over such lands is hereby transferred to the Department of the Navy for border security purposes.

Legal Description

A strip of land of the uniform width of 60 feet, lying contiguous to and parallel with the international border between the United States and Mexico, currently subject to Presidential Proclamation No. 758, 35 Stat. 2136 (May 27, 1907), (commonly known as the ''Roosevelt Reservation''), located in the County of Yuma, State of Arizona, and situate in the following described locations:

Gila and Salt River Meridian, AZ

T. 16 S., R. 10 W., unsurveyed,
  sec. 7;
  sec. 18, that portion lying in Yuma County.
T. 15 S., R. 11 W.,
  sec. 31, unsurveyed;
  sec. 32, unsurveyed.
T. 16 S., R. 11 W., unsurveyed,
  secs. 3 thru 6;
  secs. 10, 11, and 12.
T. 15 S., R. 12 W., unsurveyed,
  sec. 19;
  sec. 20;
  secs. 26 thru 29;

sec. 35;
sec. 36.
T. 15 S., R. 13 W.,
secs. 7, 8, and 9, unsurveyed;
secs. 14, 15, and 16, unsurveyed;
sec. 23, unsurveyed;
sec. 24, unsurveyed.
T. 14 S., R. 14 W.,
secs. 31, 32, and 33, unsurveyed.
T. 15 S., R. 14 W., unsurveyed,
secs. 1 thru 4;
sec. 12.
T. 14 S., R. 15 W., unsurveyed,
secs. 18 thru 22;
secs. 25, 26, and 27;
sec. 36.
T. 14 S., R. 16 W.,
secs. 6 thru 10, unsurveyed;
secs. 13, 14, and 15, unsurveyed.

The area described above contains approximately 285 acres of Federal lands in Yuma County, derived from GIS data located in the BLM Arizona State Office.

2. This withdrawal will expire 3 years from the effective date of this Order, unless it is extended in accordance with subsections (c)(1) or (d), whichever is applicable, and (b)(1) of section 204 of FLPMA, 43 U.S.C. 1714.

Doug Burgum,

Secretary of the Interior.

[FR Doc. 2025–14005 Filed 7–24–25; 8:45 am]

BILLING CODE 4331–12–P

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

[S1D1S SS08011000 SX064A000 256S180110; S2D2S SS08011000 SX064A000 25XS501520; OMB Control Number 1029–0043]

Submission to the Office of Management and Budget for Review and Approval; Bond and Insurance Requirements for Surface Coal Mining and Reclamation Operations Under Regulatory Programs

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Office of Surface Mining Reclamation and Enforcement (OSMRE) is proposing to renew an information collection.

DATES: Interested persons are invited to submit comments on or before August 25, 2025.

ADDRESSES: Send your comments on this information collection request (ICR) by mail to William Frankel, Office of Surface Mining Reclamation and Enforcement, 1849 C Street NW, Room 4547 MIB, Washington, DC 20240, or by email to *wfrankel@osmre.gov.* Please reference OMB Control Number 1029–0043 in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR, contact William Frankel or by email at *wfrankel@osmre.gov,* or by telephone at 202–208–0121. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States. You may also view the ICR at *http://www.reginfo.gov/public/do/PRAMain.*

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) and 5 CFR 1320.8(d)(1), we provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

A **Federal Register** notice with a 60-day public comment period soliciting comments on this collection of information was published on December 6, 2024 (89 FR 97064). No comments were received.

We are soliciting comments on the proposed ICR that is described below. We are especially interested in public comment addressing the following issues: (1) is the collection necessary to the proper functions of the agency; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the agency enhance the quality, utility, and clarity of the information to be collected; and (5) how might the agency minimize the burden of this collection on the respondents, including through the use of information technology.

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

Abstract: The regulations at 30 CFR part 800 primarily implement § 509 of the Surface Mining Control and Reclamation Act of 1977 (SMCRA or the Act), which requires that people planning to conduct surface coal mining operations first post a performance bond to guarantee fulfillment of all reclamation obligations under the approved permit. The regulations also establish bond release requirements and procedures consistent with § 519 of the Act, liability insurance requirements pursuant to § 507(f) of the Act, and procedures for bond forfeiture should the permittee default on reclamation obligations.

Title of Collection: Bond and Insurance Requirements for Surface Coal Mining and Reclamation Operations under Regulatory Programs.

OMB Control Number: 1029–0043.

Form Number: None.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: Businesses and state governments.

Total Estimated Number of Annual Respondents: 3,375.

Total Estimated Number of Annual Responses: 6,916.

Estimated Completion Time per Response: Varies from 2 hours to 35 hours, depending on activity.

Total Estimated Number of Annual Burden Hours: 60,814.

Respondent's Obligation: Required to obtain or retain a benefit.

Frequency of Collection: One time.

Total Estimated Annual Non-hour Burden Cost: $510,644.

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

William L Frankel,

Information Collection Clearance Officer, Office of Surface Mining Reclamation and Enforcement.

[FR Doc. 2025–14041 Filed 7–24–25; 8:45 am]

BILLING CODE 4310–05–P

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—1EdTech Consortium, Inc.

Notice is hereby given that, on May 29, 2025, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (''the Act''), 1EdTech Consortium, Inc. (''1EdTech Consortium'') has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, Aurora Public Schools (CO), Aurora, CO; University of North Carolina Greensboro, Greensboro, NC; Tuscaloosa City Schools, Tuscaloosa, AL; Terrace Metrics, Inc., Cincinnati, OH; Texas Education Agency, Austin, TX; ViewSonic Education Agency, Brea, CA; Morgan State University, Baltimore, MD; The University of Texas Medical Branch, Galveston, TX; International Baccalaureate Organization, Cardiff, UNITED KINGDOM; Navigatr, Leeds, UNITED KINGDOM; and Alexander Becker (individual member), Berlin, FEDERAL REPUBLIC OF GERMANY have been added as parties to this venture.

Also, KERIS, Dong-gu, REPUBLIC OF KOREA; Udemy, San Francisco, CA; Cisco, San Jose, CA; Swedish National Agency for Education (Statens skolverk), Solna, KINGDOM OF SWEDEN; Partners4Results, Waukesha, WI; Switch Energy Alliance, Austin, TX; and Siemens, Munich, FEDERAL REPUBLIC OF GERMANY, have withdrawn as parties to this venture.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and 1EdTech Consortium intends to file additional written notifications disclosing all changes in membership.

On April 7, 2000, 1EdTech Consortium filed its original notification pursuant to section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to section 6(b) of the Act on September 13, 2000 (65 FR 55283).

The last notification was filed with the Department on March 17, 2025. A notice was published in the **Federal Register** pursuant to section 6(b) of the Act on April 21, 2025 (90 FR 16702).

Suzanne Morris,

Deputy Director Civil Enforcement Operations, Antitrust Division.

[FR Doc. 2025–14054 Filed 7–24–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Decentralized Storage Alliance Association

Notice is hereby given that, on May 27, 2025, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (''the Act''), Decentralized Storage Alliance Association (''DSAA'') has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, MetaProof Inc., New York, NY, has been added as a party to this venture.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and DSAA intends to file additional written notifications disclosing all changes in membership.

On August 1, 2023, DSAA filed its original notification pursuant to section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to section 6(b) of the Act on October 6, 2023 (88 FR 69670).

The last notification was filed with the Department on December 9, 2024. A notice was published in the **Federal Register** pursuant to section 6(b) of the Act on February 3, 2025 (90 FR 8816).

Suzanne Morris,

Deputy Director Civil Enforcement Operations, Antitrust Division.

[FR Doc. 2025–14055 Filed 7–24–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—America's Datahub Consortium

Notice is hereby given that, on June 16, 2025, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (''the Act''), America's DataHub Consortium (''ADC'') has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, 22nd Century Technologies, Inc., McLean, VA; Daniel H. Wagner Associates, Inc., Hampton, VA; Discovery Machine, Inc., Williamsport, PA; Industry Defense Systems LLC, Lansdale, PA; ISSAC LLC, Colorado Springs, CO; JLGOV LLC, Virginia Beach, VA; L3Harris Technologies, Inc., Clifton, NJ; Magnum Multimedia, Inc., Herndon, VA; and Turnkey Federal LLC, Tampa, FL, have been added as parties to this venture.

Also, JIL NZ LLC, Chevy Chase, MD; and ZCTS LLC, Arlington, VA, have withdrawn as parties to this venture.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and ADC intends to file additional written notifications disclosing all changes in membership.

On November 11, 2021, ADC filed its original notification pursuant to section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to section 6(b) of the Act on December 22, 2021 (86 FR 72628).

The last notification was filed with the Department on March 6, 2025. A notice was published in the **Federal Register** pursuant to section 6(b) of the Act on April 21, 2025 (90 FR 16702).

Suzanne Morris,

Deputy Director Civil Enforcement Operations, Antitrust Division.

[FR Doc. 2025–14056 Filed 7–24–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Bytecode Alliance Foundation

Notice is hereby given that, on May 29, 2025, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (''the Act''), Bytecode Alliance Foundation (''Bytecode Alliance Foundation'') has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, Renderlet, Inc., Brooklyn, NY, has been added as a party to this venture.

Also, SingleStore, San Francisco, CA, has withdrawn as a party to this venture.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and Bytecode Alliance Foundation intends to file additional written notifications disclosing all changes in membership.

On April 20, 2022, Bytecode Alliance Foundation filed its original notification pursuant to section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to section 6(b) of the Act on May 13, 2022 (87 FR 29379).

The last notification was filed with the Department on March 19, 2025. A notice was published in the **Federal Register** pursuant to section 6(b) of the Act on April 21, 2025 (90 FR 16704).

Suzanne Morris,

Deputy Director Civil Enforcement Operations, Antitrust Division.

[FR Doc. 2025–14051 Filed 7–24–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Taha Dias, M.D.; Decision and Order

On November 4, 2024, the Drug Enforcement Administration (DEA or Government) issued an Order to Show Cause (OSC) to Taha Dias, M.D., of Frostproof, Florida (Registrant). OSC, at 1; Request for Final Agency Action (RFAA), Exhibit (RFAAX) 1, at 1. The OSC proposed the revocation of Registrant's DEA Certificate of Registration No. BD9971208, alleging that Registrant has committed such acts as would render its registration inconsistent with the public interest. OSC, at 1 (citing 21 U.S.C. 823(g)(1); 824(a)(4)).[1]

More specifically, the OSC alleged that between July 2022 and December 2023, Registrant repeatedly violated federal and Florida state law by issuing prescriptions for controlled substances outside the usual course of professional practice and for other than a legitimate medical purpose, in violation of 21 CFR 1306.04(a); and Fla. Stat. § 456.44(3).[2] OSC, at 3.

On February 7, 2025, the Government submitted a request for final agency action (RFAA) requesting that the Agency issue a default final order revoking Registrant's registration. RFAA, at 1. After carefully reviewing the entire record and conducting the analysis as set forth in more detail below, the Agency grants the Government's request for final agency action and revokes Registrant's registration.

I. Default Determination

Under 21 CFR 1301.43, a registrant entitled to a hearing who fails to file a timely hearing request ''within 30 days after the date of receipt of the [OSC] . . . shall be deemed to have waived their right to a hearing and to be in default'' unless ''good cause'' is established for the failure. 21 CFR 1301.43(a) & (c)(1). In the absence of a demonstration of good cause, a registrant who fails to timely file an answer also is ''deemed to have waived their right to a hearing and to be in default.'' 21 CFR 1301.43(c)(2). Unless excused, a default is deemed to constitute ''an admission of the factual allegations of the [OSC].'' 21 CFR 1301.43(e).

Here, the OSC notified Registrant of his right to file 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. RFAAX 1, at 4–6 (citing 21 CFR 1301.43). According to the Government's RFAA, Registrant failed to request a hearing. RFAA, at 1. Thus, the Agency finds that Registrant is in default and therefore has admitted to the factual allegations in the OSC. 21 CFR 1301.43(e).

II. Applicable Law

As the Supreme Court stated in *Gonzales* v. *Raich,* 545 U.S. 1 (2005), ''the main objectives of the [Controlled Substances Act (CSA)] were to conquer drug abuse and control the legitimate and illegitimate traffic in controlled substances.'' 545 U.S. at 12. *Gonzales* explained that:

> Congress was particularly concerned with the need to prevent the diversion of drugs from legitimate to illicit channels. To effectuate these goals, Congress devised a closed regulatory system making it unlawful to manufacture, distribute, dispense, or possess any controlled substance except in a manner authorized by the CSA . . . . The CSA and its implementing regulations set forth strict requirements regarding registration, labeling and packaging, production quotas, drug security, and recordkeeping.

Id. at 12–14.

The OSC/ISO's allegations concern the CSA's ''statutory and regulatory provisions . . . mandating . . . compliance with . . . prescription requirements'' and, therefore, go to the heart of the CSA's ''closed regulatory system'' specifically designed ''to conquer drug abuse and to control the legitimate and illegitimate traffic in controlled substances,'' and ''to prevent the diversion of drugs from legitimate to illicit channels.'' *Id.* at 12–14, 27.

A. Allegation That Registrant Improperly Prescribed Controlled Substances

According to the CSA's implementing regulations, prescriptions may only be issued by an individual practitioner who is ''[a]uthorized to prescribe controlled substances by the jurisdiction in which he is licensed to practice his profession'' and has either been issued a DEA registration or is exempted from registration under DEA regulations. 21 CFR 1306.03. Furthermore, a lawful controlled substance order or prescription is one that is ''issued for a legitimate medical purpose by an individual practitioner acting in the usual course of his professional practice.'' 21 CFR 1306.04(a). A ''practitioner must establish and maintain a *bona fide* doctor-patient relationship in order to act 'in the usual course of . . . professional practice' and to issue a prescription for a 'legitimate

[1] Based on the Government's submissions in its RFAA dated February 7, 2025, the Agency finds that service of the OSC on Registrant was adequate. Specifically, the Declaration from a DEA Diversion Investigator (DI) indicates that the DI successfully served the OSC via email to Registrant's registered email address and via mail to Registrant's registered address. RFAAX 2, at 2. On November 22, 2024, Registrant called the DI and the DI informed Registrant that she had mailed and emailed a copy of the OSC, and informed Registrant of the OSC's meaning and effect.

[2] The Agency need not adjudicate the criminal violations alleged in the OSC/ISO. *Ruan* v. *United States,* 597 U.S. 450 (2022) (decided in the context of criminal proceedings).

medical purpose.' '' *Dewey C. MacKay, M.D.,* 75 FR 49956, 49973 (2010).

Moreover, Florida law requires a practitioner to, among other things: (1) prescribe controlled substances only after conducting a complete medical history and physical examination; (2) document the presence of one or more recognized medical indications for the use of a controlled substance; (3) create a written treatment plan with goals and objectives; (4) discuss the risks and benefits of the use of controlled substances with the patient; (5) see the patient at regular intervals and conduct periodic reviews of the effectiveness of the treatment; (6) assess patient risk for aberrant drug-related behavior, continue to monitor that risk on an ongoing basis, and provide special attention to patients at risk for abusing their medication; and (7) maintain accurate, current, and complete records that are accessible and readily available for review. Fla. Stat. § 456.44; *see also* Fla. Admin. Code Ann. r. 64B8–9.013(2) (imposing similar requirements on practitioners prescribing controlled substances to treat acute pain).

Florida law also requires that medical records have ''sufficient detail to clearly demonstrate why the course of treatment was undertaken'' and ''contain sufficient information to identify the patient, support the diagnosis, justify the treatment and document the course and results of treatment accurately.'' Fla. Admin. Code Ann. R. 64B8–9.003.

III. Findings of Fact

In light of Registrant's default, the factual allegations in the OSC are deemed admitted. 21 CFR 1301.43(e). Accordingly, Registrant admits that between July 5, 2022, and December 4, 2023, he issued numerous controlled substance prescriptions without conducting medical examinations, establishing bona fide physician-patient relationships, and maintaining proper medical records.

Specifically, Registrant admits that he issued nine prescriptions for promethazine with codeine (a Schedule V opioid) to nine individuals,[3] knowing that these prescriptions would be obtained by someone with no legitimate relationship to the nine individuals to whom the prescriptions were issued. RFAAX 1, at 11. Registrant admits that on July 5, 2022, he sent a text message to the pharmacist in charge of a local pharmacy, Mr. Y.A., informing Mr. Y.A. that he would be sending these nine prescriptions that lacked a legitimate medical purpose. Registrant admits that these prescriptions were issued outside the usual course of professional practice in Florida and lacked a legitimate medical purpose.

Registrant also admits that between December 9, 2022, and December 4, 2023, he issued nine prescriptions for controlled substances to M.S., including prescriptions for oxycodone (a Schedule II opioid), alprazolam (a Schedule IV benzodiazepine), and promethazine with codeine. RFAAX 1, at 11. Registrant issued these prescriptions to M.S.—who was confined in a correctional facility at the time—without conducting a medical examination or evaluation or establishing a bona fide physician-patient relationship. *Id.* Registrant admits that these prescriptions were issued outside the usual course of professional practice in Florida and lacked a legitimate medical purpose. *Id.*

Accordingly, the Agency finds substantial record evidence that Registrant issued at least 18 prescriptions that lacked a legitimate medical purpose, and that Registrant issued these prescriptions outside the usual course of professional practice in Florida.

IV. Public Interest Determination

A. Legal Background on Public Interest Determinations

When the CSA's requirements are not met, the Attorney General ''may deny, suspend, or revoke [a] registration if . . . the [registrant's] registration would be 'inconsistent with the public interest.' '' *Gonzales* v. *Oregon,* 546 U.S. 243, 251 (2006) (quoting 21 U.S.C. 824(a)(4)). In the case of a ''practitioner,'' Congress directed the Attorney General to consider five factors in making the public interest determination. *Id.;* 21 U.S.C. 823(g)(1)(A–E).[4]

The five factors are considered in the disjunctive. *Gonzales* v. *Oregon,* 546 U.S. at 292–93 (Scalia, J., dissenting) (''It is well established that these factors are to be considered in the disjunctive,'' quoting *In re Arora,* 60 FR 4447, 4448 (1995)); *Robert A. Leslie, M.D.,* 68 FR 15227, 15230 (2003). Each factor is weighed on a case-by-case basis. *David H. Gillis, M.D.,* 58 FR 37507, 37508 (1993); *see Morall* v. *Drug Enf't Admin.,* 412 F.3d 165, 181 (D.C. Cir. 2005) (describing the Agency's adjudicative process as ''applying a multi-factor test through case-by-case adjudication,'' quoting *LeMoyne-Owen Coll.* v. *N.L.R.B.,* 357 F.3d 55, 61 (D.C. Cir. 2004)). Any one factor, or combination of factors, may be decisive, *David H. Gillis, M.D.,* 58 FR at 37508, and the Agency ''may give each factor the weight . . . deem[ed] appropriate in determining whether a registration should be revoked or an application for registration denied.'' *Morall,* 412 F.3d. at 185 n.2 (Henderson, J., concurring) (quoting *Robert A. Smith, M.D.,* 70 FR 33207, 33208 (2007)); *see also Penick Corp.* v. *Drug Enf't Admin.,* 491 F.3d 483, 490 (D.C. Cir. 2007).

Moreover, while the Agency is required to consider each of the factors, it ''need not make explicit findings as to each one.'' *MacKay* v. *Drug Enf't Admin.,* 664 F.3d 808, 816 (10th Cir. 2011) (quoting *Volkman* v. *U.S. Drug Enf't Admin.,* 567 F.3d 215, 222 (6th Cir. 2009)); *Jones Total Health Care Pharmacy, LLC* v. *Drug Enf't Admin.,* 881 F.3d 823, 830 (11th Cir. 2018); *Hoxie* v. *Drug Enf't Admin.,* 419 F.3d 477, 482 (6th Cir. 2005). ''In short, . . . the Agency is not required to mechanically count up the factors and determine how many favor the Government and how many favor the registrant. Rather, it is an inquiry which focuses on protecting the public interest; what matters is the seriousness of the registrant's misconduct.'' *Jayam Krishna-Iyer, M.D.,* 74 FR 459, 462 (2009). Accordingly, as the Tenth Circuit has recognized, Agency decisions have explained that findings under a single factor can support the revocation of a registration. *MacKay,* 664 F.3d at 821.

The Government has the burden of proof in this proceeding. 21 CFR 1301.44(e).

B. Registrant's Registration Is Inconsistent With the Public Interest

While the Agency has considered all the public interest factors of 21 U.S.C. 823(g)(1),[5] the Government's evidence

[3] These individuals included R.S., J.M., P.C., A.C., K.S., B.M., J.L., V.L., and D.R.

[4] The five factors are:

(A) The recommendation of the appropriate State licensing board or professional disciplinary authority.

(B) The [registrant's] experience in dispensing, or conducting research with respect to controlled substances.

(C) The [registrant's] conviction record under Federal or State laws relating to the manufacture, distribution, or dispensing of controlled substances.

(D) Compliance with applicable State, Federal, or local laws relating to controlled substances.

(E) Such other conduct which may threaten the public health and safety.

21 U.S.C. 823(g)(1)(A–E).

[5] As to Factor A, there is no record evidence of disciplinary action against Registrant's state medical license. 21 U.S.C. 823(g)(1)(A). State authority to practice medicine is ''a necessary, but not a sufficient condition for registration.'' *Robert A. Leslie, M.D.,* 68 FR at 15230. Therefore, ''[t]he fact that the record contains no evidence of a recommendation by a state licensing board does not weigh for or against a determination as to whether

in support of its *prima facie* case is confined to Factors B and D. OSC, at 3–4. Evidence is considered under Factors B and D when it reflects compliance or non-compliance with laws related to controlled substances and experience dispensing controlled substances. *Kareem Hubbard, M.D.,* 87 FR 21156, 21162 (2022).

Here, as found above, Registrant is deemed to have admitted and the Agency finds that Registrant issued 18 prescriptions that lacked a legitimate medical purpose and were issued outside the usual course of professional practice. Accordingly, the Agency finds substantial record evidence that Registrant violated 21 CFR 1306.04(a) and Fla. Stat. § 456.44. The Agency further finds that after considering the factors of 21 U.S.C. 823(g)(1), Registrant's continued registration is ''inconsistent with the public interest.'' 21 U.S.C. 824(a)(4). Accordingly, the Government satisfied its *prima facie* burden of showing that Registrant's continued registration would be ''inconsistent with the public interest.'' 21 U.S.C. 824(a)(4). The Agency also finds that there is insufficient mitigating evidence to rebut the Government's *prima facie* case. Thus, the only remaining issue is whether, in spite of Registrant's misconduct, he can be trusted with a registration.

V. Sanction

Where, as here, the Government has met the burden of showing that Registrant's continued registration is inconsistent with the public interest, the burden shifts to Registrant to show why he can be entrusted with a registration. *Morall,* 412 F.3d. at 174; *Jones Total Health Care Pharmacy, LLC* v. *Drug Enf't Admin.,* 881 F.3d 823, 830 (11th Cir. 2018); *Garrett Howard Smith, M.D.,* 83 FR 18882, 18904 (2018). The issue of trust is necessarily a fact-dependent determination based on the circumstances presented by the individual registrant. *Jeffrey Stein, M.D.,* 84 FR 46968, 46972 (2019); *see also Jones Total Health Care Pharmacy,* 881 F.3d at 833. Moreover, as past performance is the best predictor of future performance, the Agency requires that a registrant who has committed acts inconsistent with the public interest accept responsibility for those acts and demonstrate that he will not engage in future misconduct. *See Jones Total Health Care Pharmacy,* 881 F.3d at 833; *ALRA Labs, Inc.* v. *Drug Enf't Admin.,* 54 F.3d 450, 452 (7th Cir. 1995). The Agency requires a registrant's unequivocal acceptance of responsibility. *Janet S. Pettyjohn, D.O.,* 89 FR 82639, 82641 (2024); *Mohammed Asgar, M.D.,* 83 FR 29569, 29573 (2018); *see also Jones Total Health Care Pharmacy,* 881 F.3d at 830–31. In addition, a registrant's candor during the investigation and hearing is an important factor in determining acceptance of responsibility and the appropriate sanction. *See Jones Total Health Care Pharmacy,* 881 F.3d at 830–31; *Hoxie,* 419 F.3d at 483–84. Further, the Agency considers the egregiousness and extent of the misconduct as significant factors in determining the appropriate sanction. *See Jones Total Health Care Pharmacy,* 881 F.3d at 834 & n.4. The Agency also considers the need to deter similar acts by a Registrant and by the community of registrants. *Jeffrey Stein, M.D.,* 84 FR at 46972–73.

Here, Registrant did not timely request a hearing, or timely or properly answer the allegations, and was therefore deemed to be in default. 21 CFR 1301.43(c)(1), (e), (f)(1); RFAA, at 1. To date, Registrant has not filed a motion with the Office of the Administrator to excuse the default. 21 CFR 1301.43(c)(1). Registrant has thus failed to answer the allegations contained in the OSC and has not otherwise availed himself of the opportunity to refute the Government's case. As such, Registrant has not accepted responsibility for the proven violations, has made no representations regarding his future compliance with the CSA, and has not demonstrated that he can be trusted with registration. Accordingly, the Agency will order the revocation of Registrant's registration.

Order

Pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 824(a) and 21 U.S.C. 823(g)(1), I hereby revoke DEA Certificate of Registration No. BD9971208 issued to Taha Dias, 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 Taha Dias, M.D. to renew or modify this registration, as well as any other pending application of Taha Dias, M.D. for registration in Florida. This Order is effective August 25, 2025.

Signing Authority

This document of the Drug Enforcement Administration was signed on July 21, 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 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. 2025–14077 Filed 7–24–25; 8:45 am]

BILLING CODE 4410–09–P

continuation of the Respondent's DEA certification is consistent with the public interest.'' *Roni Dreszer, M.D.,* 76 FR 19434, 19444 (2011). As to Factor C, there is no evidence in the record that Registrant has been convicted of any federal or state law offense ''relating to the manufacture, distribution, or dispensing of controlled substances.'' 21 U.S.C. 823(g)(1)(C). However, as Agency cases have noted, ''the absence of such a conviction is of considerably less consequence in the public interest inquiry'' and is therefore not dispositive. *Dewey C. MacKay, M.D.,* 75 FR at 49973. As to Factor E, the Government's evidence fits squarely within the parameters of Factors B and D and does not raise ''other conduct which may threaten the public health and safety.'' 21 U.S.C. 823(g)(1)(E). Accordingly, Factor E does not weigh for or against Registrant.

DEPARTMENT OF JUSTICE

[OMB Number 1117–0NEW]

Agency Information Collection Activities; Proposed eCollection eComments Requested; New collection; Title—User Access Request Form for EPIC System Portal (ESP)

AGENCY: Drug Enforcement Administration, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Drug Enforcement Administration, Department of Justice (DOJ), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until September 23, 2025.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Benjamin Inks, Writer/Editor, Office of Compliance, Policy Administration Section 700 Army Navy Drive Arlington VA 22202, telephone: 571–672–4524, email: *Benjamin.B.Inks@dea.gov.*

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning

the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Statistics, including whether the information will have practical utility;
—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
—Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and
—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Abstract: The purpose of the User Access Request Form is to collect information to process new requests to access the Drug Enforcement Administration's El Paso Intelligence Center (EPIC) System Portal (ESP). The ESP enables authorized law enforcement personnel to access law enforcement sensitive information related to drug and human trafficking, firearms smuggling, money laundering, and other offenses. The collected information ensures proper vetting, security, and compliance with federal law enforcement policies.

Overview of This Information Collection

1. *Type of Information Collection:* New collection.

2. *The Title of the Form/Collection:* User Access Request Form for the EPIC System Portal.

3. *Form Number:* To be assigned upon approval by the OMB. The sponsoring component is the Drug Enforcement Administration.

4. The affected public includes federal, state, local, and tribal law enforcement personnel seeking access to the ESP. The obligation to respond is required to obtain access to the system.

5. The estimated number of respondents for this form is 1,000. The time per response is 7 minutes.

6. *An estimate of the total annual burden (in hours) associated with the collection:* The total estimated annual burden hours for this collection is 1,000 hours.

7. An estimate of the total annual cost burden associated with the collection, if applicable: $4,666.80.

Total Burden Hours

Activity	Number of respondents	Frequency	Total annual responses	Time per response (min.)	Total annual burden (hours)
User Access Request Form	1,000	1	1,000	7	116.67
Unduplicated Totals	1,000	1	1,000	7	116.67

If additional information is required contact: Darwin Arceo, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 4W–218, Washington, DC.

Dated: July 23, 2025.

Darwin Arceo,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2025–14045 Filed 7–24–25; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

[OMB Number 1190–0019]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Revision of a Currently Approved Collection; Requirement That Movie Theaters Provide Notice as to the Availability of Closed Movie Captioning and Audio Description for Digital Movies

AGENCY: Civil Rights Division, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Civil Rights Division, Disability Rights Section (DRS) Department of Justice will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until September 23, 2025.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact: Roberta Kirkendall, Special Litigation Counsel, Disability Rights Section, Civil Rights Division, U.S. Department of Justice, by mail at 4CON, 950 Pennsylvania Ave. NW, Washington, DC, 20530; send an email to *DRS.PRA@usdoj.gov;* or call (800) 514–0301 (voice) or (800) 514–0383 (TTY) (the Division's Information Line). Written comments and/or suggestions can also be sent to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention Department of Justice Desk Officer, Washington, DC 20503 or sent to *OIRA_submissions@omb.eop.gov.* Include the title of this proposed collection: ''Requirement that Movie Theaters Provide Notice as to the Availability of Closed Movie Captioning and Audio Description for Digital Movies,'' in the subject line of all written comments. You may obtain copies of this notice in an alternative format by calling the Americans with Disabilities Act (ADA) Information Line at (800) 514–0301 (voice) or (800) 514–0383 (TTY).

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Statistics, including whether the information will have practical utility;
—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
—Evaluate whether and if so how the quality, utility, and clarity of the

information to be collected can be enhanced; and

—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Abstract:

The Disability Rights Section (DRS), Civil Rights Division, Department of Justice is seeking to extend its information collection arising from a regulatory provision that requires covered movie theaters to disclose information to the public regarding the availability of closed movie captioning and audio description for movies exhibited in a digital format (digital movies) shown in their auditoriums.

Title III of the Americans with Disabilities Act (ADA), at 42 U.S.C. 12182, prohibits public accommodations from discriminating against individuals with disabilities. The existing ADA title III regulation, at 28 CFR 36.303(a)–(g), requires covered entities to ensure effective communication with individuals with disabilities. The title III regulation clarifies that movie theaters that provide captioning or audio description for digital movies must ensure ''that all notices of movie showings and times at the box office and other ticketing locations, on websites and mobile apps, in newspapers, and over the telephone, inform potential patrons of the movies or showings that are available with captioning and audio description.'' 28 CFR 36.303(g)(8). This requirement does not apply to any third-party providers of films, unless they are part of or subject to the control of the public accommodation. *Id.* Movie theaters' disclosure of this information will enable individuals with hearing and vision disabilities to readily find out where and when they can have access to digital movies with these features.

Overview of This Information Collection

1. *Type of Information Collection:* Revision of Currently Approved Collection.

2. *The Title of the Form/Collection:* Requirement that Movie Theaters Provide Notice as to the Availability of Closed Movie Captioning and Audio Description for Digital Movies.

3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection: Sponsor:* The applicable component within the Department of Justice is the Civil Rights Division.

4. *Affected public who will be asked or required to respond, as well as the obligation to respond:* Affected Public (Primary) Private Sector-for or not for profit institutions, Federal Government. Specifically, businesses and not-for-profit institutions that own, operate, or lease a movie theater that has one or more auditoriums showing digital movies with closed movie captioning and audio description, and that provide notice of digital movie showings and times. Under the relevant regulation, ''movie theater'' means a facility other than a drive-in theater that is used primarily for the purpose of showing movies to the public for a fee.

Legal Obligation to Respond: Mandatory.

This information collection is required to comply with statutory and regulatory obligations under title III. Under 42 U.S.C. 12182(b)(2)(A)(iii), public accommodations must take steps to ensure that individuals with disabilities are not denied services because of the absence of auxiliary aids and services, unless doing so would result in an undue burden or fundamental alteration. Pursuant to 42 U.S.C. 12186(b), the Attorney General is authorized to issue regulations to carry out title III. The Department's implementing regulation at 28 CFR 36.303(g)(8) requires covered movie theaters to provide information to the public about the availability of closed movie captioning and audio description for digital movies. This public disclosure obligation is the basis for this Information Collection Request (ICR).

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:*

The Department's initial PRA request for this collection relied on U.S. Census Bureau data from 2012 and estimated that there was a total of 1,876 firms owning one or more movie theaters in the United States that were potentially subject to this disclosure. *See* 81 FR 37643 (June 10, 2016). The most recent U.S. Census Bureau data, from 2022, estimated that there was a total of 1,813 firms owning one or more movie theaters. *See* U.S. Census Bureau, 2022 SUSB Annual Data Tables by Establishment Industry, Data by Enterprise Employment Size, U.S., 6-digit NAICS (512131). As the vast majority of U.S. movie theaters now show digital movies, which typically allow for closed captioning and audio description, to the extent that each of these movie theater firms that shows digital movies provides notices of movie showings and times to the public about those films, they must provide information concerning the availability of closed movie captioning and audio description in their communications.

An estimate of the total annual burden (in hours) associated with the collection: 8.7 hours per year.

The Department acknowledges that the amount of time it will take a respondent to comply with this requirement may vary depending on the number of digital movies that the respondent is showing at any given time. Based on information gathered during the initial rulemaking process, the Department estimates that respondents will take an average of up to 10 minutes each week to update existing notices of digital movie showings and times with closed captioning and audio description information. Therefore, the Department estimates that each firm owning one or more theaters offering digital movies with closed captioning or audio description will spend approximately ((10 minutes/week $\times$ 52 weeks/year) $\div$ 60 minutes/hour) 8.7 hours each year to comply with this requirement.

The Department anticipates that firms owning one or more movie theaters will likely update their existing listings of digital movie showings and times to include information concerning the availability of closed movie captioning and audio description on a regular basis. The Department's research suggests that this information would only need to be updated whenever a new digital movie with these features is added to the schedule. This will vary as some digital movies stay on the schedule for longer periods of time than others, but the Department estimates that respondent firms will update their listings to include this information weekly. In the future, if all movies are distributed with these accessibility features, specific notice on a movie-by-movie basis may no longer be necessary and firms owning movie theaters may only need to advise the public that they provide closed captioning and audio description for all of their digital movies.

An estimate of the total annual cost burden associated with the collection, if applicable:

The estimated public burden associated with this collection is 15,713 hours. The Department estimates that respondents will take an average of 10 minutes each week to update their existing listings of digital movie showings and times with the required information about closed captions and audio description. If each respondent spends 10 minutes each week to update its notices of digital moving showings

and times to include this information, the average movie theater firm will spend 8.7 hours annually ((10 minutes/week × 52 weeks/year) ÷ 60 minutes/hour) complying with this requirement.

The Department expects that the annual public burden hours for disclosing this information will total (1,813 respondents × 8.7 hours/year) 15,713 hours.

Yearly costs to industry are estimated to be $0, as updates to communications and advertisements listing digital movie showings and times are normal tasks performed by movie theater personnel and any additional work related to this public disclosure requirement is minimal (*e.g.,* adding symbols to indicate the availability of closed movie captioning and audio description next to a digital movie title).

TOTAL BURDEN HOURS

Activity	Number of respondents	Frequency (annually)	Total annual responses	Time per response (min)	Total annual burden (hours)
Weekly update of movie listings with closed captioning/audio description available	1,813	52	94,276	10	15,713
Totals	1,813	52	94,276	10	15,713

If additional information is required contact: Darwin Arceo, Department Clearance Officer, United States Department of Justice, Justice Management Division, Service Engineering and Investment Oversight, Two Constitution Square, 145 N Street NE, 4W–218, Washington, DC.

Dated: July 23, 2025.

Darwin Arceo,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2025–14098 Filed 7–24–25; 8:45 am]

BILLING CODE 4410–13–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Personal Protective Equipment (PPE) for Shipyard Employment

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Occupational Safety & Health Administration (OSHA)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before August 25, 2025.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Nicole Bouchet by telephone at 202–693–0213, or by email at *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: Section 29 CFR part 1915, subpart I, requires employers to provide and ensure that each affected employee uses the appropriate PPE for the eyes, face, head, extremities, torso, and respiratory system, including protective clothing, protective shields, protective barriers, life-saving equipment, personal fall arrest systems, and positioning device systems that meets the applicable provisions of this subpart, whenever workers are exposed to hazards that require the use of PPE. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on February 28, 2025 (90 FR 10953).

Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. *See* 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL–OSHA.

Title of Collection: Personal Protective Equipment (PPE) for Shipyard Employment.

OMB Control Number: 1218–0215.

Affected Public: Private Sector—Businesses or other for-profits.

Total Estimated Number of Respondents: 4,697.

Total Estimated Number of Responses: 2,603.

Total Estimated Annual Time Burden: 217 hours.

Total Estimated Annual Other Costs Burden: $0.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Nicole Bouchet,

Senior Paperwork Reduction Act Analyst.

[FR Doc. 2025–13999 Filed 7–24–25; 8:45 am]

BILLING CODE 4510–26–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 ''reinstatement without change'' of the ''Current Population Survey (CPS) Displaced Worker, Job Tenure, and Occupational Mobility Supplement'' to be conducted in January 2026 and January 2028. 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 September 23, 2025.

ADDRESSES: Send comments to Morgan Scheinin, BLS Clearance Officer, Division of Management Systems, Bureau of Labor Statistics by email to *BLS_PRA_Public@bls.gov.*

FOR FURTHER INFORMATION CONTACT: Morgan Scheinin, BLS Clearance Officer, at 202–691–7628 (this is not a toll free number). (See **ADDRESSES** section.)

SUPPLEMENTARY INFORMATION:

I. Background

The CPS Displaced Worker, Job Tenure, and Occupational Mobility supplement is conducted biennially and was last collected in January 2024.

This supplement will gather information on workers who have lost or left their jobs because their plant or company closed or moved, there was insufficient work for them to do, or their position or shift was abolished. Data will be collected on the extent to which displaced workers received advance notice of job cutbacks or the closing of their plant or business. For those workers who have been reemployed, the supplement will gather data on the types of jobs they found and will compare current earnings with those from the lost job. The incidence and nature of occupational changes in the preceding year will be queried. The survey also probes for the length of time workers (including those who have not been displaced) have been with their current employer. Additional data to be collected include information on the receipt of unemployment compensation, the loss of health insurance coverage, and the length of time spent without a job.

Because this supplement is part of the CPS, the same detailed demographic information collected in the CPS will be available on respondents to the supplement. Comparisons will be possible across characteristics such as sex, race and ethnicity, age, and educational attainment of the respondent.

The information collected by this survey will be used to determine the size and nature of the population affected by job displacements and the needs and scope of programs serving adult displaced workers. It also will be used to assess employment stability by determining the length of time workers have been with their current employer and estimating the incidence of occupational change over the course of a year. Combining the questions on displacement, job tenure, and occupational mobility will enable analysts to obtain a more complete picture of employment stability.

II. Current Action

Office of Management and Budget clearance is being sought for the CPS Displaced Worker, Job Tenure, and Occupational Mobility Supplement to the CPS. This request is to reinstate this supplement to the CPS, which has been routinely collected biennially since 1984 to collect information on workers who were displaced from their jobs and to measure employee tenure.

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: CPS Displaced Worker, Job Tenure, and Occupational Mobility Supplement.

OMB Number: 1220–0104.

Type of Review: Reinstatement without change.

Affected Public: Households.

Annual Number of Respondents: 40,000.

Frequency: Once, biennially.

Total Annual Responses: 40,000.

Average Time per Response: 2 minutes.

Estimated Annual Total Burden Hours: 1,333 hours.

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 July 22, 2025.

Eric Molina,

Chief, Division of Management Systems, Branch of Policy Analysis.

[FR Doc. 2025–14004 Filed 7–24–25; 8:45 am]

BILLING CODE 4510–24–P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA–2010–0018]

Asbestos in General Industry Standard; Extension of the Office of Management and Budget's (OMB) Approval of Information Collection (Paperwork) Requirements

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Request for public comments.

SUMMARY: OSHA solicits public comments concerning the proposal to extend the Office of Management and Budget's (OMB) approval of the information collection requirements specified in the Asbestos in General Industry Standard.

DATES: Comments must be submitted (postmarked, sent, or received) by September 23, 2025.

ADDRESSES:

Electronically: You may submit comments and attachments electronically at *https://www.regulations.gov,* which is the Federal eRulemaking Portal. Follow the instructions online for submitting comments.

Docket: To read or download comments or other material in the

docket, go to *https://www.regulations.gov.* Documents in the docket are listed in the *https://www.regulations.gov* index; however, some information (*e.g.,* copyrighted material) is not publicly available to read or download through the websites. All submissions, including copyrighted material, are available for inspection through the OSHA Docket Office. Contact the OSHA Docket Office at (202) 693–2350 (TTY (877) 889–5627) for assistance in locating docket submissions.

Instructions: All submissions must include the agency name and OSHA docket number (OSHA–2010–0018) 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: Belinda Cannon, 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 purpose of these requirements are to help employers monitor worker exposure to asbestos, to take action to reduce worker exposure to the PEL, to monitor worker health, and to provide workers with information about their exposures and the health effects that may result from their occupational involvement with asbestos, and provide access to these records by OSHA, the affected workers, and designated representatives.

II. Special Issues for Comment

OSHA has a particular interest in comments on the following issues:

- Whether the proposed information collection requirements are necessary for the proper performance of the agency's functions to protect workers, including whether the information is useful;
- The accuracy of OSHA's estimate of the burden (time and costs) of the information collection requirements, including the validity of the methodology and assumptions used;
- The quality, utility, and clarity of the information collected; and
- Ways to minimize the burden on employers who must comply; for example, by using automated or other technological information, and transmission techniques.

III. Proposed Actions

OSHA is requesting that OMB extend the approval of the information collection requirements contained in the Asbestos in General Industry Standard. The agency is requesting an adjustment decrease in burden of 6,552 hours going from 10,124 hours to 3,572 hours. The decrease in burden is due to a decline in asbestos consumption usage in general industry from 2021 to 2025. Also, there was a decrease in the operation and maintenance costs of $548,536, from $877,203 to $328,667. The decrease in cost is due to a reduction in the number of employees receiving medical examinations.

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: Asbestos in General Industry Standard.

OMB Control Number: 1218–0133.

Affected Public: Business or other for-profits.

Number of Respondents: 121.

Number of Responses: 11,193.

Frequency of Responses: On occasion.

Average Time per Response: Varies.

Estimated Total Burden Hours: 3,572.

Estimated Cost (Operation and Maintenance): $328,667.

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 (Docket No. OSHA–2010–0018). 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 submission, 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 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 July 15, 2025.

Amanda Laihow,

Acting Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2025–14000 Filed 7–24–25; 8:45 am]

BILLING CODE 4510–26–P

NATIONAL SCIENCE FOUNDATION

Committee on Equal Opportunities in Science & Engineering; Cancellation of Meeting

AGENCY: National Science Foundation.

ACTION: Notice; cancellation of meeting date.

The National Science Foundation published a notice in the **Federal Register** June 23, 2025, in FR Doc. 2025–11435 at 90 FR 26618–26619, concerning a meeting of the Committee on Equal Opportunities in Science & Engineering. The meeting scheduled for Thursday, October 30, 2025, at 1 p.m. (ET) is cancelled.

FOR FURTHER INFORMATION CONTACT: Please contact Crystal Robinson *crrobins@nsf.gov* or 703–292–8687.

(Authority: 42 U.S.C. 1861, *et seq.*)

Dated: July 23, 2025.

Crystal Robinson,

Committee Management Officer, National Science Foundation.

[FR Doc. 2025–14076 Filed 7–24–25; 8:45 am]

BILLING CODE 7555–01–P

POSTAL REGULATORY COMMISSION

[Docket Nos. CP2024–372; K2025–84; K2025–856; MC2025–1581 and K2025–1574]

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:* July 29, 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

Pursuant to 39 CFR 3041.405, the Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to Competitive negotiated service agreement(s). The request(s) may propose the addition of a negotiated service agreement from the Competitive product list or the modification of an existing product currently appearing on the Competitive product list.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (*http://www.prc.gov*). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.[1]

Section II identifies the docket number(s) associated with each Postal Service request, if any, that will be reviewed in a public proceeding as defined by 39 CFR 3010.101(p), the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each such request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 and 39 CFR 3000.114 (Public Representative). The Public Representative does not represent any individual person, entity or particular point of view, and, when Commission attorneys are appointed, no attorney-client relationship is established. Section II also establishes comment deadline(s) pertaining to each such request.

The Commission invites comments on whether the Postal Service's request(s) identified in Section II, if any, are consistent with the policies of title 39. Applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3035, and 39 CFR part 3041. Comment deadline(s) for each such request, if any, appear in Section II.

Section III identifies the docket number(s) associated with each Postal Service request, if any, to add a standardized distinct product to the Competitive product list or to amend a standardized distinct product, the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. Standardized distinct products are negotiated service agreements that are variations of one or more Competitive products, and for which financial models, minimum rates, and classification criteria have undergone advance Commission review. *See* 39 CFR 3041.110(n); 39 CFR 3041.205(a). Such requests are reviewed in summary proceedings pursuant to 39 CFR 3041.325(c)(2) and 39 CFR 3041.505(f)(1). Pursuant to 39 CFR 3041.405(c)-(d), the Commission does not appoint a Public Representative or request public comment in proceedings to review such requests.

II. Public Proceeding(s)

1. *Docket No(s).:* CP2024–372; *Filing Title:* USPS Request Concerning Amendment One to Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 110, with Materials Filed Under Seal; *Filing Acceptance Date:* July 21, 2025; *Filing Authority:* 39 CFR 3035.105 and 39 CFR 3041.505; *Public Representative:* Jennaca Upperman; *Comments Due:* July 29, 2025.

2. *Docket No(s).:* K2025–84; *Filing Title:* USPS Request Concerning Amendment One to Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 482, with Materials Filed Under Seal; *Filing Acceptance Date:* July 21, 2025; *Filing Authority:* 39 CFR 3035.105 and 39 CFR 3041.505; *Public Representative:* Jennaca Upperman; *Comments Due:* July 29, 2025.

3. *Docket No(s).:* K2025–856; *Filing Title:* USPS Request Concerning Amendment One to Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 1087, with Materials Filed Under Seal; *Filing Acceptance Date:* July 21, 2025; *Filing Authority:* 39 CFR 3035.105 and 39 CFR 3041.505; *Public Representative:* Maxine Bradley; *Comments Due:* July 29, 2025.

4. *Docket No(s).:* MC2025–1581 and K2025–1574; *Filing Title:* USPS Request to Add Priority Mail Express International, Priority Mail International & First-Class Package International Service Contract 80 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* July 21, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:*

[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).

Katalin Clendenin; *Comments Due:* July 29, 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. 2025–14002 Filed 7–24–25; 8:45 am]

BILLING CODE 7710–FW–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103521; File No. SR–OCC–2025–010]

Self-Regulatory Organizations; The Options Clearing Corporation; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by The Options Clearing Corporation Concerning Changes To Codify in OCC's By-Laws That a Clearing Member May Submit Adjustments to Its Positions With OCC for Any Purpose Permissable Under Exchange Rules

July 22, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Exchange Act'' or ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on July 15, 2025, The Options Clearing Corporation (''OCC'' or ''Corporation'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared primarily by OCC. OCC filed the proposed rule change pursuant to Section 19(b)(3)(A)[3] of the Act and paragraph (f)(6) of Rule 19b–4[4] thereunder, such that the proposed rule change was immediately effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Clearing Agency's Statement of the Terms of Substance of the Proposed Rule Change

This proposed rule change would amend OCC's By-Laws to codify in OCC's By-Laws that a Clearing Member may submit adjustments to its positions with OCC for any purpose permissible under Exchange[5] rules, thus ensuring that OCC's By-Laws would remain current and would align with Exchange rules, as amended from time to time, as they apply to off-floor adjustments[6] of option contracts. OCC also proposes to delete a duplicative term, ''futures market'', from OCC's By-Laws.

OCC filed as Exhibit 5 [sic] to File No. SR–OCC–2025–010 the text of the proposed changes to Article VI of OCC's By-Laws, Section 1, Interpretation and Policy .01(a). Material proposed to be added is marked by underlining and material proposed to be deleted is marked with strikethrough text. All terms with initial capitalization that are not otherwise defined herein have the same meaning as set forth in the OCC By-Laws and Rules.[7]

II. Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, OCC 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. OCC has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of these statements.

(A) Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

OCC is the clearing agency for all standardized equity options listed on national securities exchanges (''Exchanges'') registered with the Commission. One distinguishing feature of the listed-options market is that functionally, options transactions must occur on an Exchange,[8] except when otherwise permitted by Exchange rules. Such exceptions include, among others, an adjustment or transfer in connection with the correction of a bona fide error; the transfer of positions from one account to another account where no change in ownership is involved; the dissolution of a corporation or partnership in which a former nominee of the corporation or partnership assumes the positions; and the donation of positions to a not-for-profit corporation.[9] As the clearing agency for such options positions, OCC supports ''off-floor'' transfers (*i.e.,* off of the Exchange) through the adjustment of its Clearing Member's options positions in accordance with Interpretation and Policy .01(a) to Section 1 of Article VI of OCC's By-Laws, which was last amended in 2012.[10] More recently,[11] Exchanges have adopted exceptions in their rules permitting off-floor transfers of options positions in connection with the creation and redemption process for exchange traded funds or unit investment trusts (''ETFs'').[12] Such ''in-kind'' exchanges of options positions support options-based ETFs (*i.e.,* ETFs that hold options contracts).[13]

The purpose of the proposed rule change is to revise Interpretation and Policy .01(a) to Section 1 of Article VI of OCC's By-Laws to codify that in addition to the existing purposes for which a Clearing Member currently may submit adjustments to its options positions, a Clearing Member also may submit adjustments to its options positions for any purpose permissible under Exchange rules.[14] The proposed change was identified after a recent review of OCC's By-Laws on this topic and is intended to align OCC's By-laws with Exchange rules related to position

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f)(6).

[5] The term ''Exchange'' is defined in Article I of OCC's By-Laws to mean a Securities Exchange, a futures market, a security futures market or an international market. *See* OCC's By-Laws at *https://www.theocc.com/Company-Information/Documents-and-Archives/By-Laws-and-Rules.*

[6] Adjustments may include, among other things, off-floor transfers of options.

[7] OCC's By-Laws and Rules can be found on OCC's public website: *https://www.theocc.com/Company-Information/Documents-and-Archives/By-Laws-and-Rules.*

[8] *See, e.g.,* Cboe Rule 5.12 (Transactions Off the Exchange), NYSE Arca Rule 6.78–O (Transactions Off the Exchange).

[9] *See, e.g.,* Cboe Rule 6.7 (Off-Floor Transfer of Positions), NYSE Arca Rule 6.78A–O (Off-Floor Transfer of Positions).

[10] *See* Exchange Act Release No. 68434 (Dec. 14, 2012), 77 FR 75243 (Dec. 19, 2012) (SR–OCC–2012–14) (amending Interpretation and Policy .01 to By-Law Article VI, Section 1 to provide clarity regarding adjustment of positions for over-the-counter (OTC) index options).

[11] *See, e.g.,* Exchange Act Release No. 90552 (Dec. 2, 2020), 85 FR 79049 (Dec. 8, 2020) (SR–NYSEArca-2020–102); Exchange Act Release No. 87340 (Oct. 17, 2019), 84 FR 56877 (Oct. 23, 2019) (SR–CBOE–2019–048).

[12] *See, e.g.,* Cboe Rule 6.9 (In-Kind Exchange of Options Positions and ETF Shares and UIT Units), NYSE Arca Rule 6.78C–O (In-Kind Exchange of Options Positions and ETF Shares and UIT Units).

[13] *See* Exchange Act Release No. 87340, *supra* note 9, 84 FR at 56877–78 (discussing certain tax advantages and cost savings for such ETFs by allowing for in-kind creations and redemptions).

[14] OCC had previously released an Information Memorandum on the mechanics for transferring options related to in-kind exchange traded fund (''ETF'') creations and redemptions. More specifically, in 2020, certain Exchanges submitted rule filings that would allow their members to effect options transfers in connection with the creation and redemption of options-based ETFs. OCC subsequently notified market participants by way of an Information Memorandum the method by which off floor transfers permitted under Exchange rules should be submitted to OCC. *Available at https://www.theocc.com/search?query=46854.* OCC made no changes to its By-Laws at that time to align the OCC By-Laws with this Exchange permitted purpose for off floor transfers.

transfers, including off-floor transfers of options positions. The proposed rule change would provide Clearing Members with additional certainty regarding the circumstances under which they may submit adjustments to their positions with OCC by aligning OCC's By-Laws with Exchange rules regarding off-floor transfers of options positions. Accordingly, the proposed rule change would remove any uncertainty about whether adjustment of options positions at OCC is permissible to support ETF creation and redemption, which is not one of the circumstances currently listed under OCC's By-Laws. Such changes are thus designed to meet the needs of OCC's Clearing Members and the markets OCC serves. OCC also is proposing to delete one reference to ''futures market'' from Interpretation and Policy .01 to Section 1 of Article VI of OCC's By-Laws because it is duplicative and should only be referenced once in that section of the OCC By-Laws.

1. Purpose

OCC has rules in place regarding adjustments of Clearing Member options positions other than through opening or closing purchase or sale transactions on an Exchange. In particular, Article VI, Section 1, of the By-Laws states that Confirmed Trades, including transactions in exchange-listed options,[15] will be cleared through OCC. Interpretation and Policy .01(a) to this provision further specifies that it is OCC's policy to permit a Clearing Member to submit adjustments to its positions with OCC for certain purposes. Such purposes include to: (1) effect a transfer of accounts between Clearing Members; (2) effect a Return; [16] (3) effect a CMTA Retransfer; [17] (4) correct a bona fide error or omission regarding a confirmed trade previously submitted to OCC; (5) grant a request for offset pursuant to Rule 1306; [18] and (6) effect a retender in connection with the settlement of a physically-settled commodity future pursuant to Rule 1307.[19] The intent of specifying these grounds was to set forth OCC's then-existing policies concerning certain adjustments.[20]

The list in Interpretation and Policy .01(a) to Article VI, Section 1, of the By-Laws was not intended to prohibit or preclude other adjustments permitted by Exchange rules. For example, Interpretation and Policy .01(c) to Article VI, Section 1, of the By-Laws, contemplates other post-trade transactions not expressly listed in paragraph (a).[21] To remove any uncertainty, including any uncertainty about whether Clearing Members may submit adjustments for in-kind transactions to support ETF creation and redemption as permitted by Exchange rules, OCC proposes to clarify in Interpretation and Policy .01(a) that a Clearing Member may submit adjustments to its positions with OCC for any purpose permissible under Exchange rules. OCC also proposes a typographical correction to remove duplicative language in Interpretation and Policy .01(a). The proposed rule change would not make any substantive changes to OCC policies or practices. The proposed rule change would further align OCC's By-Laws with Exchange rules related to position transfers and provide market participants with additional certainty regarding the circumstances under which Clearing Members may submit adjustments to their positions with OCC. Such changes would thus remove any uncertainty about whether OCC's rules permit a position adjustment for a reason permitted under the Exchanges' rules. The proposed rule change would further allow OCC to more effectively meet the needs of OCC's Clearing Members and the markets it serves by removing any uncertainty about whether OCC's rules permit position adjustments to support ETF creation and redemption.

2. Statutory Basis

OCC believes the proposed rule change is consistent with Section 17A of the Exchange Act [22] and the rules and regulations thereunder applicable to OCC, including Rule 17ad–22(e)(1) [23] and Rule 17ad–22(e)(21) thereunder.[24] Section 17A(b)(3)(F) of the Act [25] requires, among other things, that the rules of a clearing agency be designed to promote the prompt and accurate clearance and settlement of securities transactions and, to the extent applicable derivatives transactions, to assure the safeguarding of securities and funds which are in the custody or control of the clearing agency or for which it is responsible, and, in general, to protect investors and the public interest. As described above, the proposed rule change would provide market participants with certainty regarding the circumstances under which Clearing Members may submit adjustments to their positions with OCC by clearly aligning OCC's By-Laws with Exchange rules related to position transfers, including off-floor transfers of options positions to support ETF creation and redemption. Harmonizing OCC's By-Laws with Exchange rules would remove impediments to and support prompt and accurate clearance and settlement by, for example, ensuring that provisions in the By-Laws related to the submission of position adjustments are consistent with the rules concerning off-floor transfers that are maintained by the exchanges for which OCC clears and settles transactions. Reducing uncertainty would remove impediments to and support prompt and accurate clearance and settlement, including with respect to options positions transferred as part of ETF creation and redemption. OCC believes that aligning its By-Laws with Exchange rules would also protect investors and the public interest by ensuring that OCC provides clearance and settlement services in a manner that supports applicable rules and regulations. For these reasons, OCC believes the proposed changes are designed to promote the prompt and accurate clearance and settlement of securities transactions, and, thereby, to protect investors and the public interest in accordance with Section 17A(b)(3)(F) of the Exchange Act.[26]

OCC believes the proposed changes are also consistent with the requirements in Rule 17ad–22(e)(1)

[15] The term ''Confirmed Trade'' is defined in Article I of OCC's By-Laws as a transaction for the purchase, writing, or sale of a cleared contract, or for the closing out of a long or short position in a cleared contract, that is (i) effected on or through the facilities of an Exchange and submitted to OCC for clearance or (ii) affirmed through the facilities of an OTC Trade Source and submitted to OCC for clearance.

[16] The term ''Return'' is defined in Article I of OCC's By-Laws as the process by which a Carrying Clearing Member transfers back to an Executing Clearing Member, for one or more reasons specified in the CMTA Agreement between the Clearing Members, a position resulting from a confirmed trade transferred by the Executing Clearing Member to an account of the Carrying Clearing Member.

[17] The term ''CMTA Retransfer'' is defined in Article I of OCC's By-Laws as the process by which an Executing Clearing Member, upon receiving the Return of a position because of the misidentification of the Carrying Clearing Member, transfers the position to the correct Carrying Clearing Member.

[18] *See* OCC Rule 1306 (Request for Offset of Futures Contracts).

[19] *See* OCC Rule 1307 (Retendering).

[20] *See, e.g.,* Exchange Act Release No. 198003 (May 23, 1983), 48 FR 24505, 24505–06 (June 1, 1983) (SR–OCC–83–11).

[21] *See* Interpretation and Policy .01(c) to Article VI, Section 1, of the By-Laws (''[OCC] shall have the right to reject adjustments to Clearing Members' positions and accounts contemplated by paragraphs (a) and (b), as well as any other post-trade transactions permitted by [OCC's] By-Laws and Rules . . .'').

[22] 15 U.S.C. 78q–1.

[23] 17 CFR 240.17ad–22(e)(1).

[24] 17 CFR 240.17ad–22(e)(21).

[25] 15 U.S.C. 78q–1(b)(3)(F).

[26] 15 U.S.C. 78q–1

under the Act.[27] Rule 17ad–22(e)(1) requires that each covered clearing agency establish, implement, maintain and enforce written policies and procedures reasonably designed to provide for a well-founded, clear, transparent, and enforceable legal basis for each aspect of its activities in all relevant jurisdictions.[28] The proposed rule change would allow OCC to maintain provisions and practices that are clear and consistent with Exchange rules and applicable regulations, which would help ensure that OCC's By-Laws remain well-founded, clear, transparent, and enforceable. The clean-up change to remove duplicative language would further ensure that OCC's By-Laws remain clear, accurate, and up-to-date. Therefore, OCC believes that the proposed changes promote compliance and consistency with the requirements in Rule 17ad–22(e)(1) to establish, implement, maintain and enforce written policies and procedures reasonably designed to provide for a well-founded, clear, transparent and enforceable legal basis.

OCC also believes that the proposed changes are consistent with the requirements in Rule 17ad–22(e)(21).[29] Rule 17ad–22(e)(21) requires that each covered clearing agency establish, implement, maintain and enforce written policies and procedures reasonably designed to be efficient and effective in meeting the requirements of its participants and the markets it serves.[30] By clearly aligning OCC's By-Laws with Exchange rules, the proposed rule change would provide market participants with certainty regarding the circumstances under which Clearing Members may submit adjustments to their positions with OCC, which would prevent any potential confusion associated with the reconciliation of OCC and Exchange rules by market participants. Such changes would make OCC more effective and efficient in meeting the requirements of its Clearing Members, including by reflecting permissible transfers pursuant to Exchange rules, and are thus designed to meet the needs of OCC's Clearing Members and the markets OCC serves. Accordingly, OCC believes that the proposal is consistent with Rule 17ad–22(e)(21).[31]

(B) Clearing Agency's Statement on Burden on Competition

Section 17A(b)(3)(I) of the Act[32] requires that the rules of a clearing agency not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The proposed changes to Article VI of OCC's By-Laws, Section 1, Interpretation and Policy .01(a) would not impose any burden on competition because the proposed changes consist of clarifications that would promote consistency with Exchange rules and reflect permissible options transfers pursuant to those Exchange rules. The proposed changes would not inhibit access to OCC's services in any way, would apply to all Clearing Members uniformly, and do not disadvantage or favor any particular user in relationship to another user. Accordingly, OCC does not believe that the proposed clarifications to its By-Laws have any impact or impose a burden on competition.

(C) Clearing Agency's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

Written comments were not and are not intended to be solicited with respect to the proposed change and none have been received. OCC will notify the Commission of any written comments received by OCC.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not:

(i) significantly affect the protection of investors or the public interest;

(ii) impose any significant burden on competition; and

(iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act[33] and Rule 19b–4(f)(6)[34] thereunder.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

The proposal shall not take effect until all regulatory actions required with respect to the proposal are completed.[35]

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking*); or
- Send an email to *rule-comments@sec.gov*. Please include file number SR–OCC–2025–010 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–OCC–2025–010. 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-regulations/self-regulatory-organization-rulemaking*). Copies of such filing will be available for inspection and copying at the principal office of OCC and on OCC's website at *https://www.theocc.com/Company-Information/Documents-and-Archives/By-Laws-and-Rules.*

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–OCC–2025–010 and should be submitted on or before August 15, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[36]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–14027 Filed 7–24–25; 8:45 am]

BILLING CODE 8011–01–P

[27] 17 CFR 240.17ad–22(e)(1).

[28] *Id.*

[29] 17 CFR 240.17ad–22(e)(21).

[30] *Id.*

[31] *Id.*

[32] 15 U.S.C. 78q–1(b)(3)(I).

[33] 15 U.S.C. 78s(b)(3)(A).

[34] 17 CFR 240.19b–4(f)(6).

[35] Notwithstanding its immediate effectiveness, implementation of this rule change will be delayed until this change is deemed certified under CFTC Regulation 40.6.

[36] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103516; File No. SR–MSRB–2025–01]

Self-Regulatory Organizations; Municipal Securities Rulemaking Board; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change To Amend Rule G–14 RTRS Procedures Under MSRB Rule G–14 Regarding the Timing of Reporting Transactions in Municipal Securities to the MSRB and To Make a Related Amendment to Rule G–12

July 22, 2025.

On June 10, 2025, the Municipal Securities Rulemaking Board (''MSRB'' or ''Board'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'' or ''Exchange Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change to (i) amend Rule G–14 RTRS Procedures under MSRB Rule G–14, on reports of sales or purchases, to rescind a previously approved but not yet effective shortening of the amount of time within which brokers, dealers and municipal securities dealers (''dealers'') must report most transactions to the MSRB, reverting such timeframe to the currently effective 15-minute reporting timeframe, (ii) amend the Rule G–14 RTRS Procedures to eliminate two previously approved but not yet effective reporting exceptions and a manual trade indicator relating to the rescinded shortened timeframes, and (iii) make a related conforming amendment to MSRB Rule G–12, on uniform practice (''Rule G–12''), as described herein (the ''proposed rule change'').[3] The proposed rule change was published for comment in the **Federal Register** on June 20, 2025.[4]

Section 19(b)(2) of the Act [5] provides that, within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for this proposed rule change is August 4, 2025. The Commission is extending this 45-day time period.

The Commission finds it appropriate to designate a longer period within which to take action on the proposed rule change, the issues raised therein, and the comments received.

Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[6] designates September 18, 2025, as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR–MSRB–2025–01).

For the Commission, pursuant to delegated authority.[7]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–14025 Filed 7–24–25; 8:45 am]

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[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 34–103262 (June 16, 2025), 90 FR 26390 (June 20, 2025) (''Notice''). Comments on the proposed rule change are available at *https://www.sec.gov/comments/sr-msrb-2025-01/srmsrb202501.htm.*

[4] Notice, 90 FR at 26390.

[5] 15 U.S.C. 78s(b)(2).

[6] *Id.*

[7] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103517; File No. SR–LTSE–2025–16]

Self-Regulatory Organizations; Long-Term Stock Exchange, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend LTSE Fee Schedule To Adopt a Liquidity Incentive Program

July 22, 2025.

Pursuant to the provisions of Section 19(b)(1) under the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on July 10, 2025, Long-Term Stock Exchange, Inc. (''LTSE'' or the ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I, II and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange is filing with the Securities and Exchange Commission (''Commission'') a proposed rule change to amend the LTSE Fee Schedule to adopt a Liquidity Incentive Program (''LTSE LIP'' or ''Program'') designed to enhance market quality by incentivizing market participants to provide liquidity and encourage executions in both LIP Enhanced Securities and LIP Standard Securities. The Exchange proposes to implement the changes to the fee schedule pursuant to this proposal on July 10, 2025.

The text of the proposed rule change is available at the Exchange's website at *https://longtermstockexchange.com/,* and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement on the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of the proposed rule change is to amend the Exchange's Fee Schedule to adopt a Program designed to enhance liquidity and improve market quality in securities traded on the Exchange by incentivizing Members to quote at the National Best Bid and Offer (''NBBO'') and provide liquidity in both select securities, the ''LIP Enhanced Securities'' and more generally in all other securities traded on LTSE, the ''LIP Standard Securities.'' The Program includes three key incentives: (1) a proportional share of 80% of LTSE's SIP Quote Revenue [3] for

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] The Securities Information Processors (''SIPs''), which include the Unlisted Trading Privileges and Consolidated Tape Association, collect fees from subscribers for trade and quote tape data received from trading centers and reporting facilities, such as the Exchange (collectively, ''SIP Participants''). After deducting the cost of operating each tape, the profits are allocated among the SIP Participants on a quarterly basis, according to a complex set of calculations that consider estimates of anticipated Market Data Revenue (''MDR''), adjustments to comport to actual MDR from previous quarters and a non-linear aggregation of total trading and quoting activity in Tape A, B and C securities in attributing

Continued

LIP Enhanced Securities, distributed among qualifying Members based on quoting activity; (2) reduced taker fees for LIP Enhanced Securities, available to all Members without quoting obligations; and (3) for LIP Standard Securities, a choice between a proportional share of 20% of LTSE's SIP Quote Revenue or a quarterly credit, contingent on meeting specific quoting thresholds.

Background

The Program is designed to incentivize the posting of quotes that join or establish a new National Best Bid or Offer (NBBO) through incentive payments. LTSE applies several objective factors concerning each security's trading characteristics and generally designates the securities that meet certain thresholds with respect to these factors to be LIP Enhanced Securities, while all remaining securities traded on the Exchange will be designated as LIP Standard Securities. These factors include average spread, daily turnover, market cap, volatility, share price, public float, % held by active investors, and average daily volume traded.[4]

LTSE uses the above factors to assess which securities are suitable for inclusion in the list of LIP Enhanced Securities, with a goal of identifying securities in which increased quoting at the NBBO would be impactful to both LTSE and the market, but not unduly burdensome to its Members in meeting the quoting requirements to qualify for the LTSE LIP.

LTSE will publish the list of LIP Enhanced Securities on its website (on the Schedule of Fees), and prior to the start of each quarter, the Exchange will reevaluate and, as applicable, update its list of LIP Enhanced Securities. Any updates to the list of LIP Enhanced Securities will be published on LTSE's Schedule of Fees no later than one day prior to the start of the quarter (the Exchange will endeavor to update its LIP Enhanced Securities up to five trading days before the start of the next quarter). LTSE believes that the incentives created by the Program are likely to increase quoting in both the LIP Enhanced Securities and the LIP Standard Securities, as discussed below, thereby providing improved trading conditions for all market participants through narrower spreads and increased depth of liquidity available at the NBBO.

Additionally, the Exchange proposes, as part of the Program, to reduce take fees for LIP Enhanced Securities from 30 mils to 20 mils, in an effort to further incentivize order takers to engage with quoting activity under the LTSE LIP. This adjustment is expected to drive greater order flow, contributing to a more robust and dynamic market.

Lastly, the Exchange proposes, as part of the Program, to incentivize quoting in LIP Standard Securities by offering two benefits to Members who (i) qualify for Incentive #1, as defined below, in at least 50 Enhanced Securities (*i.e.,* 50 unique symbols designated as LIP Enhanced Securities) and (ii) maintain NBBO quoting in a LIP Standard Security for at least 25% of the Regular Market Session. Qualifying Members may elect either: (1) a proportional share of the Exchange's SIP Quote Revenue attributable to that LIP Standard Security; or (2) a quarterly credit of $75 per LIP Standard Security per Market Participant ID (MPID).

As discussed above and detailed below, the LTSE LIP is composed of three (3) incentives.

Incentive #1

The first incentive is designed to encourage Members to improve market quality by quoting at the NBBO[5] for at least 60% of the Regular Market Session[6] on the Exchange and at a Minimum Quoted Size,[7] in certain specific securities, referred to by the Exchange as LIP Enhanced Securities, in a calendar quarter. Members who qualify for this incentive will receive a proportional share of 80% of LTSE's SIP Quote Revenue for that LIP Enhanced Security.[8] The list of LIP Enhanced Securities and the associated Minimum Quoted Size will be published on the Exchange's website and updated no more than quarterly.

Incentive #2

The second incentive provides all Members the benefit of reduced taker fees (from 30 mils to 20 mils) when trading LIP Enhanced Securities, with no quoting obligation required. The Exchange believes that reducing take fees in LIP Enhanced Securities will encourage participation at the NBBO, as discussed above, enhance market competition and benefit investors by fostering a more efficient and transparent trading environment. Lower take fees reduce transaction costs for liquidity takers, encouraging greater order flow and interaction with displayed liquidity. This, in turn, incentivizes market participants to compete more aggressively to provide liquidity, leading to tighter bid-ask spreads, increased depth of book, and improved price discovery. Additionally, when market makers and liquidity providers are rewarded for quoting at the NBBO, alongside reduced costs for liquidity takers, it strengthens overall market quality by promoting fair and efficient execution. Investors—particularly retail traders and institutional participants—benefit from more competitive pricing, lower execution costs, and reduced market impact, aligning with the broader goal of fostering a robust and competitive exchange ecosystem.

Incentive #3

Lastly, the Exchange is seeking to incentivize quoting in LIP Standard Securities by offering Members that qualify for Incentive #1 in at least 50 of the LIP Enhanced Securities (*i.e.,* 50 unique symbols designated as LIP Enhanced Securities) and are quoting at the NBBO in at least one round lot for at least 25% of the Regular Market Session in a LIP Standard Security to choose between: a proportional share of 20% of LTSE's SIP Quote Revenue for that LIP Standard Security; or a quarterly credit of $75 per LIP Standard Security per Market Participant ID (MPID).[9]

Determining LTSE LIP Eligibility and Proportionate SIP Revenue Share:

- *Incentive #1:*

MDR to each SIP Participant. Based on these calculations, the SIPs provide MDR payments to each SIP Participant during the second month of each quarter for trade and quote data from the previous calendar quarter, which are subject to adjustment through subsequent quarterly payments. These payments can be divided into six pools (*i.e.,* trade and quote activity in Tape A, B, and C securities).

[4] The Exchange has discussed with Commission staff the thresholds it intends to apply to these objective factors.

[5] With respect to the trading of equity securities, the term ''NBB'' shall mean the national best bid, the term ''NBO'' shall mean the national best offer, and the term ''NBBO'' shall mean the national best bid and offer. *See* Exchange Rule 1.160(y).

[6] Regular Market Session or Regular Market Hours means the time between 9:30 a.m. and 4:00 p.m. Eastern Time. *See* Exchange Rule 1.160(kk).

[7] Minimum Quoted Size will be calculated using a combination of Average Daily Volume (''ADV'') and share price for each LIP Enhanced Security and published quarterly on the Exchange's website.

[8] The Exchange notes that it will aggregate each Member's MPIDs and view quotes by Member Firm to determine the number of securities in which the Member meets the quoting requirements for that day.

[9] *See* NYSE American Equities Price List for a similarly structured pricing incentive. *https://www.nyse.com/publicdocs/nyse/markets/nyse-american/NYSE_America_Equities_Price_List.pdf* (The proposed LIP fee structure is comparable to the NYSE American equity fee schedule, which also employs quote-based transaction credits—incentivizing eDMMs or LMMs to quote at the NBBO through tiered monthly rebates—demonstrating a similar performance-based approach to enhancing displayed liquidity.)

○ *Step 1:* On a daily basis, identify all eligible quotes per Member in each LIP Enhanced Security. Eligible bids (offers) are displayed (or represent the displayed portion of a reserve order), priced at or better than the NBB (NBO), and have a quoted size at or better than the Minimum Quoted Size, as follows:

LIP Enhanced Security Minimum Quoted Size [10]

Average daily share volume	Share price			
	<$5	$5–14.99	$15–49.99	$50+
<5,000	700	400	300	200
5,000–24,999	700	400	300	200
25,000–74,999	700	400	300	200
75,000–199,999	700	400	300	200
200,000–499,999	700	400	300	200
500,000+	2,000	1,000	500	300

○ *Step 2:* Calculate the % time at the NBBO as follows:

■ *Step 2A:* Calculate the % time at the NBB: Numerator = Total number of seconds that eligible bids were priced at or better than the NBB. Denominator = Total number of seconds in a trading day (23,400)

■ *Step 2B:* Calculate the % time at the NBO: Numerator = Total number of seconds that eligible offers were priced at or better than the NBO. Denominator = Total number of seconds in a trading day (23.400)

■ *Step 2C:* Calculate the average % time at the NBBO: Sum the results of Step 2A and 2B and divide by two. This represents the daily % Time at NBBO.

■ *Step 2D:* Average each daily % Time at NBBO across the number of trading days in a calendar quarter. If this average is at or above 60%, the firm qualifies for Incentive #1 SIP Quote Revenue Sharing in that LIP Enhanced Security.

○ *Step 3:* On a quarterly basis, proportionally allocate SIP Quote revenue to each qualifying firm.

■ *Step 3A:* Per LIP Enhanced Security, calculate attributable Quote Credits per Member for each of their eligible quotes across a calendar quarter. The Quote Credit associated with an individual eligible quote is the product of three factors: Duration at NBBO, Quoted Price, and Quoted Size. Quote Credits will be summed per firm.

■ *Step 3B:* Per LIP Enhanced Security, calculate the Quote Credit Share for each qualifying firm: Numerator = the results of Step 3A. Denominator = Total Quote Credits across all Firms (includes quote credits for qualifying and non-qualifying firms).

■ *Step 3C:* Identify shareable SIP Quote Revenue per LIP Enhanced Security. The Exchange will multiply its SIP Quote Revenue per LIP Enhanced Security (as provided by the SIP Processors on a quarterly basis) by 80%.

■ *Step 3D:* Calculate the proportionate SIP Quote Revenue per qualifying firm. Multiply the results of Steps 3B and 3C. For example, if Firm A's Quote Credit Share is 30% and LTSE earns $100 in SIP Quote Revenue in symbol ABC, Firm A will receive $24 ($100 * 80% * 30%) for symbol ABC for Incentive #1.

• *Incentive #3:*

○ *Step 1:* Determine which firms qualified for Incentive #1 in at least 50 of the LIP Enhanced Securities (*i.e.,* 50 unique symbols designated as LIP Enhanced Securities) in the current or previous calendar quarter. Only these firms move on to Step 2.

○ *Step 2:* Per LIP Standard Security, per MPID belonging to a qualifying firm, calculate the % Time at NBBO, in the same manner as in Incentive #1 Step 2. If this calculation is at or above 25%, that MPID qualifies for Incentive #3 in that LIP Standard Security.

○ *Step #3:* Qualifying firms will notify LTSE of their incentive selection, per LIP Standard Security, before the end of the calendar quarter. For qualifying firms who choose the Quote Sharing option under Incentive #3, calculate the firm's Quote Revenue Share per LIP Standard Security in the same manner as in Incentive #1 Step 3 (except the Exchange will share 20% rather than 80% of its SIP Quote Revenue under Incentive #3). For qualifying firms who choose the Quarterly Credit option under Incentive #3, calculate the firm's quarterly credit as the product of: number of qualifying MPIDs and the Quarterly Credit ($75).

For the purposes of determining qualification for the LTSE LIP, the Exchange will exclude: (1) Any trading day that the Exchange's system experiences a disruption that lasts for more than 60 minutes during Regular Market Hours; (2) any day with a scheduled early market close; (3) the ''Russell Reconstitution Day'' (typically the last Friday in June). As further detail regarding such proposed exclusions, an Exchange system disruption may occur, for example, where a certain group of securities traded on the Exchange is unavailable for trading due to an Exchange system issue. The Exchange believes that these types of Exchange system disruptions could preclude Members from participating on the Exchange to the extent that they might have otherwise participated on such days, and thus, the Exchange believes it is appropriate to exclude such days when determining whether a Member meets the applicable quoting requirements during a quarter to avoid penalizing Members that might otherwise have met such requirements. Additionally, the Exchange believes that scheduled early market closures, which typically are the day before, or the day after, a holiday, may preclude some Members from participating on the Exchange at the same level that they might otherwise. For similar reasons, the Exchange believes it is appropriate to exclude the Russell Reconstitution Day in the same manner, as the Exchange believes that the Russell Reconstitution Day typically has extraordinarily high, and abnormally distributed, trading volumes and the Exchange believes this change to normal

[10] To facilitate a smooth implementation and allow Members adequate time to adapt their quoting behavior, the Exchange proposes to temporarily set the LIP Enhanced Security Minimum Quoted Size at a round lot across all LIP Enhanced Securities during the first calendar quarter of the Program's roll-out. This phased approach is intended to reduce operational complexity and promote Member participation in the early stages of the Program. The Exchange believes that this temporary threshold will encourage quoting activity without imposing undue burdens during the initial launch, thereby supporting the LIP's goal of improving market quality in a broad set of securities. The Exchange anticipates restoring the graduated minimum size thresholds, as set forth in the chart above, in the LIP's second quarter, *i.e.,* October 1, 2025. Consistent with the LIP's design, the Exchange will publish the updated thresholds for each LIP Enhanced Security on its website in advance of the second quarter.

activity may affect a Member's ability to meet the quoting requirement across various securities on that day. The Exchange notes that the exclusion of any day during which the Exchange's system experiences a disruption that lasts for more than 60 minutes during Regular Market Hours, any day with a scheduled early market close, and the Russell Reconstitution is consistent with the methodologies used by other exchanges when calculating certain Member trading and other volume metrics for purposes of determining whether Members qualify for certain pricing incentives, and the Exchange believes application of these methodologies is similarly appropriate for the proposed LTSE LIP.[11]

The LTSE LIP will be open to all Members and will not impose any two-sided quotation obligations on any Member seeking to qualify for the Program. Accordingly, the LTSE LIP is designed to attract liquidity from any firm that is willing to provide liquidity at the NBB or NBO in LIP Enhanced Securities specifically, and LIP Standard Securities, more generally. The Exchange is proposing to provide Members an opportunity to earn SIP revenue as a means of recognizing the value of market participants that consistently enter quoting interest at the NBBO in LIP Enhanced Securities specifically, and LIP Standard Securities, more generally. Through the Program, the Exchange seeks to provide improved liquidity for all market participants through narrower bid-ask spread and increased depth of liquidity in the LIP Enhanced Securities specifically, and LIP Standard Securities, more generally.

The Exchange notes that the proposed LTSE LIP is similar to IEX's Supplemental Market Quality Program, which provides financial incentives for members entering displayed orders or quotes priced at the NBBO in certain securities designated by IEX.[12] Additionally, the Program is similar to the Enhanced Market Quality Program offered by Nasdaq BX,[13] which also pays a fixed sum to Members that quote exchange-specified securities at the NBBO for at least a minimum percentage time of the day.[14] The proposed LTSE LIP is also similar to the ''Market Quality'' program offered by MIAX PEARL.[15] Additionally, LTSE's process for selecting LIP Enhanced Securities, which, as described above, is designed to use objective criteria to identify securities in which increased quoting would be impactful to both LTSE and the market is analogous to the manner in which Cboe EDGA's NBBO Setter Program provides a rebate for quoting in ''illiquid securities on the Exchange.'' [16] Finally, the Exchange notes that its proposed LTSE LIP is also similar to the recently discontinued quote revenue sharing program of Nasdaq PSX.[17]

In addition to the foregoing changes, the Exchange proposes to add a Notes to LTSE LIP section to the Fee Schedule to add definitions of the terms and other clarifying points. Specifically, the Exchange proposes to adopt definitions for ''LIP Enhanced Securities,'' ''LIP Standard Securities'' and ''Percent Time at NBBO,'' that are consistent with the description of those terms as set forth above, as such terms are used above describing the calculation methodology and criteria for determining whether a Member qualifies for quote sharing under the LTSE LIP that the Exchange is proposing to add to the Fee Schedule, as described above. Additionally, the Exchange proposes to adopt language clarifying the following:

- the Minimum Quoted Size will be calculated for each LIP Enhanced Security and published quarterly.
- Incentive #1 and Incentive #3 will be calculated, and eligibility determined, on a quarterly basis [18] rather than monthly; revenue will be shared proportionally based on quoting activity. For Incentive #3 Members who choose the quarterly credit can apply that credit in the calendar quarter in which they earned it, or the subsequent calendar quarter. Members that qualify for Incentive #1 and Incentive #3 will receive their share of the revenue subsequent to the Exchange receiving the quote revenue from the SIP.
- ''Percent Time at NBBO'' means the average of the percentage time during the Regular Market Session where a Member has a displayed quote at the national best bid (''NBB'') or national best offer (''NBO''). For the avoidance of doubt, only quotes that are at the NBB or NBO during the Regular Market Session count towards the Percent Time at NBBO calculation.
- The Exchange excludes from its calculation of Percent Time at NBBO: (1) any trading day that the Exchange's system experiences a disruption that lasts for more than 60 minutes during the Regular Market Session; (2) any day with a scheduled early market close; and (3) the ''Russell Reconstitution Day'' (typically the last Friday in June).

[11] *See* Miax Pearl's equities trading fee schedule on its public website (available at: *https://www.miaxglobal.com/sites/default/files/fee_schedule-files/MIAX_Pearl_Equities_Fee_Schedule_06062025.pdf;* the Cboe BZX Exchange, Inc. (''Cboe BZX'') equities trading fee schedule on its public website (available at: *https://www.cboe.com/us/equities/membership/fee_schedule/bzx/*); the Cboe EDGX Exchange, Inc. (''Cboe EDGX'') equities trading fee schedule on its public website (available at: *https://www.cboe.com/us/equities/membership/fee_schedule/edgx/*); and the MEMX LLC, (''MEMX'') equities trading fee schedule on its public website (available at: *https://info.memxtrading.com/equities-trading-resources/us-equities-fee-schedule/*).

[12] *See* Securities Exchange Act Release No. 103131 (May 27, 2025), 90 FR 23397 (June 2, 2025) (SR–IEX–2025–07) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change to Amend IEX's Fee Schedule to Establish a Supplemental Market Quality Program).

[13] *See* Nasdaq BX Equities VII Section 118(g).

[14] Nasdaq BX's Enhanced Market Quality Program (''EMQP'') sets different percentage thresholds depending upon if the security is quoted on Tape A or B (and not Tape C securities). The EMQP also increases its incentive fees based upon the number of securities quoted at the NBBO for at least the threshold percentage of market hours. These differences between the proposed LTSE LIP and the EMQP reflect different pricing approaches of different exchanges, but the core functionality of the two programs is substantially similar. *Id.*

[15] MIAX PEARL's NBBO Program was implemented beginning September 1, 2023, and subsequently amended several times. See, *e.g.,* Securities Exchange Act Release Nos. 98472 (September 21, 2023), 88 FR 66533 (September 27, 2023) (SR–PEARL–2023–45); 99318 (January 11, 2024), 89 FR 3488 (January 18, 2024) (SR–PEARL–2023–73); 99695 (March 8, 2024), 89 FR 18694 (March 14, 2024) (SR–PEARL–2024–11). In a subsequent filing, MIAX PEARL stated that the ''list of MQ Securities is generally based on the top multi-listed symbols by ADV across all U.S. securities exchanges.'' See Securities Exchange Act Release No. 101611 (November 13, 2024), 89 FR 91455 (November 19, 2024) (SR–PEARL–2024–50). While MIAX PEARL uses quoting at the NBBO in the ''Market Quality Securities'' as a means of qualifying for certain rebate tiers (and not to share quote revenue to qualifying members like LTSE proposes), the Market Quality program is like LTSE's proposed Program in that it provides financial incentives to Members based upon increased quoting in a subset of securities specified by the exchange.

[16] *See* Securities Exchange Act Release No. 102842 (April 11, 2025), 90 FR 16356 (April 17, 2025) (SR–CboeEDGA–2025–009) (providing a rebate for quoting in approximately 9,700 securities that are not on an excluded securities list, with the excluded securities list being a combination of securities included in the S&P 500 Index, the Nasdaq 100 Index, and ''certain ETPs the Exchange believes have a high level of liquidity'').

[17] *See* Securities Exchange Act Release No. 34–100060 (May 3, 2024), 89 FR 39668 (May 9, 2024) (SR–Phlx–2024–18) (Establishing the quote revenue sharing program.) (This program implemented a market data revenue rebate program offering tiered rebates tied to quoting activity (*i.e.,* providing displayed liquidity at the NBBO), similar to the program proposed herein, in that both programs use performance-based incentives tied to quote presence in a defined universe to bolster liquidity.) Phlx recently filed to terminate the program stating it no longer provided a growth incentive that aligned with the Exchange's needs. See Securities Exchange Act Release No. 34–102844 (April 11, 2025), 90 FR 16226 (April 17, 2025) (SR–Phlx–2025–19).

[18] The Exchange proposes to determine eligibility on a quarterly basis to align with the quarterly distributions to the SIP Participants, as discussed above.

(b) Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[19] in general, and furthers the objectives of Section 6(b)(4) of the Act,[20] in particular, in that it provides for the equitable allocation of reasonable dues, fees and other charges among its Members and issuers and other persons using its facilities. The Exchange also believes that the proposed rule change is reasonable, fair and equitable, and non-discriminatory.

The Exchange operates in a highly fragmented and competitive market in which market participants can readily direct their order flow to competing venues if they deem fee levels at a particular venue to be excessive or incentives to be insufficient. More specifically, the Exchange is only one of sixteen registered equities exchanges, and there are a number of alternative trading systems and other off-exchange venues, to which market participants may direct their order flow. Based on publicly available information, no single registered equities exchange currently has more than approximately 15% of the total market share of executed volume of equities trading.[21] Thus, in such a low-concentrated and highly competitive market, no single equities exchange possesses significant pricing power in the execution of order flow, and the Exchange currently represents approximately 0.01% of the overall market share. The Commission and the courts have repeatedly expressed their preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. In Regulation NMS, the Commission highlighted the importance of market forces in determining prices and SRO revenues and also recognized that current regulation of the market system ''has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies.'' [22]

The Exchange believes that the ever-shifting market share among the exchanges from month to month demonstrates that market participants can shift order flow or discontinue or reduce use of certain categories of products, in response to new or different pricing structures being introduced into the market. Accordingly, competitive forces constrain the Exchange's transaction fees and rebates, and market participants can readily trade on competing venues if they deem pricing levels at those other venues to be more favorable. The Exchange believes the proposal reflects a reasonable and competitive pricing structure designed to incentivize market participants to direct their order flow to the Exchange, which the Exchange believes would enhance liquidity and market quality in both a broad manner with respect to LIP Standard Securities and in a targeted manner with respect to the LIP Enhanced Securities.

LTSE Liquidity Incentive Program

The Exchange believes that the proposed LTSE Liquidity Incentive Program is reasonable, equitable, and not unfairly discriminatory under Section 6(b)(4) and 6(b)(5) of the Exchange Act, notwithstanding that it provides higher quote-sharing revenue in LIP Enhanced Securities compared to LIP Standard Securities. The quoting obligations applicable to LIP Enhanced Securities are more rigorous than those for LIP Standard Securities, and the enhanced rebates are designed to reflect the value of market participants that quote consistently at the NBBO across a broad range of securities with respect to the LIP Enhanced Securities in particular.

The Commission has consistently permitted exchanges to adopt differentiated pricing for distinct categories of securities, provided that the distinctions are based on reasonable, non-arbitrary criteria and further the purposes of the Act.[23] For example, IEX's Supplemental Marker Quality program, Nasdaq's differentiated rebates for securities in Tapes A, B and C, and the Miax Pearl's pricing for ''MQ Securities,'' reflect the Commission recognition that the fee differentiation is permissible where it supports market quality goals.

Similarly, the Exchange's proposal to allocate greater quote-sharing revenue to LIP Enhanced Securities is designed to promote improved quoting and execution quality in those symbols, including by encouraging liquidity provision and lowering transaction costs for takers. Differentiating fees and rebates by symbol is not unfairly discriminatory because participation in the Program is voluntary, the distinctions are grounded in objective criteria, and the Program is calibrated to promote the statutory goals of fair and orderly markets and the protection of investors.

The Program is intended to encourage Members to promote price discovery and market quality by quoting at the NBBO for a significant portion of each day in a large number of securities generally, and in LIP Enhanced Securities in particular, thereby benefiting the Exchange and other investors by providing improved trading conditions for all market participants through narrower bid-ask spreads and increasing the depth of liquidity available at the NBBO in a broad base of securities, including the LIP Enhanced Securities. Additionally, the Exchange believes that by offering incentives in LIP Standard Securities for Members that meet specific quoting minimums in LIP Enhanced Securities, will incentivize Members to quote at the NBBO in a more generalized manner to receive the additional incentives for quoting in LIP Standard Securities. Thus, the Exchange believes that the proposed Program will promote price discovery and market quality in LIP Enhanced Securities and more generally on the Exchange, and, further, that the resulting tightened spreads and increased displayed liquidity will benefit all investors by deepening the Exchange's liquidity pool, supporting the quality of price discovery, enhancing quoting competition across all exchanges, and promoting market transparency.

The Exchange further believes that the proposed criteria for LIP Enhanced Securities and LIP Standard Securities, and the associated rebate for each is reasonable, in that the proposed criteria for LIP Enhanced Securities is more difficult to achieve than that of LIP Standard Securities, and thus qualifying for the quote revenue in LIP Enhanced Securities appropriately offers a higher share of quote revenue commensurate with the corresponding higher quoting threshold. Therefore, the Exchange

[19] 15 U.S.C. 78f(b).

[20] 15 U.S.C. 78f(b)(4).

[21] Market share percentage calculated as of March 31, 2025, with data made available through consolidated data feeds (*i.e.,* Consolidated Tape System (CTS) and Unlisted Trading Privilege (UTP) data feeds).

[22] *See* Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37499 (June 29, 2005).

[23] The IEX fee schedule provides incentives for posting displayed orders priced at the NBBO in designated securities ''SQM Securities.'' *See https://cdn.prod.website-files.com/635ad1b3d188c10deb1ebcba/6838b3379b9403746ebe5860_Fee_Schedule_as_of_June_1_2025%20(pre%20June%201)_as%20of%20may%2029.pdf.* Nasdaq's fee schedule provides for differentiated rebates by security type, particularly distinguishing between Tape A, B and C securities. For example, the schedule currently provides a rebate structure in which additional rebates are provided for executions in Tape A and C securities at $0.000075 per share, while rebates for Tape B are lower at $0.00005 per share. *See https://listingcenter.nasdaq.com/rulebook/nasdaq/rules/nasdaq-equity-7.* Miax Pearl adopted a symbol-specific incentive program that provides enhanced rebates or reduced fees for trading in certain ''MQ Securities'' identified on their fee schedule. *See https://www.miaxglobal.com/sites/default/files/fee_schedule-files/MIAX_Pearl_Equities_Fee_Schedule_06062025.pdf.*

believes that the Program, as proposed, is consistent with an equitable allocation of fees and rebates, as the more stringent criteria correlates with the corresponding higher quote revenue.

Additionally, LTSE believes that the manner in which it selects securities for inclusion in the LIP Enhanced list is consistent with the Act because it is reasonable, equitable, and not unfairly discriminatory (to customers, issuers, brokers or dealers). As discussed in the Purpose section, LTSE designates securities to be LIP Enhanced Securities by applying several objective factors concerning each security's trading characteristics and designating the securities that meet certain thresholds with respect to these factors to be LIP Enhanced Securities. These factors are designed to identify securities in which increased quoting would be impactful to both LTSE and the market, but not unduly burdensome to its Members in meeting the quoting requirements to qualify for the Program. Because the process of selecting LIP Enhanced Securities is designed to use objective criteria to create a list of securities for which inclusion in the Program could meaningfully increase liquidity (increasing price improvement opportunities for those securities), it is consistent with the goals of the Act to remove impediments to and perfect the mechanism of a free and open market.

In addition, the Exchange believes that it is reasonable and consistent with an equitable allocation of fees to lower the take fee for executions in LIP Enhanced Securities because this will encourage participation at the NBBO, thereby enhancing market competition and benefiting investors by fostering a more efficient and transparent trading environment. This trading activity benefits all investors by promoting price discovery and increasing the depth of liquidity available at the NBBO and benefits the Exchange itself by enhancing its competitiveness as a market center that attracts actionable orders.

Further, the Exchange notes that the proposed Program is offered uniformly to all Members, and any Member may choose to qualify for quote sharing by meeting the associated requirements in any quarter, and the lower take fee in LIP Enhanced Securities regardless of the volume of transactions that it executes on the Exchange. Additionally, the Exchange notes that Members that do not meet the proposed eligibility requirements may still benefit from the lower take fee in LIP Enhanced Securities. Accordingly, the Exchange believes that it is consistent with an equitable allocation of fees and is not unfairly discriminatory to offer a higher share of quote revenue for LIP Enhanced Securities, as Members are required to meet a more stringent threshold than with respect to LIP Standard Securities, and both are eligible for some amount of quote revenue and such incentives are designed to benefit the Exchange and market participants by enhancing market quality.

Furthermore, as noted above, the proposed Program is similar in structure and purpose to pricing programs in place at other exchanges that are designed to enhance market quality.[24] Specifically, these programs, like the proposed LTSE LIP, provide a higher rebate for executions of liquidity-adding displayed orders for members that achieve minimum quoting standards, including minimum quoting at the NBBO in a large number of securities generally, or certain designated securities in particular.[25] The Exchange also notes that the proposed LTSE LIP is not dissimilar from volume-based rebates and fees which have been widely adopted by exchanges[26] and are equitable and not unfairly discriminatory because they are generally open to all members on an equal basis and provide higher rebates and/or lower fees that are reasonably related to the value of an exchange's market quality. Much like volume-based tiers are designed to incentivize higher levels of liquidity provision, the proposed LTSE LIP is designed to incentivize enhanced market quality on the Exchange through tighter spreads, greater size at the NBBO, and greater quoting depth in a large number of securities generally, and in LIP Enhanced Securities specifically, through the provision a greater proportional share of the SIP revenue which will in turn incentivize higher levels of displayed liquidity in a general manner. Accordingly, the Exchange believes that the proposed LTSE LIP would act to enhance liquidity and competition across exchanges in LIP Enhanced Securities specifically and enhance liquidity provision in all securities on the Exchange more generally by providing quote revenue for quoting in LIP Standard Securities which is reasonably related to such enhanced market quality to the benefit of all investors, thereby promoting the principles discussed in Sections 6(b)(4) and 6(b)(5) of the Act.[27]

The Exchange also believes that the calculation methodology and criteria for determining whether a Member satisfies the requirements to qualify for the Program, as well as the definitions of terms that are used, is reasonable, equitable, and non-discriminatory because the definitions are designed to ensure that the Fee Schedule is clear and as easily understandable as possible with respect to the requirements of the proposed Program. Additionally, the Exchange believes that excluding (1) any trading day that the Exchange's system experiences a disruption that lasts for more than 60 minutes during Regular Trading Hours; (2) any day with a scheduled early market close; and (3) the Russell Reconstitution Day, when determining whether a Member qualifies for a proposed Program during a quarter is reasonable, equitable, and non-discriminatory because, as explained above, the Exchange believes doing so would help to avoid penalizing Members that might otherwise have met the requirements to qualify for a proposed Program due to Exchange system disruptions, abbreviated trading days, and/or abnormal market conditions. For similar reasons, the Exchange believes it is appropriate to exclude the Russell Reconstitution Day, as the Exchange believes the change to normal trading activity as a result of the Russell Reconstitution may affect a Member's ability to meet the quoting requirement across various securities on that day. The Exchange notes that its proposed calculation methodology is consistent with the methodologies used by other exchanges when calculating certain member trading and other volume metrics for purposes of determining whether members qualify for certain pricing incentives.[28] For the reasons discussed above, the Exchange submits that the proposal satisfies the requirements of Sections 6(b)(4) and 6(b)(5) of the Act in that it provides for the equitable allocation of reasonable dues, fees and other charges among its Members and other persons using its facilities and is not designed to unfairly discriminate between customers, issuers, brokers, or dealers. As described more fully below in the Exchange's statement regarding the burden on competition, the Exchange believes that its transaction pricing is subject to significant competitive forces, and that the proposed fees and rebates described

[24] *See supra* notes 9, 11, 12, 13, 15 17 and 18.

[25] *Id.*

[26] *See, e.g.,* the Cboe BZX equities trading fee schedule on its public website (available at *https://markets.cboe.com/us/equities/membership/fee_schedule/bzx/*); the Cboe EDGX equities trading fee schedule on its public website (available at *https://markets.cboe.com/us/equities/membership/fee_schedule/edgx/*); and the MEMX equities trading fee schedule on its public website (available at *https://info.memxtrading.com/fee-schedule/*).

[27] 15 U.S.C. 78f(b)(4) and (5).

[28] *See supra* note 25.

herein are appropriate to address such forces.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. Instead, as discussed above, the proposal is intended to enhance market quality on the Exchange in a large number of securities generally, and in the LIP Enhanced Securities specifically, and to encourage Members to increase their order flow on the Exchange, thereby promoting price discovery and contributing to a deeper and more liquid market to the benefit of all market participants. As a result, the Exchange believes the proposal would enhance its competitiveness as a market that attracts actionable orders, thereby making it a more desirable destination venue for its customers. For these reasons, the Exchange believes that the proposal furthers the Commission's goal in efficient pricing of individual stocks for all types of orders, large and small.'' [29]

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

This proposed rule change establishes dues, fees or other charges among its members and, as such, may take effect upon filing with the Commission pursuant to Section 19(b)(3)(A)(ii) of the Act [30] and paragraph (f)(2) of Rule 19b–4 thereunder.[31] Accordingly, the proposed rule change would take effect upon filing with the Commission.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend the rule change if it appears to the Commission that the action is necessary or appropriate in the public interest, for the protection of investors, or would otherwise further the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

[29] *See* Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 47396 (June 29, 2005).

[30] 15 U.S.C. 78s(b)(3)(A)(ii).

[31] 17 CFR 240.19b–4(f)(2).

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–LTSE–2025–16 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–LTSE–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 (*http://www.sec.gov/rules/sro.shtml*). Copies of the filing also will be available for inspection and copying at the principal office of LTSE and on its internet website at *https://longtermstockexchange.com/.*

All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–LTSE–2025–16 and should be submitted on or before August 15, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[32]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–14026 Filed 7–24–25; 8:45 am]

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[32] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103524; File No. SR–CboeBZX–2025–010]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Filing of a Proposed Rule Change, as Modified by Amendment No. 3, To Amend the Rule Governing the Listing and Trading of the ARK 21Shares Bitcoin ETF and the 21Shares Core Ethereum ETF To Permit In-Kind Creations and Redemptions

July 22, 2025.

On January 27, 2025, Cboe BZX Exchange, Inc. (the ''Exchange'' or ''BZX'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] a proposed rule change To amend the rules governing the listing and trading of shares of the ARK 21Shares Bitcoin ETF and the 21Shares Core Ethereum ETF under BZX Rule 14.11(e)(4). On February 5, 2025, the Exchange filed Amendment No. 1 to the proposed rule change, which replaced and superseded the original filing in its entirety. On February 7, 2025, the Exchange filed Amendment No. 2 to the proposed change, which replaced and superseded the proposed rule change, as modified by Amendment No. 1, in its entirety. The proposed rule change, as modified by Amendment No. 2, was published for comment in the **Federal Register** on February 14, 2025.[3]

On March 11, 2025, pursuant to Section 19(b)(2) of the Act,[4] the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change.[5] On May 14, 2025, the Commission instituted proceedings under Section 19(b)(2)(B) of the Act,[6] to determine whether to approve or disapprove the proposed rule change.[7] On July 21, 2025, pursuant

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102381 (Feb. 10, 2025), 90 FR 9648.

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 102609, 90 FR 12409 (Mar. 17, 2025) (designating May 15, 2025, as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove the proposed rule change).

[6] 15 U.S.C. 78s(b)(2)(B).

[7] *See* Securities Exchange Act Release No. 103044, 90 FR 21531 (May 20, 2025).

to Section 19(b)(2) of the Act,[8] the Exchange filed Amendment No. 3 to the proposed rule change, which replaced and superseded the original filing, as modified by Amendment No. 2, in its entirety. The proposed rule change, as modified by Amendment No. 3, is described in Items I and II below, which Items have been substantially prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change, as modified by Amendment No. 3, from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Cboe BZX Exchange, Inc. (''BZX'' or the ''Exchange'') is filing with the Securities and Exchange Commission (''Commission'' or ''SEC'') a proposed rule change to amend the rule governing the ARK 21Shares Bitcoin ETF (the ''Bitcoin Trust'') and the 21Shares Core Ethereum ETF (the ''ETH Trust'' and, collectively with the Bitcoin Trust, the ''Trusts''), shares of which have been approved by the Commission to list and trade on the Exchange pursuant to BZX Rule 14.11(e)(4), to permit in-kind creations and redemptions.

The text of the proposed rule change is also available on the Exchange's website (*http://markets.cboe.com/us/equities/regulation/rule_filings/bzx/*) and at the Exchange's Office of the Secretary.

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 III 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

This Amendment No. 3 to SR–CboeBZX–2025–010 amends and replaces in its entirety the proposal as originally submitted on January 27, 2025, and as amended by Amendment No. 1 on February 5, 2025 and Amendment No. 2 on February 7, 2025. The Exchange submits this Amendment No. 3 in order to clarify certain points and add additional details to the proposal.

The Commission approved the listing and trading of shares (the ''Bitcoin ETP Shares'') of the Bitcoin Trust on the Exchange pursuant to Exchange Rule 14.11(e)(4), Commodity-Based Trust Shares, on January 10, 2024.[9] The Commission also approved the listing and trading of shares (the ''ETH ETP Shares'') of the ETH Trust on the Exchange pursuant to Exchange Rule 14.11(e)(4), Commodity-Based Trust Shares, on May 23, 2024.[10] Exchange Rule 14.11(e)(4) governs the listing and trading of Commodity-Based Trust Shares, which means a security (a) that is issued by a trust that holds (1) a specified commodity deposited with the trust, or (2) a specified commodity and, in addition to such specified commodity, cash; (b) that is issued by such trust in a specified aggregate minimum number in return for a deposit of a quantity of the underlying commodity and/or cash; and (c) that, when aggregated in the same specified minimum number, may be redeemed at a holder's request by such trust which will deliver to the redeeming holder the quantity of the underlying commodity and/or cash. The Bitcoin ETP Shares are issued by the Bitcoin Trust and the ETH ETP Shares are issued by the ETH Trust. The Bitcoin Trust was formed as a Delaware statutory trust on June 22, 2021 and the ETH Trust was formed as a Delaware statutory trust on September 5, 2023.

Bitcoin Trust

The Exchange proposes to amend several portions of the Bitcoin ETP Amendment No. 5, as amended by the Custodian Amendment, in order to permit in-kind creations and redemptions.

Representations

The Bitcoin ETP Amendment No. 5 included specific representations making clear that the Bitcoin Trust would only process creations and redemptions in cash. Specifically, Bitcoin ETP Amendment No. 5 stated: ''The Trust will process all creations and redemptions in cash transactions with authorized participants.'' [11] The Exchange proposes to replace this representation to state: ''The Trust will process all creations and redemptions in cash or in-kind transactions with authorized participants (or their designated agents).''

The Bitcoin ETP Amendment No. 5 also stated:

> When the Trust creates or redeems its Shares, it will do so in cash transactions in blocks of 5,000 Shares (a ''Creation Basket'') at the Trust's net asset value (''NAV''). Authorized participants will deliver, or facilitate the delivery of, cash to the Trust's account with the Cash Custodian, in exchange for Shares when they create Shares, and the Trust, through the Cash Custodian, will deliver cash to such authorized participants when they redeem Shares with the Trust. Authorized participants may then offer Shares to the public at prices that depend on various factors, including the supply and demand for Shares, the value of the Trust's assets, and market conditions at the time of a transaction.[12]

The Exchange proposes to replace the above paragraph as follows:

> When the Trust creates or redeems its Shares, it will do so in cash transactions or in-kind transactions in blocks of 5,000 Shares (a ''Creation Basket''). For cash creations and redemptions, authorized participants will

[8] 15 U.S.C. 78s(b)(2).

[9] *See* Securities Exchange Act Release Nos. 99288 (January 8, 2024) 89 FR 2387 (January 12, 2024) (SR–CboeBZX–2023–028) (Notice of Filing of Amendment No. 5 to a Proposed Rule Change To List and Trade Shares of the ARK 21Shares Bitcoin ETF Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares) (''Bitcoin ETP Amendment No. 5''); 99306 (January 10, 2024) 89 FR 3008 (January 17, 2024) (SR–CboeBZX–2023–028) (Order Granting Accelerated Approval of Proposed Rule Changes, as Modified by Amendments Thereto, To List and Trade Bitcoin-Based Commodity-Based Trust Shares and Trust Units) (the ''Bitcoin ETP Approval Order''). On September 12, 2024, the Exchange amended the Bitcoin ETP Amendment No. 5 to add two new custodians to the Bitcoin Trust. *See* Securities Exchange Act Release No. 101080 (September 18, 2024) 89 FR 77910 (September 24, 2024) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the ARK 21Shares Bitcoin ETF and the 21Shares Core Ethereum ETF To Add Two New Custodians to Each Trust) (the ''Custodian Amendment'').

[10] *See* Securities Exchange Act Release Nos. 100216 (May 22, 2024) 89 FR 46514 (May 29, 2024) (SR–CboeBZX–2023–070) (Notice of Filing of Amendment No. 2 to a Proposed Rule Change to List and Trade Shares of the ARK 21Shares Ethereum ETF Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares) (''ETH ETP Amendment No. 2''); 100224 (May 23, 2024) 89 FR 46937 (May 30, 2024) (SR–CboeBZX–2023–070) (Order Granting Accelerated Approval of Proposed Rule Changes, as Modified by Amendments Thereto, to List and Trade Shares of Ether-Based Exchange-Traded Products) (the ''ETH ETP Approval Order''). The ETH Trust was originally named the ARK 21Shares Ethereum ETF, as reflected in the ETH ETP Approval Order. However, the Exchange later submitted an amendment, in part, to rename the ETH Trust to the 21Shares Core Ethereum ETF. *See* Securities Exchange Act Release No. 100306 (June 10, 2024) 89 FR 50656 (June 14, 2024) (SR–CboeBZX–2024–050) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the ARK 21Shares Ethereum ETF To Amend the Trust Name and Reflect That the Trust Will No Longer Have a Sub-Adviser) (the ''Trust Name and Sub-Adviser Amendment''). The Custodian Amendment also added two new custodians to the ETH Trust in addition to the Bitcoin Trust.

[11] *See* Bitcoin ETP Amendment No. 5 at 2407.

[12] *See* Bitcoin ETP Amendment No. 5 at 2406.

deliver, or facilitate the delivery of, cash to the Trust's account with the Cash Custodian, in exchange for Shares when they create Shares, and the Trust, through the Cash Custodian, will deliver cash to such authorized participants when they redeem Shares with the Trust. For in-kind creation and redemptions, authorized participants will deliver, or through their designated agents, facilitate delivery of, bitcoin to the Trust's account with the Custodian, in exchange for Shares when they create Shares, and the Trust, through the Custodian, will deliver bitcoin to such authorized participants, or their designated agents, when they redeem Shares with the Trust. Authorized participants may then offer Shares to the public at prices that depend on various factors, including the supply and demand for Shares, the value of the Trust's assets, and market conditions at the time of a transaction. Shareholders who buy or sell Shares during the day from their broker may do so at a premium or discount relative to the NAV of the Shares of the Trust.

Creation and Redemption of Shares

The Bitcoin ETP Amendment No. 5 included the ''Creation and Redemption of Shares'' section.[13] The Exchange proposes to replace this section as provided below. The Exchange proposes no change to the subheading ''Rule 14.11(e)(4)—Commodity-Based Trust Shares'' [14] and proposes to retain everything thereunder.

Creation and Redemption of Shares

When the Trust creates or redeems its Shares, it will do so in cash or in-kind. When the Trust creates or redeems its Shares in cash, it will do so in transactions in blocks of 5,000 Shares that are based on the quantity of bitcoin attributable to each Share of the Trust (*e.g.,* a Creation Basket). When the Trust creates or redeems its Shares in-kind, it will do so in transfers of bitcoin that are based on the quantity of bitcoin attributable to the Creation Basket being created or redeemed.

The authorized participants will deliver (or will have their designated agents deliver) cash or bitcoin to create Shares and will receive (or will have their designated agents receive) cash or bitcoin when redeeming Shares. The Trust will create Shares by receiving bitcoin or cash from an authorized participant (or its designated agent) and will redeem Shares by delivering bitcoin or cash to an authorized participant (or its designated agent).

According to the Registration Statement, on any business day, an authorized participant may place an order to create one or more Creation Baskets. Purchase orders must be placed by 12:00 p.m. Eastern Time, the close of regular trading on the Exchange, or another time determined by the Sponsor.[15] The day on which an order is properly received is considered the purchase order date.[16]

For a cash creation order, the total deposit of cash required is an amount of cash sufficient to purchase such amount of bitcoin, the amount of which is equal to the combined NAV of the number of Shares included in the Creation Baskets being created determined as of 4:00 p.m. ET on the date the order to purchase is properly received.

For a creation order in-kind, the total in-kind transfer of bitcoin is based on the quantity of bitcoin attributable to the Creation Baskets applicable to the date the order to purchase is properly received. The Administrator determines the quantity of bitcoin used to calculate the Creation Basket for a given day by dividing the number of bitcoin held by the Trust, adjusted for the amount of bitcoin constituting estimated accrued but unpaid fees and expenses of the Trust as of the opening of business on that business day, by the quotient of the number of Shares outstanding at the opening of business divided by the number of Shares in a Creation Basket.

The procedures by which an authorized participant can redeem one or more Creation Baskets mirror the procedures for the creation of Creation Baskets. For a cash redemption order, an authorized participant (or its designated agent) will deliver Shares to the Trust and will receive cash for the Shares delivered. For an in-kind redemption order, an authorized participant will deliver Shares to the Trust and the authorized participant (or its designated agent) will receive bitcoin for the Shares delivered.

Trust's Transfer Agent Will Instruct Disposition of Trust's Bitcoin

The Bitcoin ETP Amendment No. 5 subsection entitled ''Trust's Transfer Agent Will Instruct Disposition of Trust's Bitcoin'' includes the following:

In such cases, a third party will use cash to buy and deliver bitcoin to create Shares or withdraw and sell bitcoin for cash to redeem Shares, on behalf of the Trust. Authorized participants will deliver cash to the Trust's account with the Cash Custodian in exchange for Shares of the Trust, and the Trust, through the Cash Custodian, will deliver cash to authorized participants when those authorized participants redeem Shares of the Trust.[17]

The Exchange proposes to replace the above with the following:

For a cash creation order, an authorized participant will deliver cash to create Shares. For an in-kind creation order, an authorized participant or its designated agent will deliver bitcoin to create Shares. In the event the authorized participant, or its designated agent, has not deposited the bitcoin to the Trust by the applicable time on the settlement date of the in-kind creation order, the authorized participant will be given the option to (1) cancel the in-kind creation order, (2) delay settlement of the order to enable delivery of bitcoin at a later date, or (3) accept that the Trust will execute a bitcoin transaction required for the creation and the authorized participant will deliver the U.S. dollars required for this purchase. The authorized participant is responsible for the dollar cost of the difference between the bitcoin price utilized in calculating NAV per Share on trade date and the price at which the Trust acquires the bitcoin to the extent the price realized in buying the bitcoin is higher than the bitcoin price utilized in the NAV. To the extent the price realized in buying the bitcoin is lower than the price utilized in the NAV, the authorized participant shall get to keep the dollar impact of any such difference. For a cash redemption order, an authorized participant will deliver Shares to the Trust and will receive cash for the Shares delivered. For an in-kind redemption order, an authorized participant will deliver Shares to the Trust and will receive bitcoin or will have its designated agent receive bitcoin for the Shares delivered.

ETH Trust

Similarly, the Exchange proposes to amend several portions of ETH ETP Amendment No. 2, as amended by the Custodian Amendment and the Trust Name and Sub-Adviser Amendment, in order to permit in-kind creations and redemptions.

Representations

First, ETH ETP Amendment No. 2 included specific representations making clear that the Ether Trust would only process creations and redemptions in cash. Specifically, ETH ETP Amendment No. 2 stated:

When the Trust creates or redeems its Shares, it will do so in cash transactions in blocks of 10,000 Shares (a ''Creation Basket'') at the Trust's net asset value (''NAV''). Authorized participants will deliver, or facilitate the delivery of, cash to the Trust's account with the Cash Custodian in exchange for Shares when they create Shares, and the Trust, through the Cash Custodian, will deliver cash to such authorized participants when they redeem Shares with the Trust.[18] Authorized participants may then offer Shares to the public at prices that depend on various factors, including the supply and demand for Shares, the value of the Trust's assets, and market conditions at the time of a transaction.

The Exchange proposes to replace the above as follows:

When the Trust creates or redeems its Shares in cash transactions, it will do so in blocks of 10,000 Shares (a ''Creation Basket''). Authorized participants (or their designated agents) will deliver cash to the Trust's account with the Cash Custodian in exchange for Shares when they create Shares, and the Trust, through the Cash Custodian, will deliver cash to such authorized participants when they redeem Shares with the Trust. When the Trust creates or redeems

[13] *See* Bitcoin ETP Amendment No. 5 at 2408–2409.

[14] *See* Bitcoin ETP Amendment No. 5 at 2409.

[15] The time requirement for purchase orders will be publicized by the Sponsor.

[16] The order date is the trade date.

[17] *See* Bitcoin ETP Amendment No. 5 at 2407.

[18] *See* ETH ETP Amendment No. 2 at 46520.

its Shares in-kind, it will do so in Creation Units in exchange for ether. Authorized participants will deliver or will have their designated agents deliver ether to the Trust's account with the Custodian, in exchange for Shares when they create Shares, and the Trust, through the Custodian, will deliver ether to such authorized participants when they redeem Shares with the Trust. Authorized participants may then offer Shares to the public at prices that depend on various factors, including the supply and demand for Shares, the value of the Trust's assets, and market conditions at the time of a transaction. Shareholders who buy or sell Shares during the day from their broker may do so at a premium or discount relative to the NAV of the Shares of the Trust.

ETH ETP Amendment No. 2 also states: ''The Trust will process all creations and redemptions in cash transactions with authorized participants.'' [19] The Exchange proposes to replace this representation to state that the ''Trust will process all creations and redemptions in cash or in-kind transactions with authorized participants (or their designated agents).''

Creation and Redemption of Shares

The ETH ETP Amendment No. 2 includes the ''Creation and Redemption of Shares'' section.[20] The Exchange proposes to replace this section as provided below. The Exchange proposes no change to the subheading ''Rule 14.11(e)(4)—Commodity-Based Trust Shares'' [21] and proposes to retain everything thereunder.

Creation and Redemption of Shares

When the Trust creates or redeems its Shares, it will do so in cash or in-kind. When the Trust creates or redeems its Shares in cash, it will do so in transactions in blocks of 10,000 Shares that are based on the quantity of ETH attributable to each Share of the Trust (*e.g.,* a Creation Basket). When the Trust creates or redeems its Shares in-kind, it will do so in transfers of ether that are based on the quantity of ether attributable to the Creation Basket being created or redeemed.

The authorized participants will deliver (or will have their designated agents deliver) cash or ether to create Shares and will receive (or will have their designated agents receive) cash or ether when redeeming Shares. The Trust will create Shares by receiving ether or cash from an authorized participant (or its designated agent) and will redeem Shares by delivering ether or cash to an authorized participant (or its designated agent).

According to the Registration Statement, on any business day, an authorized participant may place an order to create one or more Creation Baskets. Purchase orders must be placed by 12:00 p.m. Eastern Time, the close of regular trading on the Exchange, or another time determined by the Sponsor.[22] The day on which an order is properly received is considered the purchase order date.[23]

For a cash creation order, the total deposit of cash required is an amount of cash sufficient to purchase such amount of ETH, the amount of which is equal to the combined NAV of the number of Shares included in the Creation Baskets being created determined as of 4:00 p.m. ET on the date the order to purchase is properly received.

For a creation order in-kind, the total in-kind transfer of ETH is based on the quantity of ETH attributable to the Creation Baskets applicable to the date the order to purchase is properly received. The Administrator determines the quantity of ETH used to calculate the Creation Basket for a given day by dividing the number of ETH held by the Trust, adjusted for the amount of ETH constituting estimated accrued but unpaid fees and expenses of the Trust as of the opening of business on that business day, by the quotient of the number of Shares outstanding at the opening of business divided by the number of Shares in a Creation Basket.

The procedures by which an authorized participant can redeem one or more Creation Baskets mirror the procedures for the creation of Creation Baskets. For a cash redemption order, an authorized participant (or its designated agent) will deliver Shares to the Trust and will receive cash for the Shares delivered. For an in-kind redemption order, an authorized participant will deliver Shares to the Trust and will receive (or will have its designated agent receive) ether for the Shares delivered.

Trust's Transfer Agent Will Instruct Disposition of Trust's Ether

The ETH ETP Amendment No. 2 subsection entitled ''Trust's Transfer Agent Will Instruct Disposition of Trust's Ether'' includes the following:

In such cases, a third party will use cash to buy and deliver ether to create Shares or withdraw and sell ether for cash to redeem Shares, on behalf of the Trust. Authorized participants will deliver cash to the Trust's account with the Cash Custodian in exchange for Shares of the Trust, and the Trust, through the Cash Custodian, will deliver cash to authorized participants when those authorized participants redeem Shares of the Trust.[24]

The Exchange proposes to replace the above with the following:

For a cash creation order, an authorized participant will deliver cash to create Shares. For an in-kind creation order, an authorized participant or its designated agent will deliver ether to create Shares. In the event the authorized participant, or its designated agent, has not deposited the ether to the Trust by the applicable time on the settlement date of the in-kind creation order, the authorized participant will be given the option to (1) cancel the in-kind creation order, (2) delay settlement of the order to enable delivery of ether at a later date, or (3) accept that the Trust will execute an ether transaction required for the creation and the authorized participant will deliver the U.S. dollars required for this purchase. The authorized participant is responsible for the dollar cost of the difference between the ether price utilized in calculating NAV per Share on trade date and the price at which the Trust acquires the ether to the extent the price realized in buying the ether is higher than the ether price utilized in the NAV. To the extent the price realized in buying the ether is lower than the price utilized in the NAV, the authorized participant shall get to keep the dollar impact of any such difference. For a cash redemption order, an authorized participant will deliver Shares to the Trust and will receive cash for the Shares delivered. For an in-kind redemption order, an authorized participant will deliver Shares to the Trust and will receive ether or will have its designated agent receive ether for the Shares delivered.

Conclusion

Except for the above changes, all other representations in the Bitcoin ETP Amendment No. 5, as amended by the Custodian Amendment, and ETH ETP Amendment No. 2, as amended by the Custodian Amendment and the Trust Name and Sub-Adviser Amendment, remain unchanged and will continue to constitute continuing listing requirements. In addition, the Bitcoin Trust will continue to comply with the terms of Bitcoin ETP Amendment No. 5, as amended, and the ETH Trust will continue to comply with the terms of ETH ETP Amendment No. 2, as amended, and the Trusts will continue to comply with the requirements of Rule 14.11(e)(4).

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[25] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5) [26] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in

[19] *See* ETH ETP Amendment No. 2 at 46521.

[20] *See* ETH ETP Amendment No. 2 at 46522–46523.

[21] *See* ETH ETP Amendment No. 2 at 46523.

[22] The time requirement for purchase orders will be publicized by the Sponsor.

[23] The order date is the trade date.

[24] *See* ETH ETP Amendment No. 2 at 46520.

[25] 15 U.S.C. 78f(b).

[26] 15 U.S.C. 78f(b)(5).

securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

The Exchange believes the proposed rule change is designed to remove impediments to and perfect the mechanism of a free and open market and, in general, to protect investors and the public interest because it would update representations in both the Bitcoin ETP Amendment No. 5, as amended, and the ETH ETP Amendment No. 2, as amended, such that the Trusts would both be able to engage in in-kind creations and redemptions with authorized participants (or their designated agents), as described above. This ability would make the Trusts (and the market more generally) operate more efficiently because authorized participants would be able to source bitcoin or ether, as applicable, rather than to provide cash to the applicable Trust and to receive bitcoin or ether directly from the Trusts. This means that the authorized participant would be responsible for buying and selling the applicable crypto asset rather than the Trust itself, which would potentially lessen the impact on the market of the Trusts on both sides of the transaction by allowing the authorized participant to decide how and where to source the underlying crypto asset for creations and deciding how, where, and whether to sell the underlying crypto asset received for redemptions. This would improve the creation and redemption process for both authorized participants and the Trusts, increase efficiency, and ultimately benefit the end investors in the Trusts.

Except for the addition of in-kind creation and redemption for the Bitcoin Trust as specifically set forth herein, all other representations made in the Bitcoin ETP Amendment No. 5, as amended, remain unchanged, and will continue to constitute continuing listing requirements for the Bitcoin Trust. Similarly, except for the addition of in-kind creation and redemption for the ETH Trust as specifically set forth herein, all other representations made in the ETH ETP Amendment No. 2, as amended, remain unchanged, and will continue to constitute continuing listing requirements for the ETH Trust.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. As noted above, the proposed amendment is intended to allow the Trusts to operate more efficiently by allowing for in-kind creation and redemption. The Exchange believes these changes will not impose any burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change, as modified by Amendment No. 3, 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–CboeBZX–2025–010 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–CboeBZX–2025–010. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–CboeBZX–2025–010 and should be submitted on or before August 15, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[27]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–14030 Filed 7–24–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103529; File No. SR–CboeBZX–2025–035]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Filing of a Proposed Rule Change, as Modified by Amendment No. 1, To Amend the Rule Governing the Listing and Trading of the Invesco Galaxy Bitcoin ETF and the Invesco Galaxy Ethereum ETF To Permit In-Kind Creations and Redemptions

July 22, 2025.

On March 10, 2025, Cboe BZX Exchange, Inc. (the ''Exchange'' or ''BZX'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] a proposed rule change to amend the rules governing the listing and trading of shares of the Invesco Galaxy Bitcoin ETF and the Invesco Galaxy Ethereum ETF under BZX Rule 14.11(e)(4). The proposed rule change was published for comment in the **Federal Register** on March 18, 2025.[3]

On April 29, 2025, pursuant to Section 19(b)(2) of the Act,[4] the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change.[5] On June 16, 2025, the Commission instituted proceedings under Section 19(b)(2)(B) of the Act,[6] to determine whether to approve or disapprove the proposed rule change.[7] On July 21, 2025, pursuant

[27] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102645 (Mar. 12, 2025), 90 FR 12602.

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 102949, 90 FR 19039 (May 5, 2025) (designating June 16, 2025, as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove the proposed rule change).

[6] 15 U.S.C. 78s(b)(2)(B).

[7] *See* Securities Exchange Act Release No. 103260, 90 FR 26389 (June 20, 2025).

to Section 19(b)(2) of the Act,[8] the Exchange filed Amendment No. 1 to the proposed rule change, which replaced and superseded the original filing in its entirety. The proposed rule change, as modified by Amendment No. 1, is described in Items I and II below, which Items have been substantially prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change, as modified by Amendment No. 1, from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Cboe BZX Exchange, Inc. (''BZX'' or the ''Exchange'') is filing with the Securities and Exchange Commission (''Commission'' or ''SEC'') a proposed rule change to amend the rule governing the Invesco Galaxy Bitcoin ETF (the ''Bitcoin Trust'') and the Invesco Galaxy Ethereum ETF (the ''ETH Trust'' and, collectively with the Bitcoin Trust, the ''Trusts''), shares of which have been approved by the Commission to list and trade on the Exchange pursuant to BZX Rule 14.11(e)(4), to permit in-kind creations and redemptions.

The text of the proposed rule change is also available on the Exchange's website (*http://markets.cboe.com/us/equities/regulation/rule_filings/bzx/*) and at the Exchange's Office of the Secretary.

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 III 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

This Amendment No. 1 to SR–CboeBZX–2025–035 amends and replaces in its entirety the proposal as originally submitted on March 10, 2025. The Exchange submits this Amendment No. 1 in order to clarify certain points and add additional details to the proposal.

The Commission approved the listing and trading of shares (the ''Bitcoin ETP Shares'') of the Bitcoin Trust on the Exchange pursuant to Exchange Rule 14.11(e)(4), Commodity-Based Trust Shares, on January 10, 2024.[9] The Commission also approved the listing and trading of shares (the ''ETH ETP Shares'') of the ETH Trust on the Exchange pursuant to Exchange Rule 14.11(e)(4), Commodity-Based Trust Shares, on May 23, 2024.[10] Exchange Rule 14.11(e)(4) governs the listing and trading of Commodity-Based Trust Shares, which means a security (a) that is issued by a trust that holds (1) a specified commodity deposited with the trust, or (2) a specified commodity and, in addition to such specified commodity, cash; (b) that is issued by such trust in a specified aggregate minimum number in return for a deposit of a quantity of the underlying commodity and/or cash; and (c) that, when aggregated in the same specified minimum number, may be redeemed at a holder's request by such trust which will deliver to the redeeming holder the quantity of the underlying commodity and/or cash. The Bitcoin ETP Shares are issued by the Bitcoin Trust and the ETH ETP Shares are issued by the ETH Trust. The Bitcoin Trust was formed as a Delaware statutory trust on December 17, 2020, and the ETH Trust was formed as a Delaware statutory trust on September 27, 2023.

Bitcoin Trust

The Exchange proposes to amend several portions of the Exchange's previous rule filing to list and trade Bitcoin ETP Amendment No. 2 in order to permit in-kind creations and redemptions.

Representations

Bitcoin ETP Amendment No. 2 included specific representations making clear that the Bitcoin Trust would only process creations and redemptions in cash. Specifically, the ''Invesco Galaxy Bitcoin ETF'' section of the Bitcoin Amendment No. 2 stated the following:

> When the Trust sells or redeems its Shares, it will do so in cash transactions in blocks of 5,000 Shares (a ''Creation Basket'') at the Trust's net asset value (''NAV''). Authorized participants will deliver, or facilitate the delivery of, cash to the Trust's account with the Cash Custodian (which will then be used to purchase bitcoin for the Trust) in exchange for Shares when they purchase Shares, and the Trust, through the Cash Custodian, will deliver cash to such authorized participants when they redeem Shares with the Trust. A third party will use cash to buy and deliver bitcoin to create Shares or withdraw and sell bitcoin for cash to redeem Shares, on behalf of the Trust. Authorized participants may then offer Shares to the public at prices that depend on various factors, including the supply and demand for Shares, the value of the Trust's assets, and market conditions at the time of a transaction. Shareholders who buy or sell Shares during the day from their broker may do so at a premium or discount relative to the NAV of the Shares of the Trust.[11]

The Exchange proposes to replace the above with the following:

> When the Trust creates or redeems its Shares, it will do so in cash transactions or in-kind transactions in blocks of 5,000 Shares (a ''Creation Basket''). For cash creations and redemptions, authorized participants will deliver, or facilitate the delivery of, cash to the Trust's account with the Cash Custodian, in exchange for Shares when they create Shares, and the Trust, through the Cash Custodian, will deliver cash to such authorized participants when they redeem Shares with the Trust. For in-kind creation and redemptions, authorized participants will deliver, or facilitate delivery of, bitcoin to the Trust's account with the Custodian, in exchange for Shares when they create Shares, and the Trust, through the Custodian, will deliver bitcoin to such authorized participants when they redeem Shares with the Trust. Authorized participants may then offer Shares to the public at prices that depend on various factors, including the supply and demand for Shares, the value of the Trust's assets, and market conditions at the time of a transaction. Shareholders who buy or sell Shares during the day from their broker may do so at a premium or discount relative to the NAV of the Shares of the Trust.

The ''Investment Objective'' section of Bitcoin ETP Amendment No. 2 stated: ''The Trust will process all creations and redemptions in cash transactions

[8] 15 U.S.C. 78s(b)(2).

[9] *See* Securities Exchange Act Release Nos. 99283 (January 8, 2024) 89 FR 2263 (January 12, 2024) (SR–CboeBZX–2023–038) (Notice of Filing of Amendment No. 2 to a Proposed Rule Change To List and Trade Shares of the Invesco Galaxy Bitcoin ETF Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares) (the ''Bitcoin ETP Amendment No. 2); 99306 (January 10, 2024) 89 FR 3008 (January 17, 2024) (SR–CboeBZX–2023–038) (Order Granting Accelerated Approval of Proposed Rule Changes, as Modified by Amendments Thereto, To List and Trade Bitcoin-Based Commodity-Based Trust Shares and Trust Units) (the ''Bitcoin ETP Approval Order'').

[10] *See* Securities Exchange Act Release Nos. 100219 (May 22, 2024) 89 FR 46543 (May 29, 2024) (SR–CboeBZX–2023–087) (Notice of Filing of Amendment No. 1 to a Proposed Rule Change To List and Trade Shares of the Invesco Galaxy Ethereum ETF Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares) (the ''ETH ETP Amendment No. 1); 100224 (May 23, 2024) 89 FR 46937 (May 30, 2024) (SR–CboeBZX–2023–038) (Order Granting Accelerated Approval of Proposed Rule Changes, as Modified by Amendments Thereto, to List and Trade Shares of Ether-Based Exchange-Traded Products) (the ''ETH ETP Approval Order'').

[11] *See* Bitcoin ETP Amendment No. 2 at 2272.

with authorized participants.'' [12] The Exchange proposes to replace this sentence with the following: ''The Trust will process all creations and redemptions in cash or in-kind transactions with authorized participants.''

Creation and Redemption of Shares

Additionally, the ''Creation and Redemption of Shares'' section of the filing includes a detailed description of how the cash-only creation and redemption process works.[13] The Exchange proposes to replace this section as provided below. The Exchange proposes no change to the subheading ''Rule 14.11(e)(4)—Commodity-Based Trust Shares'' [14] and proposes to retain everything thereunder.

Creation and Redemption of Shares

When the Trust creates or redeems its Shares, it will do so in cash or in-kind. In connection with cash creations and cash redemptions, the authorized participants will submit orders to create or redeem Baskets of Shares in exchange for cash. When the Trust creates or redeems its Shares in cash, it will do so in transactions based on the quantity of bitcoin attributable to each Share of the Trust (*e.g.,* a Creation Basket). When the Trust creates or redeems its Shares in kind, it will do so in transfers of bitcoin that are based on the quantity of bitcoin attributable to the Creation Basket being created or redeemed.

The authorized participants will deliver or cause to be delivered cash or bitcoin to create Shares and the authorized participant will receive cash or bitcoin when redeeming Shares. The Trust will create Shares by receiving bitcoin or cash from an authorized participant and will redeem shares by delivering bitcoin or cash to an authorized participant.

According to the Registration Statement, on any business day, an authorized participant may place an order to create one or more Creation Baskets. Purchase orders for cash creations must be placed by 2:30 p.m. Eastern Time (or such other time as disclosed in the Prospectus), or the close of regular trading on the Exchange, whichever is earlier. Purchase orders for in-kind creations must be placed by 4:00 p.m. Eastern Time (or such other time as disclosed in the Prospectus), or the close of regular trading on the Exchange, whichever is earlier. The day on which an order is properly received is considered the purchase order date.

For a cash creation order, the total deposit of cash required is an amount of cash sufficient to purchase such amount of bitcoin, the amount of which is equal to the combined NAV of the number of Shares included in the Creation Baskets being created determined as of 4:00 p.m. ET on the date the order to purchase is properly received.

For a creation order in kind, the total in-kind transfer of bitcoin is based on the quantity of bitcoin attributable to the Creation Baskets applicable to the date the order to purchase is properly received. The Administrator determines the quantity of bitcoin used to calculate the Creation Basket for a given day by dividing the number of bitcoin held by the Trust, adjusted for the amount of bitcoin constituting estimated accrued but unpaid fees and expenses of the Trust as of the opening of business on that business day, by the quotient of the number of Shares outstanding at the opening of business divided by the number of Shares in a Creation Basket.

The procedures by which an authorized participant can redeem one or more Creation Baskets mirror the procedures for the creation of Creation Baskets. For a cash redemption order, an authorized participant will deliver Shares to the Trust and will receive cash for the Shares delivered. For an in-kind redemption order, an authorized participant will deliver Shares to the Trust and the authorized participant will receive bitcoin for the Shares delivered.

Except for the above changes, all other representations in the Bitcoin ETP Amendment No. 2 remain unchanged and will continue to constitute continuing listing requirements. In addition, the Bitcoin Trust will continue to comply with the terms of Bitcoin ETP Amendment No. 2 and the Trust will continue to comply with the requirements of Rule 14.11(e)(4).

ETH Trust

Similarly, the Exchange proposes to amend several portions of the ETH ETP Amendment No. 1 in order to permit in-kind creations and redemptions.

Representations

The ETH ETP Amendment No. 1 included a specific representation making clear that the ETH Trust would only process creations and redemptions in cash. Specifically, the ''Invesco Galaxy Ethereum Trust'' section of the ETH ETP Amendment No. 1 stated:

When the Trust sells or redeems its Shares, it will do so in cash transactions in blocks of 5,000 Shares (a ''Creation Basket'') at the Trust's net asset value (''NAV''). Authorized participants will deliver, or facilitate the delivery of, cash to the Trust's account with the Cash Custodian in exchange for Shares when they purchase Shares, and the Trust, through the Cash Custodian, will deliver cash to such authorized participants when they redeem Shares with the Trust.[15] Authorized participants may then offer Shares to the public at prices that depend on various factors, including the supply and demand for Shares, the value of the Trust's assets, and market conditions at the time of a transaction. Shareholders who buy or sell Shares during the day from their broker may do so at a premium or discount relative to the NAV of the Shares of the Trust.

The Exchange proposes to replace this language with the following:

When the Trust creates or redeems its Shares in cash transactions, it will do so in blocks of 5,000 Shares (a ''Creation Basket''). For cash creations or redemptions, Authorized participants will deliver, or facilitate the delivery of, cash to the Trust's account with the Cash Custodian in exchange for Shares when they create Shares, and the Trust, through the Cash Custodian, will deliver cash to such authorized participants when they redeem Shares with the Trust. When the Trust creates or redeems its Shares in-kind, it will do so in Creation Units in exchange for ether. Authorized participants will deliver, or facilitate delivery of, ether to the Trust's account with the Custodian, in exchange for Shares when they create Shares, and the Trust, through the Custodian, will deliver ether to such authorized participants when they redeem Shares with the Trust. Authorized participants may then offer Shares to the public at prices that depend on various factors, including the supply and demand for Shares, the value of the Trust's assets, and market conditions at the time of a transaction. Shareholders who buy or sell Shares during the day from their broker may do so at a premium or discount relative to the NAV of the Shares of the Trust.

Additionally, the ''Investment Objective'' section of the ETH ETP Amendment No. 1 stated: ''The Trust will process all creations and redemptions in cash transactions with authorized participants.'' [16] The Exchange proposes to replace this language with the following: ''The Trust will process all creations and redemptions in cash or in-kind transactions with authorized participants.''

Creation and Redemption of Shares

Additionally, the ''Creation and Redemption of Shares'' section of the filing includes a detailed description of how the cash-only creation and redemption process works.[17] The Exchange proposes to replace this section as provided below. The Exchange proposes no change to the subheading ''Rule 14.11(e)(4)—Commodity-Based Trust Shares'' [18] and proposes to retain everything thereunder.

Creation and Redemption of Shares

When the Trust creates or redeems its Shares, it will do so in cash or in-kind. When the Trust creates or redeems its Shares in cash, it will do so in transactions based on the quantity of ETH attributable to each

[12] *See* Bitcoin ETP Amendment No. 2 at 2273.

[13] *See* Bitcoin ETP Amendment No. 2 at 2274.

[14] *See* Bitcoin ETP Amendment No. 2 at 2274–2275.

[15] *See* ETH ETP Amendment No. 1 at 46550.

[16] *Id.*

[17] *See* ETH ETP Amendment No. 1 at 46551–46552.

[18] *See* ETH ETP Amendment No. 1 at 46552.

Share of the Trust (*e.g.,* a Creation Basket). When the Trust creates or redeems its Shares in-kind, it will do so in transfers of ether that are based on the quantity of ether attributable to the Creation Basket being created or redeemed.

The authorized participants will deliver or cause to be delivered cash or ether to create Shares and the authorized participant or its designee will receive cash or ether when redeeming Shares. The Trust will create Shares by receiving ether or cash from an authorized participant or its designee and will redeem Shares by delivering ether or cash to an authorized participant or its designee.

According to the Registration Statement, on any business day, an authorized participant may place an order to create one or more Creation Baskets. Purchase orders for cash creations must be placed by 2:30 p.m. Eastern Time (or such other time as disclosed in the Prospectus), or the close of regular trading on the Exchange, whichever is earlier. Purchase orders for in-kind creations must be placed by 4:00 p.m. Eastern Time (or such other time as disclosed in the Prospectus), or the close of regular trading on the Exchange, whichever is earlier. The day on which an order is received is considered the purchase order date.

For a cash creation order, the total deposit of cash required is based on the combined NAV of the number of Shares included in the Creation Baskets being created determined as of 4:00 ET on the date the order to purchase is properly received.

For a creation order in-kind, the total in-kind transfer of ETH is equal to the combined NAV of the number of Shares included in the Creation Baskets applicable to 4:00 p.m. ET on the date the order to purchase is properly received. The Administrator determines the quantity of ETH associated with a Creation Basket for a given day by dividing the number of ETH held by the Trust, adjusted for the amount of ETH constituting estimated accrued but unpaid fees and expenses of the Trust as of the opening of business on that business day, by the quotient of the number of Shares outstanding at the opening of business divided by the number of Shares in a Creation Basket.

The procedures by which an authorized participant can redeem one or more Creation Baskets mirror the procedures for the creation of Creation Baskets. For a cash redemption order, an authorized participant will deliver Shares to the Trust and will receive cash for the Shares delivered. For an in-kind redemption order, an authorized participant will deliver Shares to the Trust and will receive ether for the Shares delivered.

Conclusion

Except for the above changes, all other representations in the Bitcoin ETP Amendment No. 2 and ETH ETP Amendment No. 1 remain unchanged and will continue to constitute continuing listing requirements. In addition, the Bitcoin Trust will continue to comply with the terms of Bitcoin ETP Amendment No. 2 and the ETH Trust will continue to comply with the terms of ETH ETP Amendment No. 1 and the Trusts will continue to comply with the requirements of Rule 14.11(e)(4).

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[19] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5) [20] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

The Exchange believes the proposed rule change is designed to remove impediments to and perfect the mechanism of a free and open market and, in general, to protect investors and the public interest because it would update representations in both the Bitcoin ETP Amendment No. 2 and the ETH ETP Amendment No. 1 such that the Trusts would both be able to engage in in-kind transactions with authorized participants, as described above. This ability would make the Trusts (and the market more generally) operate more efficiently because authorized participants would be able to source bitcoin or ether, as applicable, rather than to provide cash to the applicable Trust and/or to receive bitcoin or ether directly from the Trusts. This means that the authorized participant would be responsible for buying and selling the applicable crypto asset rather than the Trust itself, which would potentially lessen the impact on the market of the Trusts on both sides of the transaction by allowing the authorized participant to decide how and where to source the underlying crypto asset for creations and deciding how, where, and whether to sell the underlying crypto asset for redemptions. This would improve the creation and redemption process for both authorized participants and the Trusts, increase efficiency, and ultimately benefit the end investors in the Trusts.

Except for the addition of in-kind creation and redemption for the Bitcoin Trust, all other representations made in the Bitcoin ETP Amendment No. 2 remain unchanged and will continue to constitute continuing listing requirements for the Bitcoin Trust. Similarly, except for the addition of in-kind creation and redemption for the ETH Trust, all other representations made in the ETH ETP Amendment No. 1 remain unchanged and will continue to constitute continuing listing requirements for the ETH Trust.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. As noted above, the proposed amendment is intended to allow the Trusts to operate more efficiently by allowing for in-kind creation and redemption. The Exchange believes these changes will not impose any burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change, as modified by Amendment No. 1, 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–CboeBZX–2025–035 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–CboeBZX–2025–035. 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/*

[19] 15 U.S.C. 78f(b).

[20] 15 U.S.C. 78f(b)(5).

rules/sro.shtml). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–CboeBZX–2025–035 and should be submitted on or before August 15, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[21]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–14034 Filed 7–24–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 35686; File No. 812–15605]

Audax Credit BDC Inc., et al.

July 22, 2025.

AGENCY: Securities and Exchange Commission (''Commission'' or ''SEC'').

ACTION: Notice.

Notice of application for an order under sections 17(d) and 57(i) of the Investment Company Act of 1940 (the ''Act'') and rule 17d–1 under the Act to permit certain joint transactions otherwise prohibited by sections 17(d) and 57(a)(4) of the Act and rule 17d–1 under the Act.

SUMMARY OF APPLICATION: Applicants request an order to permit certain business development companies (''BDCs'') and closed-end management investment companies to co-invest in portfolio companies with each other and with certain affiliated investment entities.

APPLICANTS: Audax Credit BDC Inc., Audax Private Credit Fund, LLC, Audax Management Company (NY), LLC, Audax PDB Management Company, LLC, and certain of their affiliated entities as described in Appendix A to the application.

FILING DATES: The application was filed on July 24, 2024, and amended on December 17, 2024, May 13, 2025, and July 15, 2025.

HEARING OR NOTIFICATION OF HEARING: An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing on any application by emailing the SEC's Secretary at *Secretarys-Office@sec.gov* and serving the Applicants with a copy of the request by email, if an email address is listed for the relevant Applicant below, or personally or by mail, if a physical address is listed for the relevant Applicant below. Hearing requests should be received by the Commission by 5:30 p.m. on August 18, 2025, and should be accompanied by proof of service on the Applicants, in the form of an affidavit or, for lawyers, a certificate of service. Pursuant to rule 0–5 under the Act, hearing requests should state the nature of the writer's interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by emailing the Commission's Secretary at *Secretarys-Office@sec.gov*.

ADDRESSES: The Commission: *Secretarys-Office@sec.gov.* Applicants: Audax Management Company (NY), LLC, Jason Scoffield, *jscoffield@audaxgroup.com,* and Daniel Weintraub, *dweintraub@audaxgroup.com;* Simpson Thacher & Bartlett LLP, Rajib Chanda, Esq. *rajib.chanda@stblaw.com,* Steven Grigoriou, Esq., *steven.grigoriou@stblaw.com,* and Hadley Dryland, *hadley.dryland@stblaw.com.*

FOR FURTHER INFORMATION CONTACT: Adam Large, Senior Special Counsel, Laura Solomon, Senior Counsel, or Daniele Marchesani, Assistant Chief Counsel, at (202) 551–6825 (Division of Investment Management, Chief Counsel's Office).

SUPPLEMENTARY INFORMATION: For Applicants' representations, legal analysis, and conditions, please refer to Applicants' third amended application, dated July 15, 2025, which may be obtained via the Commission's website by searching for the file number at the top of this document, or for an Applicant using the Company name search field, on the SEC's EDGAR system.

The SEC's EDGAR system may be searched at *https://www.sec.gov/edgar/searchedgar/companysearch.html.* You may also call the SEC's Office of Investor Education and Advocacy at (202) 551–8090.

For the Commission, by the Division of Investment Management, under delegated authority.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–14007 Filed 7–24–25; 8:45 am]

BILLING CODE 8011–01–P

[21] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103531; File No. SR–NYSEARCA–2024–98]

Self-Regulatory Organizations; NYSE Arca, Inc.; Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment No. 1 Thereto, To Amend NYSE Arca Rule 8.500–E (Trust Units) and To List and Trade Shares of the Bitwise 10 Crypto Index ETF Under Amended NYSE Arca Rule 8.500–E (Trust Units)

July 22, 2025.

I. Introduction

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Exchange Act'')[1] and Rule 19b–4 thereunder,[2] NYSE Arca, Inc. (''NYSE Arca'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') a proposed rule change, as modified by Amendment No. 1 (''Proposal''), to amend NYSE Arca Rule 8.500–E (Trust Units) and to list and trade shares (''Shares'') of the Bitwise 10 Crypto Index ETF (''Trust'') under amended NYSE Arca Rule 8.500–E (Trust Units).[3] The Proposal was subject to notice and comment.[4] This order approves the Proposal on an accelerated basis.

II. Description of the Proposal

A. Amendments to NYSE Arca Rules 8.500–E and 5.3–E

As described in more detail in the Amendment No. 1,[5] the Exchange proposes to amend NYSE Arca Rule 8.500–E (Trust Units).[6] First, the

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] For the complete procedural history of the Proposal, *see* Notice of Filing of Amendment No. 1 to a Proposed Rule Change to Amend NYSE Arca Rule 8.500–E (Trust Units) and to List and Trade Shares of the Bitwise 10 Crypto Index ETF under Amended NYSE Arca Rule 8.500–E, Securities Exchange Act Release No. 103499 (July 18, 2025) (SR–NYSEARCA–2024–98) (''Amendment No. 1''), available at *https://www.sec.gov/files/rules/sro/nysearca/2025/34-103499.pdf.* Shares of the Trust currently trade over-the-counter. *See* Amendment No. 1 at 6 n.11.

[4] Comments received on the Proposal are available at: *https://www.sec.gov/comments/sr-nysearca-2024-98/srnysearca202498.htm.*

[5] *See supra* note 3.

[6] The Exchange proposed identical changes to NYSE Arca Rule 8.500–E in a prior filing. *See* Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment No. 1 Thereto, to Amend NYSE Arca Rule 8.500–E (Trust Units) and to List and Trade Shares of the Grayscale Digital Large Cap Fund LLC under Amended NYSE Arca Rule 8.500–E (Trust Units), Securities Exchange Act Release No. 103364 (July 1, 2025), 90 FR 29923 (July 7, 2025) (''Grayscale Order''). The Grayscale Order, which was approved pursuant to

Continued

Exchange proposes to revise the definition of ''Trust Units.'' Currently, the rule provides that Trust Units are securities ''issued by a trust or similar entity that is constituted as a commodity pool that holds investments comprising or otherwise based on any combination of futures contracts, options on futures contracts, forward contracts, swap contracts, commodities and/or securities.'' [7] The Exchange proposes to amend this definition to specify that (i) Trust Units may also be issued by a limited liability company; and (ii) Trust Units may be commodity pools, ''if applicable.'' [8]

Second, the Exchange proposes to amend NYSE Arca Rule 8.500–E to specify that the Exchange may list and trade Trust Units with investments that are represented by an index or portfolio.[9] Currently, the rule only provides that the Exchange may list and trade Trust Units based on an underlying asset, commodity, security, or portfolio.[10] As revised, Trust Units may be based on an underlying asset, commodity, security, and/or portfolio, ''which may be represented by an index or portfolio of any of the foregoing.'' [11]

Third, the Exchange proposes certain conforming changes to the rule, consistent with the proposed changes described above.[12]

Fourth, the Exchange proposes to amend NYSE Arca Rules 5.3–E (Corporate Governance and Disclosure Policies) and 5.3–E(e) (Shareholder Annual Meetings) to include Trust Units listed pursuant to NYSE Arca Rule 8.500–E among the derivative and special purpose securities to which a limited set of corporate governance and disclosure policies would apply and to which the requirements concerning shareholder/annual meetings would not be required.[13]

B. The Trust

The Exchange proposes to list and trade Shares of the Trust under amended NYSE Arca Rule 8.500–E, as described above. The investment objective of the Trust is to invest in a portfolio of digital assets (each, a ''Portfolio Asset'' and, collectively, ''Portfolio Assets'') that tracks the Bitwise 10 Large Cap Crypto Index (''Index'').[14] The Trust's only assets will be the Portfolio Assets and cash.[15] The Trust rebalances monthly alongside the rebalance of the Index to stay current with any changes to the Index.[16] The Portfolio Assets, as well as their weightings, are generally expected to be the same as the Index, except that the Sponsor may determine to exclude a particular digital asset from the Portfolio Assets and/or rebalance the weighting of the Portfolio Assets in certain rules-based circumstances.[17] The Sponsor will ensure that, on an initial and continuing basis, as of 4:00 p.m. E.T. on every trading day, at least 85% of the Portfolio Assets will consist of commodities that are the primary investment underlying exchange-traded products (''ETPs'') that have been approved by the Commission to list and trade on a national securities exchange (''Approved Components'') [18] and that no more than 15% of the Portfolio Assets will be non-Approved Components.[19] As of June 30, 2025, the Trust's Portfolio Assets and their weightings were: 78.72% bitcoin (BTC), 11.10% ether (ETH), 4.97% XRP (XRP), 3.03% Solana (SOL), 0.78% Cardano (ADA), 0.35% SUI (SUI), 0.32% Chainlink (LINK), 0.28% Avalanche (AVAX), 0.24% Litecoin (LTC), and 0.19% Polkadot (DOT).[20]

To determine the Trust's net asset value (''NAV''), the Sponsor will rely on CF Benchmarks Ltd. (the ''Valuation Vendor'') to calculate and publish the U.S. dollar price for each Portfolio Asset (each, a ''Reference Price'' and, collectively, ''Reference Prices'') as of 4:00 p.m. E.T.,[21] and the Trust will use

delegated authority, 17 CFR 200.30–3(a)(12), is currently stayed while pending review by the Commission.

[7] *See* NYSE Arca Rule 8.500–E(b)(2).

[8] *See* Amendment No. 1 at 3–4.

[9] *See id.* at 4.

[10] *See* NYSE Arca Rule 8.500–E(c).

[11] *See* Amendment No. 1 at 4.

[12] *See id.* at 4–6 for additional details. The Exchange also proposes to amend NYSE Arca Rule 8.500–E(b)(1), which defines the term ''commodity,'' to update the reference to Section 1(a)(4) of the Commodity Exchange Act (''CEA'') with a reference to Section 1a(9) of the CEA. *See id.* at 3.

[13] *See id.* at 6.

[14] *See id.* at 7. The Trust is a Delaware statutory trust and will operate pursuant to a trust agreement between Bitwise Investment Advisers, LLC (''Sponsor'') and Delaware Trust Company, as trustee. Coinbase Custody Trust Company, LLC will maintain custody of the Trust's assets. The Bank of New York Mellon (''Administrator'') will be the custodian for the Trust's cash holdings, as well as the Trust's administrator and transfer agent. *See id.*

[15] *See id.* at 9.

[16] *See id.* at 7–8. The Index is administered by Bitwise Index Services, LLC, an affiliate of the Sponsor. The Index is comprised of ten digital assets and is designed to track the performance of the ten largest digital assets that currently trade publicly on eligible digital asset trading platforms, as selected and weighted by free-float market capitalization. *See id.* at 10. The Sponsor represents that it will maintain a firewall between it and the personnel responsible for the maintenance of the Index or who have access to information concerning changes and adjustments to the Index. *See id.* at 7 n.15.

[17] *See id.* at 8. The weighting of the Portfolio Assets will differ slightly from the weightings of the Index components due to the need for the Trust to implement actual rebalance transactions, unlike the Index. *See id.* at 13 n.29.

[18] As of the filing of Amendment No. 1, more than 85% of the Portfolio Assets were bitcoin (78.72%) and ether (11.10%). The Commission approved both spot bitcoin and spot ether to underlie ETPs as primary investments. *See* Order Granting Accelerated Approval of Proposed Rule Changes, as Modified by Amendments Thereto, To List and Trade Bitcoin-Based Commodity-Based Trust Shares and Trust Units, Securities Exchange Act Release No. 99306 (Jan. 10, 2024), 89 FR 3008 (Jan. 17, 2024) (SR–NYSEARCA–2021–90; SR–NYSEARCA–2023–44; SR–NYSEARCA–2023–58; SR–NASDAQ–2023–016; SR–NASDAQ–2023–019; SR–CboeBZX–2023–028; SR–CboeBZX–2023–038; SR–CboeBZX–2023–040; SR–CboeBZX–2023–042; SR–CboeBZX–2023–044; SR–CboeBZX–2023–072) (''Spot Bitcoin ETP Approval Order''); Order Granting Accelerated Approval of Proposed Rule Changes, as Modified by Amendments Thereto, To List and Trade Shares of Ether-Based Exchange-Traded Products, Securities Exchange Act Release No. 100224 (May 23, 2024), 89 FR 46937 (May 30, 2024) (SR–NYSEARCA–2023–70; SR–NYSEARCA–2024–31; SR–NASDAQ–2023–045; SR–CboeBZX–2023–069; SR–CboeBZX–2023–070; SR–CboeBZX–2023–087; SR–CboeBZX–2023–095; SR–CboeBZX–2024–018) (''Spot Ether ETP Approval Order''); Order Granting Approval of a Proposed Rule Change, as Modified by Amendment No. 1, to List and Trade Shares of the Hashdex Nasdaq Crypto Index US ETF and Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment No. 1, to List and Trade Shares of the Franklin Crypto Index ETF, a Series of the Franklin Crypto Trust, Securities Exchange Act Release No. 101998 (Dec. 19, 2024), 89 FR 106707 (Dec. 30, 2024) (SR–NASDAQ–2024–028; SR–CBOEBZX–2024–091) (''Spot Bitcoin & Ether ETP Approval Order''). The Spot Bitcoin ETP Approval Order, Spot Ether ETP Approval Order; and Spot Bitcoin & Ether ETP Approval Order each approved the listing and trading of Commodity-Based Trust Shares holding 100% of their assets in spot bitcoin and/or spot ether.

[19] *See* Amendment No. 1 at 15. The Exchange states that, to the extent the Trust's composition is, or is anticipated to be, less than 85% Approved Components as of 4:00 p.m. E.T. on a given trading day, the Sponsor will promptly notify the Exchange. As soon as practicable and in any event by no later than the beginning of the NYSE Arca Core Trading Session on the following trading day, the Sponsor will rebalance the Trust's portfolio according to the methodology described in the Trust's prospectus such that at least 85% of the weightings of the Portfolio Assets will consist of Approved Components. If it is anticipated that, as of 4:00 p.m. E.T. on a given trading day, the Trust's portfolio will not consist of at least 85% Approved Components by the start of the next NYSE Arca Core Trading Session, the Sponsor will notify the Exchange as soon as practicable (and, in any event, no later than 9:15 a.m. E.T.), and the Exchange will halt trading in the Shares until at least 85% of the weightings of the Portfolio Assets consist of Approved Components. *See id.* at 16. The Exchange also states that the Index will implement a rule that will limit the Index components and weightings thereof such that at least 85% of the weight of the Index components shall, on both an initial and a continuing basis, consist of Approved Components. *See id.* at 14.

[20] *See id.* at 8.

[21] *See id.* at 8–9. Each Reference Price aggregates the trade flow of several major digital asset trading platforms during an observation window between 3:00 p.m. and 4:00 p.m. E.T. into the U.S. dollar price of one of each Portfolio Asset at 4:00 p.m. E.T. Digital asset trading platforms considered by the Valuation Vendor currently include Bitstamp, Coinbase, Gemini, itBit, LMAX, and Kraken. *See* id. at 9.

the Reference Prices to calculate its NAV.[22] The Trust creates and redeems Shares from time to time for cash in one or more ''Creation Units,'' which will initially consist of at least 10,000 Shares, but may be subject to change.[23]

III. Discussion and Commission Findings

After careful review, the Commission finds that the Proposal is consistent with the Exchange Act and rules and regulations thereunder applicable to a national securities exchange.[24] In particular, the Commission finds that the Proposal is consistent with Section 6(b)(5) of the Exchange Act,[25] which requires, among other things, that the Exchange's rules be designed to ''prevent fraudulent and manipulative acts and practices'' and, ''in general, to protect investors and the public interest;'' and with Section 11A(a)(1)(C)(iii) of the Exchange Act,[26] which sets forth Congress' finding that it is in the public interest and appropriate for the protection of investors and the maintenance of fair and orderly markets to assure the availability to brokers, dealers, and investors of information with respect to quotations for and transactions in securities.

A. Amendments to NYSE Arca Rule 8.500–E and 5.3–E

The Commission finds that the proposed changes to NYSE Arca Rule 8.500–E are consistent with the Exchange Act. The proposed change to the definition of Trust Units as described above simply specifies that an entity structured as a limited liability company can issue Trust Units. Moreover, by amending the rule so that Trust Units may be commodity pools ''if applicable,'' the Proposal no longer requires Trust Units to be commodity pools.[27] Although the Proposal no longer requires the entity issuing Trust Units to be a commodity pool, it does not change Trust Units' permissible investments, which remain ''any combination of futures contracts, options on futures contracts, forward contracts, swap contracts, commodities and/or securities.'' [28] Accordingly, the Proposal provides flexibility on Trust Units structure without changes to permissible investments. Similarly, the Proposal's provision that Trust Units' underlying investments may be represented by an index or portfolio of permissible investments merely adds specificity that is consistent with the current rule text. All Trust Units listed and traded on the Exchange will continue to be subject to the initial and continued listing standards set forth in NYSE Arca Rule 8.500–E and will continue to be subject to the full panoply of the Exchange's rules and procedures that currently govern the trading of equity securities on the Exchange including, among others, rules and procedures governing trading halts, surveillance procedures, disclosures to members, customer suitability requirements, and market maker obligations.

The Commission finds that it is consistent with Section 6(b)(5) of the Exchange Act [29] for the Exchange to include Trust Units among the types of securities to which a limited set of corporate governance and disclosure policies would apply and to which the requirements concerning shareholder/annual meetings would not be required. Like other types of securities listed in NYSE Arca Rules 5.3–E and 5.3–E(e), Trust Units are investment vehicles where unit holders, unlike other equity holders, do not directly participate or vote in the annual election of directors or generally on the operations or policies of the listed company.[30] Thus, the Exchange's rules, as amended, would continue to ensure that the appropriate listed companies are required to comply with corporate governance and disclosure policies and hold annual shareholder meetings, for the benefit of investors and the public interest.

B. The Trust

1. Exchange Act Section 6(b)(5)

The Commission finds that the listing and trading of the Trust is consistent with the Exchange Act. The structure of the Trust, the terms of its operation and the trading of its Shares, and the representations in the Proposal are substantially similar to those of other proposals approved in prior Commission orders. On an initial basis, and on a continuing basis reflecting subsequent ETP approvals, at least 85% of the Trust's holdings will consist of commodities that the Commission has approved to underlie an ETP as primary investments, with no more than 15% of the Trust's investments in other assets, which could include other types of commodities as well as securities.[31] The Commission has previously found that the risks associated with fraud and manipulation are sufficiently mitigated if an ETP holds at least 80% of the investments in assets that do not raise concerns relating to fraud and manipulation.[32] In approving an ETP

[22] *See id.* at 24. The Trust's NAV will be determined by the Administrator once each Exchange trading day as of 4:00 p.m. E.T., or as soon thereafter as practicable. The Administrator will calculate the NAV by multiplying the Portfolio Assets held by the Trust by their respective Reference Prices for such day, adding any additional receivables and subtracting the accrued but unpaid liabilities of the Trust. *See id.* at 25.

[23] *See id.* at 26.

[24] In approving the Proposal, the Commission has considered the Proposal's impacts on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[25] 15 U.S.C. 78f(b)(5).

[26] 15 U.S.C. 78k–1(a)(1)(C)(iii).

[27] *See* Section 1a(10) of the CEA for the definition of ''commodity pool.''

[28] NYSE Arca Rule 8.500–E(b)(2).

[29] 15 U.S.C. 78f(b)(5).

[30] *See* Order Granting Approval of a Proposed Rule Change Amending Section 302 of the Listed Company Manual To Provide Exemptions for the Issuers of Certain Categories of Securities From the Obligation To Hold Annual Shareholders' Meetings, Securities Exchange Act Release No. 86406 (July 18, 2019), 84 FR 35431 (July 23, 2019) (SR–NYSE–2019–20) (''The Commission believes the right of shareholders to vote at an annual meeting is an essential and important one. The Commission, however, believes that the requirement to hold an annual shareholder meeting may not be necessary for certain issuers of specific types of securities because the holders of such securities do not directly participate as equity holders and vote in the annual election of directors or generally on the operations or policies of the listed company.''); Order Granting Approval of a Proposed Rule Change and Amendment Nos. 1 and 2 Thereto and Notice of Filing and Order Granting Accelerated Approval of Amendment No. 3 Thereto Relating to Rule 4350(e) To Amend the Annual Shareholder Meeting Requirement, Securities Exchange Act Release No. 53578 (Mar. 30, 2006), 71 FR 17532 (Apr. 4, 2006) (SR–NASD–2005–073). The Exchange is reverting the previous deletion of Trust Units from NYSE Arca Rules 5.3–E and 5.3–E(e). *See* Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend NYSE Arca Rule 5.3–E To Exclude Certain Categories of Issuers From the Exchange's Annual Meeting Requirement, Securities Exchange Act Release No. 83324 (May 24, 2018), 83 FR 25076 (May 31, 2018) (SR–NYSEARCA–2018–31) (stating that the Exchange is removing Trust Units from those derivative and special purpose securities that are excluded from certain corporate governance requirements because ''the Exchange does not presently list any security under the . . . Trust Units standards'' and that ''[s]hould the Exchange list securities under the . . . Trust Units standards in the future, it may consider whether to amend its rules at that time to allow for certain corporate governance exclusions applicable to such classes of securities.''). *See id.* at 25077–78 and n.10.

[31] *See* Amendment No. 1 at 15. *See also supra* notes 18–19 and accompanying text.

[32] *See, e.g.,* Notice of Filing of Amendment No. 2, and Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment No. 2, To List and Trade Shares of the SPDR DoubleLine Short Duration Total Return Tactical ETF of the SSgA Active Trust, Securities Exchange Act Release No. 77499 (Apr. 1, 2016), 81 FR 20428 (Apr. 7, 2016) (SR–BATS–2016–04) (approving the listing and trading of a series of Managed Fund Shares that would hold up to at least 80% of its net assets in a diversified portfolio of fixed income securities, with 20% limitations on certain holdings such as junior bank loans); Notice of Filing of Amendment No. 1 and Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment No. 1, To Allow the JPMorgan Core Plus Bond ETF of the J.P. Morgan Exchange-Traded Fund Trust To Hold Certain Instruments in a

Continued

with a commodity as a primary investment, the Commission must find under Section 6(b)(5) that there are sufficient means to prevent fraud and manipulation.[33] Accordingly, the Commission finds that the requirement that the Trust will hold at least 85% of its investments in assets approved by the Commission to underlie an ETP as primary investments will enable adequate surveillance of the Shares on the Exchange.

Pursuant to Section 19(b)(2) of the Exchange Act, the Commission must approve a proposed rule change filed by a national securities exchange if it finds that the proposed rule change is consistent with the applicable requirements of the Exchange Act.[34] As such, based on the record before the Commission, the Commission finds that the Proposal is consistent with the requirements of the Exchange Act, including the requirement in Section 6(b)(5) [35] that the Exchange's rules be designed to ''prevent fraudulent and manipulative acts and practices.'' [36]

2. Exchange Act Section 11A(a)(1)(C)(iii)

The Proposal sets forth aspects of the Trust, including the availability of pricing information, transparency of portfolio holdings, and types of surveillance procedures, that are consistent with other ETPs that the Commission has approved.[37] This includes commitments regarding: the availability of quotation and last-sale information for the Shares; the availability on the Trust's website of certain information related to the Trust, including NAV; the dissemination of an intra-day indicative value by one or more major market data vendors, updated every 15 seconds throughout the Exchange's core trading session; the Exchange's surveillance procedures and ability to obtain information regarding trading in the Shares; the conditions under which the Exchange would implement trading halts and suspensions; and the requirements of registered market makers in the Shares.[38] In addition, the Exchange deems the Shares to be equity securities, thus rendering trading in the Shares subject to the Exchange's existing rules governing the trading of equity securities.[39] Further, the listing rules of the Exchange require that all statements and representations made in its filing regarding, among others, the description of the Trust's holdings, limitations on such holdings, and the applicability of the Exchange's listing rules specified in the filing, will constitute continued listing requirements.[40] Moreover, the Proposal states that: the Trust's Sponsor has represented to the Exchange that it will advise the Exchange of any failure by the Trust to comply with the continued listing requirements; pursuant to obligations under Section 19(g)(1) of the Exchange Act, the Exchange will monitor for compliance with the continued listing requirements; and if the Trust is not in compliance with the applicable listing requirements, the Exchange will commence delisting procedures.[41]

The Commission therefore finds that the Proposal, as with other ETPs that the Commission has approved,[42] is reasonably designed to promote fair disclosure of information that may be necessary to price the Shares appropriately, to prevent trading when a reasonable degree of transparency cannot be assured, to safeguard material non-public information relating to the Trust's portfolio, and to ensure fair and orderly markets for the Shares.[43]

Manner That May Not Comply With Rule 14.11(i), Managed Fund Shares, Securities Exchange Act Release No. 85701 (Apr. 22, 2019), 84 FR 17902 (Apr. 26, 2019) (SR–CboeBZX–2019–016) (approving the listing and trading of a series of Managed Fund Shares that could hold up to 20% of the weight of the fixed income portion of its portfolio in asset-backed securities and mortgage-backed securities issued by private issuers); Order Granting Approval of Proposed Rule Change, as Modified by Amendment No. 2 Thereto Relating to the Use of Derivative Instruments by PIMCO Total Return Exchange Traded Fund, Securities Exchange Act Release No. 72666 (July. 3, 2014), 79 FR 44224 (July 30, 2014) (SR–NYSEARCA–2013–122) (approving the listing and trading of a series of Managed Fund Shares that would invest under normal market circumstances at least 65% of its total assets in a diversified portfolio of fixed income derivatives, including over-the-counter derivatives); Order Granting Approval of Proposed Rule Change, as Modified by Amendment No. 7 Thereto, Amending NYSE Arca Equities Rule 8.600 To Adopt Generic Listing Standards for Managed Fund Shares, Securities Exchange Act Release No. 78397 (July 22, 2016), 81 FR 49320 (July 27, 2016) (SR–NYSEARCA–2015–110) (approving generic listing standards for Managed Fund Shares allowing for up to 10% of the equity weight of the portfolio to consist of non-exchange-traded ADRs; up to 20% of the weight of the fixed income portion of the portfolio to consist of non-agency, non-government-sponsored entity, and privately-issued mortgage-related and other asset-backed securities components; up to 10% of the weight of holdings invested in futures, exchange-traded options, and listed swaps to consist of futures, options, and swaps which trade on markets that are not members of ISG or with which the Exchange does not have in place a comprehensive surveillance sharing agreement; and up to 20% of the assets in the portfolio to be invested in OTC derivatives) (''Managed Fund Shares Order''). In the Managed Fund Shares Order, the Commission found that the 20% limitation on OTC derivatives ''is sufficient to mitigate the risks associated with price manipulation because at least 80% of a Managed Fund Shares portfolio would consist of: Cash and cash equivalents; listed derivatives, of which 90% by portfolio weight would be traded on a principal market that is a member of ISG; and equity securities or fixed income instruments subject to numerous restrictions designed to prevent manipulation and ensure pricing transparency.'' *See* Managed Fund Shares Order at 49326.

[33] For example, as of the filing of Amendment No. 1, more than 85% of the Trust's holdings would be in bitcoin and ether. In approving the ETPs with primary investments in bitcoin and ether, the Commission found that there were sufficient means to prevent fraud and manipulation of bitcoin and ether ETPs under Section 6(b)(5) of the Exchange Act. *See supra* note 18.

[34] 15 U.S.C. 78s(b)(2)(C).

[35] 15 U.S.C. 78f(b)(5).

[36] The Commission received one comment letter supporting the Proposal and stating that approving the Proposal would provide clear benefits to investors while promoting fair, orderly, and efficient markets. *See* Letter from Gregory E. Xethalis, General Counsel, Daniel A. Leonardo, Chief Compliance Officer & Deputy General Counsel, and Jay B. Stolkin, Deputy General Counsel, Multicoin Capital Management, LLC, dated Apr. 29, 2025. Another commenter contends that the Proposal should be disapproved because the Trust would hold XRP and Solana and details a number of arguments in favor of disapproval, including, among other things: neither XRP nor Solana has an established futures market; each of XRP and Solana has been allegedly classified as an unregistered security by the Commission; neither XRP nor Solana is truly decentralized; and reliable on-chain analytics are not widely available for either XRP or Solana. *See* Letter from Anonymous, dated Feb. 10, 2025. As discussed above, the Trust will limit the amount of assets that are not the primary investment underlying ETPs approved by the Commission, such as XRP and Solana, to 15% of the weight of the Trust's portfolio, and this limitation is consistent with similar limitations approved by the Commission with respect to ETP investments. *See supra* notes 31–32. In addition, although this commenter states that neither XRP nor Solana has an established futures market, the Chicago Mercantile Exchange currently lists and trades both XRP and Solana futures contracts. *See https://www.cmegroup.com/markets/cryptocurrencies/xrp/xrp.html. See also https://www.cmegroup.com/markets/cryptocurrencies/solana.html.*

[37] *See, e.g.,* Spot Bitcoin & Ether ETP Approval Order at 106709.

[38] *See* Amendment No. 1 at 43–50.

[39] *See id.* at 46.

[40] *See* NYSE Arca Rule 8.500–E, Commentary .03.

[41] *See* Amendment No. 1 at 49–50.

[42] *See* Spot Bitcoin ETP Approval Order, Spot Ether ETP Approval Order, and Spot Bitcoin & Ether ETP Approval Order.

[43] A commenter states that recent events, such as the hack of crypto exchange Bybit, have exposed the risk that investors will suffer losses due to crypto hacks as well as to crypto assets' extreme volatility. Accordingly, this commenter believes that approving the Proposal would endanger investors. *See* Letter from Benjamin L. Schiffrin, Director of Securities Policy, Better Markets, Inc., dated Mar. 28, 2025. While the Commission acknowledges concerns relating to hacking and volatility, pursuant to Section 19(b)(2) of the Exchange Act, the Commission must approve a proposed rule change filed by a national securities exchange if it finds that the proposed rule change is consistent with the applicable requirements of the Exchange Act. *See* Exchange Act Section 19(b)(2)(C), 15 U.S.C. 78s(b)(2)(C). The Commission does not apply a ''cannot be manipulated'' standard; rather, the Commission examines whether a proposal meets the requirements of the Exchange Act. *See, e.g.,* Spot Bitcoin ETP Approval Order at 3013 n.61. The Commission does not understand the Exchange Act to require that a particular product or market be immune from manipulation. Rather, the inquiry into whether the rules of an exchange are designed to prevent fraudulent and manipulative acts and practices and, in general, to

IV. Accelerated Approval

The Commission finds good cause to approve the Proposal prior to the 30th day after the date of publication of Amendment No. 1[44] in the **Federal Register**. Amendment No. 1 proposed modifications to NYSE Arca Rule 8.500–E (Trust Units), which modifications are either consistent with the current rule text or do not raise any novel regulatory issues. In addition, Amendment No. 1 clarified the description of the Trust, further described the terms of the Trust, and conformed various representations in the amended filing to the Exchange's listing standard for Trust Units and to representations that exchanges have made for other ETPs that the Commission has approved.[45] These changes do not raise any novel regulatory issues. The changes assist the Commission in evaluating the Proposal and in determining that it is consistent with the Exchange Act and the rules and regulations thereunder applicable to a national securities exchange, as discussed above. Accordingly, the Commission finds good cause, pursuant to Section 19(b)(2) of the Exchange Act,[46] to approve the Proposal on an accelerated basis.

V. Conclusion

This approval order is based on all of the Exchange's representations and descriptions in the Proposal, which the Commission has evaluated as discussed above.[47] For the reasons set forth above, the Commission finds, pursuant to Section 19(b)(2) of the Exchange Act,[48] that the Proposal is consistent with the requirements of the Exchange Act and the rules and regulations thereunder applicable to a national securities exchange, and in particular, with Section 6(b)(5) and Section 11A(a)(1)(C)(iii) of the Exchange Act.[49]

It is therefore ordered, pursuant to Section 19(b)(2) of the Exchange Act,[50] that the proposed rule change, as modified by Amendment No. 1 (SR–NYSEARCA–2024–98) be, and hereby is, approved on an accelerated basis.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[51]

Sherry R. Haywood,

Assistant Secretary.

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protect investors and the public interest, has long focused on the mechanisms in place for the detection and deterrence of fraud and manipulation. For the reasons described above, the Commission finds that the Proposal satisfies the requirements of the Exchange Act, including the requirement in Section 6(b)(5) that the Exchange's rules be designed to ''prevent fraudulent and manipulative acts and practices.''

[44] *See supra* note 3.

[45] *See supra* Item III.B.2.

[46] 15 U.S.C. 78s(b)(2).

[47] In addition, the Shares of the Trust must comply with the requirements of NYSE Arca Rule 8.500–E (Trust Units), as amended, to be listed and traded on the Exchange on an initial and a continuing basis.

[48] 15 U.S.C. 78s(b)(2).

[49] 15 U.S.C. 78f(b)(5); 15 U.S.C. 78k–1(a)(1)(C)(iii).

[50] 15 U.S.C. 78s(b)(2).

[51] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103530; File No. SR–CboeBZX–2025–050]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Filing of a Proposed Rule Change, as Modified by Amendment No. 1, To Amend the Rule Governing the Listing and Trading of the Franklin Bitcoin ETF, the Franklin Ethereum ETF, and the Franklin Crypto Index ETF To Permit In-Kind Creations and Redemptions

July 22, 2025.

On April 2, 2025, Cboe BZX Exchange, Inc. (the ''Exchange'' or ''BZX'') filed with the Securities and Exchang Commission (''SEC'' or ''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] a proposed rule change to amend the rules governing the listing and trading of shares of the Franklin Bitcoin ETF, the Franklin Ethereum ETF, and the Franklin Crypto Index ETF under BZX Rule 14.11(e)(4). The proposed rule change was published for comment in the **Federal Register** on April 11, 2025.[3]

On May 22, 2025, pursuant to Section 19(b)(2) of the Act,[4] the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change.[5] On June 25, 2025, the Commission instituted proceedings under Section 19(b)(2)(B) of the Act,[6] to determine whether to approve or disapprove the proposed rule change.[7] On July 21, 2025, pursuant to Section 19(b)(2) of the Act,[8] the Exchange filed Amendment No. 1 to the proposed rule change, which replaced and superseded the original filing in its entirety. The proposed rule change, as modified by Amendment No. 1, is described in Items I and II below, which Items have been substantially prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change, as modified by Amendment No. 1, from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Cboe BZX Exchange, Inc. (''BZX'' or the ''Exchange'') is filing with the Securities and Exchange Commission (''Commission'' or ''SEC'') a proposed rule change to amend the rule governing the Franklin Bitcoin ETF (the ''Bitcoin Fund''), the Franklin Ethereum ETF (the ''Eth Fund''), and the Franklin Crypto Index ETF (the ''Crypto Index Fund'' and, collectively with the Bitcoin Fund and the Eth Fund, the ''Funds''),[9] shares of which have been approved by the Commission to list and trade on the Exchange pursuant to BZX Rule 14.11(e)(4), to permit in-kind creations and redemptions.

The text of the proposed rule change is also available on the Exchange's website (*http://markets.cboe.com/us/equities/regulation/rule_filings/bzx/*) and at the Exchange's Office of the Secretary.

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 III below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102776 (Apr. 7, 2025), 90 FR 15499.

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 103107, 90 FR 22803 (May 29, 2025) (designating July 10, 2025, as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove the proposed rule change).

[6] 15 U.S.C. 78s(b)(2)(B).

[7] *See* Securities Exchange Act Release No. 103326, 90 FR 27893 (June 30, 2025).

[8] 15 U.S.C. 78s(b)(2).

[9] The Bitcoin Fund is a series of the Franklin Templeton Digital Holdings Trust (the ''Bitcoin Trust''), the Eth Fund is a series of the Franklin Ethereum Trust (the ''Eth Trust''), and the Crypto Index Fund is a series of the Franklin Crypto Trust (the ''Crypto Trust'').

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

This Amendment No. 1 to SR–CboeBZX–2025–050 amends and replaces in its entirety the proposal as originally submitted on April 2, 2025. The Exchange submits this Amendment No. 1 in order to clarify certain points and add additional details to the proposal.

The Commission approved the listing and trading of shares (the ''Bitcoin ETP Shares'') of the Bitcoin Fund on the Exchange pursuant to Exchange Rule 14.11(e)(4), Commodity-Based Trust Shares, on January 10, 2024.[10] The Commission approved the listing and trading of shares (the ''ETH ETP Shares'') of the Eth Fund on the Exchange pursuant to Exchange Rule 14.11(e)(4), Commodity-Based Trust Shares, on May 23, 2024.[11] The Commission also approved the listing and trading of shares (the ''Crypto Index ETP Shares'') of the Crypto Index Fund on the Exchange pursuant to Exchange Rule 14.11(e)(4), Commodity-Based Trust Shares, on December 19, 2024.[12] Exchange Rule 14.11(e)(4) governs the listing and trading of Commodity-Based Trust Shares, which means a security (a) that is issued by a trust that holds (1) a specified commodity deposited with the trust, or (2) a specified commodity and, in addition to such specified commodity, cash; (b) that is issued by such trust in a specified aggregate minimum number in return for a deposit of a quantity of the underlying commodity and/or cash; and (c) that, when aggregated in the same specified minimum number, may be redeemed at a holder's request by such trust which will deliver to the redeeming holder the quantity of the underlying commodity and/or cash. The Bitcoin ETP Shares are issued by the Bitcoin Fund, the ETH ETP Shares are issued by the Eth Fund, and the Crypto Index ETP Shares are issued by the Crypto Index Fund. The Bitcoin Trust was formed as a Delaware statutory trust on September 6, 2023, the Eth Trust was formed as a Delaware statutory trust on February 8, 2024, and the Crypto Trust was formed as a Delaware statutory trust on August 13, 2024.

Bitcoin Fund

The Exchange proposes to amend several portions of the Bitcoin ETP Amendment No. 1, as amended, in order to permit in-kind creation and redemptions.

Representations

The Bitcoin ETP Amendment No. 1 included specific representations making clear that the Bitcoin Fund would only process creations and redemptions in cash. Specifically, the ''Franklin Templeton Digital Holdings Trust'' section of Bitcoin ETP Amendment No. 1 stated:

When the Fund sells or redeems its Shares, it will do so in cash transactions in large blocks of 50,000 Shares (a ''Creation Basket'') at the Fund's NAV. In such cases, a third party that is unaffiliated with the Fund and the Sponsor will use cash to buy and deliver bitcoin to create Shares or withdraw and sell bitcoin for cash to redeem Shares, on behalf of the Fund. Authorized participants will deliver, or facilitate the delivery of, cash to the Fund's account with the Cash Custodian in exchange for Shares when they purchase Shares, and the Fund, through the Cash Custodian, will deliver cash to such authorized participants when they redeem Shares. Authorized participants may then offer Shares to the public at prices that depend on various factors, including the supply and demand for Shares, the value of the Fund's assets, and market conditions at the time of a transaction. Shareholders who buy or sell Shares during the day from their broker may do so at a premium or discount relative to the NAV of the Shares of the Fund.[13]

The Exchange proposes to replace the above paragraph as follows:

When the Fund sells or redeems its Shares, it will do so in large blocks of 50,000 Shares (a ''Creation Basket'') based on the quantity of bitcoin attributable to each Share (net of the accrued but unpaid Sponsor's fee and any accrued but unpaid expenses or liabilities). Creation Baskets are issued and redeemed in exchange for bitcoin or cash. For cash creations, authorized participants will deliver, or facilitate the delivery of, cash to the Fund's account with the Cash Custodian in exchange for Shares. Upon receipt of an approved cash creation order, the Sponsor, on behalf of the Fund, will submit to one or more previously onboarded trading partners an order to buy the amount of bitcoin represented by a Creation Basket.[14] For in-kind creations, authorized participants or their designee will deliver, or facilitate the delivery of, bitcoin to the Fund's account with the bitcoin Custodian in exchange for Shares.[15] Authorized participants may then offer Shares to the public at prices that depend on various factors, including the supply and demand for Shares, the value of the Fund's assets, and market conditions at the time of a transaction. Shareholders who buy or sell Shares during the day from their broker may do so at a premium or discount relative to the net asset value (''NAV'') per Share of the Fund.

Creation and Redemption of Shares

Additionally, the ''Creation and Redemption of Shares'' section of the filing, as amended, includes a detailed description of how the cash-only creation and redemption process works.[16] The Exchange proposes to replace this section as provided below. The Exchange proposes no change to the subheading ''Rule 14.11(e)(4)—Commodity-Based Trust Shares'' [17] and

[10] *See* Securities Exchange Act Release Nos. 99286 (January 8, 2024) 89 FR 2372 (January 12, 2024) (SR–CboeBZX–2023–072) (Notice of Filing of Amendment No. 1 to a Proposed Rule Change To List and Trade Shares of the Franklin Bitcoin ETF Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares) (''Bitcoin ETP Amendment No. 1''); 99306 (January 10, 2024) 89 FR 3008 (January 17, 2024) (SR–CboeBZX–2023–072) (Order Granting Accelerated Approval of Proposed Rule Changes, as Modified by Amendments Thereto, To List and Trade Bitcoin-Based Commodity-Based Trust Shares and Trust Units) (the ''Bitcoin ETP Approval Order''). The Bitcoin ETP Amendment No. 1 was later amended to amend the time at which purchase orders for cash transaction creation baskets must be placed. *See* Securities Exchange Act Release No. 100245 (May 29, 2024) 89 FR 48016 (June 4, 2024) (SR–CboeBZX–2024–040) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Franklin Bitcoin ETF).

[11] *See* Securities Exchange Act Release Nos. 100218 (May 22, 2024) 89 FR 46499 (May 29, 2024) (SR–CboeBZX–2024–018) (Notice of Filing of Amendment No. 1 to a Proposed Rule Change Relating To List and Trade Shares of the Franklin Ethereum ETF, a Series of the Franklin Ethereum Trust, Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares) (''ETH ETP Amendment No. 1''); 100224 (May 23, 2024) 89 FR 46937 (May 30, 2024) (SR–CboeBZX–2024–018) (Order Granting Accelerated Approval of Proposed Rule Changes, as Modified by Amendments Thereto, to List and Trade Shares of Ether-Based Exchange-Traded Products) (the ''ETH ETP Approval Order'').

[12] *See* Securities Exchange Act Release Nos. 101963 (December 18, 2024) 89 FR 105109 (December 26, 2024) (SR–CboeBZX–2024–091) (Notice of Filing of Amendment No. 1 to a Proposed Rule Change To List and Trade Shares of the Franklin Crypto Index ETF, a Series of the Franklin Crypto Trust, Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares) (''Crypto Index ETP Amendment No. 1''); 101998 (December 19, 2024) 89 FR 106707 (December 30, 2024) (SR–CboeBZX–2024–028) (Order Granting Approval of a Proposed Rule Change, as Modified by Amendment No. 1, To List and Trade Shares of the Hashdex Nasdaq Crypto Index US ETF and Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment No. 1, To List and Trade Shares of the Franklin Crypto Index ETF, a Series of the Franklin Crypto Trust) (the ''Crypto Index ETF Approval Order'').

[13] *See* Bitcoin ETP Amendment No. 1 at 2381.

[14] For cash redemptions, the process will occur in the reverse order. Upon receipt of an approved cash redemption order, the Sponsor, on behalf of the Fund, will submit an order to sell the amount of bitcoin represented by a Creation Basket and the cash proceeds will be remitted to the authorized participant when the large block of Shares is received by the Transfer Agent.

[15] For in-kind redemptions, the process will occur in the reverse order. Upon receipt of an approved in-kind redemption order, the Sponsor, on behalf of the Fund, will transfer the amount of bitcoin represented by a Creation Basket to the authorized participant or its designee when the large block of Shares is received by the Transfer Agent.

[16] *See* Bitcoin ETP Amendment No. 1 at 2382–2383.

[17] *See* Bitcoin ETP Amendment No. 1 at 2383–2384.

proposes to retain everything thereunder.

Creation and Redemption of Shares

When the Fund sells or redeems its Shares, it will do so in Creation Baskets that are based on the quantity of bitcoin attributable to each Share (net of the accrued but unpaid Sponsor's fee and any accrued but unpaid expenses or liabilities). Creation Baskets are issued and redeemed in exchange for bitcoin or cash. According to the Registration Statement, on any business day, an authorized participant may place an order to create one or more Creation Baskets. Purchase orders for cash transaction Creation Baskets must be placed by 2:00 p.m. ET (or such other time as disclosed in the Prospectus), or the close of regular trading on the Exchange, whichever is earlier. Purchase orders for in-kind transaction Creation Baskets must be placed by 4:00 p.m. ET (or such other time as disclosed in the Prospectus), or the close of regular trading on the Exchange, whichever is earlier. The day on which an order is properly received is considered the purchase order date.

For cash creations, authorized participants will deliver, or facilitate the delivery of, cash to the Fund's account with the Cash Custodian in exchange for Shares. Upon receipt of an approved cash creation order, the Sponsor, on behalf of the Fund, will submit to one or more previously onboarded trading partners an order to buy the amount of bitcoin represented by a Creation Basket. For in-kind creations, authorized participants or their designee will deliver, or facilitate the delivery of, bitcoin to the Fund's account with the bitcoin Custodian in exchange for Shares.

For a cash creation order, the total deposit of cash required is based on the combined NAV of the number of Shares included in the Creation Baskets being created determined as of 4:00 p.m. ET on the date the purchase order is properly received, in an amount sufficient to purchase the requisite amount of bitcoin (as described below). With respect to a cash purchase order, as between the Fund and the Authorized Participant, the Authorized Participant is responsible for the dollar cost of the difference between the bitcoin price utilized in calculating NAV on trade date and the price at which the Fund acquires the bitcoin to the extent the price realized in buying the bitcoin is higher than the bitcoin price utilized in the NAV. To the extent the price realized in buying the bitcoin is lower than the price utilized in the NAV, the Authorized Participant shall keep the dollar impact of any such difference.

For a creation order in-kind, the total in-kind transfer of bitcoin is based on the quantity of bitcoin attributable to the Creation Basket applicable to the date the purchase order is properly received.

After the close of business each day, the Administrator determines the quantity of bitcoin associated with a Creation Basket for the next business day by dividing the number of bitcoin held by the Fund, adjusted for the amount of bitcoin constituting estimated accrued but unpaid fees and expenses of the Fund, by the quotient of the number of Shares outstanding divided by the number of Shares in a Creation Basket.

The procedures by which an authorized participant can redeem one or more Creation Baskets mirror the procedures for the creation of Creation Baskets. For a cash redemption order, an authorized participant will deliver Shares to the Fund and will receive cash for the Shares delivered. With respect to a cash redemption order, between the Fund and the Authorized Participant, the Authorized Participant will be responsible for the dollar cost of the difference between the bitcoin price utilized in calculating the NAV on trade date and the price realized in selling the bitcoin to raise the cash needed for the cash redemption order to the extent the price realized in selling the bitcoin is lower than the bitcoin price utilized in the NAV. To the extent the price realized from selling the bitcoin is higher than the price utilized in the NAV, the Authorized Participant shall get to keep the dollar impact of any such difference.

For an in-kind redemption order, an authorized participant will deliver Shares to the Fund and the authorized participant or its designee will receive bitcoin for the Shares delivered.

The Sponsor (including its delegates) will maintain ownership and control of the Fund's bitcoin in a manner consistent with good delivery requirements for spot commodity transactions.

Eth Fund

Similarly, the Exchange proposes to amend several portions of the ETH ETP Amendment No. 1 in order to permit in-kind creations and redemptions.

Representations

The ETH ETP Amendment No. 1 included specific representations making clear that the Eth Fund would only process creations and redemptions in cash. Specifically, the ''Franklin Ethereum ETF'' section of the ETH ETP Amendment No. 1 stated:

When the Fund sells or redeems its Shares, it will do so in cash transactions in large blocks of 50,000 Shares (a ''Creation Basket'') at the Fund's net asset value (''NAV''). For creations, authorized participants will deliver, or facilitate the delivery of, cash to the Fund's account with the Cash Custodian in exchange for Shares. Upon receipt of an approved creation order, the Sponsor, on behalf of the Fund, will submit an order to buy the amount of ether represented by a Creation Basket. Based off ether executions, the Cash Custodian will request the required cash from the authorized participant. Following receipt by the Cash Custodian of the cash from an authorized participant, the Sponsor, on behalf of the Fund, will approve an order with one or more previously onboarded trading partners to purchase the amount of ether represented by the Creation Basket.[18] Authorized participants may then offer Shares to the public at prices that depend on various factors, including the supply and demand for Shares, the value of the Fund's assets, and market conditions at the time of a transaction. Shareholders who buy or sell Shares during the day from their broker may do so at a premium or discount relative to the NAV of the Shares of the Fund.[19]

The Exchange proposes to replace the above with the following:

When the Fund sells or redeems its Shares, it will do so in large blocks of 50,000 Shares (a ''Creation Basket'') based on the quantity of ETH attributable to each Share (net of the accrued but unpaid Sponsor's fee and any accrued but unpaid expenses or liabilities). Creation Baskets are issued and redeemed in exchange for ETH or cash. For cash creations, authorized participants will deliver, or facilitate the delivery of, cash to the Fund's account with the Cash Custodian in exchange for Shares. Upon receipt of an approved cash creation order, the Sponsor, on behalf of the Fund, will submit to one or more previously onboarded trading partners an order to buy the amount of ETH represented by a Creation Basket.[20] For in-kind creations, authorized participants or their designee will deliver, or facilitate the delivery of, ETH to the Fund's account with the Custodian in exchange for Shares.[21] Authorized participants may then offer Shares to the public at prices that depend on various factors, including the supply and demand for Shares, the value of the Fund's assets, and market conditions at the time of a transaction. Shareholders who buy or sell Shares during the day from their broker may do so at a premium or discount relative to the net asset value (''NAV'') per Share of the Fund.

Creation and Redemption of Shares

Additionally, the ''Creation and Redemption of Shares'' section of the filing includes a detailed description of how the cash-only creation and redemption process works.[22] The Exchange proposes to replace this section as provided below. The Exchange proposes no change to the subheading ''Rule 14.11(e)(4)—Commodity-Based Trust Shares'' [23] and

[18] For redemptions, the process will occur in the reverse order. Upon receipt of an approved redemption order, the Sponsor, on behalf of the Fund, will submit an order to sell the amount of ether represented by a Creation Basket and the cash proceeds will be remitted to the authorized participant when the large block of Shares is received by the Transfer Agent.

[19] *See* ETH ETP Amendment No. 1 at 46505.

[20] For cash redemptions, the process will occur in the reverse order. Upon receipt of an approved cash redemption order, the Sponsor, on behalf of the Fund, will submit an order to sell the amount of ETH represented by a Creation Basket and the cash proceeds will be remitted to the authorized participant when the large block of Shares is received by the Transfer Agent.

[21] For in-kind redemptions, the process will occur in the reverse order. Upon receipt of an approved in-kind redemption order, the Sponsor, on behalf of the Fund, will transfer the amount of ETH represented by a Creation Basket to the authorized participant or its designee when the large block of Shares is received by the Transfer Agent.

[22] *See* ETH ETP Amendment No. 1 at 46507.

[23] *See* ETH ETP Amendment No. 1 at 46507–46508.

proposes to retain everything thereunder.

Creation and Redemption of Shares

When the Fund sells or redeems its Shares, it will do so in Creation Baskets that are based on the quantity of ETH attributable to each Share (net of the accrued but unpaid Sponsor's fee and any accrued but unpaid expenses or liabilities). Creation Baskets are issued and redeemed in exchange for ETH or cash. According to the Registration Statement, on any business day, an authorized participant may place an order to create one or more Creation Baskets. Purchase orders for cash transaction Creation Baskets must be placed by 2:00 p.m. ET (or such other time as disclosed in the Prospectus), or the close of regular trading on the Exchange, whichever is earlier. Purchase orders for in-kind transaction Creation Baskets must be placed by 4:00 p.m. ET (or such other time as disclosed in the Prospectus), or the close of regular trading on the Exchange, whichever is earlier. The day on which an order is properly received is considered the purchase order date.

For cash creations, authorized participants will deliver, or facilitate the delivery of, cash to the Fund's account with the Cash Custodian in exchange for Shares. Upon receipt of an approved cash creation order, the Sponsor, on behalf of the Fund, will submit to one or more previously onboarded trading partners an order to buy the amount of ETH represented by a Creation Basket. For in-kind creations, authorized participants or their designee will deliver, or facilitate the delivery of, ETH to the Fund's account with the Custodian in exchange for Shares.

For a cash creation order, the total deposit of cash required is based on the combined NAV of the number of Shares included in the Creation Baskets being created determined as of 4:00 p.m. ET on the date the purchase order is properly received, in an amount sufficient to purchase the requisite amount of ETH (as described below). With respect to a cash purchase order, as between the Fund and the Authorized Participant, the Authorized Participant is responsible for the dollar cost of the difference between the ETH price utilized in calculating NAV on trade date and the price at which the Fund acquires the ETH to the extent the price realized in buying the ETH is higher than the ETH price utilized in the NAV. To the extent the price realized in buying the ETH is lower than the price utilized in the NAV, the Authorized Participant shall keep the dollar impact of any such difference.

For a creation order in-kind, the total in-kind transfer of ETH is based on the quantity of bitcoin attributable to the Creation Basket applicable to the date the purchase order is properly received.

After the close of business each day, the Administrator determines the quantity of ETH associated with a Creation Basket for the next business day by dividing the number of ETH held by the Fund, adjusted for the amount of ETH constituting estimated accrued but unpaid fees and expenses of the Fund, by the quotient of the number of Shares outstanding divided by the number of Shares in a Creation Basket.

The procedures by which an authorized participant can redeem one or more Creation Baskets mirror the procedures for the creation of Creation Baskets. For a cash redemption order, an authorized participant will deliver Shares to the Fund and will receive cash for the Shares delivered. With respect to a cash redemption order, between the Fund and the Authorized Participant, the Authorized Participant will be responsible for the dollar cost of the difference between the ETH price utilized in calculating the NAV on trade date and the price realized in selling the ETH to raise the cash needed for the cash redemption order to the extent the price realized in selling the ETH is lower than the ETH price utilized in the NAV. To the extent the price realized from selling the ETH is higher than the price utilized in the NAV, the Authorized Participant shall get to keep the dollar impact of any such difference.

For an in-kind redemption order, an authorized participant will deliver Shares to the Fund and the authorized participant or its designee will receive ETH for the Shares delivered.

The Sponsor (including its delegates) will maintain ownership and control of the Fund's ETH in a manner consistent with good delivery requirements for spot commodity transactions.

Crypto Index Fund

The Exchange proposes to amend several portions of the Crypto Index ETP Amendment No. 1 in order to permit in-kind creations and redemptions.

Representations

The Crypto Index ETP Amendment No. 1 included specific representations making clear that the Crypto Index Fund would only process creations and redemptions in cash. Specifically, the ''Franklin Crypto Index ETF'' section of the Crypto Index ETP Amendment No. 1 stated:

When the Fund sells or redeems its Shares, it will do so in cash transactions in large blocks of 50,000 Shares (a ''Creation Basket'') at the Fund's NAV. For creations, authorized participants will deliver, or facilitate the delivery of, cash to the Fund's account with the Cash Custodian in exchange for Shares. Upon receipt of an approved creation order, the Sponsor, on behalf of the Fund, will submit to one or more previously onboarded trading partners an order to buy the amount of bitcoin and ether represented by a Creation Basket.[24] Authorized participants may then offer Shares to the public at prices that depend on various factors, including the supply and demand for Shares, the value of the Fund's assets, and market conditions at the time of a transaction. Shareholders who buy or sell Shares during the day from their broker may do so at a premium or discount relative to the NAV per Share of the Fund.[25]

The Exchange proposes to replace the above with the following:

When the Fund sells or redeems its Shares, it will do so in large blocks of 50,000 Shares (a ''Creation Basket'') based on the quantity of bitcoin and ether attributable to each Share (net of the accrued but unpaid Sponsor's fee and any accrued but unpaid expenses or liabilities). Creation Baskets are issued and redeemed in exchange for (i) bitcoin and ether or (ii) cash. For cash creations, authorized participants will deliver, or facilitate the delivery of, cash to the Fund's account with the Cash Custodian in exchange for Shares. Upon receipt of an approved cash creation order, the Sponsor, on behalf of the Fund, will submit to one or more previously onboarded trading partners an order to buy the amount of bitcoin and ether represented by a Creation Basket.[26] For in-kind creations, authorized participants or their designee will deliver, or facilitate the delivery of, bitcoin and ether to the Fund's account with the Custodian in exchange for Shares.[27] Authorized participants may then offer Shares to the public at prices that depend on various factors, including the supply and demand for Shares, the value of the Fund's assets, and market conditions at the time of a transaction. Shareholders who buy or sell Shares during the day from their broker may do so at a premium or discount relative to the net asset value (''NAV'') per Share of the Fund.

Creation and Redemption of Shares

Additionally, the ''Creation and Redemption of Shares'' section of the filing includes a detailed description of how the cash-only creation and redemption process works.[28] The Exchange proposes to replace this section as provided below. The Exchange proposes no change to the subheading ''Rule 14.11(e)(4)—Commodity-Based Trust Shares'' [29] and proposes to retain everything thereunder.

[24] For redemptions, the process will occur in the reverse order. Upon receipt of an approved redemption order, the Sponsor, on behalf of the Fund, will submit an order to sell the amount of bitcoin and ether represented by a Creation Basket and the cash proceeds will be remitted to the authorized participant when the large block of Shares is received by the Transfer Agent.

[25] *See* Crypto Index ETP Amendment No. 1 at 105111.

[26] For cash redemptions, the process will occur in the reverse order. Upon receipt of an approved cash redemption order, the Sponsor, on behalf of the Fund, will submit an order to sell the amount of bitcoin and ether represented by a Creation Basket and the cash proceeds will be remitted to the authorized participant when the large block of Shares is received by the Transfer Agent.

[27] For in-kind redemptions, the process will occur in the reverse order. Upon receipt of an approved in-kind redemption order, the Sponsor, on behalf of the Fund, will transfer the amount of bitcoin and ether represented by a Creation Basket to the authorized participant or its designee when the large block of Shares is received by the Transfer Agent.

[28] *See* Crypto Index ETP Amendment No. 1 at 105113.

[29] *See* Crypto Index ETP Amendment No. 1 at 105114.

Creation and Redemption of Shares

When the Fund sells or redeems its Shares, it will do so in Creation Baskets that are based on the quantity of bitcoin and ether attributable to each Share (net of the accrued but unpaid Sponsor's fee and any accrued but unpaid expenses or liabilities). Creation Baskets are issued and redeemed in exchange for (i) bitcoin and ether or (ii) cash. According to the Registration Statement, on any business day, an authorized participant may place an order to create one or more Creation Baskets. Purchase orders for cash transaction Creation Baskets must be placed by 2:00 p.m. ET (or such other time as disclosed in the Prospectus), or the close of regular trading on the Exchange, whichever is earlier. Purchase orders for in-kind transaction Creation Baskets must be placed by 4:00 p.m. ET (or such other time as disclosed in the Prospectus), or the close of regular trading on the Exchange, whichever is earlier. The day on which an order is properly received is considered the purchase order date.

For cash creations, authorized participants will deliver, or facilitate the delivery of, cash to the Fund's account with the Cash Custodian in exchange for Shares. Upon receipt of an approved cash creation order, the Sponsor, on behalf of the Fund, will submit to one or more previously onboarded trading partners an order to buy the amount of bitcoin and ether represented by a Creation Basket.

For in-kind creations, authorized participants or their designee will deliver, or facilitate the delivery of, bitcoin and ether to the Fund's account with the Custodian in exchange for Shares.

For a cash creation order, the total deposit of cash required is based on the combined NAV of the number of Shares included in the Creation Baskets being created determined as of 4:00 p.m. ET on the date the purchase order is properly received, in an amount sufficient to purchase the requisite amount of bitcoin and ether (as described below). With respect to a cash purchase order, as between the Fund and the Authorized Participant, the Authorized Participant is responsible for the dollar cost of the difference between the bitcoin and ether price utilized in calculating NAV on trade date and the price at which the Fund acquires the bitcoin and ether to the extent the price realized in buying the bitcoin and ether is higher than the bitcoin and ether price utilized in the NAV. To the extent the price realized in buying the bitcoin and ether is lower than the price utilized in the NAV, the Authorized Participant shall keep the dollar impact of any such difference.

For a creation order in-kind, the total in-kind transfer of bitcoin and ether is based on the quantity of bitcoin and ether attributable to the Creation Basket applicable to the date the purchase order is properly received.

After the close of business each day, the Administrator determines the quantity of bitcoin and ether associated with a Creation Basket for the next business day by dividing the number of bitcoin and ether held by the Fund, adjusted for the amount of bitcoin and ether constituting estimated accrued but unpaid fees and expenses of the Fund, by the quotient of the number of Shares outstanding divided by the number of Shares in a Creation Basket.

The procedures by which an authorized participant can redeem one or more Creation Baskets mirror the procedures for the creation of Creation Baskets. For a cash redemption order, an authorized participant will deliver Shares to the Fund and will receive cash for the Shares delivered. With respect to a cash redemption order, between the Fund and the Authorized Participant, the Authorized Participant will be responsible for the dollar cost of the difference between the bitcoin and ether price utilized in calculating the NAV on trade date and the price realized in selling the bitcoin and ether to raise the cash needed for the cash redemption order to the extent the price realized in selling the bitcoin and ether is lower than the bitcoin and ether price utilized in the NAV. To the extent the price realized from selling the bitcoin and ether is higher than the price utilized in the NAV, the Authorized Participant shall get to keep the dollar impact of any such difference.

For an in-kind redemption order, an authorized participant will deliver Shares to the Fund and the authorized participant or its designee will receive bitcoin and ether for the Shares delivered.

The Sponsor (including its delegates) will maintain ownership and control of the Fund's bitcoin and ether in a manner consistent with good delivery requirements for spot commodity transactions.

Conclusion

Except for the above changes, all other representations in the Bitcoin ETP Amendment No. 1, as amended, the ETH ETP Amendment No. 1, and the Crypto Index ETP Amendment No. 1 remain unchanged and will continue to constitute continuing listing requirements. In addition, the Bitcoin Fund will continue to comply with the terms of Bitcoin ETP Amendment No. 1, as amended, the Eth Fund will continue to comply with the terms of ETH ETP Amendment No. 1, and the Crypto Index Fund will continue to comply with the terms of the Crypto Index ETP Amendment No.1 and the Funds will continue to comply with the requirements of Rule 14.11(e)(4).

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[30] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[31] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

The Exchange believes the proposed rule change is designed to remove impediments to and perfect the mechanism of a free and open market and, in general, to protect investors and the public interest because it would update representations in the Bitcoin ETP Amendment No. 1, as amended, the ETH ETP Amendment No. 1, and the Crypto Index ETP Amendment No. 1 such that the Funds would be able to engage in in-kind creation and redemptions with authorized participants or their designees, as described above. This ability would make the Funds (and the market more generally) operate more efficiently because authorized participants would be able to source bitcoin and/or ether, as applicable, rather than to provide cash to the applicable Fund and to receive bitcoin and/or ether from the Funds. This means that the authorized participant would be responsible for buying and selling the applicable crypto asset(s) rather than the Fund itself, which would potentially lessen the impact on the market of the Funds on both sides of the transaction by allowing the authorized participant to decide how and where to source the underlying crypto asset for creations and deciding how, where, and whether to sell the underlying crypto asset received for redemptions. This would improve the creation and redemption process for both authorized participants and the Funds, increase efficiency, and ultimately benefit the end investors in the Funds.

Except for the addition of in-kind creation and redemption for the Bitcoin Fund as specifically set forth herein, all other representations made in the Bitcoin ETP Amendment No. 1, as amended, remain unchanged, and will continue to constitute continuing listing requirements for the Bitcoin Fund. Except for the addition of in-kind creation and redemption for the Eth Fund as specifically set forth herein, all other representations made in the ETH ETP Amendment No. 1 remain unchanged and will continue to constitute continuing listing requirements for the Eth Fund. Similarly, except for the addition of in-kind creation and redemption for the Crypto Index Fund as specifically set forth herein, all other representations

[30] 15 U.S.C. 78f(b).

[31] 15 U.S.C. 78f(b)(5).

made in the Crypto Index ETP Amendment No. 1 remain unchanged and will continue to constitute continuing listing requirements for the Crypto Index Fund.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. As noted above, the proposed amendment is intended to allow the Funds to operate more efficiently by allowing for in-kind creation and redemption. The Exchange believes these changes will not impose any burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change, as modified by Amendment No. 1, 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–CboeBZX–2025–050 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–CboeBZX–2025–050. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–CboeBZX–2025–050 and should be submitted on or before August 15, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[32]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–14035 Filed 7–24–25; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103515; File No. SR–FINRA–2025–008]

Self-Regulatory Organizations; Financial Industry Regulatory Authority, Inc.; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change To Amend FINRA Rule 6730 (Transaction Reporting)

July 22, 2025.

On June 10, 2025, the Financial Industry Regulatory Authority, Inc. (''FINRA'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b-4 thereunder,[2] a proposed rule change to amend FINRA Rule 6730 (Transaction Reporting) to maintain the currently effective 15-minute outer limit timeframe for reporting TRACE-eligible securities covered by File No. SR–FINRA–2024–004 and to provide an alternative for reporting and dissemination in connection with specified allocations of an aggregate order in a TRACE-eligible security to multiple managed customer accounts. The proposed rule change was published for comment in the **Federal Register** on June 20, 2025.[3]

Section 19(b)(2) of the Act[4] provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for this proposed rule change is August 4, 2025. The Commission is extending this 45-day time period.

The Commission finds it appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change, the issues raised therein, and the comments received. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[5] designates September 18, 2025, as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR–FINRA–2025–008).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–14024 Filed 7–24–25; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103526; File No. SR–CboeBZX–2025–031]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Filing of a Proposed Rule Change, as Modified by Amendment No. 1, To Amend the Rule Governing the Listing and Trading of the VanEck Bitcoin ETF and the VanEck Ethereum ETF To Permit In-Kind Creations and Redemptions

July 22, 2025.

On February 19, 2025, Cboe BZX Exchange, Inc. (the ''Exchange'' or ''BZX'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] a proposed rule change to amend the rules governing the listing and trading of shares of the VanEck Bitcoin Trust and the VanEck Ethereum Trust under BZX Rule 14.11(e)(4). The proposed rule change was published for comment in the **Federal Register** on March 5, 2025.[3]

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[32] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 103270 (June 16, 2025), 90 FR 26382 (June 20, 2025). Comments on the proposed rule change are available at *https://www.sec.gov/comments/sr-finra-2025-008/srfinra2025008.htm.*

[4] 15 U.S.C. 78s(b)(2).

[5] 15 U.S.C. 78s(b)(2).

[6] 17 CFR 200.30–3(a)(31).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102500 (Feb. 27, 2025), 90 FR 11336.

On April 14, 2025, pursuant to Section 19(b)(2) of the Act,[4] the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change.[5] On June 2, 2025, the Commission instituted proceedings under Section 19(b)(2)(B) of the Act,[6] to determine whether to approve or disapprove the proposed rule change.[7] On July 21, 2025, pursuant to Section 19(b)(2) of the Act,[8] the Exchange filed Amendment No. 1 to the proposed rule change, which replaced and superseded the original filing in its entirety. The proposed rule change, as modified by Amendment No. 1, is described in Items I and II below, which Items have been substantially prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change, as modified by Amendment No. 1, from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Cboe BZX Exchange, Inc. (''BZX'' or the ''Exchange'') is filing with the Securities and Exchange Commission (''Commission'' or ''SEC'') a proposed rule change to amend the rule governing the VanEck Bitcoin ETF (the ''Bitcoin Trust'') and the VanEck Ethereum ETF (the ''ETH Trust'' and, collectively with the Bitcoin Trust, the ''Trusts''), shares of which have been approved by the Commission to list and trade on the Exchange pursuant to BZX Rule 14.11(e)(4), to permit in-kind creations and redemptions.

The text of the proposed rule change is also available on the Exchange's website (*http://markets.cboe.com/us/equities/regulation/rule_filings/bzx/*) and at the Exchange's Office of the Secretary.

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 III 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

This Amendment No. 1 to SR–CboeBZX–2025–010 amends and replaces in its entirety the proposal as originally submitted on February 19, 2025. The Exchange submits this Amendment No. 1 in order to clarify certain points and add additional details to the proposal.

The Commission approved the listing and trading of shares (the ''Bitcoin ETP Shares'') of the Bitcoin Trust[9] on the Exchange pursuant to Exchange Rule 14.11(e)(4), Commodity-Based Trust Shares, on January 10, 2024.[10] The Commission also approved the listing and trading of shares (the ''ETH ETP Shares'') of the ETH Trust[11] on the Exchange pursuant to Exchange Rule 14.11(e)(4), Commodity-Based Trust Shares, on May 23, 2024.[12] Exchange Rule 14.11(e)(4) governs the listing and trading of Commodity-Based Trust Shares, which means a security (a) that is issued by a trust that holds (1) a specified commodity deposited with the trust, or (2) a specified commodity and, in addition to such specified commodity, cash; (b) that is issued by such trust in a specified aggregate minimum number in return for a deposit of a quantity of the underlying commodity and/or cash; and (c) that, when aggregated in the same specified minimum number, may be redeemed at a holder's request by such trust which will deliver to the redeeming holder the quantity of the underlying commodity and/or cash. The Bitcoin ETP Shares are issued by the Bitcoin Trust and the ETH ETP Shares are issued by the ETH Trust. The Bitcoin Trust was formed as a Delaware statutory trust on December 17, 2020 and the ETH Trust was formed as a Delaware statutory trust on June 22, 2021.

Bitcoin Trust

The Exchange proposes to amend the Bitcoin ETP Amendment No. 2, as amended by the Subsequent Bitcoin ETP Amendment, in order to permit in-kind creation and redemptions as follows.

When the Bitcoin Trust creates or redeems its Shares, it will do so in cash or in-kind. In connection with cash creations and cash redemptions, the authorized participants will submit orders to create or redeem Baskets of Shares in exchange for cash. When the Bitcoin Trust creates or redeems its Shares in cash or in-kind, it will do so in transactions in blocks of 25,000 Shares (''Creation Basket'') that are based on the quantity of bitcoin attributable to each Share of the Bitcoin Trust (*e.g.,* a Creation Basket).

The authorized participants will deliver or cause to be delivered cash or bitcoin to create Shares and the authorized participant or its designee will receive cash or bitcoin when redeeming Shares. The Bitcoin Trust will create Shares by receiving bitcoin or cash from an authorized participant or its designee and will redeem shares by delivering bitcoin or cash to an authorized participant or its designee.

According to the Registration Statement, on any business day, an authorized participant may place an order to create one or more Creation Baskets. Purchase orders must be placed by the close of 4:00 p.m. or the close of regular trading on the Exchange, whichever is earlier. The day on which an order is properly received is considered the purchase order date.

For a cash creation order, the total deposit of cash required is an amount of cash sufficient to purchase amount of bitcoin determined as of 4:00 p.m. ET on the date the order to purchase is properly received.

For a creation order in kind, the total in-kind transfer of bitcoin is based on the quantity of bitcoin attributable to the

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 102856, 90 FR 16579 (Apr. 18, 2025) (designating June 3, 2025, as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove the proposed rule change).

[6] 15 U.S.C. 78s(b)(2)(B).

[7] *See* Securities Exchange Act Release No. 103164, 90 FR 24171 (June 6, 2025).

[8] 15 U.S.C. 78s(b)(2).

[9] The Exchange notes that the name of the Bitcoin Trust changed from the ''VanEck Bitcoin Trust'' to the ''VanEck Bitcoin ETF''.

[10] *See* Securities Exchange Act Release Nos. 99289 (January 8, 2024) 89 FR 2413 (January 12, 2024) (SR–CboeBZX–2023–040) (Notice of Filing of Amendment No. 2 to a Proposed Rule Change To List and Trade Shares of the VanEck Bitcoin Trust Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares) (''Bitcoin ETP Amendment No. 2''); 99306 (January 10, 2024) 89 FR 3008 (January 17, 2024) (SR–CboeBZX–2023–040) (Order Granting Accelerated Approval of Proposed Rule Changes, as Modified by Amendments Thereto, To List and Trade Bitcoin-Based Commodity-Based Trust Shares and Trust Units) (the ''Bitcoin ETP Approval Order''). The Bitcoin ETP Amendment No. 2 was later amended to change the creation unit size from 50,000 shares to 25,000 shares. *See* Securities Exchange Act No. 99724 (March 12, 2024) 89 FR 19379 (March 18, 2024) (SR–CboeBZX–2024–022) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Creation Basket Size of the VanEck Bitcoin Trust) (the ''Subsequent Bitcoin ETP Amendment'').

[11] The Exchange notes that the name of the ETH Trust changed from the ''VanEck Ethereum Trust'' to the ''VanEck Ethereum ETF''.

[12] See Securities Exchange Act Release Nos. 100214 (May 22, 2024) 89 FR 46462 (May 29, 2024) (SR–CboeBZX–2023–069) (Notice of Filing of Amendment No. 2 to a Proposed Rule Change to List and Trade Shares of the VanEck Ethereum Trust Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares) (''ETH ETP Amendment No. 2''); 100224 (May 23, 2024) 89 FR 46937 (May 30, 2024) (SR–CboeBZX–2023–069) (Order Granting Accelerated Approval of Proposed Rule Changes, as Modified by Amendments Thereto, to List and Trade Shares of Ether-Based Exchange-Traded Products) (the ''ETH ETP Approval Order'').

Creation Baskets applicable to the date the order to purchase is properly received. The Administrator determines the quantity of bitcoin used to calculate the Creation Basket for a given day by dividing the number of bitcoin held by the Bitcoin Trust, adjusted for the amount of bitcoin constituting estimated accrued but unpaid fees and expenses of the Bitcoin Trust as of the opening of business on that business day, by the quotient of the number of Shares outstanding at the opening of business divided by the number of Shares in a Creation Basket.

The procedures by which an authorized participant can redeem one or more Creation Baskets mirror the procedures for the creation of Creation Baskets. For a cash redemption order, an authorized participant will deliver Shares to the Bitcoin Trust and will receive cash for the Shares delivered. For an in-kind redemption order, an authorized participant will deliver Shares to the Bitcoin Trust and the authorized participant or its designee will receive bitcoin for the Shares delivered.

ETH Trust

Similarly, the Exchange proposes to amend the ETH ETP Amendment No. 2 in order to permit in-kind creations and redemptions as follows.

When the ETH Trust creates or redeems its Shares, it will do so in cash or in-kind. In connection with cash creations and cash redemptions, the authorized participants will submit orders to create or redeem Baskets of Shares in exchange for cash. When the ETH Trust creates or redeems its Shares in cash, it will do so in transactions in blocks of 25,000 Shares (''Creation Basket'') that are based on the quantity of ether attributable to each Share of the ETH Trust (*e.g.,* a Creation Basket). When the ETH Trust creates or redeems its Shares in-kind, it will do so in transfers of ether that are based on the quantity of ether attributable to the Creation Basket being created or redeemed.

The authorized participants will deliver or cause to be delivered cash or ether to create Shares and the authorized participant or its designee will receive cash or ether when redeeming Shares. The ETH Trust will create Shares by receiving ether or cash from an authorized participant or its designee and will redeem Shares by delivering ether or cash to an authorized participant or its designee.

According to the Registration Statement, on any business day, an authorized participant may place an order to create one or more Creation Baskets. Purchase orders must be placed by the close of 4:00 p.m. or the close of regular trading on the Exchange, whichever is earlier. The day on which an order is properly received is considered the purchase order date.

For a cash creation order, the total deposit of cash required is based on the combined NAV of the number of Shares included in the Creation Baskets being created determined as of 4:00 ET on the date the order to purchase is properly received.

For a creation order in-kind, the total in-kind transfer of ETH is based on the quantity of ETH attributable to the Creation Basket applicable to the date the order to purchase is properly received The Administrator determines the quantity of ETH used to calculate the a Creation Basket for a given day by dividing the number of ETH held by the ETH Trust, adjusted for the amount of ETH constituting estimated accrued but unpaid fees and expenses of the ETH Trust as of the opening of business on that business day, by the quotient of the number of Shares outstanding at the opening of business divided by the number of Shares in a Creation Basket.

The procedures by which an authorized participant can redeem one or more Creation Baskets mirror the procedures for the creation of Creation Baskets. For a cash redemption order, an authorized participant will deliver Shares to the ETH Trust and will receive cash for the Shares delivered. For an in-kind redemption order, an authorized participant will deliver Shares to the ETH Trust and the authorized participant or its designee will receive ether for the Shares delivered.

Conclusion

Except for the above changes, all other representations in the Bitcoin ETP Amendment No. 2, as amended, and the ETH ETP Amendment No. 2 remain unchanged and will continue to constitute continuing listing requirements. In addition, the Bitcoin Trust will continue to comply with the terms of Bitcoin ETP Amendment No. 2, as amended, and the ETH Trust will continue to comply with the terms of ETH ETP Amendment No. 2 and the Trusts will continue to comply with the requirements of Rule 14.11(e)(4).

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[13] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[14] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

The Exchange believes the proposed rule change is designed to remove impediments to and perfect the mechanism of a free and open market and, in general, to protect investors and the public interest because it would update representations in both the Bitcoin ETP Amendment No. 2, as amended, and the ETH ETP Amendment No. 2 such that the Trusts would both be able to engage in in-kind creation and redemptions with authorized participants or their designees, as described above. This ability would make the Trusts (and the market more generally) operate more efficiently because authorized participants would be able to source bitcoin or ether, as applicable, rather than to provide cash to the applicable Trust and to receive bitcoin or ether from the Trusts. This means that the authorized participant would be responsible for buying and selling the applicable crypto asset rather than the Trust itself, which would potentially lessen the impact on the market of the Trusts on both sides of the transaction by allowing the authorized participant to decide how and where to source the underlying crypto asset for creations and deciding how, where, and whether to sell the underlying crypto asset received for redemptions. This would improve the creation and redemption process for both authorized participants and the Trusts, increase efficiency, and ultimately benefit the end investors in the Trusts.

Except for the addition of in-kind creation and redemption for the Bitcoin Trust as specifically set forth herein, all other representations made in the Bitcoin ETP Amendment No. 2, as amended, remain unchanged and will continue to constitute continuing listing requirements for the Bitcoin Trust. Similarly, except for the addition of in-kind creation and redemption for the ETH Trust as specifically set forth herein, all other representations made in the ETH ETP Amendment No. 2 remain unchanged and will continue to constitute continuing listing requirements for the ETH Trust.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. As noted above, the proposed amendment is intended to allow the Trusts to operate more efficiently by allowing for in-kind creation and redemption. The Exchange believes these changes will not impose any burden on competition.

[13] 15 U.S.C. 78f(b).

[14] 15 U.S.C. 78f(b)(5).

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change, as modified by Amendment No. 1, 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–CboeBZX–2025–031 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–CboeBZX–2025–031. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–CboeBZX–2025–031 and should be submitted on or before August 15, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[15]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–14032 Filed 7–24–25; 8:45 am]

BILLING CODE 8011–01–P

[15] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103527; File No. SR–CboeBZX–2025–033]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Filing of a Proposed Rule Change, as Modified by Amendment No. 1, To Amend the Rule Governing the Listing and Trading of the WisdomTree Bitcoin Fund To Permit In-Kind Creations and Redemptions

July 22, 2025.

On February 20, 2025, Cboe BZX Exchange, Inc. (the ''Exchange'' or ''BZX'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] a proposed rule change to amend the rules governing the listing and trading of shares of the WisdomTree Bitcoin Fund under BZX Rule 14.11(e)(4). The proposed rule change was published for comment in the **Federal Register** on March 5, 2025.[3]

On April 14, 2025, pursuant to Section 19(b)(2) of the Act,[4] the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change.[5] On June 2, 2025, the Commission instituted proceedings under Section 19(b)(2)(B) of the Act,[6] to determine whether to approve or disapprove the proposed rule change.[7] On July 21, 2025, pursuant to Section 19(b)(2) of the Act,[8] the Exchange filed Amendment No. 1 to the proposed rule change, which replaced and superseded the original filing in its entirety. The proposed rule change, as modified by Amendment No. 1, is described in Items I and II below, which Items have been substantially prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change, as modified by Amendment No. 1, from interested persons.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102499 (Feb. 27, 2025), 90 FR 11340.

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 102857, 90 FR 16581 (Apr. 18, 2025) (designating June 3, 2025, as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove the proposed rule change).

[6] 15 U.S.C. 78s(b)(2)(B).

[7] *See* Securities Exchange Act Release No. 103165, 90 FR 24187 (June 6, 2025).

[8] 15 U.S.C. 78s(b)(2).

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Cboe BZX Exchange, Inc. (''BZX'' or the ''Exchange'') is filing with the Securities and Exchange Commission (''Commission'' or ''SEC'') a proposed rule change to amend the rule governing the WisdomTree Bitcoin Fund (the ''Trust''), shares of which have been approved by the Commission to list and trade on the Exchange pursuant to BZX Rule 14.11(e)(4), to permit in-kind creations and redemptions.

The text of the proposed rule change is also available on the Exchange's website (*http://markets.cboe.com/us/equities/regulation/rule_filings/bzx/*) and at the Exchange's Office of the Secretary.

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 III 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

This Amendment No. 1 to SR–CboeBZX–2025–033 amends and replaces in its entirety the proposal as originally submitted on February 20, 2025. The Exchange submits this Amendment No. 1 in order to clarify certain points and add additional details to the proposal.

The Commission approved the listing and trading of shares (the ''Bitcoin ETP Shares'') of the Bitcoin Trust on the Exchange pursuant to Exchange Rule 14.11(e)(4), Commodity-Based Trust Shares, on January 10, 2024.[9] Exchange

[9] *See* Securities Exchange Act Release Nos. 99292 (January 8, 2024) 89 FR 2429 (January 12, 2024) (SR–CboeBZX–2023–042) (Notice of Filing of Amendment No. to a Proposed Rule Change To List and Trade Shares of the WisdomTree Bitcoin Fund Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares) (''Bitcoin ETP Amendment No. 2''); 99306 (January 10, 2024) 89 FR 3008 (January 17,

Continued

Rule 14.11(e)(4) governs the listing and trading of Commodity-Based Trust Shares, which means a security (a) that is issued by a trust that holds (1) a specified commodity deposited with the trust, or (2) a specified commodity and, in addition to such specified commodity, cash; (b) that is issued by such trust in a specified aggregate minimum number in return for a deposit of a quantity of the underlying commodity and/or cash; and (c) that, when aggregated in the same specified minimum number, may be redeemed at a holder's request by such trust which will deliver to the redeeming holder the quantity of the underlying commodity and/or cash. The Bitcoin ETP Shares are issued by the Bitcoin Trust, which was formed as a Delaware statutory trust on December 17, 2020.

The Exchange proposes to amend several portions of the Bitcoin ETP Amendment No. 2 in order to permit in-kind creation and redemptions, including permitting in-kind creations and redemptions by an affiliate of the sponsor of the Trust.

Representations

The Bitcoin ETP Amendment No. 2 included specific representations making clear that the Bitcoin Trust would only process creations and redemptions in cash. Specifically, the ''WisdomTree Bitcoin Fund'' section of the Bitcoin ETP Amendment No. 2 states:

> When the Trust sells or redeems its Shares, it will do so in cash transactions in blocks of 5,000 Shares (a ''Creation Basket'') at the Trust's net asset value (''NAV''). A third party will use cash to buy and deliver bitcoin to create Shares or withdraw and sell bitcoin for cash to redeem Shares, on behalf of the Trust. Authorized participants will deliver, or facilitate the delivery of, cash to the Trust's account with the Cash Custodian in exchange for Shares when they purchase Shares, and the Trust, through the Cash Custodian, will deliver cash to such authorized participants when they redeem Shares with the Trust. Authorized participants may then offer Shares to the public at prices that depend on various factors, including the supply and demand for Shares, the value of the Trust's assets, and market conditions at the time of a transaction. Shareholders who buy or sell Shares during the day from their broker may do so at a premium or discount relative to the NAV of the Shares of the Trust.[10]

The Exchange proposes to replace the above with the following:

> When the Trust creates or redeems its Shares, it will do so in cash transactions or in-kind transactions in blocks of 5,000 Shares (a ''Creation Basket'') at the Trust's net asset value (''NAV''). For cash creations and redemptions authorized participants will deliver, or facilitate the delivery of, cash to the Trust's account with the Cash Custodian, in exchange for Shares when they create Shares, and the Trust, through the Cash Custodian, will deliver cash to such authorized participants when they redeem Shares with the Trust. For in-kind creation and redemptions authorized participants will deliver, or facilitate delivery of, bitcoin to the Trust's account with the Custodian, in exchange for Shares when they create Shares, and the Trust, through the Custodian, will deliver bitcoin to such authorized participants when they redeem Shares with the Trust. An affiliate of the sponsor of the Trust may serve as an authorized participant of the Trust. Authorized participants may then offer Shares to the public at prices that depend on various factors, including the supply and demand for Shares, the value of the Trust's assets, and market conditions at the time of a transaction.

The ''Investment Objective'' section of the Bitcoin ETP Amendment No. 2 stated: ''The Trust will process all creations and redemptions in cash transactions with authorized participants.'' [11] The Exchange proposes to replace this sentence with the following: ''The Trust will process all creations and redemptions in cash or in-kind transactions with authorized participants.''

Creation and Redemption of Shares

Additionally, the ''Creation and Redemption of Shares'' section of the filing includes a detailed description of how the cash-only creation and redemption process works.[12] The Exchange proposes to replace this section as provided below. The Exchange proposes no change to the subheading ''Rule 14.11(e)(4)—Commodity-Based Trust Shares'' [13] and proposes to retain everything thereunder.

Creation and Redemption of Shares

> When the Trust creates or redeems its Shares, it will do so in cash or in-kind. In connection with cash creations and cash redemptions, the authorized participants will submit orders to create or redeem Baskets of Shares in exchange for cash. When the Trust creates or redeems its Shares in cash, it will do so in transactions in blocks of 5,000 Shares that are based on the quantity of bitcoin attributable to each Share of the Trust (*e.g.,* a Creation Basket). When the Trust creates or redeems its Shares in kind, it will do so in transfers of bitcoin that are based on the quantity of bitcoin attributable to the Creation Basket being created or redeemed.
>
> The authorized participants will deliver or cause to be delivered cash or bitcoin to create Shares and the authorized participant or its designee will receive cash or bitcoin when redeeming Shares. The Trust will create Shares by receiving bitcoin or cash from an authorized participant or its designee and will redeem shares by delivering bitcoin or cash to an authorized participant or its designee.
>
> According to the Registration Statement, on any business day, an authorized participant may place an order with the Transfer Agent to create one or more Creation Baskets. Purchase orders for creations must be placed by 4:00 p.m. Eastern Time (or such earlier order cut-off time as disclosed in the Prospectus), or the close of Regular Trading Hours on the Exchange, whichever is earlier, or such earlier time as disseminated by the Trust the prior day for the following day's transactions (*e.g.,* 11:00 a.m. Eastern Time). The day on which an order properly is received by the Transfer Agent is considered the purchase order date.
>
> For a cash creation order, the total deposit of cash required to create each Creation Basket includes the cash equivalent of an amount of bitcoin that is in the same proportion to the total assets of the Trust (net of accrued but unpaid Sponsor fees and any accrued but unpaid extraordinary expenses and liabilities), the amount of which is equal to the NAV per share multiplied by the number of Shares in a creation Basket (5,000). The value of a purchase date order is determined at NAV which is calculated based on 4:00 p.m. Eastern Time bitcoin prices.
>
> For a creation order in kind, the total in-kind transfer of bitcoin is based on the quantity of bitcoin attributable to the Creation Baskets applicable to the date the order to purchase is properly received. The Administrator determines the quantity of bitcoin used to calculate the Creation Basket for a given day by dividing the number of bitcoin held by the Trust, adjusted for the amount of bitcoin constituting estimated accrued but unpaid fees and expenses of the Trust as of the opening of business on that business day, by the quotient of the number of Shares outstanding at the opening of business divided by the number of Shares in a Creation Basket.
>
> The procedures by which an authorized participant can redeem one or more Creation Baskets mirror the procedures for the creation of Creation Baskets. For a cash redemption order, an authorized participant will deliver Shares to the Trust and will receive cash for the Shares delivered. For an in-kind redemption order, an authorized participant will deliver Shares to the Trust and the authorized participant or its designee will receive bitcoin for the Shares delivered. An affiliate of the sponsor of the Trust may serve as an authorized participant of the Trust.

Except for the above changes, all other representations in the Bitcoin ETP Amendment No. 2 remain unchanged and will continue to constitute

2024) (SR–CboeBZX–2023–042) (Order Granting Accelerated Approval of Proposed Rule Changes, as Modified by Amendments Thereto, To List and Trade Bitcoin-Based Commodity-Based Trust Shares and Trust Units) (the ''Bitcoin ETP Approval Order'').

[10] *See* Bitcoin ETP Amendment No. 2 at 2437.

[11] *See* Bitcoin ETP Amendment No. 2 at 2437.

[12] *See* Bitcoin ETP Amendment No. 2 at 2438–2439.

[13] *See* Bitcoin ETP Amendment No. 2 at 2439–2440.

continuing listing requirements. In addition, the Bitcoin Trust will continue to comply with the terms of Bitcoin ETP Amendment No. 2 and the Trust will continue to comply with the requirements of Rule 14.11(e)(4).

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[14] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5) [15] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

The Exchange believes the proposed rule change is designed to remove impediments to and perfect the mechanism of a free and open market and, in general, to protect investors and the public interest because it would update representations in the Bitcoin ETP Amendment No. 2 such that the Trust would be able to engage in in-kind creation and redemptions with authorized participants or their designees, as described above. This ability would make the Trust (and the market more generally) operate more efficiently because authorized participants would be able to source bitcoin, as applicable, rather than to provide cash to the applicable Trust and to receive bitcoin from the Trust. This means that the authorized participant would be responsible for buying and selling bitcoin rather than the Trust itself, which would potentially lessen the impact on the market of the Trust on both sides of the transaction by allowing the authorized participant to decide how and where to source the bitcoin for creations and deciding how, where, and whether to sell the bitcoin received for redemptions. This would improve the creation and redemption process for both authorized participants and the Trust, increase efficiency, and ultimately benefit the end investors in the Trust.

[14] 15 U.S.C. 78f(b).

[15] 15 U.S.C. 78f(b)(5).

Except for the addition of in-kind creation and redemption for the Bitcoin Trust as specifically set forth herein, all other representations made in the Bitcoin ETP Amendment No. 2 remain unchanged and will continue to constitute continuing listing requirements for the Bitcoin Trust.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. As noted above, the proposed amendment is intended to allow the Trust to operate more efficiently by allowing for in-kind creation and redemption. The Exchange believes these changes will not impose any burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change, as modified by Amendment No. 1, 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–CboeBZX–2025–033 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–CboeBZX–2025–033. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–CboeBZX–2025–033 and should be submitted on or before August 15, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[16]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–14033 Filed 7–24–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103522; File No. SR–CboeBZX–2025–053]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Order Instituting Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change To List and Trade Shares of the Canary SUI ETF Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares

July 22, 2025.

I. Introduction

On April 8, 2025, Cboe BZX Exchange, Inc. (''BZX'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change to list and trade shares (''Shares'') of the Canary SUI ETF (''Trust'') under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares. The proposed rule change was published for comment in the **Federal Register** on April 25, 2025.[3]

On June 4, 2025, pursuant to Section 19(b)(2) of the Act,[4] the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change.[5] This order institutes

[16] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102892 (Apr. 21, 2025), 90 FR 17478. The Commission has received no comment letters on the proposed rule change.

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 103186, 90 FR 24481 (June 10, 2025). The Commission designated July 24, 2025, as the date by which the Commission shall approve,

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proceedings under Section 19(b)(2)(B) of the Act [6] to determine whether to approve or disapprove the proposed rule change.

II. Summary of the Proposal

As described in more detail in the Notice,[7] the Exchange proposes to list and trade the Shares of the Trust under BZX Rule 14.11(e)(4), which governs the listing and trading of Commodity-Based Trust Shares on the Exchange.

The investment objective of the Trust is to seek to track the performance of SUI,[8] as measured by the CoinDesk SUI USD CCIX 60 min NY Rate (''Pricing Benchmark''), adjusted for the Trust's expenses and other liabilities.[9] In seeking to achieve its investment objective, the Trust will hold SUI and will value its Shares daily as of 4:00 p.m. ET using the same methodology used to calculate the Pricing Benchmark.[10] The Trust's assets will only consist of SUI, cash, and cash equivalents.[11] When the Trust sells or redeems its Shares, it will do so in cash transactions with authorized participants in blocks of 10,000 Shares.[12] The Sponsor may stake, or cause to be staked, all or a portion of the Trust's SUI through one or more trusted staking providers and, in consideration for any staking activity in which the Trust may engage, the Trust would receive all or a portion of the staking rewards generated through staking activities.[13]

III. Proceedings To Determine Whether To Approve or Disapprove SR–CboeBZX–2025–053 and Grounds for Disapproval Under Consideration

The Commission is instituting proceedings pursuant to Section 19(b)(2)(B) of the Act [14] to determine whether the proposed rule change should be approved or disapproved. Institution of proceedings is appropriate at this time in view of the legal and policy issues raised by the proposed rule change. Institution of proceedings does not indicate that the Commission has reached any conclusions with respect to any of the issues involved. Rather, the Commission seeks and encourages interested persons to provide comments on the proposed rule change.

Pursuant to Section 19(b)(2)(B) of the Act,[15] the Commission is providing notice of the grounds for disapproval under consideration. The Commission is instituting proceedings to allow for additional analysis of the proposed rule change's consistency with Section 6(b)(5) of the Act, which requires, among other things, that the rules of a national securities exchange be ''designed to prevent fraudulent and manipulative acts and practices'' and ''to protect investors and the public interest.'' [16]

The Commission asks that commenters address the sufficiency of the Exchange's statements in support of the proposal, which are set forth in the Notice, in addition to any other comments they may wish to submit about the proposed rule change. In particular, the Commission seeks comment on whether the proposal to list and trade Shares of the Trust, which would hold SUI, is designed to prevent fraudulent and manipulative acts and practices or raises any new or novel concerns not previously contemplated by the Commission.

IV. Procedure: Request for Written Comments

The Commission requests that interested persons provide written submissions of their views, data, and arguments with respect to the issues identified above, as well as any other concerns they may have with the proposal. In particular, the Commission invites the written views of interested persons concerning whether the proposal is consistent with Section 6(b)(5) or any other provision of the Act, and the rules and regulations thereunder. Although there do not appear to be any issues relevant to approval or disapproval that would be facilitated by an oral presentation of views, data, and arguments, the Commission will consider, pursuant to Rule 19b–4, any request for an opportunity to make an oral presentation.[17]

Interested persons are invited to submit written data, views, and arguments regarding whether the proposed rule change should be approved or disapproved by August 15, 2025. Any person who wishes to file a rebuttal to any other person's submission must file that rebuttal by August 29, 2025.

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–CboeBZX–2025–053 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–CboeBZX–2025–053. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–CboeBZX–2025–053 and should be submitted on or before August 15, 2025. Rebuttal comments should be submitted by August 29, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[18]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–14028 Filed 7–24–25; 8:45 am]

BILLING CODE 8011–01–P

disapprove, or institute proceedings to determine whether to disapprove the proposed rule change.

[6] 15 U.S.C. 78s(b)(2)(B).

[7] *See* Notice, *supra* note 3.

[8] The Exchange states that SUI is the native, proof-of-stake cryptographic token of the SUI Network, a decentralized blockchain platform designed to support a wide range of applications. *See id.* at 17479.

[9] *See id.* at 17481. Canary Capital Group LLC is the sponsor of the Trust, CSC Delaware Trust Company is the trustee, and a third-party custodian will be responsible for custody of the Trust's SUI. *See id.* at 17478, 17480.

[10] *See id.* at 17481.

[11] *See id.* at 17480.

[12] *See id.* at 17481.

[13] *See id.* at 17480.

[14] 15 U.S.C. 78s(b)(2)(B).

[15] *Id.*

[16] 15 U.S.C. 78f(b)(5).

[17] Section 19(b)(2) of the Act, as amended by the Securities Acts Amendments of 1975, Public Law 94–29 (June 4, 1975), grants the Commission flexibility to determine what type of proceeding—either oral or notice and opportunity for written comments—is appropriate for consideration of a particular proposal by a self-regulatory organization. *See* Securities Acts Amendments of 1975, Senate Comm. on Banking, Housing & Urban Affairs, S. Rep. No. 75, 94th Cong., 1st Sess. 30 (1975).

[18] 17 CFR 200.30–3(a)(57).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103523; File No. SR–NASDAQ–2025–042]

Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change To List and Trade Shares of 21Shares SUI ETF Under Nasdaq Rule 5711(d) (Commodity-Based Trust Shares)

July 22, 2025.

On May 23, 2025, the Nasdaq Stock Market LLC (''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to list and trade shares of the 21Shares SUI ETF under Nasdaq Rule 5711(d) (Commodity-Based Trust Shares). The proposed rule change was published for comment in the **Federal Register** on June 10, 2025.[3]

Section 19(b)(2) of the Act[4] provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for this proposed rule change is July 25, 2025. The Commission is extending this 45-day time period.

The Commission finds it appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change and the issues raised therein. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[5] designates September 8, 2025, as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR–NASDAQ–2025–042).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–14029 Filed 7–24–25; 8:45 am]

BILLING CODE 8011–01–P

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 103187 (Jun. 4, 2025), 90 FR 24433. Comments received on the proposed rule change are available at: *https://www.sec.gov/comments/sr-nasdaq-2025-030/srnasdaq2025030.htm.*

[4] 15 U.S.C. 78s(b)(2).

[5] 15 U.S.C. 78s(b)(2).

[6] 17 CFR 200.30–3(a)(31).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103525; File No. SR–CboeBZX–2025–023]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Filing of a Proposed Rule Change, as Modified by Amendment No. 1, To Amend the Rule Governing the Listing and Trading of the Fidelity Wise Origin Bitcoin Fund and the Fidelity Ethereum Fund To Permit In-Kind Creations and Redemptions

July 22, 2025.

On February 7, 2025, Cboe BZX Exchange, Inc. (the ''Exchange'' or ''BZX'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] a proposed rule change to amend the rules governing the listing and trading of shares of the Fidelity Wise Origin Bitcoin Fund and the Fidelity Ethereum Fund under BZX Rule 14.11(e)(4). The proposed rule change was published for comment in the **Federal Register** on February 25, 2025.[3]

On March 11, 2025, pursuant to Section 19(b)(2) of the Act,[4] the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change.[5] On May 22, 2025, the Commission instituted proceedings under Section 19(b)(2)(B) of the Act,[6] to determine whether to approve or disapprove the proposed rule change.[7] On July 21, 2025, pursuant to Section 19(b)(2) of the Act,[8] the Exchange filed Amendment No. 1 to the proposed rule change, which replaced and superseded the original filing in its entirety. The proposed rule change, as modified by Amendment No. 1, is described in Items I and II below, which Items have been substantially prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change, as modified by Amendment No. 1, from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Cboe BZX Exchange, Inc. (''BZX'' or the ''Exchange'') is filing with the Securities and Exchange Commission (''Commission'' or ''SEC'') a proposed rule change to amend the rule governing the Fidelity Wise Origin Bitcoin Fund (the ''Bitcoin Trust'') and the Fidelity Ethereum Fund (the ''Eth Trust'' and, collectively with the Bitcoin Trust, the ''Trusts''), shares of which have been approved by the Commission to list and trade on the Exchange pursuant to BZX Rule 14.11(e)(4), to permit in-kind creations and redemptions.

The text of the proposed rule change is also available on the Exchange's website (*http://markets.cboe.com/us/equities/regulation/rule_filings/bzx/*) and at the Exchange's Office of the Secretary.

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 III 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

This Amendment No. 1 to SR–CboeBZX–2025–023 amends and replaces in its entirety the proposal as originally submitted on February 7,

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102451 (Feb. 19, 2025), 90 FR 10664.

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 102595, 90 FR 12376 (Mar. 17, 2025) (designating May 26, 2025, as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove the proposed rule change).

[6] 15 U.S.C. 78s(b)(2)(B).

[7] *See* Securities Exchange Act Release No. 103110, 90 FR 22804 (May 29, 2025).

[8] 15 U.S.C. 78s(b)(2).

2025. The Exchange submits this Amendment No. 1 in order to clarify certain points and add additional details to the proposal.

The Commission approved the listing and trading of shares (the ''Bitcoin ETP Shares'') of the Bitcoin Trust on the Exchange pursuant to Exchange Rule 14.11(e)(4), Commodity-Based Trust Shares, on January 10, 2024.[9] The Commission also approved the listing and trading of shares (the ''ETH ETP Shares'') of the Eth Trust on the Exchange pursuant to Exchange Rule 14.11(e)(4), Commodity-Based Trust Shares, on May 23, 2024.[10] Exchange Rule 14.11(e)(4) governs the listing and trading of Commodity-Based Trust Shares, which means a security (a) that is issued by a trust that holds (1) a specified commodity deposited with the trust, or (2) a specified commodity and, in addition to such specified commodity, cash; (b) that is issued by such trust in a specified aggregate minimum number in return for a deposit of a quantity of the underlying commodity and/or cash; and (c) that, when aggregated in the same specified minimum number, may be redeemed at a holder's request by such trust which will deliver to the redeeming holder the quantity of the underlying commodity and/or cash. The Bitcoin ETP Shares are issued by the Bitcoin Trust and the ETH ETP Shares are issued by the Eth Trust. The Bitcoin Trust was formed as a Delaware statutory trust on March 17, 2021 and the Eth Trust was formed as a Delaware statutory trust on October 31, 2023.

Bitcoin Trust

The Exchange proposes to amend several portions of the Bitcoin ETP Amendment No. 3 in order to permit in-kind creation and redemptions.

Representations

The Bitcoin ETP Amendment No. 3 included a specific representation making clear that the Bitcoin Trust would only process creations and redemptions in cash. Specifically, the ''Investment Objective'' section of the Bitcoin ETP Amendment No. 3 stated:

> In seeking to achieve its investment objective, the Trust will hold bitcoin, cash, and cash equivalents and will value its Shares daily as of 4:00 p.m. Eastern time using the Index price to value the bitcoin and process all creations and redemptions in cash transactions with authorized participants.[11]

The Exchange proposes to replace the above with the following:

> In seeking to achieve its investment objective, the Trust will hold bitcoin, cash, and cash equivalents and will value its Shares daily as of 4:00 p.m. Eastern time using the Index price to value the bitcoin and process all creations and redemptions in cash or in-kind transactions with authorized participants.

Creation and Redemption of Shares

Additionally, the ''Creation and Redemption of Shares'' section of the filing includes a detailed description of how the cash-only creation and redemption process works.[12] The Exchange proposes to replace this section as provided below. The Exchange proposes no change to the subheading ''Rule 14.11(e)(4)—Commodity-Based Trust Shares'' [13] and proposes to retain everything thereunder.

Creation and Redemption of Shares

When the Trust creates or redeems its Shares, it will do so in cash or in-kind. When the Trust creates or redeems its Shares in cash or in kind, it will do so in blocks of 25,000 Shares (*i.e.,* a Creation Basket) based on the quantity of bitcoin attributable to each Share of the Trust (net of accrued but unpaid expenses and liabilities). For cash and in-kind creation orders, the Administrator determines the amount of bitcoin represented by a Creation Basket by dividing the total assets of the Trust, net of accrued expenses and other liabilities as of the opening of business on that business day, by the number of Shares outstanding at the opening of business and multiplying such amount by the number of Shares constituting a Creation Basket. Such determination is made as of 4:00 p.m. EST on the purchase order date.

The authorized participants will deliver or cause to be delivered cash or bitcoin to create Shares and the authorized participant or its designee will receive cash or bitcoin when redeeming Shares. The Trust will create Shares by receiving bitcoin or cash from an authorized participant or its designee and will redeem shares by delivering bitcoin or cash to an authorized participant or its designee.

According to the Registration Statement, on any business day, an authorized participant may place an order to create one or more Creation Baskets. Purchase orders must be placed by the close of Regular Trading Hours on the Exchange or another time determined by the Sponsor. The day on which an order is properly received is considered the purchase order date.

The procedures by which an authorized participant can redeem one or more Creation Baskets mirror the procedures for the creation of Creation Baskets. For a cash redemption order, an authorized participant will deliver Shares to the Trust and will receive cash for the Shares delivered. For an in-kind redemption order, an authorized participant will deliver Shares to the Trust and the authorized participant or its designee will receive bitcoin for the Shares delivered.

Eth Trust

Similarly, the Exchange proposes to amend several portions of the Eth ETP Amendment No. 2 in order to permit in-kind creations and redemptions.

Representations

The Eth ETP Amendment No. 2 included a specific representation making clear that the Eth Trust would only process creations and redemptions in cash. Specifically, the ''Investment Objective'' section of the Eth ETP Amendment No. 2 stated:

> In seeking to achieve its investment objective, the Trust will hold ETH, cash, and cash equivalents and will value its Shares daily as of 4:00 p.m. Eastern time using the Index price to value the ether and process all creations and redemptions in transactions in cash transactions with authorized participants. The Trust is not actively managed.[14]

The Exchange proposes to replace the above with the following:

> In seeking to achieve its investment objective, the Trust will hold ETH, cash, and cash equivalents and will value its Shares daily as of 4:00 p.m. Eastern time using the Index price to value the ether and process all creations and redemptions in transactions in cash or in-kind transactions with authorized participants. The Trust is not actively managed.

Creation and Redemption of Shares

Additionally, the ''Creation and Redemption of Shares'' section of the filing includes a detailed description of how the cash-only creation and redemption process works.[15] The Exchange proposes to replace this

[9] *See* Securities Exchange Act Release Nos. 99290 (January 8, 2024) 89 FR 2338 (January 12, 2024) (SR–CboeBZX–2023–044) (Notice of Filing of Amendment No. 3 to a Proposed Rule Change To List and Trade Shares of the Wise Origin Bitcoin Fund Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares) (''Bitcoin ETP Amendment No. 3''); 99306 (January 10, 2024) 89 FR 3008 (January 17, 2024) (SR–CboeBZX–2023–044) (Order Granting Accelerated Approval of Proposed Rule Changes, as Modified by Amendments Thereto, To List and Trade Bitcoin-Based Commodity-Based Trust Shares and Trust Units) (the ''Bitcoin ETP Approval Order'').

[10] See Securities Exchange Act Release Nos. 100215 (May 22, 2024) 89 FR 46478 (May 29, 2024) (SR–CboeBZX–2023–095) (Notice of Filing of Amendment No. 2 to a Proposed Rule Change to List and Trade Shares of the Fidelity Ethereum Fund Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares) (''Eth ETP Amendment No. 2''); 100224 (May 23, 2024) 89 FR 46937 (May 30, 2024) (SR–CboeBZX–2023–095) (Order Granting Accelerated Approval of Proposed Rule Changes, as Modified by Amendments Thereto, to List and Trade Shares of Ether-Based Exchange-Traded Products) (the ''ETH ETP Approval Order'').

[11] Bitcoin ETP Amendment No. 3 at 2365.

[12] Bitcoin ETP Amendment No. 3 at 2367.

[13] *See* Bitcoin ETP Amendment No. 3 at 2367.

[14] *See* Eth ETP Amendment No. 2 at 46487.

[15] *See* Eth ETP Amendment No. 2 at 46488–46489.

section as provided below. The Exchange proposes no change to the subheading ''Rule 14.11(e)(4)—Commodity-Based Trust Shares'' [16] and proposes to retain everything thereunder.

Creation and Redemption of Shares

When the Trust creates or redeems its Shares, it will do so in cash or in-kind. When the Trust creates or redeems its Shares in cash or in kind, it will do so in blocks of 25,000 Shares (*i.e.,* a Creation Basket) based on the quantity of ETH attributable to each Share of the Trust (net of accrued but unpaid expenses and liabilities). For cash and in-kind creation orders, the Administrator determines the amount of ETH represented by a Creation Basket by dividing the total assets of the Trust, net of accrued expenses and other liabilities as of the opening of business on that business day, by the number of Shares outstanding at the opening of business and multiplying such amount by the number of Shares constituting a Creation Basket. Such determination is made as of 4:00 p.m. EST on the purchase order date.

The authorized participants will deliver or cause to be delivered cash or ether to create Shares and the authorized participant or its designee will receive cash or ether when redeeming Shares. The Trust will create Shares by receiving ether or cash from an authorized participant or its designee and will redeem Shares by delivering ether or cash to an authorized participant or its designee.

According to the Registration Statement, on any business day, an authorized participant may place an order to create one or more Creation Baskets. Purchase orders must be placed by the close of Regular Trading Hours on the Exchange or another time determined by the Sponsor. The day on which an order is properly received is considered the purchase order date.

The procedures by which an authorized participant can redeem one or more Creation Baskets mirror the procedures for the creation of Creation Baskets. For a cash redemption order, an authorized participant will deliver Shares to the Trust and will receive cash for the Shares delivered. For an in-kind redemption order, an authorized participant will deliver Shares to the Trust and the authorized participant or its designee will receive ether for the Shares delivered.

Conclusion

Except for the above changes, all other representations in the Bitcoin ETP Amendment No. 3 and the Eth ETP Amendment No. 2 remain unchanged and will continue to constitute continuing listing requirements. In addition, the Bitcoin Trust will continue to comply with the terms of Bitcoin ETP Amendment No. 3 and the Eth Trust will continue to comply with the terms of Eth ETP Amendment No. 2 and the Trusts will continue to comply with the requirements of Rule 14.11(e)(4).

[16] *See* ETH ETP Amendment No. 2 at 46489.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[17] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5) [18] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

The Exchange believes the proposed rule change is designed to remove impediments to and perfect the mechanism of a free and open market and, in general, to protect investors and the public interest because it would update representations in both the Bitcoin ETP Amendment No. 3 and the Eth ETP Amendment No. 2 such that the Trusts would both be able to engage in in-kind creation and redemptions with authorized participants or their designees, as described above. This ability would make the Trusts (and the market more generally) operate more efficiently because authorized participants would be able to source bitcoin or ether, as applicable, rather than to provide cash to the applicable Trust and to receive bitcoin or ether from the Trusts. This means that the authorized participant would be responsible for buying and selling the applicable crypto asset rather than the Trust itself, which would potentially lessen the impact on the market of the Trusts on both sides of the transaction by allowing the authorized participant to decide how and where to source the underlying crypto asset for creations and deciding how, where, and whether to sell the underlying crypto asset received for redemptions. This would improve the creation and redemption process for both authorized participants and the Trusts, increase efficiency, and ultimately benefit the end investors in the Trusts.

Except for the addition of in-kind creation and redemption for the Bitcoin Trust as specifically set forth herein, all other representations made in the Bitcoin ETP Amendment No. 3 remain unchanged and will continue to constitute continuing listing requirements for the Bitcoin Trust. Similarly, except for the addition of in-kind creation and redemption for the Eth Trust as specifically set forth herein, all other representations made in the Eth ETP Amendment No. 2 remain unchanged and will continue to constitute continuing listing requirements for the Eth Trust.

[17] 15 U.S.C. 78f(b).

[18] 15 U.S.C. 78f(b)(5).

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. As noted above, the proposed amendment is intended to allow the Trusts to operate more efficiently by allowing for in-kind creation and redemption. The Exchange believes these changes will not impose any burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change, as modified by Amendment No. 1, 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–CboeBZX–2025–023 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–CboeBZX–2025–023. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying

at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection.

All submissions should refer to file number SR–CboeBZX–2025–023 and should be submitted on or before August 15, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[19]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–14031 Filed 7–24–25; 8:45 am]

BILLING CODE 8011–01–P

SELECTIVE SERVICE SYSTEM

Privacy Act of 1974; System of Records

AGENCY: Selective Service System.

ACTION: Notice of Amendment to SSS's Existing Privacy Act General Routine Uses.

SUMMARY: The purpose of this notice is to meet the requirement of M–17–12 requiring agencies to include two mandatory routine uses in all agency System of Records Notices (SORN) to facilitate information sharing in responding to breaches. The amended list of routine uses is consistent with requirements in a memorandum issued by the Office of Management and Budget (OMB) on January 3, 2017. The memorandum requires that all Federal agencies publish two routine uses for their systems allowing for the disclosure of personally identifiable information to the appropriate parties in the course of responding to a breach or suspected breach of the agency's PII or to assist another agency in its response to a confirmed or suspected breach.

DATES: This system of records notice will become effective upon publication in the **Federal Register**, except for the routine uses, which will become effective on September 30, 2025, 30 DAYS AFTER PUBLICATION IN THE **FEDERAL REGISTER**, unless they need to be changed as a result of public comment. SSS will publish any changes to the system of records notice resulting from public comment.

ADDRESSES: Written comments and recommendations should be sent to *alma.cruz@sss.gov* or to the Selective Service System, Ms. Alma Cruz, Senior Agency Official for Privacy, 1501 Wilson Boulevard, Arlington, Virginia 22209–2425.

FOR FURTHER INFORMATION CONTACT: For further inquiries regarding this amendment, you may contact Mr. Daniel A. Lauretano, Sr., General Counsel and Federal Register Liaison, Email: *Daniel.Lauretano@sss.gov,* Selective Service System, 1501 Wilson Boulevard, Arlington, Virginia 22209–2425.

SUPPLEMENTARY INFORMATION: This notice serves to update and amend all the 7 Selective Service System's Systems of Records Notices' (SORNs) routine uses. The amended list of routine uses is consistent with requirements in a memorandum issued by the Office of Management and Budget on January 3, 2017 (Memorandum M–17–12 ''Preparing for and Responding to a Breach of Personally Identifiable Information''). OMB's memorandum requires that all Federal agencies publish two routine uses for their systems allowing for the disclosure of personally identifiable information to the appropriate parties in the course of responding to a breach or suspected breach of the agency's PII or to assist another agency in its response to a confirmed or suspected breach.

SYSTEM NAME(S) AND NUMBER(S):

(1) Registration, Compliance and Verification (RCV), SSS–19. (2) Integrated Mobilization Information Management System (IMIS) and Reserve and National Guard Personnel Records, SSS–5. (3) Enterprise Content Management System (ECM), SSS–50.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

National Headquarters, Selective Service System, 1501 Wilson Boulevard, Arlington, VA 22209–2425.

SYSTEM MANAGER(S):

Director of Selective Service, 1501 Wilson Boulevard, Arlington, VA 22209–2425, Attn: Records Manager.

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

In addition to the disclosures permitted under subsection (b) of the Privacy Act, the SSS may disclose information contained in this System of Records without the consent of the individuals to whom the records pertain if the disclosure is compatible with the purpose for which the record was collected under the following routine uses:

1. To the Department of Justice for the purpose of reviewing and processing suspected violations of the Military Selective Service Act (MSSA), for investigation or reviewing of perjury, and for defense of a civil action arising from administrative processing under such Act.

2. To the Department of State and U.S. Citizenship and Immigration Services for collection and evaluation of data to determine an individual's eligibility for United States citizenship.

3. To the Department of Defense and U.S. Coast Guard to exchange data concerning registration, classification, induction, and examination of registrants and for identification of prospects for recruiting.

4. To the Department of Labor to assist veterans in need of data concerning reemployment rights, and for determination of eligibility for benefits under the Workforce Investment Act.

5. To the Department of Education to determine eligibility for student financial assistance.

6. To the U.S. Census Bureau for the purposes of planning or carrying out a census or survey or related activity pursuant to the provisions of Title 13.

7. To the Office of Personnel Management and U.S. Postal Service to determine eligibility for employment.

8. To the Department of Health and Human Services to determine an individual's proper Social Security Account Number and for locating parents pursuant to the Child Support Enforcement Act.

9. To the State and Local Governments to provide data that may constitute evidence and facilitate the enforcement of state and local law.

10. To the Alternative Service Employers, during conscription, to exchange information with employers regarding a registrant who is a conscientious objector for the purpose of placement and supervision of performance of alternative service in lieu of induction into the military service.

11. To appropriate agencies, entities, and persons when (a) the SSS suspects or has confirmed that there has been a breach of the System of Records. (b) the SSS has determined that as a result of the suspected or confirmed breach there is a risk of harm to an individual(s), the SSS (including its information systems, programs, and operations), the Federal Government, or national security; and (c) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the SSS efforts to respond to the suspected or confirmed

[19] 17 CFR 200.30–3(a)(12).

breach or to prevent, minimize, or remedy such harm.

12. To another Federal agency or Federal entity, when the SSS determines that information from this System of Records is necessary to assist the recipient agency or entity in (a) responding to a suspected or confirmed breach, or (b) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

13. To the General Public for the purpose of retrieving a copy of their Selective Service Number for various purposes such as applying for employment, security background check, student grants and loans, and citizenship.

HISTORY:

Document Citations: 90 FR 20734; 82 FR 29971; 90 FR 17680; 82 FR 29970

Alma Cruz,

Senior Agency Official for Privacy, Selective Service System.

[FR Doc. 2025–14003 Filed 7–24–25; 8:45 am]

BILLING CODE P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21195 and #21196; ARKANSAS Disaster Number AR–20029]

Administrative Disaster Declaration of a Rural Area for the State of Arkansas

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Administrative disaster declaration of a rural area for the State of Arkansas dated July 22, 2025.

Incident: Severe Storms, Tornadoes, and Flooding.

DATES: Issued on July 22, 2025.

Incident Period: April 2, 2025 through April 22, 2025.

Physical Loan Application Deadline Date: September 22, 2025.

Economic Injury (EIDL) Loan Application Deadline Date: April 22, 2026.

ADDRESSES: *Visit the MySBA Loan Portal at https://lending.sba.gov* to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Sharon Henderson, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the Administrator's disaster declaration of a rural area, applications for disaster loans may be submitted online using the MySBA Loan Portal *https://lending.sba.gov* or other locally announced locations. Please contact the SBA disaster assistance customer service center by email at *disastercustomerservice@sba.gov* or by phone at 1–800–659–2955 for further assistance.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Cross, Hempstead, Lawrence, Little River.

The Interest Rates are:

	Percent
For Physical Damage:	
Homeowners with Credit Available Elsewhere	5.500
Homeowners without Credit Available Elsewhere	2.750
Businesses with Credit Available Elsewhere	8.000
Businesses without Credit Available Elsewhere	4.000
Non-Profit Organizations with Credit Available Elsewhere	3.625
Non-Profit Organizations without Credit Available Elsewhere	3.625
For Economic Injury:	
Business and Small Agricultural Cooperatives without Credit Available Elsewhere	4.000
Non-Profit Organizations without Credit Available Elsewhere	3.625

The number assigned to this disaster for physical damage is 211956 and for economic injury is 211960.

The State which received an EIDL Declaration is Arkansas.

(Catalog of Federal Domestic Assistance Number 59008)

(Authority: 13 CFR 1234.3(b).)

James Stallings,

Associate Administrator, Office of Disaster Recovery and Resilience.

[FR Doc. 2025–14066 Filed 7–24–25; 8:45 am]

BILLING CODE 8026–09–P

DEPARTMENT OF STATE

[Public Notice 12729]

30-Day Notice of Proposed Information Collection: Overseas Vetting Questionnaire

ACTION: Notice of request for public comment and submission to OMB of proposed collection of information.

SUMMARY: The Department of State has submitted the information collection proposal described below to the Office of Management and Budget (OMB) for approval. In accordance with the Paperwork Reduction Act of 1995 we are requesting comments on this collection from all interested individuals and organizations. The purpose of this Notice is to allow 30 days for public comment.

DATES: Submit comments up to August 25, 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: Direct requests for additional information regarding the collection listed in this notice, including requests for copies of the proposed collection instrument and supporting documents, to Dustin Hanks, who may be reached on 202–949–6965 or at *hanksdp@state.gov.*

SUPPLEMENTARY INFORMATION:

- *Title of Information Collection:* Overseas Vetting Questionnaire.
- *OMB Control Number:* New.
- *Type of Request:* New collection.
- *Originating Office:* Office of Personnel Security and Suitability, DS/SI/PSS.
- *Form Number:* DS–7801.
- *Respondents:* Individuals subject to Department of State background investigations, reinvestigations, and continuous vetting.
- *Estimated Number of Respondents:* 25,000.
- *Estimated Number of Responses:* 25,000.
- *Average Time per Response:* 70 minutes.
- *Total Estimated Burden Time:* 29,167 annual hours.
- *Frequency:* Once per request.
- *Obligation to Respond:* Voluntary for applicants and required for incumbents.

We are soliciting public comments to permit the Department to:

- Evaluate whether the proposed information collection is necessary for the proper functions of the Department.
- 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.

• Enhance the quality, utility, and clarity of the information to be collected.

• Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Please note that comments submitted in response to this Notice are public record. Before including any detailed personal information, you should be aware that your comments as submitted, including your personal information, will be available for public review.

Abstract of Proposed Collection

The information solicited on this form will be used to conduct background investigations, reinvestigations, and continuous vetting of persons for eligibility for logical access, physical access, credentialing, and fitness to perform work overseas for or on behalf of the U.S. Government as Locally Employed (LE) Staff and locally-hired third party contractors employed overseas at a U.S. Mission. For applicants, this form is to be used only after a conditional offer of employment has been made. This form is not to be used for national security positions.

Methodology

Respondents will fill out a brief customer survey after completing their interaction with a Department Program Office or Embassy. Surveys are designed to gather feedback on the customer's experiences.

Brian L. Mason,

Division Chief, Operations, Bureau of Diplomatic Security, Department of State.

[FR Doc. 2025–14075 Filed 7–24–25; 8:45 am]

BILLING CODE 4710–43–P

SURFACE TRANSPORTATION BOARD

[Docket No. EP 519 (Sub-No. 4)]

Notice of National Grain Car Council Meeting

AGENCY: Surface Transportation Board.

ACTION: Notice of National Grain Car Council meeting.

SUMMARY: Notice is hereby given of a meeting of the National Grain Car Council (NGCC), pursuant to the Federal Advisory Committee Act.

DATES: The meeting will be held on Tuesday, August 19, 2025, beginning at 1:00 p.m. (CDT), and is expected to conclude at 5:00 p.m. (CDT).

ADDRESSES: The meeting will be held at the InterContinental Kansas City at the Plaza, 401 Ward Pkwy., Kansas City, MO 64112. Phone: (816) 756–1500.

Virtual Meeting Access: To register for the virtual broadcast via Zoom, go to the following link: *https://us02web.zoom.us/meeting/register/2Na7JpklSx2W0_NDg5Xqbw.* Upon registration, you will receive a confirmation email with log-on details. Registration is available at any time prior to or during the meeting.

FOR FURTHER INFORMATION CONTACT: Jeremy Lutes at (202) 900–5226 or *jeremy.lutes@stb.gov.*

SUPPLEMENTARY INFORMATION: The NGCC was established by the Interstate Commerce Commission (ICC) as a working group to facilitate private-sector solutions and provide recommendations to the ICC (and now the Surface Transportation Board (Board)) on matters affecting rail grain car availability and transportation. *Nat'l Grain Car Supply—Conference of Interested Parties,* EP 519 (ICC served Jan. 7, 1994).

The general purpose of this meeting is to discuss rail carrier preparedness to transport the 2025 grain harvest. Agenda items include the following: remarks by Acting NGCC Chair Justin Cauley, Board Chairman Patrick J. Fuchs, Board Vice Chairman and NGCC Co-Chair Michelle A. Schultz, and Board Members Robert E. Primus and Karen J. Hedlund; reports by member groups on expectations for the upcoming harvest, domestic and foreign markets, the supply of rail cars, and rail service; and market and industry updates. The full agenda will be posted on the Board's website at *www.stb.gov/resources/stakeholder-committees/grain-car-council.*

The meeting will be conducted pursuant to the Federal Advisory Committee Act, 5 U.S.C. app. 10; Federal Advisory Committee Management, 41 CFR pt. 102–3; the NGCC charter; and Board procedures.

If you require an accommodation under the Americans with Disabilities Act for this meeting, please call (202) 245–0308 by August 13, 2025.

Public Attendance: This meeting is open to the public in-person on a space-available, first-come, first-served basis. The meeting also is open to the public via Zoom. Members of the public who wish to attend this meeting virtually via Zoom must register in advance of the meeting.

Public Comments: Members of the public may submit written comments to the NGCC at any time. Comments should be addressed to Jeremy Lutes, Designated Federal Officer for the NGCC, at *jeremy.lutes@stb.gov.* Any further communications about this meeting will be announced through the Board's website, *www.stb.gov.*

Decided: July 22, 2025.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

Zantori Dickerson,

Clearance Clerk.

[FR Doc. 2025–14010 Filed 7–24–25; 8:45 am]

BILLING CODE 4915–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Staffing-Related Relief Concerning Operations at Ronald Reagan Washington National Airport, John F. Kennedy International Airport, and LaGuardia Airport, October 26, 2025, Through March 28, 2026 (Winter 2025/2026), and March 29, 2026, Through October 24, 2026 (Summer 2026)

AGENCY: Federal Aviation Administration (FAA), Department of Transportation.

ACTION: Limited Waiver of the Slot Usage Requirement at DCA, JFK, and LGA.

SUMMARY: This action extends the Staffing-Related Relief Concerning Operations at Ronald Reagan Washington National Airport, John F. Kennedy International Airport, and LaGuardia Airport, initially published on September 20, 2023, and extended to October 26, 2025, through March 28, 2026 (Winter 2025/2026), and March 29, 2026, through October 24, 2026 (Summer 2026). The limited waiver is effective until October 24, 2026, and does not apply to any slots granted by the Department of Transportation pursuant to Section 505 of the FAA Reauthorization Act of 2024.

DATES: This action is effective on July 23, 2025.

ADDRESSES: Requests may be submitted by mail to Slot Administration Office, System Operations Services, AJR–0, Room 300W, 800 Independence Avenue SW, Washington, DC 20591, or by email to: *7-awa-slotadmin@faa.gov.*

FOR FURTHER INFORMATION CONTACT: Al Meilus, Slot Administration and Capacity Analysis, FAA ATO System Operations Services, AJR–G5, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone (202) 267–2822; email *al.meilus@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

The New York Terminal Radar Approach Control facility (N90)

currently provides Air Traffic Control (ATC) services to overhead flights in the Northeast corridor and to the New York City area airports, including John F. Kennedy International Airport (JFK) and LaGuardia Airport (LGA). The airspace complexity resulting from the close proximity of the major commercial airports serving the New York City region is a significant contributing factor to delays at JFK and LGA. The FAA continues to evaluate technological solutions to alleviate this cause of delay, but until then, the FAA expects this to continue to contribute to delays at both airports. Against this challenging backdrop, although FAA is accelerating the hiring and training for air traffic controllers, N90 continues to face staffing shortfalls that impact ATC's ability to efficiently manage the volume of air traffic in this congested airspace.

As a result of the staffing constraints, the FAA previously issued relief from minimum usage requirements on September 20, 2023, which applied to the Winter 2023/2024 season and Summer 2024 season.[1] Subsequently, that relief was extended through the Winter 2024/2025 season and Summer 2025 season.[2] The FAA has determined that N90 will need to reach at least 70% of its targeted number of onboard Certified Professional Controllers (CPCs) before ATC can efficiently manage the full capacity of the New York airspace that was in place prior to May 15, 2023.

The FAA has made significant changes to increase N90 staffing through a combination of incentive and training programs, as well as by relocating control of the Newark Liberty International Airport (EWR) area from N90 to the Philadelphia Terminal Radar Approach Control (PHL) beginning in late July 2024. The operational impact of changes to address N90 staffing shortages will not be realized immediately, but charts a path to mitigating the impact in the next 12–18 months.

The targeted staffing number at N90 is 226 CPCs; the current CPC onboard number at N90 is 123 (representing 54 percent staffed).

At one time, N90 had been responsible for overseeing the Newark area, with 33 CPCs designated for that area. In July of 2024, the FAA relocated control of the Newark area from N90 to PHL. Twenty-four of the 33 CPCs also relocated to PHL, while the remaining CPCs started training in preparation for reassignment to other areas in N90.[3]

At N90, aggressive training plans are in place to certify both new trainees and those CPCs previously overseeing the Newark area who did not transfer to PHL. The FAA believes that those CPCs in training for reassignment will certify much more quickly than new trainees who do not have previous N90 experience. This will allow N90 to make significant gains in its staffing percentages over 2025 and 2026. N90 currently has 76 trainees in various phases of training.

With ever-growing demand for air travel in the New York City region, additional measures are necessary to ensure that the FAA is able to provide expeditious services to aircraft operators and their passengers that traverse this airspace. Early discussions with carriers indicate an interest in increasing operations after October 26, 2025, through most of Winter 2025/2026 and for all of Summer 2026. This being the case, the FAA expects increased delays and cancellations in the New York region to exceed those experienced over Summer 2022 and Winter 2022/2023[4] if a waiver similar to the one that has been in effect from Summer 2023 through Summer 2025 is not extended through Summer 2026 to allow carriers to reduce schedules without penalties for non-use of slots. Reducing schedules will improve the alignment between scheduled operations and actual operations, will help prevent unnecessary delays, will help optimize the efficient use of the airports' resources, and will help deliver passengers to their destinations more reliably on time.

Summary of Petitions Received

On April 21, 2025, Airlines for America (A4A) submitted a petition on behalf of its member carriers[5] requesting an extension of the current relief provided by the FAA due to post-pandemic effects on ATC staffing at N90 through the end of the Summer 2027 season. A4A asserts that the current slot waiver successfully created a better travel experience for consumers and that the underlying conditions creating the need for a waiver still exist as staffing shortages persist. A4A expresses appreciation for the steps taken towards hiring and retaining CPCs and in moving oversight of the Newark airspace from N90 to PHL, but stated that these initiatives would take years to stabilize staffing levels effectively. In addition, A4A requests that the FAA restore carriers' ability to request retroactive relief if the impacts of controller staffing shortages are even more severe than anticipated and that the FAA not reallocate returned slots for ad-hoc use during the waiver period. Finally, A4A requests that the FAA make a timely decision regarding relief as time is needed to give carriers stability and the ability to plan.

Standard

At JFK and LGA, slot-holding carriers must use each assigned slot at least 80 percent of the time.[6] The FAA will withdraw slots not meeting the minimum usage requirements. The FAA may waive the 80% usage requirement in the event of a highly unusual and unpredictable condition that is beyond the control of the slot-holding air carrier, and which affects carrier operations for a period of five consecutive days or more.[7]

At Ronald Reagan Washington National Airport (DCA), the FAA also will recall any slot not used at least 80 percent of the time over a two-month period.[8] The FAA may waive this minimum usage requirement in the event of a highly unusual and unpredictable condition that is beyond the control of the slot-holding carrier, and which exists for a period of nine or more days.[9]

In determining historical rights to allocated slots, including whether to grant a waiver of the usage requirement, the FAA seeks to ensure the efficient use of valuable aviation infrastructure and maximize the benefits to both airport users and the traveling public. The minimum usage requirement is expected to accommodate routine cancellations under all but the most unusual circumstances. Carriers proceed

[1] 88 FR 64793 (Sept. 20, 2023).

[2] 89 FR 49256 (June 11, 2024).

[3] Previous iterations of this staffing-related relief included EWR. However, after the EWR delay reduction meetings held on May 14–16, 2025, the FAA determined the targeted scheduling limits at EWR needed to decrease due to staffing, construction, and technology issues at the airport. EWR will be addressed in a separate action in order to address the particular circumstances present at that airport. *See* 90 FR 20545 (May 14, 2025).

[4] Refer to ''Analysis'' section for delay analysis.

[5] A4A members are Alaska Air Group, Inc.; American Airlines Group, Inc.; Atlas Air Worldwide Holdings, Inc.; Delta Air Lines, Inc.; FedEx Corp.; Hawaiian Airlines; JetBlue Airways Corp.; Southwest Airlines Co.; United Airlines Holdings, Inc.; and United Parcel Service Co. Air Canada is an associate member.

[6] Operating Limitations at John F. Kennedy International Airport, 89 FR 41486 (May 13, 2024); Operating Limitations at New York LaGuardia Airport, 89 FR 41484 (May 13, 2024).

[7] At JFK, FAA will determine historical rights to operating authorizations and withdrawal of those rights due to insufficient usage on a seasonal basis and in accordance with the schedule approved by FAA prior to the commencement of the applicable season. *See* JFK Order, 89 FR at 41488. At LGA, FAA will withdraw any operating authorization not used at least 80% of the time over a two-month period. *See* LGA Order, 89 FR at 41485.

[8] *See* 14 CFR 93.227(a).

[9] *See* 14 CFR 93.227(j).

at their own risk if they make scheduling decisions in anticipation of the FAA granting a slot usage waiver.

Analysis

The number of certified controllers at N90 is still not sufficient to allow the FAA to handle normal traffic levels. The FAA has worked with NATCA on a long-term solution to solve thechronic low levels of fully certified air traffic controllers at that facility through a combination of incentive and training programs, as well as relocating control of the EWR area to PHL. The FAA will continue to partner with NATCA as it continues efforts to remediate ATC staffing shortages at N90.

Due to the volume of originating and destination flights in the New York City region, as well as the interdependency and complexity of the airspace surrounding JFK and LGA, delays caused in part by N90 staffing shortfalls are expected to significantly impact carriers' ability to operate and meet minimum usage requirements in Winter 2025/2026 and Summer 2026. Absent increased flexibility, the FAA anticipates a high likelihood of congestion, delay, and cancellations at JFK and LGA.

Typically, the 20 percent non-utilization allowed under the minimum usage requirement accounts for cancellations due to ATC staffing delays; however, the extent of N90 staffing shortfalls and the expected numbers of scheduled operations for Winter 2025/2026 and Summer 2026 present a highly unusual and unpredictable condition beyond the control of carriers that will impact operations through the entire Winter 2025/2026 and Summer 2026 scheduling seasons.

Using the Annual Service Volume (ASV) model,[10] the FAA projected the delay the NYC airports would experience in the absence of a waiver for Summer 2024.[11] Using Summer 2022 data [12] as baseline comparison, the FAA estimated Summer 2024 would have experienced an increase of operations of 8.8–11 percent,[13] which would have resulted in 2.3 to 2.8 million minutes of additional delay, or 53–65 percent additional delay, compared to the delay experienced in Summer 2022. Because demand has remained the same or increased, in the absence of a waiver, the FAA expects these delay numbers, at a minimum, to remain valid through Summer 2026.

Therefore, a waiver of minimum slot usage requirements at JFK and LGA through October 24, 2026, is necessary to allow carriers to reduce operations to enable scheduling and operational stability for the benefit of the flying public.

In addition, because New York City-DCA is a high-frequency market for multiple carriers, the FAA recognizes this market is a likely target for carriers to consolidate flights while retaining their network connectivity. If carriers choose to reduce their schedules in the New York City-DCA market, the FAA encourages, to the extent practical, carriers to utilize their DCA slots to operate to other destinations. However, if carriers choose not to utilize their DCA slots elsewhere, the FAA may consider providing relief to DCA slots that are impacted by the reduction in operations at the New York City airports, except that the limited waiver of the minimum slot usage requirements is not available for any slots granted by the DOT pursuant to Section 502 of the FAA Reauthorization Act of 2024 (Pub. L. 118–63).

Carriers have the ability to request retroactive relief; however, they should be aware that the N90 staffing shortfalls will not likely form a sufficient basis for further relief after Winter 2025/2026 and Summer 2026 because carriers will have had sufficient opportunity to plan and take remedial action under this waiver policy. The FAA does not foresee providing additional post-hoc relief associated with ATC staffing given the extraordinary relief provided here. Given this relief, operational impacts associated with N90 staffing beyond Winter 2025/2026 and Summer 2026 will likely not have been beyond carriers' control and will not serve as a justification for a separate waiver.

Moreover, access to the New York City airspace is a scarce and valuable public asset, and airlines and airports should be making the most appropriate use of this asset in support of the traveling public and the national economy without broad, prospective waivers. Going forward beyond the Summer 2026 season, the FAA does not anticipate issuing further broad, prospective relief. As stated above, carriers will retain the ability to submit *post-hoc* waiver requests for flights that could not be operated and that meet the applicable waiver standard due to ATC staffing deficiencies.

Decision

The FAA determined that the post-pandemic effects on N90 staffing meet the applicable waiver standards and warrant a limited waiver of minimum slot usage requirements at JFK and LGA to allow carriers to return up to 10 percent of their slots at each airport, as well as impacted operations between DCA and JFK or LGA. Despite staffing projections indicating N90 will not reach 70 percent of the targeted staffing level until after the conclusion of 2026, the FAA is taking a measured approach and providing relief in this waiver notice only until the end of Summer 2026. The FAA will re-evaluate the staffing levels at N90 and the impact to operations in the New York City area before deciding if a waiver beyond Summer 2026 is necessary.

Carriers seeking to return their slots must do so by August 15, 2025, for Winter 2025/2026 (October 26, 2025, through March 28, 2026); and by January 15, 2026, for Summer 2026 (March 29, 2026, through October 24, 2026) to be eligible for relief under this waiver. For DCA, this relief is available only for flights impacted by operations to or from JFK or LGA. Furthermore, the FAA expects carriers to up-gauge aircraft serving the affected airports to the extent possible to maintain passenger throughput and minimize the impact on consumers. The FAA also expects carriers to maintain connections between the affected airports and regional airports to the extent possible in support of continuous scheduled interstate air transportation for small communities and isolated areas. The FAA will closely coordinate with the Office of the Secretary of Transportation, which will be monitoring for indications of unfair, deceptive, or anticompetitive practices or other unlawful economic activity associated with or resulting from the relief granted by this notice. In addition, the FAA expects carriers to return scheduled operations in the peak delay periods of the day. The following hours (in local time) are the most prone to delay at each airport: JFK: 1300–2259 and LGA: 1300–2159.

[10] FAA-developed modeling suite of tools for conducting operational impact analysis for airports and to establish the annual service volume for airports. ASV simulations relate total annual operations to a target delay value and are used by FAA in reports to Congress that identify the airports projected to constrain the NAS. *See https://www.faa.gov/about/office_org/headquarters_offices/ato/service_units/systemops/perf_analysis/sim_tools.*

[11] FAA projected a Summer 2024 scenario because FAA has already received the air carrier schedules for Summer 2024.

[12] Summer 2022 data is used as baseline for comparison because this was the last summer scheduling season unaffected by the ATC waivers.

[13] Under the current waiver, carriers returned 9% of their initially submitted schedules. Compared to Summer 2023, scheduled operations in Summer 2024 increased by 2%. If FAA assumes an 80% actual usage rate, that results in 8.8% (that is, ((0.09 + 0.02) × 0.8 = 0.088) increase of actual operations. If FAA assumes 100% actual usage rate, then that would be an 11% (0.09 + 0.02) increase.

The FAA will not reallocate the temporarily returned slots at JFK and LGA, as the goal is to reduce the total volume of operations in the New York City region. Carriers are encouraged to utilize their DCA slots in other markets before returning them to the FAA. In the event DCA slots are returned under this waiver, other carriers will have an opportunity to operate the slots on an *ad hoc* basis without historic precedence.

The FAA will treat as used the specific slots returned in accordance with the conditions in this notice for the period from October 26, 2025, through March 28, 2026, (Winter 2025/2026) and March 29, 2026, through October 24, 2026 (Summer 2026).

The relief is subject to the following conditions:

1. The specific slots must be returned to the FAA by August 15, 2025, for Winter 2025/2026; and by January 15, 2026, for Summer 2026.

2. This waiver applies only to slots that have corresponding, scheduled operations during the period of the grant. A carrier temporarily returning a slot to the FAA for relief under this waiver must identify corresponding scheduled operations for Winter 2025/2026, or approved slots for Summer 2026. The FAA may validate information against published schedule data prior to the issuance of this notice, and other operational data maintained by the FAA. Slots returned without an associated scheduled and canceled operation will not receive relief.

3. Slots newly allocated for initial use since the previous corresponding scheduling season are not eligible for relief.

4. Slot exemptions authorized at DCA by the Department of Transportation are not eligible for relief.

5. Carriers must not engage in unfair, deceptive, or anticompetitive practices regarding their slot usage, leasing agreements, or operations associated with the relief provided by this notice.

Issued in Washington, DC, on July 23, 2025.

William McKenna,

Chief Counsel.

Shawn M. Kozica,

Deputy Vice President (A), System Operations Services.

[FR Doc. 2025–14100 Filed 7–23–25; 4:15 pm]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No.: FAA–2025–1637; Summary Notice No. –2025–48]

Petition for Exemption; Summary of Petition Received; Gulfstream Aerospace Corporation

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: This notice contains a summary of a petition seeking relief from specified requirements of Federal Aviation Regulations. The purpose of this notice is to improve the public's awareness of, and participation in, the FAA's exemption process. Neither publication of this notice nor the inclusion nor omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

DATES: Comments on this petition must identify the petition docket number and must be received on or before August 4, 2025.

ADDRESSES: Send comments identified by docket number FAA–2025–1637 using any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov* and follow the online instructions for sending your comments electronically.
- *Mail:* Send comments to Docket Operations, M–30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- *Fax:* Fax comments to Docket Operations at (202) 493–2251.

Privacy: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to *http://www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *http://www.dot.gov/privacy.*

Docket: Background documents or comments received may be read at *http://www.regulations.gov* at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Nia Daniels, (202) 267–7626, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC.

Dan A. Ngo,

Manager, Part 11 Petitions Branch, Office of Rulemaking.

Petition for Exemption

Docket No.: FAA–2025–1637.

Petitioner: Gulfstream Aerospace Corporation.

Sections of 14 CFR Affected: §§ 43.3(a) and 43.7(a).

Description of Relief Sought: Gulfstream Aerospace Corporation (Gulfstream) petitions for an exemption from §§ 43.3(a) and 43.7(a) of Title 14 Code of Regulation to allow Gulfstream to use a type rated pilot to perform sump drain checks to ensure the fuel supply is free of water on its Gulfstream Model GVIII–G700/GVIII–G800.

[FR Doc. 2025–14087 Filed 7–24–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

Agency Information Collection Activities: Information Collection Renewal; Submission for OMB Review; Reverse Mortgage Products: Guidance for Managing Compliance and Risks

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

renewal of its information collection titled, ''Reverse Mortgage Products: Guidance for Managing Compliance and Risks'' (Guidance). The OCC also is giving notice that it has sent the collection to OMB for review.

DATES: Comments must be received by August 25, 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: 1557–0246, 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 ''1557–0246'' 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.

Written comments and recommendations for the proposed information collection should also be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* You can find this information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

You may review comments and other related materials that pertain to this information collection following the close of the 30-day comment period for this notice 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 ''1557–0246'' or ''Reverse Mortgage Products: Guidance for Managing Compliance and Risks'' (Guidance). 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. The OCC asks the OMB to extend its approval of the collection in this notice.

Title: Reverse Mortgage Products: Guidance for Managing Compliance and Risks.

OMB Control No.: 1557–0246.

Type of Review: Regular.

Affected Public: Businesses or other for-profit.

Description: On August 17, 2010, the OCC, FDIC, FRB, and NCUA issued guidance [1] focusing on the need to provide adequate information to consumers about reverse mortgage products, to provide qualified independent counseling to consumers considering these products, and to avoid potential conflicts of interest. It also addressed related policies, procedures, internal controls, and third-party risk management.

The information collections contained in the guidance include provisions related to the implementation of policies and procedures, training, and program maintenance.

These provide that—

- Institutions offering reverse mortgages should have written policies and procedures that prohibit the practice of directing a consumer to a particular counseling agency or contacting a counselor on the consumer's behalf.
- Policies should be clear so that originators do not have an inappropriate incentive to sell other products that appear linked to the granting of a mortgage.
- Legal and compliance reviews should include oversight of compensation programs so that lending personnel are not improperly encouraged to direct consumers to particular products.
- Training should be designed so that relevant lending personnel are able to convey information to consumers about product terms and risks in a timely, accurate, and balanced manner.

Estimated Frequency of Response: On occasion.

Estimated Number of Respondents: 12.

Estimated Total Annual Burden: 136 hours.

Comments: On May 20, 2025, the OCC published a 60-day notice for this information collection, (90 FR 21543). No comments were received.

Comments continue to be 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. 2025–14061 Filed 7–24–25; 8:45 am]

BILLING CODE 4810–33–P

[1] 75 FR 50801.

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel's Toll-Free Phone Lines Project Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel's Toll-Free Phone Lines Project Committee will be

conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas, and suggestions to improve customer service at the Internal Revenue Service. This meeting will be held as a virtual video conference via the Microsoft Teams platform.

DATES: The meeting will be held on Tuesday, August 12, 2025, at 3:00 p.m. Eastern Time.

FOR FURTHER INFORMATION CONTACT: Rosalind Matherne at 1–888–912–1227, 202–317–4115, or by email at *taxpayer.advocacy.panel@irs.gov.*

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988), that an open meeting of the Taxpayer Advocacy Panel Toll-Free Phone Lines Project Committee will be held on Tuesday, August 12, 2025, at 3:00 p.m. Eastern Time.

The public is invited to attend the meeting virtually, or by phone, and may provide oral comments or submit written statements for consideration. Due to meeting structure and time limitations, advance registration is required to attend or make public comments during the meeting. To register and receive meeting access information, please contact Rosalind Matherne at the contact information above no later than Thursday, August 7, 2025.

Meeting materials, including the agenda and any handouts, will be made available prior to the meeting at *www.improveirs.org.*

The agenda will include a committee discussion of new and continuing issues and other activities related to the new TAP year.

Dated: July 1, 2025.

John A. Lipold,

Designated Federal Official, Taxpayer Advocacy Panel.

[FR Doc. 2025–14080 Filed 7–24–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel Taxpayer Assistance Center Improvements Project Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel's Taxpayer Assistance Center Improvements Project Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas, and suggestions to improve customer service at the Internal Revenue Service. This meeting will be held as a virtual video conference via the Microsoft Teams platform.

DATES: The meeting will be held on Wednesday, August 13, 2025, at 1:00 p.m. Eastern Time.

FOR FURTHER INFORMATION CONTACT: Matthew O'Sullivan at 1–888–912–1227 or (510) 907–5274, or by email at *taxpayer.advocacy.panel@irs.gov.*

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988), that an open meeting of the Taxpayer Advocacy Panel Taxpayer Assistance Center Improvements Project Committee will be held on Wednesday, August 13, 2025, at 1:00 p.m. Eastern Time.

The public is invited to attend the meeting virtually, or by phone, and may provide oral comments or submit written statements for consideration. Due to meeting structure and time limitations, advance registration is required to attend or make public comments during the meeting. To register and receive meeting access information, please contact Matthew O'Sullivan at the contact information above no later than Thursday, August 7, 2025.

Meeting materials, including the agenda and any handouts, will be made available prior to the meeting at *www.improveirs.org.*

The agenda will include a committee discussion of new and continuing issues and other activities related to the new TAP year.

Dated: July 1, 2025.

John A. Lipold,

Designated Federal Official, Taxpayer Advocacy Panel.

[FR Doc. 2025–14081 Filed 7–24–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel's Special Projects Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel's Special Projects Project Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas, and suggestions to improve customer service at the Internal Revenue Service. This meeting will be held as a virtual video conference via the Microsoft Teams platform.

DATES: The meeting will be held Thursday, August 14, 2025, at 11:00 a.m. Eastern Time.

FOR FURTHER INFORMATION CONTACT: Ann Tabat at 1–888–912–1227, (602) 636–9143, or by email at *taxpayer.advocacy.panel@irs.gov.*

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988), that an open meeting of the Taxpayer Advocacy Panel Special Projects Project Committee will be held on Thursday, August 14, 2025, at 11:00 a.m. Eastern Time.

The public is invited to attend the meeting virtually, or by phone, and may provide oral comments or submit written statements for consideration. Due to meeting structure and time limitations, advance registration is required to attend or make public comments during the meeting. To register and receive meeting access information, please contact Ann Tabat at the contact information above no later than Thursday, August 7, 2025.

Meeting materials, including the agenda and any handouts, will be made available prior to the meeting at *www.improveirs.org.*

The agenda will include a committee discussion of new and continuing issues and other activities related to the new TAP year.

Dated: July 1, 2025.

John A. Lipold,

Designated Federal Official, Taxpayer Advocacy Panel.

[FR Doc. 2025–14084 Filed 7–24–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel Taxpayer Communications Project Committee

AGENCY: Internal Revenue Service (IRS) Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel's Taxpayer Communications Project Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas, and suggestions to improve customer service at the Internal Revenue

Service. This meeting will be held as a virtual video conference via the Microsoft Teams platform.

DATES: The meeting will be held on Thursday, August 14, 2025, at 2:00 p.m. Eastern Time.

FOR FURTHER INFORMATION CONTACT: Jose Cintron-Santiago at 1–888–912–1227 or 787–522–8607, or by email at *taxpayer.advocacy.panel@irs.gov.*

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988), that an open meeting of the Taxpayer Advocacy Panel Taxpayer Communications Project Committee will be held on Thursday, August 14, 2025, at 2:00 p.m. Eastern Time.

The public is invited to attend the meeting virtually, or by phone, and may provide oral comments or submit written statements for consideration. Due to meeting structure and time limitations, advance registration is required to attend or make public comments during the meeting. To register and receive meeting access information, please contact Jose Cintron-Santiago at the contact information above no later than Thursday, August 7, 2025.

Meeting materials, including the agenda and any handouts, will be made available prior to the meeting at *www.improveirs.org.*

The agenda will include a committee discussion of new and continuing issues and other activities related to the new TAP year.

Dated: July 1, 2025.

John A. Lipold,

Designated Federal Official, Taxpayer Advocacy Panel.

[FR Doc. 2025–14083 Filed 7–24–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Agency Information Collection Activities; Comment Request on U.S. Business Income Tax Returns and Related Forms, Schedules, Attachments, and Published Guidance

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of information collection; request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the IRS is inviting comments on the information collection request outlined in this notice.

DATES: Written comments should be received on or before September 23, 2025 to be assured of consideration.

ADDRESSES: Direct all written comments to Andres Garcia, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or by email to *pra.comments@irs.gov.* Include ''OMB Control No. 1545–0123'' in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: View the latest drafts of the tax forms related to the information collection listed in this notice at *https://www.irs.gov/draft-tax-forms.* Requests for additional information or copies of this collection should be directed to LaNita Van Dyke, (202) 317–6009.

SUPPLEMENTARY INFORMATION: The IRS, in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the IRS assess the impact and minimize the burden of its information collection requirements. Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Tax Compliance Burden

Tax compliance burden is defined as the time and money taxpayers spend to comply with their tax filing responsibilities. Time-related activities include recordkeeping, tax planning, gathering tax materials, learning about the law, and completing and submitting the return. Out-of-pocket costs include expenses such as purchasing tax software, paying a third-party preparer, and printing and postage. Tax compliance burden does not include a taxpayer's tax liability, economic inefficiencies caused by sub-optimal choices related to tax deductions or credits, or psychological costs.

Proposed PRA Submission to OMB

Title: U.S. Business Income Tax Returns and Related Forms, Schedules, Attachments, and Published Guidance.

OMB Number: 1545–0123.

Form Numbers and Published Guidance: Forms 1065, 1066, 1120, 1120–C, 1120–F, 1120–H, 1120–ND, 1120–S, 1120–SF, 1120–FSC, 1120–L, 1120–PC, 1120–REIT, 1120–RIC, 1120–POL, and all related forms, schedules, and attachments.

Abstract: These forms, schedules, and attachments are used by businesses to report their income tax liability. This information collection request covers the burden associated with preparing and submitting business tax returns and related forms, schedules, and attachments, and complying with published guidance.

Current Actions: There have been changes in regulatory guidance related to various forms approved under this approval package during the past year. There have been additions and removals of forms included in this approval package. It is anticipated that these changes will have an impact on the overall burden and cost estimates requested for this approval package, however these estimates were not finalized at the time of release of this notice. These estimated figures are expected to be available by the release of the 30-day comment notice from Treasury. This approval package is being submitted for renewal purposes.

Type of Review: Revision of a currently approved collection.

Affected Public: Corporations, Partnerships, and S Corporations.

Preliminary Estimated Number of Respondents: 14,040,000.

Preliminary Estimated Total Time (Hours): 945,400,000.

Preliminary Estimated Time per Respondent (Hours): 67 hours 20 minutes.

Preliminary Estimated Monetized Time ($): 58,878,000,000.

Preliminary Estimated Out-of-Pocket Costs ($): 74,632,000,000.

Preliminary Estimated Total Monetized Burden ($): 133,510,000,000.

Note: Total Monetized Burden = Out-of-Pocket Costs + Monetized Time.

APPENDIX-A—FORMS AND SCHEDULES

Form No.	Title
* Form 1042	Annual Withholding Tax Return for U.S. Source Income of Foreign Persons.
* Form 1042 (SCH Q)	Schedule Q (Form 1042).
* Form 1042–S	Foreign Person's U.S. Source Income Subject to Withholding.
* Form 1042–T	Annual Summary and Transmittal of Forms 1042–S.
Form 1065	U.S. Return of Partnership Income.
Form 1065 (SCH B–1)	Information for Partners Owning 50% or More of the Partnership.
Form 1065 (SCH B–2)	Election Out of the Centralized Partnership Audit Regime.
Form 1065 (SCH C)	Additional Information for Schedule M–3 Filers.
Form 1065 (SCH D)	Capital Gains and Losses.
Form 1065 (SCH K–1)	Partner's Share of Income, Deductions, Credits, etc.
Form 1065 (SCH K–2)	Partner's Distributive Share Items—International.
Form 1065 (SCH K–3)	Partner's Share of Income, Deductions, Credits, etc.—International.
Form 1065 (SCH M–3)	Net Income (Loss) Reconciliation for Certain Partnerships.
Form 1065X	Amended Return or Administrative Adjustment Request (AAR).
Form 1066	U.S. Real Estate Mortgage Investment Conduit (REMIC) Income Tax Return.
Form 1066 (SCH Q)	Quarterly Notice to Residual Interest Holder of REMIC Taxable Income or Net Loss Allocation.
Form 1118	Foreign Tax Credit-Corporations.
Form 1118 (SCH I)	Reduction of Foreign Oil and Gas Taxes.
Form 1118 (SCH J)	Adjustments to Separate Limitation Income (Loss) Categories for Determining Numerators of Limitation Fractions, Year-End Re-characterization Balances, and Overall Foreign and Domestic Loss Account Balances.
Form 1118 (SCH K)	Foreign Tax Carryover Reconciliation Schedule.
Form 1118 (SCH L)	Foreign Tax Redeterminations.
Form 1120	U.S. Corporation Income Tax Return.
Form 1120 (SCH B)	Additional Information for Schedule M–3 Filers.
Form 1120 (SCH D)	Capital Gains and Losses.
Form 1120 (SCH G)	Information on Certain Persons Owning the Corporation's Voting Stock.
Form 1120 (SCH H)	Section 280H Limitations for a Personal Service Corporation (PSC).
Form 1120 (SCH M–3)	Net Income (Loss) Reconciliation for Corporations With Total Assets of $10 Million of More.
Form 1120 (SCH N)	Foreign Operations of U.S. Corporations.
Form 1120 (SCH O)	Consent Plan and Apportionment Schedule for a Controlled Group.
Form 1120 (SCH PH)	U.S. Personal Holding Company (PHC) Tax.
Form 1120 (SCH UTP)	Uncertain Tax Position Statement.
Form 1120–C	U.S. Income Tax Return for Cooperative Associations.
Form 1120–F	U.S. Income Tax Return of a Foreign Corporation.
Form 1120–F (SCH H)	Deductions Allocated to Effectively Connected Income Under Regulations Section 1.861–8.
Form 1120–F (SCH I)	Interest Expense Allocation Under Regulations Section 1.882–5.
Form 1120–F (SCH M1 & M2)	Reconciliation of Income (Loss) and Analysis of Unappropriated Retained Earnings per Books.
Form 1120–F (SCH M–3)	Net Income (Loss) Reconciliation for Foreign Corporations With Reportable Assets of $10 Million or More.
Form 1120–F (SCH P)	List of Foreign Partner Interests in Partnerships.
Form 1120–F (SCH Q)	Tax Liability of Qualified Derivatives Dealer (QDD).
Form 1120–F (SCH S)	Exclusion of Income From the International Operation of Ships or Aircraft Under Section 883.
Form 1120–F (SCH V)	List of Vessels or Aircraft, Operators, and Owners.
Form 1120–FSC	U.S. Income Tax Return of a Foreign Sales Corporation.
Form 1120–FSC (SCH P)	Transfer Price or Commission.
Form 1120–H	U.S. Income Tax Return for Homeowners Associations.
Form 1120–IC–DISC	Interest Charge Domestic International Sales Corporation Return.
Form 1120–IC–DISC (SCH K)	Shareholder's Statement of IC–DISC Distributions.
Form 1120–IC–DISC (SCH P)	Intercompany Transfer Price or Commission.
Form 1120–IC–DISC (SCH Q)	Borrower's Certificate of Compliance With the Rules for Producer's Loans.
Form 1120–L	U.S. Life Insurance Company Income Tax Return.
Form 1120–L (SCH M–3)	Net Income (Loss) Reconciliation for U.S. Life Insurance Companies With Total Assets of $10 Million or More.
* Form 1120–ND	Return for Nuclear Decommissioning Funds and Certain Related Persons.
Form 1120–PC	U.S. Property and Casualty Insurance Company Income Tax Return.
Form 1120–PC (SCH M–3)	Net Income (Loss) Reconciliation for U.S. Property and Casualty Insurance Companies With Total Assets of $10 Million or More.
Form 1120–POL	U.S. Income Tax Return for Certain Political Organizations.
Form 1120–REIT	U.S. Income Tax Return for Real Estate Investment Trusts.
Form 1120–RIC	U.S. Income Tax Return for Regulated Investment Companies.
Form 1120–S	U.S. Income Tax Return for an S Corporation.
Form 1120–S (SCH B–1)	Information on Certain Shareholders of an S Corporation.
Form 1120–S (SCH D)	Capital Gains and Losses and Built-In Gains.
Form 1120–S (SCH K–1)	Shareholder's Share of Income, Deductions, Credits, etc.
Form 1120–S (SCH K–2)	Shareholder's Pro Rata Share Items—International.
Form 1120–S (SCH K–3)	Shareholder's Share of Income, deductions, Credits, etc.—International.
Form 1120–S (SCH M–3)	Net Income (Loss) Reconciliation for S Corporations With Total Assets of $10 Million or More.
Form 1120–SF	U.S. Income Tax Return for Settlement Funds (Under Section 468B).
Form 1120–X	Amended U.S. Corporation Income Tax Return.
Form 1122	Authorization and Consent of Subsidiary Corporation to be Included in a Consolidated Income Tax Return.
Form 1125–A	Cost of Goods Sold.
Form 1125–E	Compensation of Officers.
Form 1127	Application for Extension of Time for Payment of Tax Due to Undue Hardship.
Form 1128	Application to Adopt, Change, or Retain a Tax Year.
Form 1138	Extension of Time For Payment of Taxes By a Corporation Expecting a Net Operating Loss Carryback.
Form 1139	Corporation Application for Tentative Refund.
Form 2220	Underpayment of Estimated Tax By Corporations.
Form 2438	Undistributed Capital Gains Tax Return.
Form 2439	Notice to Shareholder of Undistributed Long-Term Capital Gains.
Form 2553	Election by a Small Business Corporation.
* Form 2848	Power of Attorney and Declaration of Representative.
* Form 3115	Application for Change in Accounting Method.
* Form 3468	Investment Credit.
* Form 3520	Annual Return To Report Transactions With Foreign Trusts and Receipt of Certain Foreign Gifts.

APPENDIX-A—FORMS AND SCHEDULES—Continued

Form No.	Title
* Form 3520–A	Annual Return of Foreign Trust With a U.S. Owner.
* Form 3800	General Business Credit.
* Form 3800 (Schedule A)	Transfer Election Statement.
* Form 4136	Credit for Federal Tax Paid on Fuels.
* Form 4255	Recapture of Investment Credit.
* Form 4466	Corporation Application for Quick Refund of Overpayment of Estimated Tax.
* Form 4562	Depreciation and Amortization (Including Information on Listed Property).
* Form 4684	Casualties and Thefts.
* Form 4797	Sales of Business Property.
* Form 4810	Request for Prompt Assessment Under Internal Revenue Code Section 6501(d).
* Form 4876–A	Election to Be Treated as an Interest Charge DISC.
* Form 5213	Election To Postpone Determination as To Whether the Presumption Applies That an Activity Is Engaged in for Profit.
Form 5452	Corporate Report of Nondividend Distributions.
Form 5471	Information Return of U.S. Persons With Respect To Certain Foreign Corporations.
Form 5471 (SCH E)	Income, War Profits, and Excess Profits Taxes Paid or Accrued.
Form 5471 (SCH G–I)	Schedule G–1 (Form 5471), Cost Sharing Arrangement.
Form 5471 (SCH H)	Current Earnings and Profits.
Form 5471 (SCH I–1)	Information for Global Intangible Low-Taxed Income.
Form 5471 (SCH J)	Accumulated Earnings and Profits (E&P) of Controlled Foreign Corporation.
Form 5471 (SCH M)	Transactions Between Controlled Foreign Corporation and Shareholders or Other Related Persons.
Form 5471 (SCH O)	Organization or Reorganization of Foreign Corporation, and Acquisitions and Dispositions of its Stock.
Form 5471 (SCH P)	Previously Taxed Earnings and Profits of U.S. Shareholder of Certain Foreign Corporations.
Form 5471 (SCH Q)	CFC Income by CFC Income Groups.
Form 5471 (SCH R)	Distributions From a Foreign Corporation.
Form 5472	Information Return of a 25% Foreign-Owned U.S. Corporation or a Foreign Corporation Engaged in a U.S. Trade or Business.
* Form 56	Notice Concerning Fiduciary Relationship.
* Form 56–F	Notice Concerning Fiduciary Relationship of Financial Institution.
* Form 5713	International Boycott Report.
* Form 5713 (SCH A)	International Boycott Factor (Section 999(c)(1)).
* Form 5713 (SCH B)	Specifically, Attributable Taxes and Income (Section 999(c)(2)).
* Form 5713 (SCH C)	Tax Effect of the International Boycott Provisions.
* Form 5735	American Samoa Economic Development Credit.
* Form 5735 Schedule P	Allocation of Income and Expenses Under Section 936(h)(5).
* Form 5884	Work Opportunity Credit.
* Form 5884–A	Credits for Affected Midwestern Disaster Area Employers (for Employers Affected by Hurricane Harvey, Irma, or Maria or Certain California Wildfires).
* Form 6198	At-Risk Limitations.
* Form 6478	Biofuel Producer Credit.
* Form 6627	Environmental Taxes.
* Form 6765	Credit for Increasing Research Activities.
* Form 6781	Gains and Losses From Section 1256 Contracts and Straddles.
* Form 7004	Application for Automatic Extension of Time To File Certain Business Income Tax, Information, and Other Returns.
* Form 7205	Energy Efficient Commercial Buildings Deduction.
* Form 7207	Advanced Manufacturing Production Credit.
* Form 7210	Clean Hydrogen Production Credit.
* Form 7211	Clean Electricity Production Credit.
Form 7213	Nuclear Power Production Credit.
* Form 7216	
* Form 7217	Partner's Report of Property Distributed by a Partnership.
* Form 7218	Clean Fuel Production Credit.
* Form 7220	Prevailing Wage and Apprenticeship (PWA) Verification and Corrections.
Form 8023	Elections Under Section 338 for Corporations Making Qualified Stock Purchases.
Form 8050	Direct Deposit Corporate Tax Refund.
* Form 8082	Notice of Inconsistent Treatment or Administrative Adjustment Request (AAR).
* Form 8275	Disclosure Statement.
* Form 8275–R	Regulation Disclosure Statement.
* Form 8288	U.S. Withholding Tax Return for Dispositions by Foreign Persons of U.S. Real Property Interests.
* Form 8288–A	Statement of Withholding on Dispositions by Foreign Persons of U.S. Real Property Interests.
Form 8288–C	Statement of Withholding Under Section 1446(f)(4) on Dispositions by Foreign Persons of Partnership Interests.
* Form 8300	Report of Cash Payments Over $10,000 Received In a Trade or Business.
* Form 8302	Electronic Deposit of Tax Refund of $1 Million or More.
Form 8308	Report of a Sale or Exchange of Certain Partnership Interests.
* Form 8329	Lender's Information Return for Mortgage Credit Certificates (MCCs).
Form 8404	Interest Charge on DISC-Related Deferred Tax Liability.
Form 8453–CORP	E-file Declaration for Corporations.
Form 8453–PE	U.S. Partnership Declaration for an IRS e-file Return.
Form 851	Affiliations Schedule.
* Form 8586	Low-Income Housing Credit.
* Form 8594	Asset Acquisition Statement Under Section 1060.
* Form 8609	Low-Income Housing Credit Allocation and Certification.
* Form 8609–A	Annual Statement for Low-Income Housing Credit.
* Form 8611	Recapture of Low-Income Housing Credit.
* Form 8621	Information Return By Shareholder of a Passive Foreign Investment Company or Qualified Electing Fund.
* Form 8621–A	Return by a Shareholder Making Certain Late Elections to End Treatment as a Passive Foreign Investment Company.
* Form 8655	Reporting Agent Authorization.
* Form 8697	Interest Computation Under the Look-Back Method for Completed Long-Term Contracts.
* Form 8703	Annual Certification of a Residential Rental Project.
Form 8716	Election To Have a Tax Year Other Than a Required Tax Year.
Form 8752	Required Payment or Refund Under Section 7519.
Form 8804	Annual Return for Partnership Withholding Tax (Section 1446).
Form 8804 (SCH A)	Penalty for Underpayment of Estimated Section 1446 Tax for Partnerships.

APPENDIX-A—FORMS AND SCHEDULES—Continued

Form No.	Title
Form 8804–C	Certificate of Partner-Level Items to Reduce Section 1446 Withholding.
Form 8804–W	Installment Payments of Section 1446 Tax for Partnerships.
Form 8805	Foreign Partner's Information Statement of Section 1446 Withholding tax.
Form 8806	Information Return for Acquisition of Control or Substantial Change in Capital Structure.
Form 8810	Corporate Passive Activity Loss and Credit Limitations.
Form 8813*	Partnership Withholding Tax Payment Voucher (Section 1446).
Form 8819	Dollar Election Under Section 985.
*Form 8820	Orphan Drug Credit.
*Form 8822–B	Change of Address—Business.
*Form 8824	Like-Kind Exchanges.
Form 8825	Rental Real Estate Income and Expenses of a Partnership or an S Corporation.
*Form 8826	Disabled Access Credit.
Form 8827	Credit for Prior Year Minimum Tax—Corporations.
*Form 8830	Enhanced Oil Recovery Credit.
*Form 8832	Entity Classification Election.
*Form 8833	Treaty-Based Return Position Disclosure Under Section 6114 or 7701(b).
*Form 8834	Qualified Electric Vehicle Credit.
*Form 8835	Renewable Electricity, Refined Coal, and Indian Coal Production Credit.
*Form 8838	Consent to Extend the Time To Assess Tax Under Section 367—Gain Recognition Agreement.
*Form 8838–P	Consent To Extend the Time To Assess Tax Pursuant to the Gain Deferral Method (Section 721 (c)).
Form 8842	Election to Use Different Annualization Periods for Corporate Estimated Tax.
*Form 8844	Empowerment Zone Employment Credit.
Form 8845	Indian Employment Credit.
Form 8846	Credit for Employer Social Security and Medicare Taxes Paid on Certain Employee Tips.
Form 8848	Consent to Extend the Time to Assess the Branch Profits Tax Under Regulations Sections 1.884–2(a) and (c).
*Form 8858	Information Return of U.S. Persons With Respect to Foreign Disregarded Entities (FDEs) and Foreign Branches (FBs).
*Form 8858 (SCH M)	Transactions Between Foreign Disregarded Entity (FDE) or Foreign Branch (FB) and the Filer or Other Related Entities.
*Form 8864	Biodiesel and Renewable Diesel Fuels Credit.
Form 8865	Return of U.S. Persons With Respect to Certain Foreign Partnerships.
Form 8865 (SCH G)	Statement of Application for the Gain Deferral Method Under Section 721€.
Form 8865 (SCH H)	Acceleration Events and Exceptions Reporting Relating to Gain Deferral Method Under Section 721 €.
Form 8865 (SCH K–1)	Partner's Share of Income, Deductions, Credits, etc.
Form 8865 (SCH K–2)	Partner's Distributive Share Items—International.
Form 8865 (SCH K–3)	Partner's Share of Income, Deductions, Credits, etc.—International.
Form 8865 (SCH O)	Transfer of Property to a Foreign Partnership.
Form 8865 (SCH P)	Acquisitions, Dispositions, and Changes of Interests in a Foreign Partnership.
*Form 8866	Interest Computation Under the Look-Back Method for Property Depreciated Under the Income Forecast Method.
Form 8869	Qualified Subchapter S Subsidiary Election.
*Form 8873	Extraterritorial Income Exclusion.
*Form 8874	New Markets Credit.
Form 8875	Taxable REIT Subsidiary Election.
*Form 8878–A	IRS e-file Electronic Funds Withdrawal Authorization for Form 7004.
Form 8879–CORP	E-file Authorization for Corporations.
Form 8879–PE	IRS e-file Signature Authorization for Form 1065.
*Form 8881	Credit for Small Employer Pension Plan Startup Costs.
*Form 8882	Credit for Employer-Provided Childcare Facilities and Services.
*Form 8883	Asset Allocation Statement Under Section 338.
*Form 8886	Reportable Transaction Disclosure Statement.
*Form 8896	Low Sulfur Diesel Fuel Production Credit.
*Form 8900	Qualified Railroad Track Maintenance Credit.
*Form 8902	Alternative Tax on Qualified Shipping Activities.
*Form 8903	Domestic Production Activities Deduction.
*Form 8906	Distilled Spirits Credit.
*Form 8908	Energy Efficient Home Credit.
*Form 8910	Alternative Motor Vehicle Credit.
*Form 8911	Alternative Fuel Vehicle Refueling Property Credit.
*Form 8911 Schedule A	Alternative Fuel Vehicle Refueling Property.
*Form 8912	Credit to Holders of Tax Credit Bonds.
Form 8916	Reconciliation of Schedule M–3 Taxable Income with Tax Return Taxable Income for Mixed Groups.
Form 8916–A	Supplemental Attachment to Schedule M–3.
*Form 8918	Material Advisor Disclosure Statement.
Form 8923	Mining Rescue Team Training Credit.
*Form 8925	Report of Employer-Owned Life Insurance Contracts.
*Form 8926	Disqualified Corporate Interest Expense disallowed under section 163(j) and Related Information.
*Form 8927	Determination Under Section 860€(4) by a Qualified Investment Entity.
*Form 8932	Credit for Employer Differential Wage Payments.
*Form 8933	Carbon Oxide Sequestration Credit.
*Form 8933 Sch A	Disposal or Enhanced Oil Recovery Owner Certification.
*Form 8933 Sch B	Disposal Operator Certification.
*Form 8933 Sch C	Enhanced Oil Recovery Operator Certification.
*Form 8933 Sch D	Recapture Certification.
*Form 8933 Sch E	Election Certification.
*Form 8933 Sch F	Utilization Certification.
*Form 8936	Clean Vehicle Credit.
*Form 8936 Sch A	Clean Vehicle Credit Amount.
Form 8936–A	Qualified Commercial Clean Vehicle Credit.
Form 8936–A Sch 1	Schedule for Qualified Commercial Clean Vehicle.
*Form 8937	Report of Organizational Actions Affecting Basis of Securities.
*Form 8938	Statement of Foreign Financial Assets.
*Form 8941	Credit for Small Employer Health Insurance Premiums.
*Form 8947	Report of Branded Prescription Drug Information.

APPENDIX-A—FORMS AND SCHEDULES—Continued

Form No.	Title
* Form 8949	Sales and Other Dispositions of Capital Assets.
* Form 8966	FATCA Report.
* Form 8966–C	Cover Sheet for Form 8966 Paper Submissions.
* Form 8975	Country-by-Country Report.
* Form 8975 Sch A	Tax Jurisdiction and Constituent Entity Information.
Form 8978	Partner's Additional Reporting Year Tax.
Form 8978 Sch-A	Partners Additional Reporting Year Tax.
Form 8979	Partnership Representative Revocation/Resignation and Designation.
Form 8990	Limitation on Business Interest Expense IRC 163(j).
Form 8991	Tax on Base Erosion Payments of Taxpayers with Substantial Gross Receipts.
Form 8992	U.S Shareholder Calculation of Global Intangible Low-Taxed Income (GILTI).
Form 8992 Sch-A	Schedule A, Global Intangible Low-taxed Income (GILTI).
Form 8992 Sch-B	Calculation of Global Intangible Low-Taxed Income (GILTI) for Members of a U. S. Consolidated Group Who Are U. S. Shareholders of a CFC.
Form 8993	Section 250 Deduction for Foreign-Derived Intangible Income (FDII)and Global Intangible Low-Taxed Income (GILTI).
* Form 8994	Employer Credit for Paid Family and Medical Leave.
* Form 8995	Qualified Business Income Deduction Simplified Computation.
* Form 8995–A	Qualified Business Income Deduction.
* Form 8995–A (SCH A)	Specified Service Trades or Businesses.
* Form 8995–A (SCH B)	Aggregation of Business Operations.
* Form 8995–A (SCH C)	Loss Netting And Carryforward.
* Form 8995–A (SCH D)	Special Rules for Patrons Of Agricultural Or Horticultural Cooperatives.
Form 8996	Qualified Opportunity Fund.
Form 8997	Initial and Annual Statement of Qualified Opportunity Fund (QOF) Investments.
Form 15620	Section 83(b) Election.
Form 926	Return by a U.S. Transferor of Property to a Foreign Corporation.
Form 965–B	Corporate and Real Estate Investment Trust (REIT) Report of Net 965 Tax Liability and Electing REIT Report of 965 Amounts.
Form 965–C	Transfer Agreement Under Section 965(h)(3).
Form 965–D	Transfer Agreement Under 965(i)(2).
Form 965–E	Consent Agreement Under 965(i)(4)(D).
Form 966	Corporate Dissolution or Liquidation.
* Form 970	Application to Use LIFO Inventory Method.
* Form 972	Consent of Shareholder to Include Specific Amount in Gross Income.
Form 973	Corporation Claim for Deduction for Consent Dividends.
Form 976	Claim for Deficiency Dividends Deductions by a Personal Holding Company, Regulated Investment Company, or Real Estate Investment Trust.
* Form 982	Reduction of Tax Attributes Due to Discharge of Indebtedness (and Section 1082 Basis Adjustment).
* Form SS–4	Application for Employer Identification Number.
* Form SS–4(PR)	Solicitud de Número de Identificación Patronal (EIN).
* Form T (TIMBER)	Forest Activities Schedule.
* Form W–8BEN	Certificate of Foreign Status of Beneficial Owner for United States Tax Withholding (Individuals).
* Form W–8BEN(E)	Certificate of Entities Status of Beneficial Owner for United States Tax Withholding (Entities).
* Form W–8ECI	Certificate of Foreign Person's Claim That Income is Effectively Connected With the Conduct of a Trade or Business in the United States.
* Form W–8IMY	Certificate of Foreign Intermediary, Foreign Flow-Through Entity, or Certain U.S. Branches for United States Tax Withholding and Reporting.

Forms marked with an asterisk (*) are also filed by other taxpayers (*e.g.,* individuals, tax-exempt organizations).

APPENDIX-B—GUIDANCE DOCUMENTS

Title/document	Description
Announcement 2000–19	Tip Reporting Alternative Commitment (TRAC) for most industries.
Announcement 2000–20	Tip Rate Determination Agreement (TRDA) for Most Industries.
Announcement 2000–22 and 2000–23	Tip Reporting Alternative Commitment (TRAC) and Agreement and Tip Rate Determination (TRDA) for Use in the Food and Beverage Industry.
CO–62–89 (Final)	Final Regulations under Section 382 of the Internal Revenue Code of 1986; Limitations on Corporate Net Operating Loss Carryforwards.
LR–100–78	Creditability of Foreign Taxes.
Notice 2000–28	Coal Exports.
Notice 2001–1	Employer-Designed Tip Reporting Program for the Food and Beverage Industry (EmTRAC).
Notice 2002–69	Interest Rates and Appropriate Foreign Loss Payment Patterns for Determining the Qualified Insurance Income of Certain Controlled Corporations under Section 954(f).
Notice 2005–32	Notification Requirement for Transfer of Partnership Interest in Electing Investment Partnership (EIP).
Notice 2005–4	Fuel Tax Guidance, as modified.
Notice 2006–24	Qualifying Advanced Coal Project Program.
Notice 2006–25 (superseded by Notice 2007–53).	Qualifying Gasification Project Program.
Notice 2006–46	Announcement of Rules to be included in Final Regulations under Section 897(d) and (e) of the Internal Revenue Code.
Notice 2006–47	Elections Created or Effected by the American Jobs Creation Act of 2004.
Notice 2006–52 and Notice 2008–40	Deduction for Energy Efficient Commercial Buildings.
Notice 2006–9 and Notice 2008–33	Credit for New Qualified Alternative Motor Vehicles (Qualified Fuel Cell Motor Vehicles)
Notice 2006–97	Taxation and Reporting of REIT Excess Inclusion Income by REITs, RICs, and Other Pass-Through Entities.
Notice 2009–41	Credit for Residential Energy Efficient Property.
Notice 2009–52	Election of Investment Tax Credit in Lieu of Production Tax Credit; Coordination with Department of Treasury Grants for Specified Energy Property in Lieu of Tax Credits.
Notice 2009–58	Manufacturers' Certification of Specified Plug-in Electric Vehicles.
Notice 2009–83	Credit for Carbon Dioxide Sequestration Under Section 45Q.
Notice 2010–46	Prevention of Over-Withholding of U.S. Tax Avoidance with Respect to Certain Substitute Dividend Payments.
Notice 2010–54	Production Tax Credit for Refined Coal.

APPENDIX-B—GUIDANCE DOCUMENTS—Continued

Title/document	Description
Notice 2013–12	Qualifying Advanced Energy Project Credit.
Notice 2014–42	Branded Prescription Drug Fee; procedural and Administrative Guidance.
Notice 2015–4	Performance & Quality for Small Wind Energy Property.
Notice 2020–69	S Corporation Guidance under Section 958 (Rules for Determining Stock Ownership) and Guidance Regarding the Treatment of Qualified Improvement Property under the Alternative Depreciation System for Purposes of the QBAI Rules for FDII and GILTI.
Notice 2024–60	Required Procedures to Claim a Section 45Q Credit for Utilization of Carbon Oxide.
Rev Proc 2002–32 (as Modified by Rev Proc 2006–21).	Waiver of 60-month Bar on Reconsolidation after Disaffiliation.
Rev. Proc. 2000–37	Reverse Like-kind Exchanges (as modified by Rev Proc. 2004–51).
Rev. Proc. 2001–21	Debt Roll-Ups.
Rev. Proc. 2001–24	Advanced Insurance Commissions.
Rev. Proc. 2001–56	Demonstration Automobile Use.
Rev. Proc. 2002–67	Settlement of Section 351 Contingent Liability Tax Shelter Cases.
Rev. Proc. 2003–33	Section 9100 Relief for 338 Elections.
Rev. Proc. 2003–36	Industry Issue Resolution Program.
Rev. Proc. 2003–37	Documentation Provisions for Certain Taxpayers Using the Fair Market Value Method of Interest Expense Apportionment.
Rev. Proc. 2003–39	Section 1031 LKE (Like-Kind Exchanges) Auto Leasing Programs.
Rev. Proc. 2003–84	Optional Election to Make Monthly Sec. 706 Allocations.
Rev. Proc. 2004–19	Probable or Prospective Reserves Safe Harbor.
Rev. Proc. 2004–29	Statistical Sampling in Sec. 274 Context.
Rev. Proc. 2007–35	Statistical Sampling for Purposes of Section 199.
Rev. Proc. 2010–13	Disclosure of Activities Grouped under Section 469.
Rev. Proc. 2016–29	Changes in Methods of Accounting.
Rev. Proc. 97–27	Changes in Methods of Accounting.
Rev. Proc. 97–33	Electronic Federal Tax Payment System (EFTPS).
Rev. Proc. 99–32	Conforming Adjustments Subsequent to Section 482 Allocations.
Rev. Proc. 2001–37	Extraterritorial Income Exclusion Elections.
Rev. Proc. 2002–39	Changes in Periods of Accounting.
Rev. Proc. 2006–16	Renewal Community Depreciation Provisions.
Rev. Proc. 2007–32	Tip Rate Determination Agreement (Gaming Industry); Gaming Industry Tip Compliance Agreement Program.
Rev. Proc. 2007–48	Rotable Spare Parts Safe Harbor Method.
Rev. Proc. 2008–38	Qualified Additional Benefits Correction Program.
Rev. Proc. 2008–39	Modified Endowment Contract Correction Program Extension.
Rev. Proc. 2008–40	Life Insurance Contract Correction Program.
Rev. Proc. 2008–41	Variable Contract Correction Program.
Rev. Proc. 2008–42	Section 7702(f)(8) or Section 101(f)(3)(H) Automatic Waiver Program.
Rev. Proc. 2009–16	Section 168(k)(4) Election Procedures and.
Rev. Proc. 2009–33	Section 168(k)(4) Extension Property Elections.
Rev. Proc. 2009–37	Internal Revenue Code Section 108(i) Election.
Rev. Proc. 2011–34	Rules for Certain Rental Real Estate Activities.
Rev. Proc. 2013–30	Uniform Late S Corporation Election Rev. Proc.
Rev. Proc. 2016–30	Pre-Filing Agreements Program.
Rev. Proc. 2017–47	Safe Harbor for Inadvertent Normalization Violations.
Rev. Proc. 2025–1 and Rev Proc. 2023–26.	Rulings and determination letters.
Rev. Proc. 98–46 (modifies Rev. Proc.97–43).	Procedures for Electing Out of Exemptions Under Section 1.475(c)–1.
Rev. Proc. 99–17	Mark to Market Election for Commodities Dealers and Securities and Commodities Traders.
Rev. Proc. s 98–46 and 97–44	LIFO Conformity Requirement.
Rev. Rul. 97–39	Mark-to-Market Accounting Method for Dealers in Securities.
TD 9329	Guidance Necessary to Facilitate Business Electronic Filing and Burden Reduction.
TD 10004	Guidance Under Section 367(b) Related to Certain Triangular Reorganizations and Inbound Nonrecognition Transactions.
TD 10009	Advanced Manufacturing Investment Credit Rules Under Sections 48D and 50.
TD 10010	Advanced Manufacturing Production Credit.
TD 10012	Election To Exclude Certain Unincorporated Organizations Owned by Applicable Entities From Application of the Rules on Partners and Partnerships.
TD 10015	Definition of Energy Property and Rules Applicable to the Energy Credit.
TD 10016	Taxable Income or Loss and Currency Gain or Loss With Respect to a Qualified Business Unit.
TD 10022	Classification of Digital Content Transactions and Cloud Transactions.
TD 10023	Credit for Production of Clean Hydrogen and Energy Credit.
TD 10024	Section 45Y Clean Electricity Production Credit and Section 48E Clean Electricity Investment Credit.
TD 10025	Guidance on Clean Electricity Low-Income Communities Bonus Credit Amount Program.
TD 10026	Rules Regarding Certain Disregarded Payments and Dual Consolidated Losses.
TD 7533	DISC Rules on Procedure and Administration; Rules on Export Trade Corporations.
TD 7896	Income from Trade Shows.
TD 7959	Related Group Election with Respect to Qualified Investments in Foreign Base Company Shipping Operations.
TD 8178	Passive Foreign Investment Companies.
TD 8223, TD 8432, and TD 8657	Effectively connected income and the branch profits tax.
TD 8316	Cooperative Housing Corporations.
TD 8337	Allocation and Apportionment of Deduction for State Income Taxes (INTL–112–88).
TD 8352	Final Regulations Under Sections 382 and 383 of the Internal Revenue Code of 1986.
TD 8353	Information with Respect to Certain Foreign-Owned Corporations—IRC Section 6038A.
TD 8366	Real Estate Mortgage Investment Conduits; Reporting Requirements and Other Administrative Matters.
TD 8396	Conclusive Presumption of Worthlessness of Debts Held by Banks (FI–34–91).
TD 8410 and TD 8228	Allocation and Apportionment of Interest Expense and Certain Other Expenses (INTL–952–86).
TD 8416	Final Minimum Tax-Tax Benefit Rule.
TD 8426	Certain Returned Magazines, Paperbacks or Records (IA–195–78).
TD 8431	Allocation of Allocable Investment Expense; Original Issue Discount Reporting Requirements.
TD 8434	Treatment of Dual Consolidated Losses.
TD 8437	Limitations on Percentage Depletion in the Case of Oil and Gas Wells.

APPENDIX-B—GUIDANCE DOCUMENTS—Continued

Title/document	Description
TD 8444	Applicable Conventions Under the Accelerated Cost.
TD 8449	Election, Revocation, Termination, and Tax Effect of Subchapter S Status.
TD 8454	Adjusted Current Earnings (IA–14–91).
TD 8456	Capitalization of Certain Policy Acquisition Expenses (FI–3–91).
TD 8459	Settlement Funds.
TD 8513	Bad Debt Reserves of Banks.
TD 8521	Rules to Carry Out the Purposes of Section 42 and for Correcting (PS–50–92).
TD 8529	Limitations on net operating loss carryforwards and certain built-in losses following ownership change.
TD 8530	Limitation on Net Operating Loss Carryforwards and Certain Built-in Losses Following Ownership Change; Special Rule for Value of a Loss Corporation Under the Jurisdiction (CO–88–90).
TD 8531	Final Regulations Under Section 382.
TD 8554	Clear Reflection of Income in the Case of Hedging Transactions (FI–54–93).
TD 8556	Computation and Characterization of Income and Earnings and Profits Under the Dollar Approximate Separate Transactions Method of Accounting (DASTM).
TD 8560	Consolidated Returns—Stock Basis and Excess Loss Accounts, Earnings and Profits, Absorption of Deductions and Losses, Joining and Leaving Consolidated Groups, Worthless (CO–30–92).
TD 8578	Election Out of Subchapter K for Producers of Natural Gas.
TD 8586	Treatment of Gain from Disposition of Certain Natural Resource Recapture Property.
TD 8594	Losses on Small Business Stock (CO–46–94).
TD 8597	Consolidated and Controlled Groups—Intercompany Transactions and Related Rules.
TD 8600	Definition of an S Corporation.
TD 8611	Conduit Arrangements Regulations (INTL–64–93).
TD 8618	Definition of a Controlled Foreign Corporation, Foreign Base Company Income, and Foreign Personal Holding Company Income of a Controlled Foreign Corporation (INTL–362–88).
TD 8641	Treatment of Acquisition of Certain Financial Institutions: Certain Tax Consequences of Federal Financial Assistance to Financial Institutions.
TD 8643	Distributions of Stock and Stock Rights.
TD 8645	Rules for Certain Rental Real Estate Activities.
TD 8660	Consolidated Groups—Intercompany Transactions and Related Rules.
TD 8669	Changes in Accounting Periods (REG–106917–99).
TD 8684	Treatment of Gain from the Disposition of Interest in Certain Natural Resource Recapture Property by S Corporations and Their Shareholders.
TD 8687	Source of Income from Sales of Inventory and Natural Resources Produced in One Jurisdiction and Sold in Another Jurisdiction (INTL–0003–95).
TD 8696	Definitions Under Subchapter S of the Internal Revenue Code (PS–268–82).
TD 8700	26 U.S. Code § 475—Mark to market accounting method for dealers in securities.
TD 8701	Treatment of Shareholders of Certain Passive Investment Companies.
TD 8742	Requirements Respecting the Adoption or Change of Accounting Method; Extensions of Time To Make Elections.
TD 8746	Amortizable Bond Premium.
TD 8786	Source of Income from Sales of Inventory Partly From Sources Within a Possession of the U.S.; Also, Source of Income Derived From Certain Purchases From a Corp. Electing Sec. 936.
TD 8787	Basis Reduction Due to Discharge of Indebtedness.
TD 8823	Consolidated Returns—Limitation on the Use of Certain Losses and Deductions.
TD 8824	Regulations Under Section 1502 of the Internal Revenue Code of 1986; Limitations on Net Operating Loss Carryforwards and Certain Built-in Losses and Credits Following (CO–25–96).
TD 8825	Regulations Under Section 382 of the Internal Revenue Code of 1986; Application of Section 382 in Short Taxable Years and With Respect to Controlled Groups (CO–26–96).
TD 8847	Adjustments Following Sales of Partnership Interests.
TD 8851	Return Requirement for United States Persons Acquiring or Disposing of an Interest in a Foreign Partnership, or Whose Proportional Interest in a Foreign Partnership Changes.
TD 8853	Recharacterizing Financing Arrangements Involving Fast-Pay Stock.
TD 8859	Procedures for Monitoring Compliance with Low-Income Housing Credit Requirements (PS–78–91).
TD 8862, 9446, 9273 and 9760	Treatment of transfers of stock or securities to foreign corporations.
TD 8864	EE–63–88 (Final and temp regulations) Taxation of Fringe Benefits and Exclusions from Gross Income for Certain Fringe Benefits; IA–140–86 (Temporary) Fringe Benefits Treas reg 1.274.
TD 8865	Amortization of Intangible Property.
TD 8869	Subchapter S Subsidiaries (REG–251698–96).
TD 8870	General Rules for Making and Maintaining Qualified Electing Fund Elections (REG–115795–97).
TD 8881	General Revision of Regulations Relating to Withholding of Tax on Certain U.S. Source Income Paid to Foreign (formerly Intl-62–90, Intl-32–93, Intl-52–86, and Intl-52–94).
TD 8901	Qualified lessee construction allowances for short-term leases (REG–106010–98).
TD 8940	Purchase Price Allocations in Deemed Actual Asset Acquisitions.
TD 8941	Manner of making election to terminate tax-exempt bond financing.
TD 8985	Hedging Transactions.
TD 9004	Treatment of taxable income of a residual interest holder in excess of daily accruals.
TD 9047	Certain Transfers of Property to Regulated Investment Companies (RICs) and Real Estate Investment Trusts (REITs).
TD 9048 and TD 9254	Guidance under Section 1502; Suspension of Losses on Certain Stock Disposition (REG–131478–02).
TD 9057, TD 9154 and TD 9187	Extensions of Time to Elect Method for Determining Allowable Loss.
TD 9065	REG–124069–02, Section 6038—Returns Required with Respect to Controlled Foreign Partnerships; REG–118966–97, Information Reporting with Respect to Certain Foreign Partnership.
TD 9107	Guidance Regarding Deduction and Capitalization of Expenditures.
TD 9157	Guidance Regarding the Treatment of Certain Contingent Payment Debt Instruments w/one or more Payments that are Denominated in, or Determined by Reference to, a Nonfunctional Currency.
TD 9168	Optional 10-Year Write-off of Certain Tax Preferences (REG–124405–03).
TD 9171	New Markets Tax Credit.
TD 9207	Assumption of Partner Liabilities.
TD 9210	LIFO Recapture Under Section 1363(d).
TD 9212	Final, Source of Compensation for Labor or Personal Services.
TD 9257 and TD 9377	Application of Section 338 to Insurance Companies (REG–146384–05).
TD 9273	Stock Transfer Rules: Carryover of Earnings and Taxes (REG–116050–99).
TD 9285	Limitation on Use of the Nonaccrual-Experience Method of Accounting Under Section 448(d)(5).

APPENDIX-B—GUIDANCE DOCUMENTS—Continued

Title/document	Description
TD 9289	Treatment of Disregarded Entities Under Section 752.
TD 9304	Guidance Necessary to Facilitate Business Electronic Filing Under Section 1561.
TD 9305	Source of Income from Certain Space and Ocean Activities; Source of Communications Income.
TD 9315	Section 1503(d) Closing Agreement Requests.
TD 9315	Dual Consolidated Loss Regulations.
TD 9328	Safe Harbor for Valuation Under Section 475.
TD 9353	Rollover of Gain from Qualified Small Business Stock to Another Qualified Small Business Stock.
TD 9360	Guidance on Passive Foreign Company (PFIC) Purging Elections (REG–133446–03).
TD 9420	Carryover Allocations and Other Rules Relating to the Low-Income Housing Credit (PS–19–92).
TD 9422	S Corporation Guidance under AJCA of 2004 (REG–143326–05).
TD 9424	Loss on Subsidiary Stock (REG–157711–02).
TD 9451	Guidance Necessary to Facilitate Business Election Filing; Finalization of Controlled Group Qualification Rules.
TD 9452	Application of Separate Limitations to Dividends from Noncontrolled Section 902 Corporations.
TD 9456	Treatment of Services Under Section 482; Allocation of Income and Deductions from Intangibles; Stewardship Expense.
TD 9463	Modifications of Commercial Mortgage Loans Held by a Real Estate Mortgage Investment Conduit. (REG–127770–07).
TD 9465	Determination of Interest Expense Deduction of Foreign Corporations (REG–120509–06).
TD 9469	Section 108 Reduction of Tax Attributes for S Corporations (REG–102822–08).
TD 9490	Extended Carryback of Losses to or from a Consolidated Group.
TD 9502	Exclusions From Gross Income of Foreign Corporations.
TD 9504, TD 9616, TD9713, and TD 9750.	Basis Reporting by Securities Brokers and Basis Determination for Stock.
TD 9512	Nuclear Decommissioning Funds.
TD 9547	Election to Expense Certain Refineries.
TD 9568	Methods to Determine Taxable Income in connection with a Cost Sharing Arrangement—IRC Section 482.
TD 9595	Consolidated Overall Foreign Losses, Separate Limitation Losses, and Overall Domestic Losses (REG–141399–07).
TD 9614)	Transfers by Domestic Corporations That Are Subject to Section 367(a)(5).
TD 9615	Distributions by Domestic Corporations That Are Subject to Section 1248(f).
TD 9617	Updating of Employer Identification Numbers (REG–135491–10).
TD 9619	Regulations Enabling Elections for Certain Transaction Under Section 336(e) (REG–143544–04).
TD 9622 and TD 9623	Application of Section 108(i) to Partnerships and S Corporations (REG–144762–09).
TD 9633	Limitations on Duplication of Net Built-in Losses.
TD 9684 and TD 9823	Branded Prescription Drugs (REG–123286–14).
TD 9715; Rev. Proc. 2015–26	Agent for Consolidated Group (Formerly TD 9002; Rev Proc 2002–43).
TD 9759	Limitations on the Importation of Net Built-In Losses.
TD 9764	Failure to Maintain List of Advisees with Respect to Reportable Transactions (REG–160873–04).
TD 9796	Treatment of Certain Domestic Entities Disregarded as Separate from Their Owners as Corporations for Purposes of Section 6038A.
TD 9866	Guidance Related to Section 951A (Global Intangible Low-Taxed Income) and Certain Guidance Related to Foreign Tax Credits.
TD 9988	Elective Payment of Applicable Credits; Elective Payment of Advanced Manufacturing Investment Credit; Final Rules; Election To Exclude Certain Unincorporated Organizations Owned by Applicable Entities From Application of the Rules on Partners and Partnerships.
TD 9989	Elective Payment of Advanced Manufacturing Investment Credit.
TD 9993	Transfer of Certain Credits.
TD 9995	Clean Vehicle Credits Under Sections 25E and 30D; Transfer of Credits; Critical Minerals and Battery Components; Foreign Entities of Concern.
TD 9998	Increased Amounts of Credit or Deduction for Satisfying Certain Prevailing Wage and Registered Apprenticeship Requirements.
TD 9999	Statutory Disallowance of Deductions for Certain Qualified Conservation Contributions Made by Partnerships and S Corporations.

Approved: July 22, 2025.

LaNita Van Dyke,

Tax Analyst.

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BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Agency Information Collection Activities; Comment Request on U.S. Tax-Exempt Organization Returns and Related Forms

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of information collection; request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the IRS is inviting comments on the information collection request outlined in this notice.

DATES: Written comments should be received on or before September 23, 2025 to be assured of consideration.

ADDRESSES: Direct all written comments to Andres Garcia, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or by email to *pra.comments@irs.gov.* Include ''OMB Control No. 1545–0047'' in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: View the latest drafts of the tax forms related to the information collection listed in this notice at *https://www.irs.gov/draft-tax-forms.* Requests for additional information or copies of this collection should be directed to Marcus McCrary, (470) 769–2001.

SUPPLEMENTARY INFORMATION: The IRS, in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the IRS assess the impact and minimize the burden of its information collection requirements. Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of

information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Tax Compliance Burden

Tax compliance burden is defined as the time and money taxpayers spend to comply with their tax filing responsibilities. Time-related activities include recordkeeping, tax planning, gathering tax materials, learning about the law, and completing and submitting the return. Out-of-pocket costs include expenses such as purchasing tax software, paying a third-party preparer, and printing and postage. Tax compliance burden does not include a taxpayer's tax liability, economic inefficiencies caused by sub-optimal choices related to tax deductions or credits, or psychological costs.

Proposed PRA Submission to OMB

Title: U.S. Tax-Exempt Organization Returns and Related Forms, Schedules, Attachments, and Published Guidance.

OMB Number: 1545–0047.

Form Numbers and Published Guidance: Forms 990, 990–EZ, 990–N, 990–PF, 990–T, and all related forms, schedules, and attachments.

Abstract: These forms, schedules, and attachments are used by tax-exempt organizations, nonexempt charitable trusts, and section 527 political organizations to provide the IRS with statutorily required information. Some members of the public rely on these forms as their primary or sole source of information about a particular organization. This information collection covers the burden associated with preparing and submitting tax-exempt organization returns and related forms, schedules, and attachments, and complying with published guidance.

Current Actions: There have been changes in regulatory guidance related to various forms approved under this approval package during the past year. There have been additions and removals of forms included in this approval package. It is anticipated that these changes will have an impact on the overall burden and cost estimates requested for this approval package, however these estimates were not finalized at the time of release of this notice. These estimated figures are expected to be available by the release of the 30-day comment notice from Treasury. This approval package is being submitted for renewal purposes.

Type of Review: Revision of a currently approved collection.

Affected Public: Tax-Exempt Organizations.

Preliminary Estimated Number of Respondents: 1,730,000.

Preliminary Estimated Total Time (Hours): 74,890,000.

Preliminary Estimated Time per Respondent (Hours): 43 hours 17 minutes.

Preliminary Estimated Monetized Time ($): 4,125,000,000.

Preliminary Estimated Out-of-Pocket Costs ($): 2,055,000,000.

Preliminary Estimated Total Monetized Burden ($): 6,180,000,000.

Note: Total Monetized Burden = Out-of-Pocket Costs + Monetized Time.

Marcus W. McCrary,

Tax Analyst.

APPENDIX-A—FORMS AND SCHEDULES

Product	Title
1023	Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code.
1023–EZ	Streamlined Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code.
1024	Application for Recognition of Exemption Under Section 501(a).
1024–A	Application for Recognition of Exemption Under Section 501(c)(4) of the Internal Revenue Code.
1028	Application for Recognition of Exemption Under Section 521 of the Internal Revenue Code.
1116 Sch B*	Foreign Tax Carryover Reconciliation Schedule.
1116 Sch C*	Foreign Tax Redeterminations.
1116*	Foreign Tax Credit.
1120–POL*	US Income Tax Return for Certain Political Organizations.
1127*	Application for Extension of Time for Payment of Tax Due to Undue Hardship.
1128*	Application to Adopt, Change, or Retain a Tax Year.
2220*	Underpayment of Estimated Tax by Corporations.
2848*	Power of Attorney and Declaration of Representative.
3115*	Application for Change in Accounting Method.
3468*	Investment Credit.
3800*	General Business Credit.
3800 (Schedule A)*	Transfer Election Statement.
4136*	Credit for Federal Tax Paid on Fuels.
4255*	Recapture of Investment Credit.
4562*	Depreciation and Amortization.
461*	Limitation on Business Loss.
4720	Return of Certain Excise Taxes Under Chapters 41 and 42 of the Internal Revenue Code.
4797*	Sale of Business Property.
5227*	Split Interest Trust Information Return.
5471 Sch E*	Income, War Profits, and Excess Profits Taxes Paid or Accrued.
5471 Sch G–1*	Cost Sharing Arrangement.
5471 Sch H*	Current Earnings and Profits.
5471 Sch I–1*	Information for Global Intangible Low-Taxed Income.
5471 Sch J*	Accumulated Earnings & Profits (E&P) of Controlled Foreign Corporation.
5471 Sch M*	Transactions Between Controlled Foreign Corporation and Shareholders or Other Related Persons.
5471 Sch O*	Organization or Reorganization of Foreign Corporation, and Acquisitions and Dispositions of its Stock.
5471 Sch P*	Previously Taxed Earnings and Profits of U.S. Shareholder of Certain Foreign Corporations.
5471 Sch Q*	CFC Income by CFC Income Groups.
5471 Sch R*	Distributions From a Foreign Corporation.
5471*	Information Return of U.S. Persons With Respect to Certain Foreign Corporations.
5578	Annual Certification of Racial Nondiscrimination for a Private School Exempt From Federal Income Tax.
5884*	Work Opportunity Credit.
5884–C	Work Opportunity Credit for Qualified Tax-Exempt Organizations Hiring Qualified Veterans.
5884–D	Employee Retention Credit for Certain Tax-Exempt Organizations Affected by Qualified Disasters.
6069	Return of Certain Excise Taxes on Mine Operators, Black Lung Trusts, and Other Persons Under Sections 4951, 4952, and 4953.
6198*	At-Risk Limitations.

APPENDIX-A—FORMS AND SCHEDULES—Continued

Product	Title
6497 *	Information Return of Nontaxable Energy Grants or Subsidized Energy Financing.
7004 *	Application for Automatic Extension of Time To File Certain Business Income Tax, Information, and Other Returns.
7203 *	S Corporation Shareholder Stock and Debt Basis Limitations.
7204 *	Consent to Extend the Time to Assess Tax Related to Contested Foreign Income Taxes—Provisional Foreign Tax Credit Agreement.
7205 *	Energy Efficient Commercial Buildings Deduction.
7207 *	Advanced Manufacturing Production Credit.
7210 *	Clean Hydrogen Production Credit.
7220 *	Prevailing Wage and Apprenticeship (PWA) Verification and Corrections.
8038	Information Return for Tax-Exempt Private Activity Bond Issues.
8038–B	Information Return for Build America Bonds and Recovery Zone.
8038–CP	Return for Credit Payments to Issuers of Qualified Bonds.
8038–CP Schedule A	Specified Tax Credit Bonds Interest Limit Computation.
8038–G	Information Return for Tax-Exempt Governmental Bonds.
8038–GC	Information Return for Small Tax-Exempt Governmental Bond Issues, Leases, and Installment Sales.
8038–R	Request for Recovery of Overpayments Under Arbitrage Rebate Provisions.
8038–T	Arbitrage Rebate, Yield Reduction and Penalty in Lieu of Arbitrage Rebate.
8038–TC	Information Return for Tax Credit Bonds and Specified Tax Credit Bonds.
8050	Direct Deposit of Tax Exempt or Government Entity Tax Refund.
8282	Donee Information Return.
8283 *	Noncash Charitable Contributions.
8283–V *	Payment Voucher for Filing Fee Under Section 170(f)(13).
8328	Carryforward Election of Unused Private Activity Bond Volume Cap.
8330	Issuer's Quarterly Information Return for Mortgage Credit Certificates (MCCs).
8453–TE	Tax Exempt Entity Declaration and Signature for Electronic Filing.
8453–X	Political Organization Declaration for Electronic Filing of Notice of Section 527 Status.
8621 *	Information Return by a Shareholder of a Passive Foreign Investment Company or Qualified Electing Fund.
8718	User Fee for Exempt Organization Determination Letter Request.
8824 *	Like-Kind Exchanges.
8838 *	Consent to Extend the Time to Assess Tax Under Section 367—Gain Recognition Agreement.
8838–P *	Consent to Extend the Time to Assess Tax Pursuant to the Gain Deferral Method (Section 721(c)).
8864 *	Biodiesel, Renewable Diesel, or Sustainable Aviation Fuels Credit.
8865 Sch G *	Statement of Application of the Gain Deferral Method under Section 721(c).
8865 Sch H *	Acceleration Events and Exceptions Reporting Relating to Gain Deferral Method Under Section 721(c).
8865 Sch O *	Transfer of Property to a Foreign Partnership.
8865 Sch P *	Acquisitions, Dispositions, and Changes of Interest in a Foreign Partnership.
8865 *	Return of U.S. Persons with Respect to Certain Foreign Partnerships.
8868	Application for Automatic Extension of Time To File an Exempt Organization Return.
8870	Information Return for Transfers Associated With Certain Personal Benefit Contracts.
8871	Political Organization Notice of Section 527 Status.
8872	Political Organization Report of Contributions and Expenditures.
8879–TE	IRS e-file Signature Authorization for a Tax Exempt Entity.
8886 *	Reportable Transaction Disclosure Statement.
8886–T	Disclosure by Tax-Exempt Entity Regarding Prohibited Tax Shelter Transaction.
8896 *	Low Sulfur Diesel Fuel Production Credit.
8899	Notice of Income From Donated Intellectual Property.
8906 *	Distilled Spirits Credit.
8908 *	Energy Efficient Home Credit.
8932 *	Credit for Employer Differential Wage Payments.
8940	Request for Miscellaneous Determination.
8941 *	Credit for Small Employer Health Insurance Premiums.
8949 *	Sales and Other Dispositions of Capital Assets.
8976	Notice of Intent to Operate Under Section 501(c)(4).
8995 *	Qualified Business Income Deduction Simplified Calculation.
8995–A Schedule A *	Specified Service Trades or Businesses.
8995–A Schedule B *	Aggregation of Business Operations.
8995–A Schedule C *	Loss Netting and Carryforward.
8995–A Schedule D *	Special Rules for Patrons of Agricultural or Horticultural Cooperatives.
8995–A *	Qualified Business Income Deduction.
926 *	Return by a U.S. Transferor of Property to a Foreign Corporation.
970 *	Application to Use LIFO Inventory Method.
990	Return of Organization Exempt From Income Tax Under Section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations).
990 Schedule A	Public Charity Status and Public Support.
990 Schedule B	Schedule of Contributors.
990 Schedule C	Political Campaign and Lobbying Activities.
990 Schedule D	Supplemental Financial Statements.
990 Schedule E	Schools.
990 Schedule F	Statement of Activities Outside the United States.
990 Schedule G	Supplemental Information Regarding Fundraising or Gaming Activities.
990 Schedule H	Hospitals.
990 Schedule I	Grants and Other Assistance to Organizations, Governments, and Individuals in the United States.
990 Schedule J	Compensation Information.
990 Schedule K	Supplemental Information on Tax-Exempt Bonds.
990 Schedule L	Transactions With Interested Persons.
990 Schedule M	Noncash Contributions.
990 Schedule N	Liquidation, Termination, Dissolution, or Significant Disposition of Assets.
990 Schedule O	Supplemental Information to Form 990 or 990–EZ.
990 Schedule R	Related Organizations and Unrelated Partnerships.
990–EZ	Short Form Return of Organization Exempt From Income Tax Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations).

APPENDIX-A—FORMS AND SCHEDULES—Continued

Product	Title
990–N	Form 990–N Electronic Notice (e-Postcard) for Tax-Exempt Organizations Not Required to File Form 990 or Form 990–EZ.
990–PF	Return of Private Foundation or Section 4947(a)(1) Trust Treated as Private Foundation.
990–T	Exempt Organization Business Income Tax Return (and proxy tax under section 6033(e)).
990–T Schedule A	Unrelated Business Taxable Income From an Unrelated Trade or Business.
990–W	Estimated Tax on Unrelated Business Taxable Income for Tax-Exempt Organizations (and on Investment Income for Private Foundations).

APPENDIX-B—GUIDANCE DOCUMENTS

Guidance	Title/description
Announcement 2004–38	Election of Alternative Deficit Reduction Contribution.
Announcement 2004–43	Election of Alternative Deficit Reduction Contribution.
Notice 2002–27	IRA Required Minimum Distribution Reporting.
Notice 2004–59	Plan Amendments Following Election of Alternative Deficit Reduction Contribution.
Notice 2005–41	Guidance Regarding Qualified Intellectual Property Contributions.
Notice 2006–105	Extension of Election of Alternative Deficit Reduction Contribution.
Notice 2006–107	Diversification Requirements for Qualified Defined Contribution Plans Holding Publicly Traded Employer Securities.
Notice 2006–109	Interim Guidance Regarding Supporting Organizations and Donor Advised Funds.
Notice 2007–70	Charitable Contributions of Certain Motor Vehicles, Boats, and Airplanes. Reporting requirements under Sec. 170(f)(12)(D).
Notice 2008–113	Relief and Guidance on Corrections of Certain Failures of a Nonqualified Deferred Compensation Plan to Comply with § 409A(a) in Operation.
Notice 2009–26	Build America Bonds and Direct Payment Subsidy Implementation.
Notice 2009–31	Election and Notice Procedures for Multiemployer Plans under Sections 204 and 205 of WRERA.
Notice 2010–6	Relief and Guidance on Corrections of Certain Failures of a Nonqualified Deferred Compensation Plan to Comply with § 409A(a).
Notice 2010–80	Modification to the Relief and Guidance on Corrections of Certain Failures of a Nonqualified Deferred Compensation Plan to Comply with § 409A(a).
Notice 2011–43	Transitional Relief under Internal Revenue Code § 6033(j) for Small Organizations.
Notice 2012–48	Tribal Economic Development Bonds.
Notice 2014–4	Interim Guidance Regarding Supporting Organizations.
Notice 2015–83	Tribal Economic Development Bonds: Use of Volume Cap for Draw-down Loans.
Notice 2017–9	De Minimis Error Safe Harbor to the I.R.C. §§ 6721 and 6722 Penalties.
Notice 2021–56	Standards that an LLC must Satisfy to be Exempt.
Notice 2023–38	Domestic Content Bonus Credit Guidance under Sections 45, 45Y, 48, and 48E.
Notice 97–45	Highly Compensated Employee Definition.
Publication 1075	Tax Information Security Guidelines for Federal, State and Local Agencies.
Publication 4839	Annual Form 990 Filing Requirements for Tax-Exempt Organizations (Forms 990, 990–EZ, 990–PF, 990–BL and 990–N (e-Post-card).
Revenue Procedure 80–27	Group exemption letters.
Revenue Procedure 98–19	Exceptions to the notice and reporting requirements of section 6033(e)(1) and the tax imposed by section 6033(e)(2).
Revenue Procedure 2004–15	Waivers of Minimum Funding Standards.
Revenue Procedure 2008–62 and 2017–55.	Substitute Mortality Tables for Single Employer Defined Benefit Plans.
Revenue Procedure 2009–43	Revocation of Elections by Multiemployer Defined Benefit Pension Plans to Freeze Funded Status under section 204 of WRERA.
Revenue Procedure 2010–52	Extension of the Amortization Period for Plan Sponsor of a Multiemployer Pension Plan.
Revenue Procedure 2014–11	Procedures for reinstating the tax-exempt status of organizations that have had their tax-exempt status automatically revoked under section 6033(j)(1) of the Internal Revenue Code (“Code”) for failure to file required Annual Returns or notices for three consecutive years.
Revenue Procedure 2014–40	Procedures for applying for and for issuing determination letters on the exempt status under § 501(c)(3) of the Internal Revenue Code (Code) using Form 1023–EZ, Streamlined Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code.
Revenue Procedure 2014–55	Election Procedures and Information Reporting with Respect to Interests in Certain Canadian Retirement Plans.
Revenue Procedure 2015–21	Rulings and determination letters.
Revenue Procedure 2016–27	Application Procedures for Approval of Benefit Suspensions for Certain Multiemployer Defined Benefit Pension Plans under § 432(e)(9).
Revenue Procedure 2017–43	Application Procedures for Approval of Benefit Suspensions for Certain Multiemployer Defined Benefit Pension Plans under § 432(e)(9).
Revenue Procedure 2017–57	Procedures for Requesting Approval for a Change in Funding Method.
Revenue Procedure 2018–4	Updating Procedures for Guidance on Matters Under IRS TE/GE Division.
Revenue Procedure 2018–38	Returns by exempt organizations and returns by certain non-exempt organizations.
Revenue Procedure 2021–37	Pre-Approved Pension Plans.
Revenue Procedure 2021–48	Examination of returns and claims for refund, credit or abatement; determination of correct tax liability.
Revenue Procedure 2022–14	List of Automatic Changes.
Revenue Procedure 2023–1	Rulings and Determination Letters.
Revenue Procedure 2023–4	Types of Advice Available to Taxpayers.
Revenue Procedure 2024–5	Procedures for Issuing Determination Letters.
Revenue Procedure 2023–24	Changes in Accounting Periods and in Methods of Accounting.
Revenue Procedure 2023–38	Domestic Content Bonus Credit Guidance under Sections 45, 45Y, 48, and 48E.
Revenue Ruling 2000–35	Automatic Enrollment in Section 403(b) Plans.
TD 7845	Inspection of Applications for Tax Exemption and Applications for Determination Letters for Pension and Other Plans.
TD 7852	Registration Requirements with Respect to Debt Obligations.
TD 7898	Employers Qualified Educational Assistance Programs.
TD 7952	Indian Tribal Governments Treated As States For Certain Purposes.
TD 8002	Substantiation of Charitable Contributions.
TD 8019	Public Inspection of Exempt Organization Return.
TD 8033	Tax Exempt Entity Leasing.
TD 8069	Qualified Conservation Contributions.
TD 8073	Effective Dates and Other Issues Arising Under the Employee Benefit Provisions of the Tax Reform Act of 1984.
TD 8086	Election for $10 Million Limitation on Exempt Small Issues of Industrial Development Bonds; Supplemental Capital Expenditure Statements (LR–185–84 Final).

APPENDIX-B—GUIDANCE DOCUMENTS—Continued

Guidance	Title/description
TD 8124	Time and Manner of Making Certain Elections Under the Tax Reform Act of 1986.
TD 8357	Certain cash or deferred arrangements (CODAs) and employee and matching contributions under employee plans.
TD 8376	Qualified Separate Lines of Business.
TD 8396	Regulations relating to a bank's determination of worthlessness of a debt.
TD 8400	Taxation of Gain or Loss from Certain Nonfunctional Currency Transactions (Section 988 Transactions).
TD 8476	Arbitrage Restrictions on Tax-Exempt Bonds.
TD 8540	Final regulations relating to the valuation of annuities, interests for life or terms of years, and remainder or reversionary interests.
TD 8619	Final regulations relating to eligible rollover distributions from tax-qualified retirement plans and section 403(b) annuities.
TD 8635	Nonbank Trustee Net Worth Requirements.
TD 8690	Deductibility, Substantiation, and Disclosure of Certain Charitable Contributions.
TD 8712	Definition of Private Activity Bonds.
TD 8718	Arbitrage Restrictions on Tax-Exempt Bonds.
TD 8769	Permitted Elimination of Pre-retirement Optional Forms of Benefit.
TD 8791	Guidance Regarding Charitable Remainder Trusts and Special Valuation Rules for Transfers of Interests in Trusts.
TD 8801	Arbitrage Restrictions on Tax-Exempt Bonds.
TD 8802	Certain Asset Transfers to a Tax-Exempt Entity.
TD 8814	Federal Insurance Contributions Act (FICA) Taxation of Amounts Under Employee Benefit Plans.
TD 8816	Roth IRAs.
TD 8861	Private Foundation Disclosure Rules.
TD 8865	Amortization of Intangible Property.
TD 8933	Qualified Transportation Fringe Benefits.
TD 8978	Excise Taxes on Excess Benefit Transactions (REG–246256–96).
TD 8987	Required Distributions from Retirement Plans.
TD 9075	Compensation Deferred Under Eligible Deferred Compensation Plans.
TD 9076	Special Rules Under Section 417(a)(7) for Written Explanations Provided by Qualified Retirement Plans After Annuity Starting Dates.
TD 9079	Ten or More Employer Plan Compliance Information.
TD 9083	Golden Parachute Payments.
TD 9088	Compensatory Stock Options Under Section 482.
TD 9092	Split-Dollar Life Insurance Arrangements.
TD 9097	Arbitrage Restrictions Applicable to Tax-Exempt Bonds Issued by State and Local Governments.
TD 9099	Disclosure of Relative Values of Optional Forms of Benefit.
TD 9142	Deemed IRAs in Qualified Retirement Plans.
TD 9169	Retirement plans; Cash or deferred arrangements under section 401(k) and matching contributions or employee contributions under section 401(m) Regulations.
TD 9237	Designated Roth Contributions to Cash or Deferred Arrangements Under Section 401(k).
TD 9324	Designated Roth Contributions Under Section 402A.
TD 9334	Requirement of Return and Time for Filing.
TD 9340	Revised Regulations Concerning Section 403(b) Tax-Sheltered Annuity Contracts.
TD 9447	Automatic Contribution Arrangements.
TD 9472	Notice Requirements for Certain Pension Plan Amendments Significantly Reducing the Rate of Future Benefit Accrual.
TD 9492	Excise Taxes on Prohibited Tax Shelter Transactions and Related Disclosure Requirements; Disclosure Requirements with Respect to Prohibited Tax Shelter Transactions; Requirement of Return and Time for Filing.
TD 9495	Qualified Zone Academy Bonds: Obligations of States and Political Subdivisions.
TD 9641	Reduction or Suspension of Safe Harbor Contributions.
TD 9708	Additional Requirements for Charitable Hospitals; Community Health Needs Assessments for Charitable Hospitals; Requirement of a Section 4959 Excise Tax Return and Time for Filing the Return.
TD 9724	Summary of Benefits and Coverage, Uniform Glossary for ACA Group Health Plans.
TD 9741	General Allocation and Accounting Regulations Under Section 141; Remedial Actions for Tax-Exempt Bonds.
TD 9765	Suspension of Benefits under the Multiemployer Pension Reform Act of 2014.
TD 9777	Arbitrage Guidance for Tax-Exempt Bonds.
TD 9801	Issue Price Definition for Tax-Exempt Bonds.
TD 9845	Public Approval of Tax-Exempt Private Activity Bonds.
TD 9846	Regulations Regarding the Transition Tax Under Section 965 and Related Provisions.
TD 9855	Regulations To Prescribe Return and Time for Filing for Payment of Section 4960, 4966, 4967, and 4968 Taxes and To Update the Abatement Rules for Section 4966 and 4967 Taxes.
TD 9866	Guidance Related to Section 951A (Global Intangible Low-Taxed Income) and Certain Guidance Related to Foreign Tax Credits.
TD 9873	Regulations on the Requirement To Notify the IRS of Intent To Operate as a Section 501(c)(4) Organization.
TD 9898	Guidance Under Section 6033 Regarding the Reporting Requirements of Exempt Organizations.
TD 9902	Guidance Under Sections 951A and 954 Regarding Income Subject to a High Rate of Foreign Tax.
TD 9917	Guidance on the Determination of the Section 4968 Excise Tax Applicable to Certain Colleges and Universities.
TD 9933	Unrelated Business Taxable Income Separately Computed for Each Trade or Business.
TD 9938	Tax on Excess Tax-Exempt Organization Executive Compensation.
TD 9972	Electronic-Filing Requirements for Specified Returns and Other Documents.
TD 9975	Pre-Filing Registration Requirements for Certain Tax Credit Elections.
TD 9979	Additional Guidance on Low-Income Communities Bonus Credit Program.
TD 9988	Elective Payment of Applicable Credits; Elective Payment of Advanced Manufacturing Investment Credit; Final Rules; Election To Exclude Certain Unincorporated Organizations Owned by Applicable Entities From Application of the Rules on Partners and Partnerships.
TD 9998	Increased Amounts of Credit or Deduction for Satisfying Certain Prevailing Wage and Registered Apprenticeship Requirements.

[FR Doc. 2025–14070 Filed 7–24–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open meeting of the Taxpayer Advocacy Panel's Notices and Correspondence Project Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel's Notices and Correspondence Project Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas, and suggestions to improve customer service at the Internal Revenue Service. This meeting will be held as a virtual video conference via the Microsoft Teams platform.

DATES: The meeting will be held on Wednesday, August 13, 2025, at 11:00 a.m. Eastern Time.

FOR FURTHER INFORMATION CONTACT: Robert Rosalia at 1–888–912–1227, or by email at *taxpayer.advocacy.panel@irs.gov.*

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988), that an open meeting of the Taxpayer Advocacy Panel Notices and Correspondence Project Committee will be held on Wednesday, August 13, 2025, at 11:00 a.m. Eastern Time.

The public is invited to attend the meeting virtually, or by phone, and may provide oral comments or submit written statements for consideration. Due to meeting structure and time limitations, advance registration is required to attend or make public comments during the meeting. To register and receive meeting access information, please contact Robert Rosalia at the contact information above no later than Thursday, August 7, 2025.

Meeting materials, including the agenda and any handouts, will be made available prior to the meeting at *www.improveirs.org.*

The agenda will include a committee discussion of new and continuing issues and other activities related to the new TAP year.

Dated: July 1, 2025.

John A. Lipold,

Designated Federal Official, Taxpayer Advocacy Panel.

[FR Doc. 2025–14082 Filed 7–24–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel's Tax Forms and Publications Project Committee

AGENCY: Internal Revenue Service (IRS) Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel's Tax Forms and Publications Project Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas, and suggestions to improve customer service at the Internal Revenue Service. This meeting will be held as a virtual video conference via the Microsoft Teams platform.

DATES: The meeting will be held on Tuesday, August 12, 2025, at 2:00 p.m. Eastern Time.

FOR FURTHER INFORMATION CONTACT: Ann Tabat at 1–888–912–1227 or (602) 636–9143, or by email at *taxpayer.advocacy.panel@irs.gov.*

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988), that an open meeting of the Taxpayer Advocacy Panel Tax Forms and Publications Project Committee will be held on Tuesday, August 12, 2025, at 2:00 p.m. Eastern Time.

The public is invited to attend the meeting virtually, or by phone, and may provide oral comments or submit written statements for consideration. Due to meeting structure and time limitations, advance registration is required to attend or make public comments during the meeting. To register and receive meeting access information, please contact Ann Tabat at the contact information above no later than Thursday, August 7, 2025.

Meeting materials, including the agenda and any handouts, will be made available prior to the meeting at *www.improveirs.org.*

The agenda will include a committee discussion of new and old referrals and other activities related to the new TAP year.

Dated: July 1, 2025.

John A. Lipold,

Designated Federal Official, Taxpayer Advocacy Panel.

[FR Doc. 2025–14079 Filed 7–24–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel's Joint Committee

AGENCY: Internal Revenue Service (IRS) Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel's Joint Committee Project Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas, and suggestions to improve customer service at the Internal Revenue Service. This meeting will be held as a virtual video conference via the Microsoft Teams platform.

DATES: The meeting will be held Thursday, August 28, 2025, at 2:00 p.m. Eastern Time.

FOR FURTHER INFORMATION CONTACT: Rosalind Matherne at 1–888–912–1227, 202–317–4115, or by email at *taxpayer.advocacy.panel@irs.gov.*

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988), that an open meeting of the Taxpayer Advocacy Panel Joint Committee Project Committee will be held on Thursday, August 28, 2025, at 2:00 p.m. Eastern Time.

The public is invited to attend the meeting virtually, or by phone, and may provide oral comments or submit written statements for consideration. Due to meeting structure and time limitations, advance registration is required to attend or make public comments during the meeting. To register and receive meeting access information, please contact Rosalind Matherne at the contact information above no later than Thursday, August 21, 2025.

Meeting materials, including the agenda and any handouts, will be made available prior to the meeting at *www.improveirs.org.*

The agenda will include a committee discussion of new and continuing issues and other activities related to the new TAP year.

Dated: July 1, 2025.

John A. Lipold,

Designated Federal Official, Taxpayer Advocacy Panel.

[FR Doc. 2025–14085 Filed 7–24–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF VETERANS AFFAIRS

Annual Pay Ranges for Physicians, Dentists, and Podiatrists of the Veterans Health Administration (VHA)

AGENCY: Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: VA is hereby giving notice of annual pay ranges, which is the sum of the base pay rate and market pay for VHA physicians, dentists, and podiatrists as prescribed by the Secretary for Department-wide applicability. These annual pay ranges are intended to enhance the flexibility of the Department to recruit, develop, and retain the most highly qualified providers to serve the Nation's veterans and maintain a standard of excellence in the VA health care system.

DATES: Annual pay ranges are applicable beginning on October 5, 2025.

FOR FURTHER INFORMATION CONTACT: James Tolley, Veterans Health Administration, (843) 864–3630.

SUPPLEMENTARY INFORMATION: Under 38 U.S.C. 7431(e)(1)(A), not less often than once every 2 years, the Secretary must prescribe for Department-wide applicability the minimum and maximum amounts of annual pay that may be paid to VHA physicians, dentists, and podiatrists. 38 U.S.C. 7431(e)(1)(B) allows the Secretary to prescribe separate minimum and maximum amounts of annual pay for a specialty or assignment. Pursuant to 38 U.S.C. 7431(e)(1)(C), amounts prescribed under paragraph 7431(e) shall be published in the **Federal Register** and shall not take effect until at least 60 days after date of publication.

In addition, under 38 U.S.C. 7431(e)(4), the total amount of compensation paid to a physician, dentist, or podiatrist cannot exceed, in any year, the amount of annual compensation (excluding expenses) of the President. For the purposes of subparagraph 7431(e)(4), ''the total amount of compensation'' includes base pay, market pay, performance pay, and fee basis earnings, but excludes recruitment, relocation, and retention incentives [1] and incentive awards for performance and special contributions from total compensation calculations.

[1] In accordance with Title IX, Section 906 of the ''Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics (PACT) Act of 2022'' (Pub. L. 117–168 dated August 10, 2022), recruitment, relocation, and retention incentives, along with performance awards, shall not be considered in calculating the limitation under 38 U.S.C. 7431(e)(4).

Background

On December 3, 2004, the President signed the ''Department of Veterans Affairs Health Care Personnel Enhancement Act of 2004'' (Pub. L. 108–445). The major provisions of the law established a new pay system for VHA physicians and dentists consisting of base pay, market pay, and performance pay. While the base pay component is set by statute, market pay is intended to reflect the recruitment and retention needs for the specialty or assignment of a particular physician or dentist at a facility. Further, performance pay is intended to recognize the achievement of specific goals and performance objectives prescribed annually. These three components create a system of pay that is driven by both market indicators and employee performance, while recognizing employee tenure in VHA.

On April 8, 2019, the President signed Public Law 116–12, which amended 38 U.S.C. 7431 to include podiatrists within the physician and dentist pay system, authorizing podiatrists to receive base pay, market pay, and performance pay. With the amendment, podiatrists are also subject to the same limitations and requirements as physicians and dentists under section 7431.

Regarding the pay tables for physicians, dentists, and podiatrists, VA will be making changes to the maximum amounts for pay table 1, adding a tier to pay table 2, increasing the minimum and maximum ranges for pay table 3, and removing a tier in pay table 3.

Discussion

VA identified and utilized salary survey data sources which most closely represent VA comparability in the areas of practice setting, employment environment, and hospital/health care system. The Gallagher 2023 Physician Compensation and Production Survey, Mercer 2023 U.S. Integrated Health Networks Physician Practices/Outpatient Facilities, and Sullivan Cotter 2023 Physician Compensation and Productivity Survey report were collectively utilized as benchmarks from which to prescribe annual pay ranges across the scope of assignments/specialties within the Department.

In constructing annual pay ranges to accommodate the more than 40 specialties that currently exist in the VA system, VA continued the practice of grouping specialties into consolidated pay ranges. This allows VA to use multiple sources that yield a high number of salary data which helps to minimize disparities and aberrations that may surface from data involving smaller numbers for comparison and from sample change from year to year. Thus, by aggregating multiple survey sources into like groupings, greater confidence exists that the average compensation reported is truly representative. In addition, aggregation of data provides for a large enough sample size and provides pay ranges with maximum flexibility for pay setting for VHA physicians, dentists, and podiatrists.

In developing the annual pay ranges, a few distinctive principles were factored into the compensation analysis of the data. The first principle is to ensure that both the minimum and maximum salary is at a level that accommodates special employment situations, from fellowships and medical research career development awards to Nobel Laureates, high-cost areas, and internationally renowned clinicians. The second principle is to provide ranges large enough to accommodate career progression, geographic differences, sub-specialization, and other special factors.

Clinical specialties were reviewed against available, relevant private sector data. The specialties are grouped into two clinical pay ranges that reflect comparable complexity in salary, recruitment, and retention considerations. The Steering Committee recommends adding new and realigning existing specialties to different clinical pay ranges, as well as changes to the maximum pay ranges.

Tier level	Minimum	Maximum
Pay Table 1—Clinical Specialty		
Tier 1	$121,000	$315,000
Tier 2	145,000	335,000
Tier 3	165,000	350,000

Pay Table 1—Covered Clinical Specialties

Allergy and Immunology; Endocrinology; Endodontics; Family Medicine; General Practice—Dentistry; Geneticist; Geriatrics; Health Informatics; Hospital Epidemiology; Hospitalist; Infectious Diseases; Internal Medicine; Neurology; Palliative Care; Periodontics; Physician Medicine and Rehabilitation/Spinal Cord Injury; Podiatry (General); Preventive Medicine; Primary Care; Prosthodontics; Psychiatry; Rheumatology; Urgent Care; All other specialties or assignments.

Pay Table 2—Clinical Specialty		
Tier 1	$115,587	$400,000
Tier 2	200,000	400,000
Tier 3	225,000	400,000

Tier level	Minimum	Maximum

Pay Table 2—Covered Clinical Specialties

Anesthesiology; Cardiology; Critical Care; Dermatology and MOHS Dermatology; Emergency Medicine; Gastroenterology; Gynecology; Health Informatics; Hematology—Oncology; Nephrology; Neurosurgery; Nuclear Medicine; Ophthalmology; Oral Surgery; Otolaryngology; Pain Management; Pathology—Clinical and Anatomic; Podiatry (Surgery-Forefoot, Rearfoot/Ankle, Advanced Rearfoot/Ankle); Pulmonary; Radiology; Radiation Oncology; Sleep Medicine; Surgery—Cardio-thoracic, General, Hand, Neuro, Orthopedic, Plastic, Thoracic, Transplant, and Vascular; Urology.

Pay Table 3

Tier 1	$220,000	$400,000
Tier 2	200,000	400,000
Tier 3	180,000	375,000

Pay Table 3—Covered Assignments

Recommendation is to remove Tier 4—Associate Chief of Staff.

Tier 1—Network Chief Medical Officer.

Tier 2—Chief of Staff.

Tier 3—Deputy Network Chief Medical Officer and Deputy Chief of Staff.

Pay Table 4—Executive Assignments

No discussions took place regarding Pay Table 4.

Tier 1	$145,000	$310,000
Tier 2	145,000	295,000
Tier 3	145,000	285,000

Pay Table 4—Covered Assignments

Deputy Under Secretary for Health; Assistant Under Secretaries for Health; Associate Deputy Under Secretary for Health; Assistant Deputy Under Secretary for Health; Chief Officers (VHA Central Office (CO)); Network Directors; Medical Center Directors; Executive Directors (VHA CO); Deputy to the Assistant Under Secretaries for Health; Chief Consultants (VHA CO); Deputy Chief Officers (VHA CO); Deputy Network Directors; Deputy Medical Center Directors; Deputy Chief Consultants (VHA CO); Deputy to the Executive Directors (VHA CO); VHA CO physicians, dentists, or podiatrists (non-Senior Executive Service equivalents) with an administrative/executive role for more than 50% of their full time equivalent.

Signing Authority

Douglas A. Collins, Secretary of Veterans Affairs, approved and signed this document on July 22, 2025, and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs.

Taylor N. Mattson,

Alternate Federal Register Liaison Officer, Department of Veterans Affairs.

[FR Doc. 2025–14052 Filed 7–24–25; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0894]

Agency Information Collection Activity Under OMB Review: Program of Comprehensive Assistance for Family Caregivers (PCAFC) Decision Appeal Form

AGENCY: Veterans Health Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995, this notice announces that the Veterans Health Administration (VHA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden, and it includes the actual data collection instrument.

DATES: Comments and recommendations for the proposed information collection should be sent by August 25, 2025.

ADDRESSES: To submit comments and recommendations for the proposed information collection, please type the following link into your browser: *www.reginfo.gov/public/do/PRAMain,* select ''Currently under Review—Open for Public Comments,'' then search the list for the information collection by Title or ''OMB Control No. 2900–0894.''

FOR FURTHER INFORMATION CONTACT: VA PRA information: Dorothy Glasgow, 202–461–1084, *VAPRA@va.gov*.

SUPPLEMENTARY INFORMATION:

Title: Program of Comprehensive Assistance for Family Caregivers (PCAFC) Decision Appeal Form (VA Form 10–306).

OMB Control Number: 2900–0894. *https://www.reginfo.gov/public/do/PRASearch*.

Type of Review: Revision of a currently approved collection.

Abstract: The Caregivers and Veterans Omnibus Health Services Act of 2010 (Pub. L. 111–163) enacted 38 U.S.C. 1720G, which directed the Department of Veterans Affairs (VA) to establish a Program of Comprehensive Assistance for Family Caregivers (PCAFC) and a Program of General Caregiver Support Services (PGCSS). VA's regulations implementing PCAFC and PGCSS are in 38 CFR part 71. Both programs are managed by VA's Caregiver Support Program (CSP) Office. On June 06, 2018, the President signed into law the John S. McCain III, Daniel K. Akaka, and Samuel R. Johnson VA Maintaining Internal Systems and Strengthening Integrated Outside Networks Act of 2018 or the VA MISSION Act 2018 (Pub. L. 115–182). The VA MISSION Act of 2018 expanded the PCAFC to Family Caregivers of eligible Veterans of all eras in a phased approach, established new benefits for Primary Family Caregivers of eligible Veterans, and made other changes affecting program eligibility and VA's evaluation of PCAFC applications.

Since program inception, Veterans and caregivers who disagree with a PCAFC decision were afforded the right to appeal through the Veterans Health Administration (VHA) Clinical Appeals Process. A 2021 Court ruling in the case of *Jeremy Beaudette & Maya Beaudette* v. *Denis McDonough, Secretary of Veterans Affairs* changed the appeal and review options available to individuals who have received a PCAFC decision and disagree with that decision. In that case, the U.S. Court of Appeals for Veterans Claims ruled in favor of petitioners seeking review by the Board of Veterans' Appeals (BVA or Board) of decisions under the PCAFC. As a result of the Court's ruling, BVA review is now available to individuals who have received a decision under the PCAFC since the program began in May 2011. Consequently, VA expanded options available to Veterans and caregivers who seek review of or to appeal a PCAFC decision.

The options include a separate appeals process (legacy) that must be used to appeal to the Board regarding PCAFC decisions issued before February 19, 2019. The legacy process is implemented through use of VA Form 10–306, which allows Veterans and caregivers to request information about past PCAFC decisions to determine whether they wish to pursue an appeal to the Board or request review. VA projects the submission of a lower number of 10–306 forms going forward because the annual number of requests following the court decision has been decreasing over time. CSP is discontinuing VA Form 10–307, which previously was included in this collection, as the form is no longer necessary and will become obsolete.

There is a commensurate decrease in the burden hours for this collection due to the discontinuance and removal of VA Form 10–307 and the anticipated decrease in the number of 10–306 forms that will be received annually by VA.

VA received two public comments on the 60-day notice published in the **Federal Register**. The comments did not directly address the information collected in VA Form 10–306 for inquiries related to past PCAFC decisions. VA provided responses to these comments but will not make any changes to the information collection as a result of the comments.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published at 90 FR 22163, May 23, 2025.

Affected Public: Individuals or Households.

Estimated Annual Burden: 12,500 hours.

Estimated Average Burden per Respondent: 15 minutes.

Frequency of Response: Once annually.

Estimated Number of Respondents: 50,000.

Authority: 44 U.S.C. 3501 *et seq.*

Dorothy Glasgow,

Acting, VA PRA Clearance Officer, Office of Enterprise and Integration, Data Governance Analytics, Department of Veterans Affairs.

[FR Doc. 2025–14099 Filed 7–24–25; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0086]

Agency Information Collection Activity: Request for a Certificate of Eligibility

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: Veterans Benefits Administration, Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before September 23, 2025.

ADDRESSES: Comments must be submitted through *www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: *Program-Specific information:* Kendra McCleave, 202–461–9760, *Kendra.Mccleave@va.gov.*

VA PRA information: Dorothy Glasgow, 202–461–1084, *VAPRA@va.gov.*

SUPPLEMENTARY INFORMATION: Under the PRA of 1995, Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, insert admin acronym (*example:* VBA) invites comments on: (1) whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology. The revision due to a decrease in the burden hours from the previous submissions.

Title: Request for a Certificate of Eligibility.

OMB Control Number: 2900–0086. https://www.reginfo.gov/public/do/PRASearch (Once at this link, you can enter the OMB Control Number to find the historical versions of this Information Collection).

Type of Review: Revision of a currently approved collection.

Abstract: VA Form 26–1880 is used by VA to determine an applicant's eligibility for Loan Guaranty benefits, and the amount of entitlement available. This form is also used in restoration of entitlement cases. The buyer must also meet the occupancy and income and credit requirements of the law. The restoration of an entitlements is not automatic; an applicant must apply for it by completing VA Form 26–1880. The Secretary is required by 38 U.S.C. 3702 (a), (b), and (c) to determine the applicant's eligibility for Loan Guaranty benefits, compute the amount of entitlement, and document the certificate with the amount and type of guaranty used and the amount, if any, remaining. In addition, adjustments were made to the burden hours from the previous submission, due to a decrease in the applications and the removal of the electronic COE requests that are automatically issued that do not require the completion or collection of VA Form 26–1880. The reduction in applications is attributed to the amount of electronic service documentation available and market conditions that has led to a small decrease in benefit usage.

Affected Public: Individuals and households.

Estimated Annual Burden: 90,625 hours.

Estimated Average Burden per Respondent: 15 minutes.

Frequency of Response: 1 Time per loan.

Estimated Number of Respondents: 362,500 annually.

Authority: 44 U.S.C. 3501 *et seq.*

Dorothy Glasgow,

Acting, VA PRA Clearance Officer, Office of Enterprise and Integration/Data Governance Analytics, Department of Veterans Affairs.

[FR Doc. 2025–14102 Filed 7–24–25; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0864]

Agency Information Collection Activity: Post Separation Transition Assistance Program (TAP) Assessment Survey

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: Veterans Benefits Administration, Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice.

DATES: Comments must be received on or before September 23, 2025.

ADDRESSES: Comments must be submitted through *www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT:

Program-Specific information: Kendra McCleave, (202) 461–9568, *Kendra.McCleave@va.gov.*

VA PRA information: Dorothy Glasgow, 202–461–1084, *VAPRA@va.gov.*

SUPPLEMENTARY INFORMATION: Under the PRA of 1995, Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Post Separation Transition Assistance Program (TAP) Assessment Survey.

OMB Control Number: 2900–0864.

Type of Review: Revision of a currently approved collection.

Abstract: The PSTAP Assessment is administered by VA to assess how the TAP training for Transitioning Service members (TSMs) prepares Veterans for civilian life and its effects on long-term Veteran outcomes. This information collection request (ICR) is conducted once per year and is designed as two separate collections which include a Cross-Sectional Survey and a Longitudinal Survey. The survey population for the Cross-Sectional Survey includes all Veterans who meet the criteria at the time of fielding of having separated from the military at six months, one year, and three years prior to the date that surveys. Service members who participated in the Cross-Sectional Survey and voluntarily agreed to participate in the Longitudinal Survey make up the Longitudinal Survey population. VA will use email and mail methods to administer the survey, reducing the burden on respondents. The surveys are necessary to gauge the long-term effectiveness of the Transition Assistance Program (TAP) by: (1) examining the relationship between attendance in TAP courses and the use of VA Benefits; (2) analyzing the effect of participation in TAP courses on the long-term outcomes of Veterans in the broad life domains of employment, education, health and social relationships, financial, social connectivity and overall satisfaction and well-being, and; (3) identifying areas of improvement for TAP and the broader transition process to guide training and/or operational activities aimed at enhancing the quality of service provided to transitioning service members, Veterans, their families and caregivers.

The National Defense Authorization Act (NDAA) for Fiscal Year 2019 mandated several changes to TAP. In addition, Section 4305 of the Veterans Health Care and Benefits Improvement Act of 2020 (hereafter referred to as Public Law 116–315) calls for a one-year independent assessment of TAP. Section 4306 of Public Law 116–315 calls for a five-year longitudinal study on three cohorts of Veterans to assess changes to TAP under the Fiscal Year 2019 NDAA and changes based on the independent assessment under Section 4305 and provide annual progress reports and a final report. The Section 4306 Study will analyze the outcomes between Veterans who attended TAP before and after changes to the program. Both the PSTAP Assessment and Section 4306 Study are included in this current ICR because some Veterans in the PSTAP Study were also selected for the Section 4306 Study cohorts. A single survey instrument collects the information needed for both studies, so Veterans are not contacted twice. This reduces burden while ensuring both studies collect the data required to meet Congressional and Government requirements.

Affected Public: Individuals.

Estimated Annual Burden: 9,582 hours.

Estimated Average Burden per Respondent: 18.5 minutes.

Frequency of Response: Annual.

Estimated Number of Respondents: 31,075.

Authority: 44 U.S.C. 3501 *et seq.*

Dorothy Glasgow,

Acting, VA PRA Clearance Officer, Office of Enterprise and Integration, Data Governance Analytics, Department of Veterans Affairs.

[FR Doc. 2025–14059 Filed 7–24–25; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0003]

Agency Information Collection Activity: Application for Burial Benefits (Under 38 U.S.C. Chapter 23)

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: Veterans Benefits Administration, Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish a notice in the **Federal Register** concerning each proposed collection of information, including each proposed revision of a currently approved collection, and allow 60 days for public comment in response to the notice.

DATES: Comments must be received on or before September 23, 2025.

ADDRESSES: Comments must be submitted through *www.regulations.gov*

FOR FURTHER INFORMATION CONTACT:

Program-Specific information: Kendra McCleave, 202–461–9568, *kendra.mccleave@va.gov.*

VA PRA information: Dorothy Glasgow, 202–461–1084, *VAPRA@va.gov.*

SUPPLEMENTARY INFORMATION: Under the PRA of 1995, Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, Veterans Benefits Administration (VBA) invites comments on: (1) whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology. The respondent burden has not changed.

Title: Application for Burial Benefits (Under 38 U.S.C. Chapter 23) VA Form 21P–530EZ.

OMB Control Number: 2900–0003. *https://www.reginfo.gov/public/do/PRASearch* (Once at this link, you can enter the OMB Control Number to find the historical versions of this Information Collection).

Type of Review: Revision of a currently approved collection.

Abstract: The VA Form 21P–530EZ gathers the necessary information to determine eligibility for VA burial benefits, including the burial allowance, plot or interment allowance, and transportation reimbursement. This is a substantive change due to the form receiving a significant update.

Affected Public: Individuals and households.

Estimated Annual Burden: 66,028 hours.

Estimated Average Burden per Respondent: 30 minutes.

Frequency of Response: One time.

Estimated Number of Respondents: 132,055.

Authority: 44 U.S.C. 3501 *et seq.*

Dorothy Glasgow,

Acting, VA PRA Clearance Officer, Office of Enterprise and Integration/Data Governance Analytics, Department of Veterans Affairs.

[FR Doc. 2025–14103 Filed 7–24–25; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

Special Medical Advisory Group, Amended Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under the Federal Advisory Committee Act, 5 U.S.C. Ch. 10, that the Special Medical Advisory Group (the Committee) will meet on Tuesday, August 5, 2025, from approximately 8:00 a.m. to 5:30 p.m. Eastern Standard Time (EST), at the Department of Veterans Affairs Central Office, 810 Vermont Avenue NW, (Conference Rooms 830 (primary) and 823 (secondary) in Washington, DC 20420.

The purpose of the Committee is to advise the Secretary of Veterans Affairs and the Under Secretary for Health on the care and treatment of Veterans.

Members of the Committee and Veterans Health Administration (VHA) Leadership may join in person or virtually. The public will only be able to attend virtually. The meeting is open to the public, except when the Committee breaks for lunch between approximately 12:40 p.m. and 1:10 p.m. EST.C

The meeting can be joined by phone at 404–397–1596 (Access code: 28287784540) and via Webex at: *https://veteransaffairs.webex.com/veteransaffairs/j.php?MTID=m60543e870299a71344ca0d068776121b.*

Please contact the point of contact below for assistance connecting.

On August 5, 2025, the agenda for the meeting will include discussions on strategies for improved suicide prevention, ending homelessness, improved direct patient care, utilization of community care, and federal electronic health record deployment. The meeting includes time reserved for live public comment from 1:10 p.m. to 1:40 p.m. EST. Each individual commenter will be given a maximum of five minutes to express their comments. The comment period may end sooner, if there are no comments presented or they are exhausted before the end time.

Members of the public may submit written statements for review by the Committee to: Department of Veterans Affairs, Special Medical Advisory Group—Office of Under Secretary for Health (10), Veterans Health Administration, 810 Vermont Avenue NW, Washington, DC 20420, or by email at *VASMAGDFO@va.gov.* Comments will be accepted until the closure of business on Tuesday, July 22, 2025.

Any member of the public wishing to attend the meeting or seeking additional information should email *VASMAGDFO@va.gov* or call 785–817–2529.

Dated: July 23, 2025.

Jelessa M. Burney,

Federal Advisory Committee Management Officer.

[FR Doc. 2025–14039 Filed 7–24–25; 8:45 am]

BILLING CODE 8320–01–P

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