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DEPARTMENT OF JUSTICE

Executive Office for Immigration Review

8 CFR Parts 1001, 1003, 1208, and 1240

[Dir. Order No. 02–2025]

RIN 1125–AA77

Designation of Temporary Immigration Judges

AGENCY: Executive Office of Immigration Review (“EOIR”), Department of Justice.

ACTION: Final rule.

SUMMARY: This final rule aligns the regulatory requirements for candidates for Temporary Immigration Judge (“TIJ”) appointments to mirror the regulatory requirements for permanent Immigration Judge (“IJ”) appointments, thus allowing the Attorney General and Director of EOIR to select TIJs from a larger pool of well-qualified candidates. Additionally, the Department of Justice (“the Department” or “DOJ”) is making various technical and non-substantive changes to its regulations.

DATES: This rule is effective August 28, 2025.

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

SUPPLEMENTARY INFORMATION:

I. Legal Authority

The Department issues this rule pursuant to section 103(g) of the Immigration and Nationality Act (“INA” or “the Act”), 8 U.S.C. 1103(g), as amended by the Homeland Security Act of 2002 (“HSA”), Public Law 107–296, 116 Stat. 2135 (as amended). The HSA provides that EOIR exists within the Department and that it shall be “subject to the direction and regulation of the Attorney General” under section 103(g)

of the INA, 8 U.S.C. 1103(g). Further, under the HSA, the Attorney General retains authority to “establish such regulations, . . . issue such instructions, review such administrative determinations in immigration proceedings, delegate such authority, and perform such other acts as the Attorney General determines to be necessary for carrying out” the Attorney General’s authorities under the INA. HSA 1102(g)(2), 116 Stat. at 2274; INA 103(g)(2), 8 U.S.C. 1103(g)(2). Those authorities include conducting removal proceedings under section 240 of the INA, 8 U.S.C. 1229a (“section 240 removal proceedings”). Furthermore, in Attorney General Order Number 6260–2025, the Attorney General has exercised her authority under 28 U.S.C. 509 and 510 to delegate her authority to issue regulations related to immigration matters within the jurisdiction of EOIR to EOIR’s Director.

II. Background

EOIR administers the Nation’s immigration court system. Cases generally commence before an IJ after the Department of Homeland Security (“DHS”) files a charging document with the immigration court. *See* 8 CFR 1003.14(a). EOIR primarily decides whether aliens who are charged by DHS with violating immigration law pursuant to the INA should be ordered removed from the United States or should be granted relief or protection from removal and be permitted to remain in the United States. EOIR’s Office of the Chief Immigration Judge administers these adjudications in immigration courts nationwide.

Until 2025, the immigration court system faced an ever-growing backlog of pending cases. A November 2024 report by the Congressional Research Service found that this backlog “has grown each year since [fiscal year (“FY”)] 2006 and has ballooned in recent years,” reaching “1 million [pending cases] for the first time in FY2019” and “nearly 2.5 million at the end of FY2023.” Holly Straut-Eppsteiner, Cong. Rsch. Serv., IN12463, *Immigration Courts: Decline in New Cases at the End of FY2024* 1 (2024). This backlog peaked at approximately 4.1 million cases in January 2025. *See* EOIR, *Pending Cases, New Cases, and Total Completions—Last 12 Months* (Aug. 4, 2025), <https://www.justice.gov/eoir/media/1344796/>

dl?inline [https://perma.cc/2XYE-EG8R].

Effective November 1, 2028, EOIR will be authorized to employ “not more than 800 immigration judges, along with the necessary support staff.” *See* One Big Beautiful Bill Act, Public Law 119–21, sec. 100054(1)(B), 139 Stat. 72 (2025).

To assist with the immigration courts’ substantial caseload, the EOIR Director (“Director”), with the approval of the Attorney General, may designate or select TIJs, which have the authority of an IJ to adjudicate assigned cases and administer immigration court matters. 8 CFR 1003.10(e). Prior to this final rule, individuals eligible to be designated as TIJs were limited to former IJs and Appellate Immigration Judges, EOIR administrative law judges (“ALJs”) ¹ or ALJs retired from EOIR, ALJs from other Executive Branch agencies with the consent of their agencies, and Department attorneys with at least 10 years of legal experience in the field of immigration law. *Id.* The regulatory provision authorizing TIJs, 8 CFR 1003.10(e), was added through an interim final rule (“IFR”) with a request for comments in 2014. *See* Designation of Temporary Immigration Judges, 79 FR 39953 (July 11, 2014) (“2014 TIJ IFR”). The Department received 17 public comments on that IFR.

On May 29, 2024, the Department finalized a proposed rule that added a new regulatory definition of the term “noncitizen” to be used in place of the statutory term “alien” and added a new regulatory definition of the term “unaccompanied child” to be used in place of the statutory term “unaccompanied alien child,” as defined at 6 U.S.C. 279(g)(2). *See* Efficient Case and Docket Management in Immigration Proceedings, 89 FR 46742 (May 29, 2024) (“ECDM Final Rule”).

III. Public Comments and Responses on the 2014 TIJ IFR

Comments received on the 2014 TIJ IFR are organized by topic below. Most commenters were supportive of the IFR, stating, for example, that appointing TIJs will greatly assist with managing

¹ EOIR’s Office of the Chief Administrative Hearing Officer currently employs four ALJs to hear cases arising under sections 274A, 274B, and 274C of the INA, 8 U.S.C. 1324a, 1324b, 1324c. *See* EOIR, *Meet the Administrative Law Judges* (Oct. 10, 2023), <https://www.justice.gov/eoir/meet-administrative-law-judges> [https://perma.cc/V4NU-H6LQ].

the border and lower the case loads of permanent IJs. In contrast, commenters opposing the rule primarily raised concerns about the ability of certain Department attorneys to be impartial or opposed spending additional taxpayer money to hire more IJs. Commenters generally provided proposals for types of attorneys that should or should not be allowed to serve as TIJs and policies EOIR should adopt with respect to training and compensation as well as the regulations governing the use of other agencies' ALJs. The Department addresses these comments below.

A. General Support

Comments: Many commenters generally supported the Department's decision to allow for the appointment of TIJs, stating, for example, that the appointment of TIJs "will be of great help" given that the immigration courts have "more cases before them than ever before." Commenters also asserted that appointing TIJs is not a substitute for hiring more permanent IJs.

Response: The Department agrees with the goal of the 2014 TIJ IFR but, as stated below in Section IV of this preamble, its requirements for TIJs limited the IFR's effectiveness. The Department does not view its authority to appoint TIJs as a substitute for hiring to fill permanent IJ positions and continues to recruit candidates to fill permanent IJ positions.

B. Proposed Regulatory Changes

Comments: Many commenters proposed changes to the regulation's limitations on who may be appointed as a TIJ. Most such commenters asserted that the requirements were too narrow and may restrict the Department's ability to fill the TIJ positions with qualified applicants. Commenters proposed various amendments to the provisions setting forth the TIJ requirements, such as expanding the candidate pool to non-DOJ attorneys with 7 years of immigration law experience, to all former government employees with 10 years of immigration law experience, to all Federal administrative judges regardless of years of experience, or to all Department attorneys with 7, or even 5, years of immigration law experience. Other commenters proposed narrowing the pool, such as to former EOIR adjudicators, out of concern that those without prior experience would drain training resources or by excluding Department attorneys from specific offices the commenter viewed as hostile to aliens.

Response: As explained in Section IV of this preamble, the Department agrees

with commenters that the 2014 TIJ IFR's requirements for TIJs were too narrow and impeded the Department's ability to use the TIJ authority to the extent needed. Rather than adopt different benchmarks by regulation, the Department has decided to adopt the same approach that it has long taken for permanent IJs—that is, require by regulation that they be attorneys but leave the specific criteria to internal policy.² See 8 CFR 1003.10(a). This will allow the Department flexibility in TIJ hiring choices similar to those the Department has for hiring permanent IJs. To the extent commenters cast doubt on the ability of Department attorneys to serve as neutral arbiters and thus question whether they should be allowed to serve as TIJs, the Department disagrees with such unsupported accusations. Regardless, as explained in Section IV of this preamble, the Department will consider each candidate on a case-by-case basis to determine their fitness to serve as TIJs.

Comments: Commenters recommended changes to the IFR with respect to its duration and scope. Commenters proposed placing a limit on the total length of a TIJ's service, such as, for example, one year. Other commenters proposed that the rule should sunset once the need for TIJs abates. Commenters also proposed that the rule place a cap on the number of allowable TIJs.

Response: The Department declines to adopt any limitations on the number of extensions of the six-month periods or otherwise cap the length of a temporary appointment. Other statutes and regulations govern the duration of certain types of appointments as will home agency preferences. Given the statutory and regulatory frameworks within which the Department operates, the Department does not expect TIJs to serve for extended periods necessitating any specific limitation. Similarly, the Department declines to limit the number of TIJs in the regulation or have the regulation sunset. Not only does the Department believe it unwise to place a cap or adopt an expiration date that could impede its ability to respond to unforeseen circumstances requiring the use of TIJs, but EOIR's ability to appoint TIJs will be limited by other forces, such

² Importantly, that approach mirrors the INA, which requires only that IJs be "attorney[s] whom the Attorney General appoints as [] administrative judge[s] within [EOIR], qualified to conduct specified classes of proceedings, including" section 240 removal proceedings and who "shall be subject to such supervision and shall perform such duties as the Attorney General shall prescribe, but shall not be employed by the Immigration and Naturalization Service." INA 101(b)(4), 8 U.S.C. 1101(b)(4).

as appropriations and other pre-employment processing requirements. Accordingly, the Department does not believe it prudent to arbitrarily limit by regulation its ability to use TIJs.

Comments: Commenters recommended that the regulations state the training required for TIJs and proposed that such training be in person and that all TIJs be provided mentor judges. Commenters also stated that TIJs should be required to have all the training required to be a permanent IJ.

Response: The Department declines to adopt regulatory changes in response to these comments. The training for permanent IJs is not currently set by regulation. Like the experience requirements for TIJ candidates, the Department prefers not to codify a specific training program to ensure continued flexibility. Regardless, EOIR maintains a dynamic training program for IJs that includes extensive classroom-based training and on-the-job training. See EOIR, *Fact Sheet: Executive Office for Immigration Review Immigration Judge Training* (June 2022), <https://www.justice.gov/eoir/page/file/1513996/dl?inline> [<https://perma.cc/6GZS-EDRY>]. Moreover, TIJs will receive the same "comprehensive, continuing training and support" by EOIR. 8 CFR 1003.0(b)(1)(vii); see also 8 CFR 1003.10(e)(3) ("The Chief Immigration Judge shall ensure that each [TIJ] has received a suitable level of training to enable the [TIJ] to carry out the duties assigned.").

C. Other Comments

Comments: Many commenters discussed the use of ALJs from other agencies. Commenters recommended that EOIR ensure that other-agency ALJs retain their decisional independence upon return to their home agencies, pay relocation costs and per diems, and assure that home agencies do not prevent ALJs from serving as TIJs once selected. Commenters recommended working with the Office of Personnel Management in accordance with specific statutes and regulations when seeking the assistance of other-agency ALJs. Commenters also recommended that the Department clarify a statement in the preamble of the 2014 TIJ IFR that "[t]he Assistant Chief Immigration Judge will be available as an additional source of assistance and guidance, and will be responsible for conducting periodic reviews of the temporary immigration judge's performance and reporting his or her findings to the Chief Immigration Judge." 79 FR 39955. Specifically, commenters recommended that the Department remove that statement from the preamble or otherwise ensure

consistency with 5 CFR 930.206(a), which states that “[a]n agency may not rate the job performance of an administrative law judge.” Commenters also recommended that ALJs be allowed to take on TIJ duties on a part-time basis while continuing to adjudicate cases for their home agency, reasoning that such an arrangement may make home agencies more amenable to their ALJs’ participation.

Response: The Department is amending 8 CFR 1003.10(e)(1) to add that appointment as a TIJ will be “subject to all applicable statutory and regulatory limitations on the temporary service.” The Department has followed all applicable statutes and regulations regarding the use of various types of attorneys as TIJs but nevertheless amends the regulation to make such compliance explicit. Given the various ways that candidates may be appointed to serve as TIJs—e.g., on detail from within the Department, on detail from other Departments, as special government employees under 18 U.S.C. 202(a)—and the various statutes and regulations that may apply depending on a specific TIJ’s circumstances—such as the specific provisions governing ALJs discussed by commenters—it is not practicable for the Department to set forth in this rule every potentially applicable statute and regulation governing all potential future situations. However, the Department will ensure that all statutory and regulatory requirements applicable to a given attorney are followed. Similarly, the Department will evaluate requests for part-time appointments on a case-by-case basis to ensure compatibility with applicable statutes and regulations and that such an arrangement would be in the best interests of EOIR.

Comments: Commenters stated that the working conditions for permanent IJs should not be negatively impacted by the hiring of TIJs and provided as examples that the agency should consider the term of an IJ when making location assignments, giving permanent IJs their desired work location when possible. Commenters also proposed that the Department study how support staff and technology resources may be taxed by the hiring of TIJs and consider hiring additional staff, detailing support staff from other components, or purchasing additional technology to accommodate TIJs.

Response: The Department is committed to ensuring sufficient resources for permanent IJs and TIJs to fulfill their duty of adjudicating cases expeditiously and impartially, consistent with the law. See EOIR, *About the Office: EOIR Mission* (May 29,

2025), <https://www.justice.gov/eoir/about-office> [<https://perma.cc/9XQ7-65DC>] (“The primary mission of . . . EOIR[] is to adjudicate immigration cases by fairly, expeditiously, and uniformly interpreting and administering the Nation’s immigration laws.”); EOIR Policy Manual, pt. I, ch. 1.2(a), <https://www.justice.gov/eoir/reference-materials/ic/chapter-1/2> [<https://perma.cc/P9BG-R3UT>] (last visited Aug. 26, 2025) (“Immigration Judges are tasked with resolving cases in a manner that is timely, impartial, and consistent with the Immigration and Nationality Act, federal regulations, and precedent decisions of the Board of Immigration Appeals and federal appellate courts.”). EOIR’s process for determining available location assignments for permanent IJs and TIJs is outside the scope of this rulemaking.

Comments: Commenters proposed that TIJs be rated more frequently than every two years due to their presumed lack of experience and the temporary nature of their positions.

Response: TIJs must be evaluated prior to any term extension. Because a TIJ’s term, whether initial or extended, may not exceed six months, every TIJ will be evaluated at least every six months.

Comments: Commenters recommended that EOIR allow for public analysis of the effectiveness of the rule and that EOIR should study whether the net effect of choosing certain TIJs for re-appointment increases the odds that an immigration court rules against aliens and post the results of that study.

Response: EOIR has studied the effect of the 2014 TIJ IFR over the past 10 years and has concluded that the IFR’s restrictions on the candidate pool prevented EOIR from using TIJs in the manner contemplated. EOIR has used fewer than a dozen TIJs despite a mushrooming backlog of cases, causing the Department to conclude that the 2014 TIJ IFR was unnecessarily restrictive, reduced the potential pool of TIJs too severely, and ultimately undermined the very purpose of the IFR. See 79 FR 39954 (“The Department believes that the designation of [TIJs] will provide an appropriate means of responding to the increasing pending caseload in the immigration courts.”). The Department will continue to evaluate the results of the TIJ appointment process, as required by 8 CFR 1003.10(e)(3). Furthermore, interested members of the public may analyze the effectiveness of the rule; EOIR does not place any restrictions on the public’s ability to do so.

Comments: Commenters proposed that the Department compensate TIJs generously.

Response: TIJs are compensated in accordance with applicable statutes and regulations.

IV. Amendments to Regulatory Requirements for TIJs

Having considered the comments received on the 2014 TIJ IFR and EOIR’s experience attempting to use TIJs under that IFR’s provisions, the Department has determined that amendments are necessary. Although EOIR has begun to reduce the backlog of cases at the immigration court level and will continue to hire permanent IJs up to its statutory cap of 800, it recognizes that the sheer size of the backlog means that it cannot be expeditiously resolved solely through new hiring. Rather, EOIR must mobilize all available resources to ensure that cases are adjudicated timely and impartially consistent with its statutory and regulatory directives. See 8 CFR 1003.10(b) (“In all cases, immigration judges shall seek to resolve the questions before them in a timely and impartial manner consistent with the Act and regulations.”). To that end, EOIR believes TIJs are an untapped resource whose presence would assist in resolving more cases in a timely and impartial manner, but whose availability is needlessly limited by regulatory restrictions that are both somewhat inconsistent and unnecessarily siloed in terms of relevant experience.

For example, under the current language of 8 CFR 1003.10(e), an ALJ who works at a Federal agency unrelated to immigration law and who may have fewer than 10 years of legal experience is eligible to serve as a TIJ, while a military or veterans appeals judge with a distinguished career, decades of legal experience, and a prior background in immigration law is not. Similarly, attorneys at agencies other than DOJ with many years of experience in immigration law are ineligible to serve as a TIJ unless they are currently ALJs. Non-Federal employees are categorically ineligible to serve as a TIJ, regardless of their credentials and even if they may be otherwise temporarily hired as special government employees under 18 U.S.C. 202(a). Given the continued need for qualified IJs and EOIR’s experience hiring successful permanent IJs from a diverse array of backgrounds, the Department has determined that the regulatory restrictions on selecting TIJs in 8 CFR 1003.10(e) do not serve the interests of the agency and needlessly restrict its

ability to retain superior temporary assistance in adjudicating cases.³

Consequently, to help further address its caseload and expand the pool of potential candidates to be TIJs, the Department is amending the applicable TIJ regulation to remove regulatory constraints that go beyond the regulatory constraints on permanent IJ hiring. This rule will enable the Director, with the approval of the Attorney General, to staff the immigration courts with a sufficient number of well-trained and highly qualified judges to further reduce and ultimately eliminate the backlog of pending cases.

Specifically, the Department is amending the TIJ provisions at 8 CFR 1003.10(e)(1) to permit the Director, with the approval of the Attorney General, to designate or select any attorney to serve as a TIJ for a renewable term not to exceed six months, subject to all statutory and regulatory limits on temporary service. This language matches the only regulatory requirement the Department places on the hiring of permanent IJs. *See* 8 CFR 1003.10(a) (“The immigration judges are attorneys whom the Attorney General appoints as administrative judges within the Office of the Chief Immigration Judge to conduct specified classes of proceedings, including hearings under section 240 of the Act.”); INA 101(b)(4), 8 U.S.C. 1101(b)(4). As with permanent IJ hiring, such language will provide the Department flexibility in setting the requirements for TIJ candidates.

The Department believes that the removal of categorical regulatory prohibitions is prudent to ensure that the Director and Attorney General may consider highly qualified candidates for TIJ appointments. For current Federal employees, the amendment removes

restrictions limiting the availability of TIJ appointments to only certain types of Federal administrative judges.⁴ The Department is no longer persuaded that allowing ALJs to serve as TIJs, but not military judges or other types of administrative judges who are not ALJs, is an appropriate restriction, particularly when many administrative judges perform similar functions—*e.g.*, presiding over hearings, receiving evidence, and making or recommending findings of fact and legal conclusions—regardless of their particular label.

Similarly, the Department no longer believes the restriction of TIJs to current Department employees with a threshold level of immigration law experience serves EOIR’s interests. Immigration law experience is not always a strong predictor of success as an IJ, and EOIR has hired individuals from other Federal agencies and Department components without prior immigration experience who have become successful and exemplary IJs. Further, there is no clear reason to prohibit individuals at other Federal agencies with stellar credentials—*e.g.*, Supreme Court clerkships or significant experience in high-salience, complex litigation—who are otherwise well-qualified from serving as TIJs solely because they lack a certain level of immigration experience or are not currently serving in the Department, neither of which is even a prerequisite to serve as a permanent IJ. Additionally, both TIJs and permanent IJs receive the same “comprehensive, continuing training and support” by EOIR. 8 CFR 1003.0(b)(1)(vii); *see also* 8 CFR 1003.10(e)(3) (“The Chief Immigration Judge shall ensure that each [TIJ] has received a suitable level of training to enable the [TIJ] to carry out the duties assigned.”), making the distinction in selection criteria between the two groups unnecessary.

In selecting TIJs, the Department will continue to look for the most qualified individuals overall with primary weight given to an applicant’s education and employment history. Further factors may carry additional weight, such as prior judicial or quasi-judicial service of any kind, service in State or Federal government, including trial or litigation experience, and immigration law experience. However, the Director and

Attorney General retain discretion to consider any other factors deemed relevant and to make selections.

In short, the need for assistance in fairly and efficiently adjudicating immigration cases has only increased since EOIR first adopted a plan to utilize TIJs in 2014. However, that original plan has proven largely ineffectual, requiring the agency to update it in order to ensure a more robust applicant pool to provide the assistance EOIR needs. The changes described above will provide the greatest degree of flexibility to ensure EOIR will be able to utilize highly qualified individuals as TIJs to meet its needs.

V. Other Amendments

This rule also rescinds certain non-substantive nomenclature changes implemented by the ECDM Final Rule. Specifically, this rule removes the defined terms “noncitizen” and “unaccompanied child” that were added by the ECDM Final Rule at § 1001.1(gg) and (hh), respectively. The ECDM Final Rule defined the term “noncitizen” to be synonymous with and to hold the same definition as the statutory term “alien” as defined at section 101(a)(3) of the INA, 8 U.S.C. 1101(a)(3). 89 FR 46778. Additionally, the ECDM Final Rule defined the term “unaccompanied child” to be synonymous with and hold the same definition as the statutory term “unaccompanied alien child” as defined at 6 U.S.C 279(g)(2). *Id.* at 46787.

The Department is now removing these definitions and the use of these terms from its regulations to avoid the confusion generated by introducing superfluous regulatory terms when there are statutory terms with the same meaning. The notice of proposed rulemaking preceding the ECDM Final Rule asserted that adding these terms would be “more consistent with current terminology usage.” Appellate Procedures and Decisional Finality in Immigration Proceedings; Administrative Closure, 88 FR 62242, 62273 (Sept. 8, 2023). To the contrary, the terms “noncitizen” and “unaccompanied child” are inconsistent with the current terminology usage embraced by Congress, as evidenced by the statutory terms defined in the INA and uniformly used throughout title 8 of the United States Code. *See generally* INA, 8 U.S.C. (using the term “alien” throughout and no examples of the term “noncitizen”). Congress reinforced this in January 2025, when Congress passed a bipartisan bill, signed into law by the President, which amends the INA to address the detention of “criminal aliens.” *See* Laken Riley Act, Public

³ Although the Department spelled out the specific regulatory restrictions in the 2014 TIJ IFR, it did not explain the basis for choosing those restrictions. *See* 79 FR 39954. Moreover, despite noting that EOIR “will generally employ the same selection criteria [for TIJs] . . . it applies with respect to the hiring of permanent immigration judges,” *id.*, the IFR did not acknowledge that the TIJ requirements—*i.e.*, either being a current or retired particular type of adjudicator or a Department attorney with 10 years of experience in immigration law—were significantly stricter than those for permanent IJs, for whom prior adjudicatory experience or knowledge of immigration law are not absolute requirements. Consequently, upon further consideration and with the benefit of over 10 years of experience in which EOIR utilized fewer than a dozen TIJs despite an increasing backlog of cases, the Department has determined that the requirements imposed by the 2014 TIJ IFR constrained the pool of potential TIJs too much to the point of undermining the goal of the IFR. *See id.* (“The Department believes that the designation of [TIJs] will provide an appropriate means of responding to the increasing pending caseload in the immigration courts.”).

⁴ EOIR’s experience with its retired adjudicators, only a handful of whom have indicated a willingness to return as either TIJs or rehired annuitants with limited workloads since the 2014 TIJ IFR was promulgated, indicates that pool is insufficient to address its TIJ needs. Consequently, although retired EOIR adjudicators remain eligible to serve as TIJs, the Department has removed the specific identification of those individuals as potential TIJs in the IFR.

Law 119–1, 139 Stat. 3 (2025); INA 236(c)(1)(E), 8 U.S.C. 1226(c)(1)(E).

Furthermore, the terms are also inconsistent with other Department-sanctioned terminology and recent EOIR guidance. See EOIR PM 25–07, *Cancellation of Policy Memorandum 21–27* (Jan. 29, 2025), <https://www.justice.gov/eoir/media/1387446/dl?inline> [<https://perma.cc/HU2H-V2TF>]. For example, the Criminal Division and the U.S. Attorneys' Offices continue to use template materials that use the word "alien" in indictments and complaints. *Id.* Additionally, the Department's Justice Manual, the principal policy manual for the Department, broadly continues to use the term "alien" instead of "noncitizen" and has not provided a standard definition for the latter term.⁵ Moreover, using the terms "noncitizen" and "unaccompanied child" adds inconsistency even within EOIR's regulations, as chapter V of the 8 CFR now sometimes refers to aliens as "noncitizens" and other times as "aliens." The terms "noncitizen" and "unaccompanied child" are also inconsistent with DHS regulations, which continue to use the term "alien." See generally 8 CFR Ch. I.

Further exacerbating the risk of confusion, the term "noncitizen" is not a precise synonym for the term "alien." The INA defines the term "alien" to mean a person who is neither a citizen nor a national of the United States. INA 101(a)(3), 8 U.S.C. 1101(a)(3). The term "noncitizen" does not recognize the full scope of people who are "aliens" because the term "noncitizen" includes "national[s] of the United States," which are those "who, though not [] citizen[s] of the United States, owe[] permanent allegiance to the United States." INA 101(a)(22), 8 U.S.C. 1101(a)(22). Thus, a plain language understanding of the term "noncitizen" is incongruous with its given definition in the ECDM Final Rule. Similarly, the term "unaccompanied alien child" has a specific statutory definition, see 6 U.S.C. 279(g)(2), that is not fully captured by the term "unaccompanied child." Indeed, caselaw shows that these imprecise terms do not in fact have a well-settled meaning, and their use risks creating confusion through imprecision,⁶ in addition to improperly suggesting that longstanding and well-

defined statutory terms are imbued with pejorative meaning. *Avilez v. Garland*, 69 F.4th 525, 544 (9th Cir. 2023) (Bea, J., concurring) ("Alien is a statutory word defining a specific class of individuals. And when used in its statutory context, it admits of its statutory definition[.]"); *Khan v. Garland*, 69 F.4th 265, 272 (5th Cir. 2023) (Ho, J., concurring) ("[I]n the context of immigration law, we use 'alien,' not to disparage one's character—or to denote one's planetary origin—but to describe one's legal status.").

By contrast, the term "alien" has a long-established usage and settled understanding. *Khan*, 69 F.4th at 272 (Ho, J., concurring) (describing the term "alien" as "a centuries-old legal term found in countless judicial decisions" dating back to the 1800s). The legal status of alienage is fundamental to EOIR's authority to exercise jurisdiction over an individual and is at the core of all proceedings, including findings of removability and orders of removal, as well as forms of eligibility for relief and protection from removal. The Department now determines that it is the most appropriate term to ensure that EOIR's regulations are clear, consistent, and legally precise.⁷

Lastly, the Department is replacing the term "Chairman" with "Chief Appellate Immigration Judge" and the term "Vice Chairman" with "Deputy Chief Appellate Immigration Judge" in 8 CFR 1003.1. This change is consistent with 8 CFR 1003.1(a)(2) and aligns more closely with the current terminology used by the Board of Immigration Appeals.⁸

VI. Regulatory Requirements

A. Administrative Procedure Act

This final rule is exempt from the requirements of prior notice and comment and a 30-day delay in effective date because it is a rule of agency organization, procedure, or practice and relates to agency management and personnel. See 5 U.S.C. 553(a)(2), (b)(A); 79 FR 39955 (stating that the 2014 TIJ IFR was exempt from 5 U.S.C. 553's notice-and-comment and delayed-effective-date provisions).⁹ More

specifically, the rule directly addresses a key personnel matter, the qualifications for appointment as a TIJ, as well as the agency's practices and management regarding appropriate language to use in conducting its day-to-day work. Additionally, there is good cause to forgo both notice and comment and a delayed effective date as to the terminology changes. Both are unnecessary because the rule merely brings EOIR's regulations back into alignment with statutorily defined terms.

B. Regulatory Flexibility Act

Under the Regulatory Flexibility Act ("RFA"), a regulatory flexibility analysis is not required when a rule is exempt from notice-and-comment rulemaking under 5 U.S.C. 553(b) or other law. See 5 U.S.C. 603(a), 604(a). Because, for the reasons discussed in Section VI.A of this preamble, this rule is exempt from notice-and-comment rulemaking, no RFA analysis is required.

C. Unfunded Mandates Reform Act of 1995

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

D. Executive Orders 12866 (Regulatory Planning and Review), 13563 (Improving Regulation and Regulatory Review), and 14192 (Unleashing Prosperity Through Deregulation)

This rule is limited to agency organization, management, or personnel matters and is therefore not subject to review by the Office of Management and Budget pursuant to section 3(d)(3) of Executive Order 12866 and section 5(b) of Executive Order 14192.

E. Executive Order 14294 (Overcriminalization of Federal Regulations)

Executive Order 14294 requires agencies promulgating regulations with criminal regulatory offenses potentially subject to criminal enforcement to explicitly describe the conduct subject

⁵ See, e.g., DOJ, Just. Manual § 9–21.410 (2025) ("Illegal Aliens"), <https://www.justice.gov/jm/jm-9-21000-witness-security#9-21.410> [<https://perma.cc/WX8N-S4LV>].

⁶ See EOIR PM 25–07, *Cancellation of Policy Memorandum 21–27* (Jan. 29, 2025), <https://www.justice.gov/eoir/media/1387446/dl?inline> [<https://perma.cc/HU2H-V2TF>].

⁷ This view has similarly been recognized by an EOIR Policy Memorandum. See EOIR PM 25–07, *Cancellation of Policy Memorandum 21–27* (Jan. 29, 2025), <https://www.justice.gov/eoir/media/1387446/dl?inline> [<https://perma.cc/HU2H-V2TF>].

⁸ EOIR, *Meet the Board of Immigration Appeals* (July 8, 2025), <https://www.justice.gov/eoir/board-of-immigration-appeals#board> [<https://perma.cc/LHB8-PVDU>] (using the terms "Chief Appellate Immigration Judge" and "Deputy Chief Appellate Immigration Judge").

⁹ Although it was also exempt from pre-promulgation notice-and-comment requirements,

EOIR nevertheless requested post-promulgation comments in the 2014 TIJ IFR "before the Department issues a final rule on these matters." 79 FR 39955. And although this final rule is similarly exempt from those notice-and-comment requirements, this final rule responds to the post-promulgation comments received on the 2014 TIJ IFR. See Section III of this preamble.

to criminal enforcement, the authorizing statutes, and the mens rea standard applicable to each element of those offenses. This rule does not promulgate a regulation potentially subject to criminal enforcement and is thus exempt from Executive Order 14924's requirements.

F. Executive Order 13132 (Federalism)

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

G. Executive Order 12988 (Civil Justice Reform)

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

H. Paperwork Reduction Act

The Paperwork Reduction Act of 1995, Public Law 104–13, does not apply to this rule because it does not impose new or revised recordkeeping or reporting requirements.

I. Congressional Review Act

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

List of Subjects

8 CFR Parts 1001 and 1003

Administrative practice and procedure, Immigration.

8 CFR Part 1208

Administrative practice and procedure, Aliens, Immigration, Reporting and recordkeeping requirements.

8 CFR Part 1240

Administrative practice and procedure, Aliens.

Accordingly, for the reasons set forth in the preamble, and by the authority vested in the Director, Executive Office for Immigration Review, by the Attorney General Order Number 6260–2025, the Department amends 8 CFR parts 1001, 1003, 1208, and 1240 as follows:

PART 1001—DEFINITIONS

- 1. The authority citation for part 1001 continues to read as follows:

Authority: 5 U.S.C. 301; 8 U.S.C. 1101, 1103; Pub. L. 107–296, 116 Stat. 2135; Title VII of Pub. L. 110–229.

§ 1001.1 [Amended]

- 2. Amend § 1001.1 by removing paragraphs (gg) and (hh).

PART 1003—EXECUTIVE OFFICE FOR IMMIGRATION REVIEW

- 3. The authority citation for part 1003 continues to read as follows:

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

§ 1003.1 [Amended]

- 4. Amend § 1003.1 by:
 - a. As shown in the following table, removing the words in the left column and adding in their place the words in the right column wherever they appear:

a noncitizen	an alien.
The noncitizen	The alien.
the noncitizen	the alien.
a noncitizen's	an alien's.
the noncitizen's	the alien's.

- b. As shown in the following table, removing the words in the left column and adding in their place the words in the right column wherever they appear in paragraphs (a)(3), (e), and (h):

Chairman	Chief Appellate Immigration Judge.
Vice Chairman	Deputy Chief Appellate Immigration Judge.

§ 1003.2 [Amended]

- 5. Amend § 1003.2 by, as shown in the following table, removing the words in the left column and adding in their place the words in the right column wherever they appear:

a noncitizen	an alien.
the noncitizen	the alien.
noncitizen's	alien's.

§ 1003.3 [Amended]

- 6. Amend § 1003.3 by, as shown in the following table, removing the words in the left column and adding in their

place the words in the right column wherever they appear:

a noncitizen	an alien.
the noncitizen	the alien.
noncitizens	aliens.

§ 1003.7 [Amended]

- 7. Amend § 1003.7 by removing the word “noncitizen” and adding in its place the word “alien”.
- 8. Amend § 1003.10 by:
 - a. In paragraph (b), removing the word “noncitizens” and adding in its place the word “aliens”; and
 - b. Revising paragraph (e)(1).The revision reads as follows:

§ 1003.10 Immigration judges.

* * * * *

(e) * * *

(1) *Designation.* The Director, subject to the approval of the Attorney General, is authorized to designate or select temporary immigration judges as provided in this paragraph (e). The Director may designate or select, with the approval of the Attorney General, any attorney to serve as a temporary immigration judge for renewable terms not to exceed six months, subject to all applicable statutory and regulatory limitations on the temporary service.

* * * * *

§ 1003.23 [Amended]

- 9. Amend § 1003.23 by, as shown in the following table, removing the words in the left column and adding in their place the words in the right column wherever they appear:

A noncitizen	An alien.
the noncitizen	the alien.
the noncitizen's	the alien's.

§ 1003.42 [Amended]

- 10. Amend § 1003.42 by, as shown in the following table, removing the words in the left column and adding in their place the words in the right column wherever they appear:

same noncitizen	same alien.
a noncitizen	an alien.
the noncitizen	the alien.
Noncitizens	Aliens.
The noncitizen	The alien.
the noncitizen's	the alien's.

PART 1208—PROCEDURES FOR ASYLUM AND WITHHOLDING OF REMOVAL

- 11. The authority citation for part 1208 continues to read as follows:

Authority: 8 U.S.C. 1101, 1103, 1158, 1226, 1252, 1282; Title VII of Pub. L. 110–229; Pub. L. 115–218.

§ 1208.13 [Amended]

■ 12. Amend § 1208.13(g) by removing the words “a noncitizen” and adding in their place the words “an alien”.

§ 1208.31 [Amended]

■ 13. Amend § 1208.31 by, as shown in the following table, removing the words in the left column and adding in their place the words in the right column wherever they appear:

any noncitizen	any alien.
a noncitizen	an alien.
the noncitizen	the alien.
noncitizens	aliens.
the noncitizen's	the alien's.

§ 1208.33 [Amended]

■ 14. Amend § 1208.33 by, as shown in the following table, removing the words in the left column and adding in their place the words in the right column wherever they appear:

a noncitizen	an alien.
the noncitizen	the alien.
the noncitizen's	the alien's.
The noncitizen	The alien.
A noncitizen	An alien.
unaccompanied child as defined in 8 CFR 1001.1(hh).	unaccompanied alien child as defined in 6 U.S.C. 279(g)(2).

§ 1208.35 [Amended]

■ 15. Amend § 1208.35 by, as shown in the following table, removing the words in the left column and adding in their place the words in the right column wherever they appear:

A noncitizen	An alien.
a noncitizen	an alien.
the noncitizen	the alien.
the noncitizen's	the alien's.

PART 1240—PROCEEDINGS TO DETERMINE REMOVABILITY OF ALIENS IN THE UNITED STATES

■ 16. The authority citation for part 1240 continues to read as follows:

Authority: 8 U.S.C. 1103, 1158, 1182, 1186a, 1186b, 1225, 1226, 1227, 1228, 1229a, 1229b, 1229c, 1252 note, 1361, 1362; secs. 202 and 203, Pub. L. 105–100 (111 Stat. 2160, 2193); sec. 902, Pub. L. 105–277 (112 Stat. 2681).

■ 17. The heading for part 1240 is revised to read as set forth above.

§ 1240.26 [Amended]

■ 18. Amend § 1240.26 by, as shown in the following table, removing the words in the left column and adding in their

place the words in the right column wherever they appear:

A noncitizen	An alien.
a noncitizen	an alien.
the noncitizen	the alien.
noncitizen's	alien's.

Since E. Owen,

Acting Director, Executive Office for Immigration Review, Department of Justice.

[FR Doc. 2025–16573 Filed 8–27–25; 8:45 am]

BILLING CODE 4410–30–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2025–1763; Amendment No. 71–57]

RIN 2120–AA66

Airspace Designations; Incorporation by Reference

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends 14 CFR part 71 relating to airspace designations to reflect the approval by the Director of the Federal Register of the incorporation by reference of FAA Order JO 7400.11K, Airspace Designations and Reporting Points. This action also explains the procedures the FAA will use to amend the listings of Class A, B, C, D, and E airspace areas; air traffic service routes; and reporting points incorporated by reference.

DATES: This final rule is effective September 15, 2025, through September 15, 2026. The incorporation by reference of FAA Order JO 7400.11K is approved by the Director of the Federal Register as of September 15, 2025, through September 15, 2026.

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

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

FOR FURTHER INFORMATION CONTACT:

Sarah A. Combs, Rules and Regulations Group, Policy Directorate, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267–8783.

SUPPLEMENTARY INFORMATION:

History

FAA Order JO 7400.11J, Airspace Designations and Reporting Points, effective September 15, 2024, listed Class A, B, C, D and E airspace areas; air traffic service routes; and reporting points. Due to the length of these descriptions, the FAA requested approval from the Office of the Federal Register to incorporate the material by reference in the Federal Aviation Regulations § 71.1, effective September 15, 2024, through September 15, 2025. During the incorporation by reference period, the FAA processed all proposed changes of the airspace listings in FAA Order JO 7400.11J in full text as proposed rule documents in the **Federal Register**, unless there was good cause to forego notice and comment. Likewise, all amendments of these listings were published in full text as final rules in the **Federal Register**. This rule reflects the periodic integration of these final rule amendments into a revised edition of FAA Order JO 7400.11K, Airspace Designations and Reporting Points. The Director of the Federal Register has approved the incorporation by reference of FAA Order JO 7400.11K in section 71.1, as of September 15, 2025, through September 15, 2026. This rule also explains the procedures the FAA will use to amend the airspace designations incorporated by reference in part 71. This rule also updates §§ 71.5, 71.15, 71.31, 71.33, 71.41, 71.51, 71.61, 71.71, and 71.901 to reflect the incorporation by reference of FAA Order JO 7400.11K.

Incorporation by Reference

This document incorporates by reference FAA Order JO 7400.11K, Airspace Designations and Reporting Points, dated August 4, 2025, and effective September 15, 2025, in § 71.1. FAA Order JO 7400.11K is publicly available as listed in the **ADDRESSES** section of this final rule. FAA Order JO 7400.11K lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This action amends 14 CFR part 71 to reflect the approval by the Director of the Federal Register of the incorporation by reference of FAA Order JO 7400.11K, effective September 15, 2025, through September 15, 2026. During the incorporation by reference period, the

FAA will continue to process all proposed changes of the airspace listings in FAA Order JO 7400.11K in full text as proposed rule documents in the **Federal Register**, unless there is good cause to forego notice and comment. Likewise, all amendments of these listings will be published in full text as final rules in the **Federal Register**. The FAA will periodically integrate all final rule amendments into a revised edition of FAA Order JO 7400.11 and submit the revised edition to the Director of the Federal Register for approval for incorporation by reference in § 71.1.

FAA Order JO 7400.11, Airspace Designations and Reporting Points is published yearly and effective on September 15.

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.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of 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.

■ 2. Amend § 71.1 by revising it to read as follows:

§ 71.1 Applicability.

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

dated August 4, 2025, which lists Class A, B, C, D, and E airspace areas; air traffic service routes; and reporting points, was approved for incorporation by reference (IBR) by the Director of the Federal Register in accordance with 5 U.S.C. 552 (a) and 1 CFR part 51. The approval to incorporate FAA Order JO 7400.11K by reference is effective September 15, 2025, through September 15, 2026. During the incorporation by reference period, proposed changes to the listings of Class A, B, C, D, and E airspace areas; air traffic service routes; and reporting points will be published in full text as proposed rule documents in the **Federal Register**, unless there is good cause to forego notice and comment. Amendments to the listings of Class A, B, C, D, and E airspace areas; air traffic service routes; and reporting points will be published in full text as final rules in the **Federal Register**. Periodically, the final rule amendments will be integrated into a revised edition of the Order and submitted to the Director of the Federal Register for approval for incorporation by reference in this section. This IBR material is available for inspection at the Federal Aviation Administration (FAA) and at the National Archives and Records Administration (NARA). Contact the FAA at: Rules and Regulations Group, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597, (202) 267–8783. An electronic version of FAA Order JO 7400.11K is available on the FAA website at www.faa.gov/air_traffic/publications. Copies of FAA Order JO 7400.11K may be inspected in Docket No. FAA–2025–1763 on www.regulations.gov. For information on the availability of this material at NARA, visit www.archives.gov/federalregister/CFR/IBR-locations or email fr.inspection@nara.gov.

§ 71.5 [Amended]

■ 3. Amend § 71.5 by removing the text “FAA Order JO 7400.11J” and adding, in its place, the text “FAA Order JO 7400.11K”.

§ 71.15 [Amended]

■ 4. Amend § 71.15 by removing the text “FAA Order JO 7400.11J” wherever it appears and adding, in its place, the text “FAA Order JO 7400.11K”.

§ 71.31 [Amended]

■ 5. Amend § 71.31 by removing the text “FAA Order JO 7400.11J” and adding, in its place, the text “FAA Order JO 7400.11K”.

§ 71.33 [Amended]

■ 6. Amend § 71.33(c) by removing the text “FAA Order JO 7400.11J” and adding, in its place, the text “FAA Order JO 7400.11K”.

§ 71.41 [Amended]

■ 7. Amend § 71.41 by removing the text “FAA Order JO 7400.11J” wherever it appears and adding, in its place, the text “FAA Order JO 7400.11K”.

§ 71.51 [Amended]

■ 8. Amend § 71.51 by removing the text “FAA Order JO 7400.11J” wherever it appears and adding, in its place, the text “FAA Order JO 7400.11K”.

§ 71.61 [Amended]

■ 9. Amend § 71.61 by removing the text “FAA Order JO 7400.11J” wherever it appears and adding, in its place, the text “FAA Order JO 7400.11K”.

§ 71.71 [Amended]

■ 10. Amend § 71.71(b) through (f) by removing the text “FAA Order JO 7400.11J” wherever it appears and adding, in its place, the text “FAA Order JO 7400.11K”.

§ 71.901 [Amended]

■ 11. Amend § 71.901(a) by removing the text “FAA Order JO 7400.11J” and adding, in its place, the text “FAA Order JO 7400.11K”.

Issued in Washington, DC, on August 25, 2025.

Brian Eric Konie,

Acting Manager, Rules and Regulations Group.

[FR Doc. 2025–16493 Filed 8–27–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF LABOR

Office of the Secretary of Labor

29 CFR Part 37

[Docket No. DOL–2025–0004]

RIN 1291–AA46

Rescission of Nondiscrimination and Equal-Opportunity Provisions of the Workforce Investment Act

AGENCY: Office of the Secretary, Department of Labor.

ACTION: Direct final rule; confirmation of effective date.

SUMMARY: The U.S. Department of Labor (Department) is confirming the effective date of September 2, 2025, for the direct final rule (DFR) that was published in the **Federal Register** on July 1, 2025.

This DFR rescinds the regulations that implemented the nondiscrimination and equal opportunity provisions of the Workforce Investment Act (WIA). Under WIA, the Department provided financial assistance to certain recipients for the purpose of establishing programs to meet the job training needs of youth and adults facing serious barriers to employment. Section 188 of WIA contained the nondiscrimination and equal opportunity provisions that prohibited discrimination on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and, for beneficiaries only, citizenship status or participation in a WIA-funded program or activity. WIA was repealed by Congress with the enactment of the Workforce Innovation and Opportunity Act (WIOA) on June 22, 2014, and the WIA Section 188 regulations have been superseded by those implementing Section 188 of WIOA. All remaining grant funding under WIA Title I has been closed out by the Department. Accordingly, these regulations are no longer necessary, and the Department is removing the regulations from the Code of Federal Regulations (CFR) for this program that is no longer operative.

DATES: The effective date of September 2, 2025, for the DFR published July 1, 2025 (90 FR 27999), is confirmed.

FOR FURTHER INFORMATION CONTACT: Naomi Barry-Perez, Director, Civil Rights Center, U.S. Department of Labor, 200 Constitution Avenue NW, Room N-4123, Washington, DC 20210, telephone (202) 693-6500 (this is not a toll-free number). For persons with a hearing or speech disability who need assistance using the telephone system, please dial 711 to access telecommunications relay services. You may obtain publicly-available information related to this action by visiting <https://www.regulations.gov> and searching for Docket ID DOL-2025-0004.

SUPPLEMENTARY INFORMATION: On July 1, 2025, the Department published a DFR removing its regulations at 29 CFR part 37 for a program that is no longer operative. In the DFR, the Department stated that if no significant adverse comments were received, then the rule would become effective on September 2, 2025. Comments from the public were due on July 31, 2025, and were posted publicly in Docket ID DOL-2025-0004 on www.regulations.gov.

The Department received three comments opposed to the removal of the WIA regulations, but the comments did not meet the criteria to be considered significant adverse comments to warrant either withdrawing the rule or issuing a

new final rule in response. A significant adverse comment¹ explains why the rule would be inappropriate, including challenges to the rule's underlying premise or approach, or why it would be ineffective or unacceptable without a change. The comments the Department received on the DFR are not significant adverse comments as they do not explain why removing these regulations from the CFR would be inappropriate or how removal would have consequences for the administration of Departmental programs. Two of the comments incorrectly stated that the DFR would affect the regulations implementing WIOA section 188; WIA was repealed by Congress with the enactment of WIOA. Public Law 113-128, July 22, 2014, 128 Stat 1425. The regulations implementing section 188 of WIOA at 29 CFR part 38 are not impacted in any way by this DFR. The other comment opposing the DFR did not provide a substantive basis for objecting to the rule, point to any particular provisions of the rule that were ineffective or unacceptable, or provide any specific ways that the rule could be changed or improved upon. Regardless, because WIA was repealed, the regulations at 29 CFR part 37 are obsolete and their removal is both warranted and ministerial.

Therefore, the DFR will become effective on September 2, 2025, as stated in the DFR.

Dated: August 25, 2025.

Dean Heyl,
Assistant Secretary for Administration and Management, Department of Labor.
[FR Doc. 2025-16492 Filed 8-27-25; 8:45 am]
BILLING CODE 4510-04-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG-2025-0798]

RIN 1625-AA00

Safety Zone; Tampa Bay, St. Petersburg, FL

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for navigable waters for a high-speed boat race. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards created by high-speed boat racing. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port Sector St. Petersburg.

DATES: This rule is effective from 8 a.m. on September 6, 2025, through 6:30 p.m. on September 7, 2025. It is subject to enforcement from 8 a.m. through 6:30 p.m. each day.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG-2025-0798 in the search box and click "Search." Next, in the Document Type column, select "Supporting & Related Material."

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, call or email Lieutenant Ryan McNaughton, Sector St. Petersburg Prevention Department, U.S. Coast Guard; telephone 813-918-7270, email ryan.a.mcnaughton@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

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

II. Background Information and Regulatory History

The Coast Guard is issuing this temporary rule without prior notice and comment under the authority in 5 U.S.C. 553(b)(B). This statutory provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are "impracticable, unnecessary, or contrary to the public interest." The Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it is impracticable due to the fact that the event sponsor moved the date of the race up by one month. Normally, the event is in October, and the Coast Guard would activate the zone listed in Special Local Regulation in Item No. 6, Table 1 to 33 CFR 100.703, but the event is now in early September, and we did not have enough notice to establish this zone with an NPRM and comment opportunity. The Coast Guard must

¹ Administrative Conference of the United States, "Procedures for Noncontroversial and Expedited Rulemaking," Recommendation by the Committee on Regulation, January 15, 1995. Accessed on August 18, 2025, at: <https://www.acus.gov/document/procedures-noncontroversial-and-expedited-rulemaking>.

establish a safety zone to protect spectators and the waterways during the two-day event starting on September 6, 2025.

Also, under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of this rule is impracticable because prompt action is needed to respond to the potential safety concerns associated with high-speed boat races.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034. The Captain of the Port Sector St. Petersburg (COTP) has determined that potential hazards associated with high-speed boat races starting September 6, 2025, will be a safety concern for anyone within the race area. This rule is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone while the event is occurring.

IV. Discussion of the Rule

This rule establishes a safety zone from 8 a.m. until 6:30 p.m. on September 6, 2025 and September 7, 2025. The safety zone will cover all navigable waters within and around the race course. The duration of the zone is intended to protect personnel, vessels, and the marine environment in these navigable waters during the racing event. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative.

V. Regulatory Analyses

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

A. Impact on Small Entities

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

10 hours a day for 2 days. Vessels will be able to transit around the zone and we will broadcast information about the zone via local notice to mariners.

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

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency’s responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

B. Collection of Information

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

C. Federalism and Indian Tribal Governments

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

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

D. Unfunded Mandates Reform Act

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

E. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves a safety zone lasting only 2 days that will prohibit entry within a designated racecourse area. It is categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

List of Subjects in 33 CFR Part 165

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

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

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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

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

- 2. Add § 165.T07–0798 to read as follows:

§165.T07–0798 Safety Zone; Tampa Bay, St. Petersburg, FL.

(a) *Location*. The following area is a safety zone: “All waters of Tampa Bay encompassed within the following

points: 27°46'56.22" N, 082°36'55.50" W, thence to position 27°47'08.82" N, 082°34'33.24" W, thence to position 27°46'06.96" N, 082°34'29.04" W, thence to position 27°45'59.22" N, 082°37'02.88" W, thence back to the original position 27°46'24.24" N, 082°37'30.24" W.

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

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

(2) Designated representatives may control vessel traffic throughout the enforcement area as determined by the prevailing conditions

(3) To seek permission to enter, contact the COTP or the COTP’s representative by Marine Band Radio VHF-FM channel 16 (156.8 MHz). Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP’s designated representative.

(d) *Enforcement periods.* This section will be subject to enforcement from 8 a.m. to 6:30 p.m. on September 6, 2025 and September 7, 2025.

Dated: August 26, 2025.

Courtney A. Sergeant,
Captain, U.S. Coast Guard, Captain of the Port Sector St. Petersburg.

[FR Doc. 2025–16570 Filed 8–27–25; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2025–0782]

Safety Zones; Fireworks Displays in the USCG East District (Formerly the Fifth Coast Guard District)—Beach Haven, NJ

AGENCY: Coast Guard, DHS.

ACTION: Notification of enforcement of regulation.

SUMMARY: The Coast Guard will enforce a safety zone in Little Egg Harbor, NJ, to provide for the safety of life on navigable waterways during a barge-

based fireworks display. Our regulation for marine events within the USCG East District (formerly the Fifth Coast Guard District) identifies the boundaries of the regulated area. During the enforcement period, no person or vessel may enter, remain in, or transit through the regulated area, and anyone in the vicinity must comply with directions from the Patrol Commander or any Official Patrol displaying a Coast Guard ensign.

DATES: The safety zone identified in entry 7 of table 1 to paragraph (h)(1) of 33 CFR 165.506 will be enforced from 9:00 p.m. through 10:15 p.m. on August 30, 2025.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notification of enforcement, call or email Petty Officer Dominick Dobridge, U.S. Coast Guard, Sector Delaware Bay, Waterways Management Division, telephone 206–815–6688, option 3, or email SecDelBayWWM@uscg.mil.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the safety zone in entry 7 of table 1 to paragraph (h)(1) to 33 CFR 165.506 from 9:00 p.m. through 10:15 p.m. on August 30, 2025. This enforcement period varies from the July dates provided in the table, but the enforcement periods for each safety zone in paragraph (h) of § 165.506 are subject to change, as noted in 33 CFR 165.506(c).

Activating the enforcement period is necessary to ensure safety of life on the navigable waters of the United States immediately prior to, during, and immediately after a barge-based fireworks display approximately 50 yards north of Parker Island, in Little Egg Harbor, NJ. The regulated area includes all waters of Little Egg Harbor within a 500-yard radius of the fireworks barge position. The approximate position for the barge is latitude 39°34'18.77" N, longitude 074°14'36.2" W. During the enforcement period, as reflected in § 165.506(d), vessels may not enter, remain in, or transit through the safety zone unless authorized by the Captain of the Port or designated Coast Guard patrol personnel on-scene.

In addition to this notification in the **Federal Register**, the Coast Guard will provide notice of this enforcement period via Local Notice to Mariners and Broadcast Notice to Mariners.

Dated: August 21, 2025.

Kate F. Higgins-Bloom,
Captain, U.S. Coast Guard, Captain of the Port, Sector Delaware Bay.

[FR Doc. 2025–16567 Filed 8–27–25; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R08–OAR–2024–0609; FRL–12596–02–R8]

Air Plan Approval; South Dakota; Regional Haze Plan for the Second Implementation Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving a regional haze state implementation plan (SIP) revision submitted by the State of South Dakota on July 29, 2022 (South Dakota’s 2022 SIP submission), as satisfying applicable requirements under the Clean Air Act (CAA) and the EPA’s Regional Haze Rule (RHR) for the program’s second implementation period. The EPA is taking this action pursuant to CAA.

DATES: This rule is effective on September 29, 2025.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–R08–OAR–2024–0609. All documents in the docket are listed on the <https://www.regulations.gov> website. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through <https://www.regulations.gov>, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

FOR FURTHER INFORMATION CONTACT: Joe Stein, Air and Radiation Division, EPA, Region 8, Mailcode 8ARD–IO, 1595 Wynkoop Street, Denver, Colorado 80202–1129, telephone number: (303) 312–7078; email address: stein.joseph@epa.gov.

SUPPLEMENTARY INFORMATION: Throughout this document “we,” “us,” and “our” means the EPA.

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- I. What is being addressed in this document?
- II. Background
- III. Public Comments and EPA Responses
- IV. Final Action
- V. Statutory and Executive Order Reviews

I. What is being addressed in this document?

The EPA is approving a SIP revision submitted by the State of South Dakota to the EPA on July 29, 2022, addressing the requirements of the second implementation period of the RHR. As required by section 169A of the CAA, the Regional Haze Rule (RHR) calls for state and federal agencies to work together to improve visibility in 156 national parks and wilderness areas. The rule requires the states, in coordination with the EPA, the National Park Service (NPS), Fish and Wildlife Service (FWS), the Forest Service (FS), and other interested parties, to develop and implement air quality protection plans to reduce the pollution that causes visibility impairment in mandatory Class I Federal areas. Visibility impairing pollutants include fine and coarse particulate matter (PM) (*e.g.*, sulfates, nitrates, organic carbon, elemental carbon, and soil dust) and their precursors (*e.g.*, sulfur dioxide (SO₂), oxides of nitrogen (NO_x), and, in some cases, volatile organic compounds (VOC) and ammonia (NH₃)). As discussed in further detail in our proposed rule, this document, and the accompanying Response to Comments (RTC) document, the EPA finds that South Dakota submitted a regional haze SIP that meets all of the regional haze requirements for the second implementation period. The State's submission, the proposed rule, and the RTC document can be found in the docket for this action.

II. Background

On April 28, 2022, South Dakota submitted a revision to its SIP to address its regional haze obligations for the second implementation period (2018–2028). South Dakota made this revision to satisfy the requirements of the CAA's regional haze program pursuant to CAA sections 169A and 169B and 40 Code of Federal Regulations (CFR) 51.308.

On May 14, 2025, the EPA proposed to approve South Dakota's 2022 SIP submission.¹ Specifically, the EPA proposed to approve South Dakota's 2022 SIP submission as satisfying the requirements of 40 CFR 51.308(f)(1): calculations of baseline, current, and natural visibility conditions, progress to date, and the uniform rate of progress; 40 CFR 51.308(f)(2): long-term strategy; 40 CFR 51.308(f)(3): reasonable progress goals; 40 CFR 51.308(f)(4): reasonably attributable visibility impairment; 40 CFR 51.308(f)(5) and 40 CFR 51.308(g):

progress report requirements; 40 CFR 51.308(f)(6): monitoring strategy and other implementation plan requirements; and 40 CFR 51.308(i): Federal Land Manager (FLM) consultation. Our public comment period closed on June 13, 2025.

The May 14, 2025 proposed rule provided background on the requirements of the CAA and RHR, a summary of South Dakota's regional haze SIP submittals and related EPA actions, and the EPA's rationale for its proposed action. That background and rationale will not be restated here. For the reasons stated in the proposed rule, this document, and in the accompanying RTC document, the EPA concludes that South Dakota's 2022 SIP submission meets the requirements of the CAA and RHR.

III. Public Comments and EPA Responses

The public comment period on the proposal closed on June 13, 2025. During the public comment period, we received 11 comments on our proposal; nine sets of comments in support and two sets in opposition. The commenters were: Conservation Groups,² the Mid-Atlantic/Northeast Visibility Union (MANEVU),³ Montana-Dakota Utilities,⁴ Nebraska Dept. of Environment and Energy,⁵ Otter Tail Power Company,⁶ Power Generators Air Coalition,⁷ South Dakota Department of Agriculture and Natural Resources,⁸ State of Nebraska Office of the Attorney General,⁹ Utah Department of Environmental Quality,¹⁰ Utilities for Reasonable Progress,¹¹ and Wyoming Department of Environmental Quality.¹² The full text of comments received is included in the publicly posted docket associated with this action at <https://www.regulations.gov>. Our RTC document, which is also included in the docket associated with this action, provides detailed responses to all significant comments received.

IV. Final Action

For the reasons stated in the preamble to the proposed rule, in the RTC document, and in this document, we are approving South Dakota's 2022 SIP submission. Specifically, we are

approving South Dakota's 2022 SIP submission relating to CAA 169A:

- Calculations of baseline, current, and natural visibility conditions, progress to date, and uniform rate of progress (40 CFR 51.308(f)(1));
- Long-term strategy (40 CFR 51.308(f)(2));
- Reasonable progress goals (40 CFR 51.308(f)(3));
- Reasonably attributable visibility impairment (40 CFR 51.308(f)(4));
- Progress report requirements (40 CFR 51.308(f)(5) and 40 CFR 51.308(g));
- Monitoring strategy and other implementation plan requirements (40 CFR 51.308(f)(6));
- FLM consultation (40 CFR 51.308(i)).

V. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely proposes to approve state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because State Implementation Plan approvals under the CAA are exempt from review under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a state program;

¹ 90 FR 20425 (May 14, 2025).

² Letter dated June 6, 2025.

³ Letter dated June 13, 2025.

⁴ Letter dated June 13, 2025.

⁵ Letter dated June 3, 2025.

⁶ Letter dated June 12, 2025.

⁷ Letter dated June 13, 2025.

⁸ Letter dated June 13, 2025.

⁹ Letter dated June 13, 2025.

¹⁰ Letter dated June 11, 2025.

¹¹ Letter dated June 13, 2025.

¹² Letter dated June 13, 2025.

- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);

- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA.

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction. In those areas of Indian country, the rule does not have Tribal implications and will not impose substantial direct costs on Tribal governments or preempt Tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

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

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by October 27, 2025. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements (see section 307(b)(2)).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Greenhouse gases, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: August 19, 2025.

Cyrus M. Western,

Regional Administrator, Region 8.

For the reasons stated in the preamble, the Environmental Protection Agency is amending 40 CFR part 52 as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart QQ—South Dakota

■ 2. In § 52.2170, the table in paragraph (e) is amended by adding the entry “XXVIII. South Dakota Regional Haze State Implementation Plan” at the end of the table to read as follows:

§ 52.2170 Identification of plan.

*	*	*	*	*
(e)	*	*	*	*

Rule title	State effective date	EPA effective date	Final rule citation, date	Comments
XXVIII. South Dakota Regional Haze State Implementation Plan.	4/21/2022	9/29/25	90 FR [insert Federal Register page where the document begins], 9/29/25.	

[FR Doc. 2025–16468 Filed 8–27–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2023–0202; FRL–10873–02–R9]

Air Plan Approval; California; Mojave Desert Air Quality Management District; Internal Combustion Engines

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking final action to approve a revision to the Mojave Desert Air Quality Management District (MDAQMD) portion of the California State Implementation Plan (SIP). This revision concerns emissions of volatile organic compounds (VOCs) and oxides of nitrogen (NO_x) from internal combustion engines. We are approving

a local rule that regulates these emission sources under the Clean Air Act (CAA or the “Act”). The EPA is also making additional administrative updates to the MDAQMD portion of the California SIP by correcting text in the Code of Federal Regulations.

DATES: This rule is effective September 29, 2025.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–R09–OAR–2023–0202. All documents in the docket are listed on the <https://www.regulations.gov> website. Although listed in the index, some information is not publicly available, *e.g.*, Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through <https://www.regulations.gov>, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for

additional availability information. If you need assistance in a language other than English or if you are a person with a disability who needs a reasonable accommodation at no cost to you, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: La Kenya Evans-Hopper, EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105; telephone number: (415) 972–3245; email address: evanshopper.lakenya@epa.gov.

SUPPLEMENTARY INFORMATION: Throughout this document, “we,” “us,” and “our” refer to the EPA.

Table of Contents

- I. Proposed Action
- II. Public Comments and EPA Responses
- III. EPA Action
- IV. Incorporation by Reference
- V. Statutory and Executive Order Reviews

I. Proposed Action

On April 7, 2023 (88 FR 20788), the EPA proposed to approve the following rule into the California SIP.

Local agency	Rule No.	Rule title	Amended	Submitted
MDAQMD	1160	Internal Combustion Engines	01/23/23	03/03/23

We proposed to approve this rule because we determined that it complies with the relevant CAA requirements. Our proposed action contains more information on the rule and our evaluation.

II. Public Comments and EPA Responses

The EPA's proposed action provided a 30-day public comment period. During this period, we received one anonymous comment and one comment from MDAQMD. The full text of these comments is available in the docket for this rulemaking. The anonymous comment was supportive of the rule as a tool to address air pollution, particularly NO_x emissions, and human health. After reviewing this comment, the EPA has determined that the comment is supportive of our proposed action and does not raise issues that change our assessment of MDAQMD Rule 1160.

The comment from MDAQMD did not address the EPA's evaluation of the submitted rule, or whether the EPA should approve it into the SIP. The MDAQMD comment requests that the EPA remove the previous versions of Rule 1160, amended October 26, 1994 (61 FR 56470) and amended January 22, 2018 (86 FR 50643), and South Coast Air Quality Management District (SCAQMD) Rule 1110, adopted November 6, 1981 (47 FR 18822) from the MDAQMD portion of the SIP and replace these rules with the final approval of Rule 1160. Our proposed action stated that the previous version of Rule 1160 will be removed and replaced with the version of Rule 1160 adopted on January 23, 2023. Accordingly, the January 22, 2018 version of the rule will be removed from the SIP with this final action.

The EPA notes that the version of Rule 1160 that was amended on October 26, 1994, has already been removed from the SIP. In our September 10, 2021 (86 FR 50643) limited approval and limited disapproval, we added text at 40 CFR 52.220(c)(207)(i)(D)(5) specifying that this version of Rule 1160 has been removed with replacement. However, this provision contained an incorrect cross reference to 40 CFR 52.220(c)(518)(i)(A)(6) instead of 40 CFR 52.220(c)(518)(i)(A)(7). We are correcting this cross reference in this final rule.

The version of SCAQMD Rule 1110 that is in the MDAQMD portion of the SIP is a 1981 program to demonstrate the effectiveness of NO_x reduction technologies for stationary internal combustion engines. Although the rule is structured differently from Rule 1160, it applies to the same general category of sources. Rule 1110 had a ten-year time horizon and thus does not establish any currently applicable requirement on sources in the MDAQMD. The rule originally applied in parts of what is now the SCAQMD, Antelope Valley Air Quality Management District (AVAQMD), and the eastern portion of Riverside County (Palo Verde) of the MDAQMD. It has since been removed from the SCAQMD and AVAQMD portions of the California SIP, with both actions explaining that the rule was a fixed-term demonstration program that was no longer in use and had no sources subject to it.¹ Because SCAQMD Rule 1110 does not establish any currently applicable emission controls in the MDAQMD, removing it from the MDAQMD portion of the SIP is a purely administrative revision and would not weaken the SIP in any way or otherwise interfere with any requirements of the CAA. Accordingly, pursuant to the request of the MDAQMD in both the submitted staff report and comment, the EPA in this final action is removing the 1981 version of SCAQMD Rule 1110 from the Riverside County portion of the MDAQMD portion of the SIP as an administrative revision to the SIP.

After reviewing the comments, the EPA has determined that the comments do not raise issues that change our assessment regarding the approvability of the January 23, 2023 version of MDAQMD Rule 1160 into the California SIP.

III. EPA Action

No comments were submitted that change our assessment of the rule as described in our proposed action. Therefore, as authorized in section 110(k)(3) of the Act, the EPA is approving this rule into the California SIP. The January 23, 2023 version of Rule 1160 will replace the previously approved version of this rule in the SIP. As described in our proposal, this approval resolves all deficiencies forming the basis for our September 10, 2021 (86 FR 50643) limited disapproval

¹ 79 FR 40675, July 14, 2014, and 80 FR 60040, October 5, 2015, respectively.

of the prior version of Rule 1160. Our April 7, 2023 proposal (88 FR 20788) was accompanied by an interim final determination (88 FR 20776) deferring the imposition of sanctions (pursuant to CAA section 179 and 40 CFR 52.31) stemming from our September 10, 2021 limited disapproval. This final action now permanently terminates all sanctions clocks and federal implementation plan clocks triggered by our September 10, 2021 limited disapproval action. This final action also corrects regulatory text to clarify the applicable requirements for the MDAQMD portion of the California SIP.

IV. Incorporation by Reference

In this rule, the EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is finalizing the incorporation by reference of the Mojave Desert Air Quality Management District Rule 1160, Internal Combustion Engines, amended on January 23, 2023, which regulates NO_x and VOC emissions from internal combustion engines. The EPA has made, and will continue to make, these documents available through <https://www.regulations.gov> and at the EPA Region IX Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

V. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP actions are exempt from review under Executive Order 12866;

- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);

- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);

- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);

- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);

- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a state program;

- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and

- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA.

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction. In those areas of Indian country, the rule does not have Tribal implications and will not impose substantial direct costs on Tribal governments or preempt Tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

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

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by October 27, 2025. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements (see section 307(b)(2)).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference,

Intergovernmental relations, Nitrogen oxides, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: August 18, 2025.

Joshua F.W. Cook,
Regional Administrator, Region IX.

For the reasons stated in the preamble, the Environmental Protection Agency amends part 52, chapter I, title 40 of the Code of Federal Regulations as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart F—California

■ 2. Section 52.220 is amended by:

■ a. Adding paragraph (c)(121)(i)(G);

■ b. Revising paragraph (c)(207)(i)(D)(5); and

■ c. Adding paragraphs (c)(518)(i)(A)(12) and (c)(628).

The additions and revision read as follows:

§ 52.220 Identification of plan-in part.

* * * * *

(c) * * *

(121) * * *

(i) * * *

(G) Previously approved on May 3, 1984, in paragraph (c)(121)(i)(C) of this section and now deleted without replacement for implementation in the Mojave Desert Air Quality Management District: Rule 1110.

* * * * *

(207) * * *

(i) * * *

(D) * * *

(5) Previously approved on November 1, 1996, in paragraph (c)(207)(i)(D)(3) of this section and now deleted with replacement in paragraph (c)(518)(i)(A)(7) of this section: Rule 1160, adopted on October 26, 1994.

* * * * *

(518) * * *

(i) * * *

(A) * * *

(12) Previously approved on September 10, 2021, in paragraph (c)(518)(i)(A)(7) of this section and now deleted with replacement in (c)(628)(i)(A)(1) of this section: Rule 1160, “Internal Combustion Engines,” amended on January 22, 2018.

* * * * *

(628) The following regulation was submitted electronically on March 3, 2023, by the Governor’s designee as an

attachment to a letter dated February 17, 2023.

(i) *Incorporation by reference.*

(A) Mojave Desert Air Quality Management District.

(1) Rule 1160, “Internal Combustion Engines,” amended on January 23, 2023.

(2) [Reserved]

(B) [Reserved]

(ii) [Reserved]

[FR Doc. 2025–16466 Filed 8–27–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R06–OAR–2013–0388; FRL–12796–02–R6]

Air Plan Approval; Texas; Interstate Transport Requirements for the 2010 SO₂ NAAQS

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: Pursuant to the Federal Clean Air Act (CAA or the Act), the Environmental Protection Agency (EPA) is approving the portion of the State Implementation Plan (SIP) submitted from the State of Texas demonstrating that the State satisfies the interstate transport requirements of section 110(a)(2)(D)(i)(I), also known as the “good neighbor” provision of the CAA, for the 2010 1-hour sulfur dioxide (SO₂) primary National Ambient Air Quality Standard (NAAQS). The good neighbor provision requires each State’s implementation plan to contain adequate provisions prohibiting the interstate transport of air pollution in amounts that will contribute significantly to nonattainment, or interfere with maintenance, of a NAAQS in any other State.

DATES: This rule is effective on September 29, 2025.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–R06–OAR–2013–0388. All documents in the docket are listed on the <https://www.regulations.gov> website. Although listed in the index, some information is not publicly available, e.g., Confidential Business Information or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet. Publicly available docket materials are available electronically through <https://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Nevine Salem, EPA Region 6 Office,

Ozone and Infrastructure SIP Section, 214-665-7222, salem.nevine@epa.gov. Please call or email the contact listed above if you need alternative access to material indexed but not provided in the docket.

SUPPLEMENTARY INFORMATION:

Throughout this document “we,” “us,” and “our” means the EPA.

I. Background

Section 110(a)(2)(D)(i)(I) of the CAA requires a State’s SIP to include provisions prohibiting any source or other type of emission activity in the State from emitting any air pollutant in amounts that will contribute significantly to nonattainment, or interfere with maintenance, of the NAAQS in any other State. EPA has long interpreted this language to enact a “functional prohibition” on certain emissions from upwind states, necessitating the EPA’s independent assessment whether those emissions will occur or have been adequately controlled in the State where they originate. The EPA often refers to these requirements as Prong 1 (significant contribution to nonattainment of the NAAQS) and Prong 2 (interference with maintenance of the NAAQS). Additional background for this action is discussed in detail in our June 18, 2025, proposal (90 FR 25924). In that document we proposed to approve the portions of the infrastructure SIP submission adopted by the state of Texas on April 23, 2013, and submitted May 06, 2013, addressing interstate transport for the 2010 1-hour SO₂ NAAQS.

The EPA provided a 30-day review and comment period for the June 18, 2025, proposed rulemaking. The comment period ended on July 18, 2025. We received two comments on our proposed action, one in support from the Texas Commission on Environmental Quality (TCEQ) and another that was outside the scope of our rulemaking from an anonymous commentor. EPA acknowledges receipt of the comments. See section II of this preamble for a brief discussion of the comments and EPA’s response. Full copies of the comments received are included in the docket for this rule making.

II. Response to Comments

Comment: The TCEQ comment states that the EPA’s review of recent air monitoring data in their supplemental analysis arrived at the same conclusion Texas made in the 2013 SIP submittal; Texas does not contribute significantly to nonattainment or maintenance of the 2010 1-hour SO₂ NAAQS in other states.

Response: EPA appreciates the TCEQ’s comment in support of EPA’s rulemaking.

Comment: An anonymous public comment recommends EPA to not accept the Texas plan and notes issues that are outside the scope of this rulemaking.

Response: EPA acknowledges receipt of the anonymous comment. This comment does not address, with any specificity, any particular issues with EPA’s rationale or basis in the proposal, thus we do not have any information upon which to respond that would change our rationale put forward in the proposal. The remainder of the items raised in this comment are outside the scope of this action.

III. Final Action

The EPA is approving the portions of the Texas’ SIP that address two of the interstate transport requirements for the 2010 1-hour SO₂ NAAQS as these portions meet the requirements in CAA section 110 and specifically in 110(a)(2)(D)(i)(I). EPA determines that the Texas SIP contains adequate provisions to ensure that the air emissions in the state will not significantly contribute to nonattainment or interfere with maintenance of the 2010 SO₂ NAAQS in any other state. This action is being taken under section 110 of the Act.

IV. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA’s role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993);
- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP actions are exempt from review under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a

substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);

- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4);

- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);

- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a state program;

- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and

- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act.

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction. In those areas of Indian country, the proposed rule does not have Tribal implications and will not impose substantial direct costs on Tribal governments or preempt Tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

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

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by October 27, 2025. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Interstate transport of pollution, Sulfur oxide.

Dated: August 20, 2025.

Walter Mason,

Regional Administrator, Region 6.

For the reasons stated in the preamble, the Environmental Protection Agency amends 40 CFR part 52 as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart SS—Texas

■ 2. In § 52.2270, the second table in paragraph (e), titled “EPA Approved

Nonregulatory Provisions and Quasi-Regulatory Measures in the Texas SIP” is amended by adding an entry for “Interstate transport for the 2010 SO₂ NAAQS (contribute to nonattainment or interfere with maintenance)” at the end of the table to read as follows:

§ 52.2270 Identification of Plan

* * * * *

(e) * * *

EPA APPROVED NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES IN THE TEXAS SIP

Name of SIP provision	Applicable geographic or nonattainment area	State submittal/ effective date	EPA approval date	Comments
Interstate transport for the 2010 SO ₂ NAAQS (contribute to nonattainment or interfere with maintenance).	Statewide	05/06/2013	8/28/2025, 90 FR [INSERT Federal Register PAGE WHERE THE DOCUMENT BEGINS].	Adequate provisions prohibiting emissions which will contribute significantly to nonattainment in or interfere with maintenance of the 2010 SO ₂ NAAQS in any other State.

* * * * *

[FR Doc. 2025–16467 Filed 8–27–25; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

48 CFR Part 252

[Docket DARS–2024–0025]

RIN 0750–AM20

Defense Federal Acquisition Regulation Supplement: Limitation on Certain Institutes of Higher Education (DFARS Case 2024–D023); Correction

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Correcting amendments.

SUMMARY: DoD is correcting a final rule that published in the **Federal Register** on August 25, 2025, to correct the provision date in section 252.209–7011.

DATES: Effective August 28, 2025.

FOR FURTHER INFORMATION CONTACT: David Johnson, telephone 202–913–5764.

SUPPLEMENTARY INFORMATION: In the final rule published in the **Federal Register** at 90 FR 41492 on August 25, 2025, titled *Limitation on Certain Institutes of Higher Education*, there was an error in the provision date. This document serves to correct the date.

List of Subjects in 48 CFR Part 252

Government procurement.

Accordingly, 48 CFR part 252 is corrected by making the following correcting amendments:

PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

■ 1. The authority citation for part 252 continues to read as follows:

Authority: 41 U.S.C. 1303 and 48 CFR chapter 1.

■ 2. Revise and republish section 252.209–7011 to read as follows:

252.209–7011 Representation for Restriction on the Use of Certain Institutions of Higher Education.

As prescribed in 209.170–4, use the following provision:

Representation For Restriction On The Use Of Certain Institutions Of Higher Education (AUG 2025)

(a) *Definitions.* As used in this provision—*Confucius Institute* means—

- (1) Any program that receives funding or support from—
 - (i) The Chinese International Education Foundation; or
 - (ii) The Center for Language Exchange Cooperation of the Ministry of Education of the People's Republic of China; or
- (2) Any cultural institute directly or indirectly funded by the government of the People's Republic of China.

Institution of higher education has the meaning given in 20 U.S.C. 1002.

(b) *Restriction.* As required by section 1062 of the National Defense Authorization Act for Fiscal Year 2021 (Pub. L. 116–283), DoD may

not award a contract with any institution of higher education that hosts a Confucius Institute. Section 1062 prohibits DoD from providing funding to any U.S. institution of higher education hosting a Confucius Institute unless that institution receives a waiver from the Department of Defense Office of the Under Secretary of Defense for Research and Engineering (OUSD(R&E)). The waiver authority terminates on October 1, 2026. Any waiver issued will not apply on or after that date. See the OUSD(R&E) Confucius Institute Waiver Program Guidance to U.S. Institutions of Higher Education at <https://rt.cto.mil/wp-content/uploads/Confucius-Institute-Waiver-Program-Guidance-28Mar2023.pdf>.

(c) *Representation.* By submission of an offer, the Offeror represents that—

(1) It is not an institution of higher education that hosts a Confucius Institute; or

(2) The Offeror has obtained a waiver approved by OUSD(R&E).

(End of provision)

Jennifer D. Johnson,

Editor/Publisher, Defense Acquisition Regulations System.

[FR Doc. 2025–16518 Filed 8–27–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service****50 CFR Parts 32 and 71**

[Docket No. FWS-HQ-NWRS-2025-0031;
FXRS12610900000-256-FF09R20000]

RIN 1018-BI01

National Wildlife Refuge System; 2025–2026 Station-Specific Hunting and Sport Fishing Regulations

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), open or expand hunting or sport fishing opportunities on 16 National Wildlife Refuge System (NWRS) stations and 1 National Fish Hatchery System (NFHS) station. This includes inaugural hunting opportunities at Southern Maryland Woodlands National Wildlife Refuge (NWR), the newest addition to the NWRS, and the formal opening of hunting opportunities at Grasslands Wildlife Management Area (WMA), as well as inaugural sport fishing at North Attleboro National Fish Hatchery (NFH). These actions open or expand 42 opportunities for hunting and fishing across more than 87,000 acres of Service-managed lands and waters. We also make administrative changes to existing station-specific regulations to improve the clarity and accuracy of regulations, reduce the regulatory burden on the public, and comply with a Presidential mandate for plain-language standards.

DATES: This rule is effective August 27, 2025.

Information Collection Requirements: If you wish to comment on the information collection requirements in this rule, please note that the Office of Management and Budget (OMB) is required to make a decision concerning the collection of information contained in this rule between 30 and 60 days after the date of publication of this rule in the **Federal Register**. Therefore, comments should be submitted to OMB by September 29, 2025.

ADDRESSES: This final rule is available on the internet at <https://www.regulations.gov>. Comments and materials we received are available for public inspection at <https://www.regulations.gov> at Docket No. FWS-HQ-NWRS-2025-0031.

Information Collection Requirements: Written comments and suggestions on the information collection requirements should be submitted within 30 days of

publication of this document to <https://www.reginfo.gov/public/do/PRAMain>. Find this particular information collection by selecting “Currently under Review—Open for Public Comments” or by using the search function. Please provide a copy of your comments to the Service Information Collection Clearance Officer, U.S. Fish and Wildlife Service, 5275 Leesburg Pike, MS: PRB (JAO/3W), Falls Church, VA 22041–3803 (mail); or Info_Coll@fws.gov (email). Please reference OMB Control Number 1018–0140 in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: Christian Myers, (571) 422–3595. Please see Docket No. FWS-HQ-NWRS-2025-0031 on <https://www.regulations.gov> for a document that summarizes these revisions and additions to the Code of Federal Regulations (CFR). Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION:**Background**

The National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd–668ee), as amended (Administration Act), closes NWRs in all States except Alaska to all uses until opened. The Secretary of the Interior (Secretary) may open refuge areas to any use, including hunting and/or sport fishing, upon a determination that the use is compatible with the purposes of the refuge and National Wildlife Refuge System (Refuge System) mission. The action also must be in accordance with provisions of all laws applicable to the areas, developed in coordination with the appropriate State fish and wildlife agency(ies), consistent with the principles of sound fish and wildlife management and administration, and otherwise in the public interest. These requirements ensure that we maintain the biological integrity, diversity, and environmental health of the Refuge System for the benefit of present and future generations of Americans.

We annually review hunting and sport fishing programs to determine whether to include additional stations or whether individual station regulations governing existing programs need modifications. Changing environmental conditions, State and Federal regulations, and other factors

affecting fish and wildlife populations and habitat may warrant modifications to station-specific regulations to ensure the continued compatibility of hunting and sport fishing programs and to ensure that these programs will not materially interfere with or detract from the fulfillment of station purposes or the Refuge System’s mission.

Provisions governing hunting and sport fishing on refuges are in title 50 of the CFR at part 32 (50 CFR part 32), and on hatcheries at part 71 (50 CFR part 71). We regulate hunting and sport fishing to:

- Ensure compatibility with refuge and hatchery purpose(s);
- Properly manage fish and wildlife resource(s);
- Protect other values;
- Ensure visitor safety; and
- Provide opportunities for fish- and wildlife-dependent recreation.

On many stations where we decide to allow hunting and sport fishing, our general policy of adopting regulations identical to State hunting and sport fishing regulations is adequate to meet these objectives. On other stations, we must supplement State regulations with more-restrictive Federal regulations to ensure that we meet our management responsibilities, as outlined under Statutory Authority, below. We issue station-specific hunting and sport fishing regulations when we open national wildlife refuges and fish hatcheries to migratory game bird hunting, upland game hunting, big game hunting, or sport fishing. These regulations may list the wildlife species that you may hunt or fish; seasons; bag or creel (container for carrying fish) limits; methods of hunting or sport fishing; descriptions of areas open to hunting or sport fishing; and other provisions as appropriate.

Statutory Authority

The Administration Act, as amended by the National Wildlife Refuge System Improvement Act of 1997 (Improvement Act; Pub. L. 105–57), governs the administration and public use of refuges, and the Refuge Recreation Act of 1962 (Recreation Act; 16 U.S.C. 460k–460k–4) governs the administration and public use of refuges and hatcheries.

Amendments enacted by the Improvement Act were built upon the Administration Act in a manner that provides an “organic act” for the Refuge System, similar to organic acts that exist for other public Federal lands. The Improvement Act serves to ensure that we effectively manage the Refuge System as a national network of lands, waters, and interests for the protection and conservation of our Nation’s

wildlife resources. The Administration Act states first and foremost that we focus our Refuge System mission on conservation of fish, wildlife, and plant resources and their habitats. The Improvement Act requires the Secretary, before allowing a new use of a refuge, or before expanding, renewing, or extending an existing use of a refuge, to determine that the use is compatible with the purpose for which the refuge was established and the mission of the Refuge System. The Improvement Act established as the policy of the United States that wildlife-dependent recreation, when compatible, is a legitimate and appropriate public use of the Refuge System, through which the American public can develop an appreciation for fish and wildlife. The Improvement Act established six wildlife-dependent recreational uses as the priority general public uses of the Refuge System. These uses are hunting, fishing, wildlife observation and photography, and environmental education and interpretation.

The Recreation Act authorizes the Secretary to administer areas within the Refuge System and Hatchery System for public recreation as an appropriate incidental or secondary use only to the extent that doing so is practicable and not inconsistent with the primary purpose(s) for which Congress and the Service established the areas. The Recreation Act requires that any recreational use of refuge or hatchery lands be compatible with the primary purpose(s) for which we established the refuge and not inconsistent with other previously authorized operations.

The Administration Act and Recreation Act also authorize the Secretary to issue regulations to carry out the purposes of the Acts and regulate uses.

We develop specific management plans for each refuge prior to opening it to hunting or sport fishing. In many cases, we develop station-specific regulations to ensure the compatibility of the programs with the purpose(s) for which we established the refuge or hatchery and the Refuge and Hatchery System mission. We ensure initial compliance with the Administration Act and the Recreation Act for hunting and sport fishing on newly acquired land through an interim determination of compatibility made at or near the time of acquisition. These regulations ensure that we make the determinations required by these acts prior to adding refuges or hatcheries to the lists of areas open to hunting and sport fishing in 50 CFR part 32 or 71, respectively. We ensure continued compliance by the development of comprehensive

conservation plans and step-down management plans, and by annual review of hunting and sport fishing programs and regulations.

Summary of Comments and Responses

On May 15, 2025, we published in the **Federal Register** (90 FR 20600) a proposed rule to modify hunting and fishing programs at 16 refuges and 1 hatchery for the 2025–2026 season. We accepted public comments on the proposed rule for 45 days, ending June 30, 2025. By that date, we received 194 comments on the proposed rule. Approximately 95 percent of these comments were form letters or otherwise identical duplicates of other comments on the proposed rule. We discuss the remaining unique comments we received below by topic. Beyond our responses below, additional station-specific information on how we responded to comments on particular hunting or fishing opportunities at a given refuge or hatchery can be found in that station's final hunting and/or fishing package, available at <https://www.regulations.gov> at Docket No. FWS–HQ–NWRS–2025–0031.

Comment (1): We received several comments expressing general support for the proposed changes in the rule. These comments of general support either expressed appreciation for the increased hunting and fishing access in the rule overall, expressed appreciation for increased access at particular refuges, or both. In addition to this general support, some commenters requested additional hunting and fishing opportunities.

Our Response: Hunting and fishing on Service lands is a tradition that dates back to the early 1900s. In passing the Improvement Act, Congress reaffirmed that the Refuge System was created to conserve fish, wildlife, plants, and their habitats, and would facilitate opportunities for Americans to participate in compatible wildlife-dependent recreation, including hunting and fishing on Refuge System lands. We prioritize wildlife-dependent recreation, including hunting and fishing, when doing so is compatible with the purpose of the refuge and the mission of the NWRS.

We will continue to open and expand hunting and sport fishing opportunities across the Refuge System; however, as detailed further in our response to *Comment (2)*, below, opening or expanding hunting or fishing opportunities on Service lands is not a quick or simple process. The annual regulatory cycle begins in June or July of each year for the following hunting and sport fishing season (the planning

cycle for this 2025–2026 final rule began in June 2024). This annual timeline allows us time to collaborate closely with our State, Tribal, and Territorial partners, as well as other partners including nongovernmental organizations, on potential opportunities. It also provides us with time to complete environmental analyses and other requirements for opening or expanding new opportunities. Therefore, it would be impracticable for the Service to complete multiple regulatory cycles in one calendar year due to the logistics of coordinating with various partners. Once we determine that a hunting or sport fishing opportunity can be carried out in a manner compatible with individual station purposes and objectives, we work expeditiously to open it.

We did not make any changes to the rule as a result of these comments.

Comment (2): Several commenters expressed general opposition to any hunting or fishing in the Refuge System. Some of these commenters stated that hunting was antithetical to the purposes of a refuge, which, in their opinion, should serve as an inviolate sanctuary for all wildlife. The remaining commenters generically opposed expanded or new hunting or fishing opportunities at specific stations.

Our Response: The Service prioritizes facilitating wildlife-dependent recreational opportunities, including hunting and fishing, on Service land in compliance with applicable Service law and policy. For refuges, the Administration Act stipulates that hunting (along with fishing, wildlife observation and photography, and environmental education and interpretation), if found to be compatible, is a legitimate and priority general public use of a refuge and should be facilitated (16 U.S.C. 668dd(a)(3)(D)). Thus, we only allow hunting of wildlife on Refuge System lands if such activity has been determined compatible with the established purpose(s) of the refuge and the mission of the Refuge System as required by the Administration Act. For all 17 stations for which hunting and/or fishing programs were modified in this rule, we determined that the proposed actions were compatible.

Each station manager makes a decision regarding hunting and fishing opportunities only after rigorous examination of the available information, consultation and coordination with States and Tribes, and compliance with the National Environmental Policy Act (NEPA; 42 U.S.C. 4321 *et seq.*) and section 7 of the

Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), as well as other applicable laws and regulations. The many steps taken before a station opens or expands ensure that the Service does not allow hunting or fishing opportunities that would compromise the purpose of the station or the mission of the agency.

Hunting of resident wildlife on Service lands generally occurs consistent with State regulations, including seasons and bag limits. Station-specific hunting regulations can be more restrictive (but not more permissive) than State regulations and often are more restrictive to help meet specific refuge objectives. These objectives include resident wildlife population and habitat objectives, minimizing disturbance impacts to wildlife, maintaining high-quality opportunities for hunting and other wildlife-dependent recreation, minimizing conflicts with other public uses and/or refuge management activities, and protecting public safety.

The word “refuge” includes the idea of providing a haven of safety as one of its definitions, and as such, hunting might seem an inconsistent use of the Refuge System. However, again, the Administration Act stipulates that hunting, if found compatible, is a legitimate and priority general public use of a wildlife refuge. Furthermore, we manage refuges to support healthy wildlife populations that in many cases produce harvestable surpluses that are a renewable resource. As practiced on refuges, hunting and fishing do not pose a negative threat to wildlife populations. It is important to recognize that harvesting certain individuals through hunting does not necessarily lead to a decrease in the overall population, as it can substitute for other types of mortality. In some cases, however, we use hunting as a management tool with the explicit goal of reducing a population; this is often the case with exotic and/or invasive species that threaten ecosystem stability. Therefore, facilitating hunting opportunities is an important aspect of the Service’s roles and responsibilities as outlined in the legislation establishing the Refuge System, and the Service will continue to facilitate these opportunities where compatible with the purpose of the specific refuge and the mission of the Refuge System.

We did not make any changes to the rule as a result of these comments.

Comment (3): We received comments on the proposed rule from two individual State agencies, representing two States. The North Carolina Wildlife Resources Commission (NCWRC)

expressed support for the proposed rule, with a focus on Pocosin Lakes NWR, without raising additional topics. The Washington Department of Fish and Wildlife (WDFW) expressed support for the proposed rule, with a focus on Willapa NWR, and also urged the Service to provide additional opportunities on this refuge.

Our Response: The Service appreciates the support of, and is committed to working with, our State partners to identify additional opportunities for expansion of hunting and sport fishing on Service lands and waters. We welcome and value State partner input on all aspects of our hunting and fishing programs.

In response to the NCWRC, we appreciate the support expressed for the opening of a new hunting opportunity at Pocosin Lakes NWR. We value this input and look forward to further coordination, both on this opportunity and future hunting and fishing openings and expansions.

In response to the WDFW, we appreciate the support expressed for waterfowl hunting and archery big game hunting opportunities on Willapa NWR. To date, only archery hunting has been sufficiently evaluated for big game hunts on these lands, so the Service cannot add any firearms as an additional method of take as part of this 2025–2026 annual update. See our responses to *Comments (1) and (2)* above for discussion of what is necessary before we can open or expand an opportunity, including adding additional methods of take. However, additional methods of take, including muzzleloader and modern firearms, could potentially be authorized as a future expansion for the same species and acres. The WDFW’s assessment that the hunt area is suitable for firearm hunting is helpful to exploring that possibility for a future annual update.

Comment (4): We received a comment from the Catawba Indian Nation that focused on Pocosin Lakes NWR. The comment expressed no concerns about the proposed rule content, but did request notification in the case that any Native American artifacts and/or human remains are located in connection with the new hunting opportunity.

Our Response: The Service appreciates the support of the Catawba Indian Nation and is committed to working with our Tribal partners. As noted in the November 2021 Joint Secretary’s Order (S.O. 3403), the Department of the Interior is committed, alongside the Department of Agriculture, to fulfilling our trust responsibility to Tribes in our management of Federal lands and

waters. The Service seeks input from Tribes throughout our hunting and fishing rulemaking processes and welcomes every opportunity to coordinate with Tribal leaders.

In response to the Catawba Indian Nation comment, we will honor the Tribe’s wishes. There are no ground disturbing activities anticipated in connection with this new, limited-entry hunting opportunity that uses a temporarily placed portable stand on Pocosin Lakes NWR. Therefore, no impacts to Native American artifacts or human remains are anticipated. We look forward to further discussion and coordination with the Tribe on future hunting and fishing program updates.

We did not make any changes to the rule as a result of this comment.

Comment (5): We received comments on the proposed rule from six unique commenters expressing concern regarding the relative importance of the six priority public uses of the NWRS defined by the Improvement Act, including hunting and fishing, wildlife observation, photography, environmental education, and interpretation. Some commenters reasoned that the Service should prioritize hunting and fishing above the other four uses. Other commenters expressed the opposite view that the other four non-consumptive wildlife-dependent uses should be prioritized above hunting and fishing.

Our Response: The Improvement Act identifies six priority wildlife-dependent recreational uses of the Refuge System, but it does not define any hierarchy among them. When determining whether or not other public uses of a refuge are compatible, the Service protects these priority public uses, as well as the safety of visitors and refuge employees. In the case that conflicts arise between priority public uses, access for multiple uses can often be accommodated through restrictions or regulations, as appropriate.

This rulemaking process is required before hunting and fishing opportunities can be opened or expanded on refuges because they are consumptive recreational uses that inherently have a greater potential for impacts. By completing additional analysis, including NEPA and interagency consultation under section 7 of the ESA, providing opportunity for public input, and following other applicable legal requirements, the Service ensures that any changes to hunting and fishing programs on refuges offer high-quality hunting and fishing opportunities that do not negatively impact refuge purposes or the Refuge System mission. This additional analysis is not required

for refuges to offer non-consumptive priority wildlife-dependent uses that are inherently less impactful than hunting and fishing activities, although these uses still require a compatibility determination and often require a special use permit. See our responses to *Comments (1) and (2)* above for additional discussion of what is necessary before we can open or expand a hunting or fishing opportunity.

We did not make any changes to the rule as a result of these comments.

Comment (6): We received comments on the proposed update from two unique commenters taking the position that the Service is not opening or expanding a sufficient number of hunting and fishing opportunities, when compared to previous annual updates.

Our Response: Expanding access to nature for all Americans is a top priority for the Service. The size of the annual station-specific hunting and sport fishing updates varies from year-to-year based on many factors. The 2017–2018 and 2018–2019 annual updates opened or expanded hunting or fishing opportunities at 10 refuges and 31 refuges, respectively. The Service offered more than 1,000 new hunting or fishing opportunities across more than 2 million acres of Service-managed lands and waters from 2019 to 2021.

While the Service's 2025–2026 final update is smaller than some previous years, we acknowledge the successes of our recent rulemaking efforts. This year's annual update is larger than both the 2023–2024 and 2024–2024 updates in terms of the number of stations opening or expanding hunting and fishing. In recent years, the Service successfully opened and expanded many hunting and fishing opportunities across numerous stations—most of which were planned and assessed long in advance. The number of opportunities in future annual updates may fluctuate while new opportunities are being identified and evaluated. The Service was also successful in past years at standardizing language and removing unnecessary and redundant provisions in the CFR. This action required revisions to most stations that are open to hunting or fishing.

Ultimately, there is a finite number of compatible hunting and fishing opportunities possible on the NWRs at a given time. Once the Service has maximized access throughout the Refuge System, and as we get closer to that long-term goal, we will mostly be increasing access when new acres are acquired.

Comment (7): Four separate unique comments expressed either support for or opposition to regulations requiring

the use of lead-free hunting ammunition or lead-free fishing tackle. These comments spoke to the scientific evidence linking lead hunting ammunition and lead fishing tackle to lead poisoning in wildlife, the cost and availability of lead-free ammunition and tackle, and other topics related to the controversy around the use of lead ammunition and tackle.

Our Response: The Service remains engaged in a deliberate, open, and transparent process for evaluating the future of lead use in hunting and fishing on Service lands and waters. We are considering the best available science, working with our State partners, and seeking input from other stakeholders and the public. As we continue the process, we appreciate the additional information provided in these comments and the interest in this topic that they represent.

In this annual update, specifically, the Service is not authorizing any new opportunities that involve the use of lead ammunition or tackle, and the Service is only introducing one new requirement to use lead-free ammunition or tackle, which applies only to one opportunity on one station. As noted in the environmental assessment (EA), the new bear hunting opportunity on Pocosin Lakes NWR will require that participants use lead-free ammunition. This requirement, however, does not create a regulatory burden or implicate lead-free ammunition cost and availability because the partner organization overseeing the hunting opportunity will provide all needed ammunition.

Additionally, the Service will continue its Lead-Free Hunting Voluntary Incentive Program that was piloted at seven NWRs during the fall 2024 hunting seasons. This program is designed to increase the use of lead-free ammunition on Service-administered lands while preserving hunter choice, and the program is intended to eventually serve as a proven model for similar efforts by State agencies and other land managers. More information is available online at <https://www.fws.gov/press-release/2024-07/us-fish-and-wildlife-service-announces-voluntary-pilot-programs-lead-free>.

As the Service continues to consider the best available science and the input of partners and key stakeholders as part of an open and deliberative process for evaluating the future of lead use, we will continue to encourage voluntary use of lead-free ammunition and participation in the Lead-Free Hunting Voluntary Incentive Program, as well as the removal of gut piles.

Comment (8): We received two comments on the proposed rule requesting that an environmental impact statement (EIS) be prepared for the rule. Several other comments expressed concern about the cumulative impacts of hunting considering other pressures on wildlife, including urbanization and climate change.

Our Response: The Service complies with NEPA and other laws and regulations in preparation of the rule. In developing updates to hunting and fishing programs, the Service completes an analysis of localized direct, indirect, and cumulative impacts through NEPA, which includes consideration of pressures such as urbanization and climate change. At the individual station level, the Service additionally completes ESA section 7 consultation and other environmental compliance procedures, as appropriate. The Service also examines cumulative impacts through our cumulative impacts report that considers national and regional cumulative impacts from hunting and fishing on the Refuge System. These analyses are available as part of the supporting documents for the final rule. See our responses to *Comments (1) and (2)*, above, for additional discussion of priority public uses identified by law and what is necessary before we can open or expand a hunting or fishing opportunity.

We did not make any changes to the rule as a result of these comments.

Comment (9): We received three comments focusing on the proposed opening of a special opportunity, limited bear hunt at Pocosin Lakes NWR. One comment objected to all hunting of carnivore species on refuges, and specifically, the proposed bear hunt at Pocosin Lakes NWR. The comment raised concerns about impacts to the numbers and sex ratio of the bear population, expressed concerns about safety, and suggested that bear viewing or photography would be superior recreation activities in place of the proposed hunting opportunity. We received two comments in support of the bear hunt. One of the supportive comments also expressed opposition to the lead-free ammunition requirement for this hunt, citing a lack of evidence for any impacts of lead on wildlife.

Our Response: Refuge managers consider predator management decisions on a case-by-case basis. As with all species, a refuge manager makes a decision about managing predator populations, which are included in the category of resident wildlife, including allowing predatory species to be hunted, only after careful examination to ensure the action would comply with relevant

laws, policies, and directives. The Administration Act directs the Service to manage refuges for biological integrity, diversity, and environmental health. Predators play a critical role in the integrity, diversity, and overall health of ecosystems, so before allowing predators to be hunted, a refuge manager must ensure that these actions do not threaten the integrity, diversity, or health of the refuge ecosystem. The manager must also determine that the action is compatible with the refuge's purposes and the mission of the Refuge System and consistent with the refuge's comprehensive conservation plan and other step-down plans. In addition, the refuge manager analyzes the impacts of the actions on the environment through the NEPA process and section 7 of the ESA. Therefore, a refuge manager must take many steps to ensure that any opportunity for hunting predators on a refuge meets the Service's applicable laws and policies. See our responses to *Comments (1) and (2)*, above, for additional discussion of priority public uses of refuges identified by law, including hunting, and what is necessary before we can open or expand a hunting opportunity.

The Administration Act also mandates that regulations permitting hunting or fishing of fish and resident wildlife within the Refuge System shall be, to the extent practicable, consistent with State fish and wildlife laws, regulations, and management plans (16 U.S.C. 668dd(m)). Therefore, all the opportunities for hunting predators in this rule that are intended to bring greater consistency with State fish and wildlife laws, regulations, and management plans are part of realizing the Service's mission. In fact, the NCWRC submitted a comment expressing strong support for the proposed bear hunt. See *Comment (3)*, above, and our response. All predator hunting determinations and all hunting and fishing determinations were made after careful consideration by the refuge manager to ensure that such actions would not threaten the integrity, diversity, and overall health of the ecosystem and the bear population. We have determined that this action is compatible with both the purpose of the refuge and the mission of the Refuge System.

The current hunt plan for Pocosin Lakes NWR is designed to ensure the black bear population remains a sustainable, renewable wildlife resource. Bear sightings on the refuge are common, and the best available information indicates that the broader coastal North Carolina bear population is healthy, with stable and growing

numbers. As of 2020, the statewide bear population was estimated at 17,200 to 19,200 bears. The Service has capped the harvest of bears at five for a given season. The Service has further limited the time and extent of this opportunity by authorizing only one week of hunting within the longer State season, only within designated areas of the refuge and only from an elevated platform as a means to limit the total harvest of bears. These limitations also reduce potential environmental impacts, as discussed further in *Comment (10)*, below. In years when the limit of five bears is reached before the end of the season, this limitation will effectively shorten the season and thereby reduce potential environmental impacts and potential for conflict with other recreational uses of the refuge. The Service does not expect any significant impacts to the bear population from this hunting opportunity alone or cumulative impacts from the addition of this opportunity to other existing or planned opportunities in the same region.

The Service coordinates closely with the NCWRC to monitor and consider the status and health of the bear population in terms of demographics in designing hunt plans. NCWRC harvest data indicates that stationary or "still" hunting, which this opportunity is limited to, has lower and less sex-selective (less difference between the harvest rates for female and male bears) harvest rates when compared to other bear hunting methods. While in the past North Carolina hunters selectively targeted male bears, as of 2023, female bears made up 47 percent of the harvest in coastal North Carolina, representing the most balanced harvest reported across the State. Given the short duration of the hunt and the cap of five total permits, the Service does not anticipate population-level impacts to the sex-ratio of bears in coastal North Carolina as a result of this action.

The current hunt plan is also carefully designed to balance the public interest in both quality outdoor recreational hunting and healthy wildlife populations for ecosystem health and other recreational purposes, such as wildlife observation. The Service is aware of several studies showing a correlation between increased hunting and decreased wildlife sightings, which underscores the importance of the limitations included in the design of this hunting opportunity, particularly time and space limitations, to minimize the potential for conflict with other recreational uses of the refuge. These measures are being taken to ensure a

quality experience for all visitors to Service-managed lands and waters.

Safety and encouraging the broadest possible participation in hunting opportunities are primary concerns for the Service. Although not required by Tyrrell County where the hunt will occur, for the safety of people and non-target wildlife, the Service has required the use of a raised platform with a minimum elevation of 15 feet for hunters who elect to use a centerfire rifle during the bear hunt. Shooting from an elevated position directs missed shots downward, reducing the likelihood of unintended harm in the relatively flat landscape of coastal North Carolina where ammunition can easily travel long distances. As part of the guided hunt, the State can provide an accessible platform so disabled hunters will be able to participate in the hunt safely, with no additional costs to the hunter or the refuge.

Based on the best available information, there is public support for bear hunting and current State management of bear populations more generally in North Carolina, according to a 2005 survey conducted by the NCWRC. Bear hunting is a traditional activity in the State, practiced by families and groups of friends. A large share of the public believe it is important that access to bear hunting opportunities be maintained. More information on this topic is available as part of the supporting documents for the final rule, see Docket No. FWS-HQ-NWRS-2025-0031 on <https://www.regulations.gov>.

Finally, both the NEPA process and the rulemaking process provide the opportunity for the public to provide comments and any additional information on impacts of our actions. The information provided in the public comment period did not change our conclusion that a limited bear hunt on one refuge will have only minor impacts on wildlife populations. Additionally, the Service uses an adaptive management approach for its hunting programs, reviewing the station programs annually with relevant information from monitoring and other relevant data, and thus the Pocosin Lakes NWR bear hunting opportunity can be revised in the future based on new information, if necessary.

We did not make any changes to the hunt plan for Pocosin Lakes NWR, or to the rule, as a result of these comments.

Comment (10): We received one comment specifically requesting an EIS for changes to the hunting program at Pocosin Lakes NWR and expressing concern about analysis of the potential for impacts to species listed as

threatened or endangered under the ESA.

Our Response: In preparation for this year's rule, Pocosin Lakes NWR completed an updated compatibility determination, updated hunt plan, an EA to meet NEPA requirements, and an ESA section 7 consultation to meet ESA requirements. The Service's analysis under NEPA found that the changes to the hunting program will not significantly impact the environment, including threatened and endangered species. The Service's analysis under the ESA found that the changes to the hunting program will have either no effect on, or may affect, but are not likely to adversely affect, threatened or endangered species that could be present on the refuge.

The analyses specific to the hunt plan for Pocosin Lakes NWR are available as part of the supporting documents for the final rule. See our responses to *Comments (8) and (9)*, above, for additional discussion regarding environmental compliance for the rule and the evaluation conducted at the station level for changes to the hunting program at Pocosin Lakes NWR, respectively.

We did not make any changes to the rule as a result of this comment.

Comment (11): We received three comments on the proposed changes at Ash Meadows NWR. One comment was generally supportive of the changes. Two comments expressed opposition to changes to boating access. These two commenters questioned why the change is needed and noted a lack of water in Crystal Reservoir and difficulty in accessing open water at Peterson Reservoir, due to thick shoreline vegetation.

Our Response: Conditions at Ash Meadows NWR have changed substantially since the previous regulations for hunting and fishing at the NWR were finalized. Due to rapid expansion of non-native, aquatic invasive species in the West, and the risk of invasive species introductions reducing habitat and populations of endemic species, recreational boating was determined not an appropriate public use at Ash Meadows NWR in 2009. The State of Nevada determined Crystal Reservoir dam was in poor condition and at risk of failure in 2012. The Nevada Division of Water Resources placed a limit on the height of water levels for storage in Crystal Reservoir. With no water control mechanism built on Crystal Reservoir during its original construction in 1967, and the significant cost estimated to rebuild the dam, the only recourse for safety was to reroute water away from

Crystal Reservoir. Degraded, concrete-lined irrigation ditches further reduced inflow to Crystal Reservoir. As a result, it is no longer possible to supply or maintain water levels, and Crystal Reservoir is now almost entirely dry. As commenters noted, the conditions at Crystal Reservoir and Peterson Reservoir no longer support boating, due to both the lack of water and poor access.

For all of the above reasons, Ash Meadows NWR has proposed a rule change that removes the use of boats when hunting waterfowl at Crystal and Peterson Reservoirs. The change brings obsolete regulations up to date to reflect the current appropriate and compatible uses of the refuge, better protects aquatic habitats, and corrects the misperception that Crystal and Peterson Reservoirs have water and/or access to support boating. Restoration of marsh habitat to pre-dam conditions is planned, which will hopefully increase waterfowl use and provide more hunting opportunities in the future.

We did not make any changes to the rule as a result of this comment.

Comment (12): We received one comment focused on the proposed minor changes to the hunting program at Tamarac NWR. The commenter expressed opposition to the lack of early teal hunting opportunity within the north migratory bird hunting unit of the refuge and particularly expressed concern about negative impacts on the youth waterfowl hunting season.

Our Response: We made no changes to the regulations governing Tamarac NWR, but we did amend the hunt plan for the refuge to provide additional clarity and transparency for the public regarding the administration of waterfowl hunting programs, specific to the early teal season. Since the publication of the proposed rule, the State of Minnesota has formalized the early teal season that was previously experimental in nature. The updated hunt plan accurately reflects the boundaries where the early teal season is open on 11,776 acres in the southern portion of the refuge, formalized through this final rule. At the request of the White Earth Nation, the Service will align with State regulations on refuge lands within the boundaries of the White Earth Reservation (5,614 acres), which state, "within the boundaries of the White Earth Reservation, the taking of teal during the early-teal season is prohibited on wild rice waters identified by Tribal authorities." This action protects a culturally and biologically important resource during traditional wild rice harvest. These changes will not affect the Minnesota youth waterfowl season. The north

migratory bird hunting unit will remain open to the other Minnesota waterfowl seasons, including the youth waterfowl and regular season hunts, providing opportunities for youth hunters to participate in waterfowl hunting activities. In total, the refuge currently provides 17,390 acres for waterfowl hunters to pursue hunting during the regular waterfowl season and the youth waterfowl weekend.

We did not make any changes to the rule as a result of this comment.

Comment (13): We received one comment in support of the opening of sport-fishing on North Attleboro NFH. This commenter also expressed interest in sport fishing to relocate and stock fish in ponds on privately owned land.

Our Response: Public sport fishing at Pond 2 of the hatchery is offered for consumption purposes and is conducted according to laws and regulations established and published by the State of Massachusetts, including licensing requirements, season dates, fishing methods, and harvest, with additional hatchery-specific restrictions. The transfer of fish to other ponds requires permits or licenses through the State. State regulations are located in title 321 of the Code of Massachusetts Regulations (321 CMR 4.00: Fishing).

We did not make any changes to the rule as a result of this comment.

Changes From the Proposed Rule

As discussed above, under Summary of Comments and Responses, we made no changes to these revisions and additions to the CFR based on comments we received on the May 15, 2025, proposed rule (90 FR 20600) and NEPA documents for individual refuges.

We are making several minor administrative changes to the regulations for Savannah NWR that were intended to be but were inadvertently omitted in the proposed regulation promulgation for that individual station. These changes, because they were intended administrative regulatory changes, were described in the CFR Changes Summary Table supporting document provided in the **Federal Register** docket for the proposed rule. These changes were not made in response to public comments. We received no public comments concerning these changes for Savannah NWR as described in the CFR Summary Table or concerning the other regulatory changes that were included, as intended, in the proposed rule for Savannah NWR. Additionally, we received no public comments concerning the similar administrative regulatory changes for other stations in the same administrative complex as

Savannah NWR that were included, as intended, in the proposed rule. Thus, we consider these minor administrative changes to be non-controversial.

Effective Date

This rule is effective upon the date of its filing at the Office of the Federal Register (see **DATES**, above). We provided a 45-day public comment period for the May 15, 2025, proposed rule (90 FR 20600). We have determined that any further delay in implementing these station-specific hunting and sport fishing regulations would not be in the public interest and that a delay would hinder the effective planning and administration of refuges' hunting and sport fishing programs. This rule does not impact the public generally in terms of requiring lead time for compliance. Rather, it relieves restrictions in that it allows activities on refuges and hatcheries that the Service would

otherwise prohibit. Therefore, we find good cause under 5 U.S.C. 553(d)(3) and 808(1) to make this rule effective upon the date of its filing at the Office of the Federal Register.

Amendments to Existing Regulations

Revisions and Additions to Hunting and Fishing Opportunities on FWS Stations

This document codifies in the CFR all the Service's hunting and/or sport fishing regulations that we are revising or adding since the last time we amended these regulations (89 FR 88147; November 7, 2024) and that are applicable at Refuge System units and Hatchery System units previously opened to hunting and/or sport fishing. This rule better informs the general public of the regulations at each station, increases understanding and compliance with these regulations, increases efficiency in the enforcement

of these regulations. The Service has strived to align with State hunting and fishing regulations; for example, modifications in 2019 removed or simplified thousands of regulations to reduce the regulatory burden on the public (84 FR 47641; September 10, 2019). The Service is committed to continuing to align with State regulations with respect to the use of ammunition and/or fishing tackle in future amendments. In addition to finding these regulations in 50 CFR parts 32 and 71, visitors to our stations may find them reiterated in literature distributed by each station or posted on signs. Table 1, below, summarizes the hunting and sport fishing openings and expansions that are part of this 2025–2026 annual update. Tamarac NWR was incorrectly included in the equivalent table as part of the proposed annual update, which has been corrected.

TABLE 1—CHANGES FOR 2025–2026 HUNTING/SPORT FISHING SEASON

Station	State	Migratory bird hunting	Upland game hunting	Big game hunting	Sport fishing
Black Coulee NWR	Montana	O	Already Open	Already Open	Already Closed.
Bowdoin NWR	Montana	O	Already Open	Already Closed	Already Closed.
Buffalo Lake NWR	Texas	Already Open	Already Open	E	Already Closed.
Creedman Coulee NWR	Montana	O	Already Open	Already Open	Already Closed.
Eufaula NWR	Alabama	Already Open	E	Already Open	Already Open.
Grasslands WMA *	California	O	O	Already Closed	Already Closed.
Grays Lake NWR	Idaho	E	Already Closed	Already Closed	Already Closed.
Hewitt Lake NWR	Montana	O	Already Open	Already Open	Already Closed.
Laguna Atascosa NWR	Texas	Already Closed	Already Closed	E	Already Open.
Lake Thibadeau NWR	Montana	O	Already Open	Already Open	Already Closed.
Moosehorn NWR	Maine	Already Open	Already Open	O	Already Open.
North Attleboro NFH	Massachusetts	Already Closed	Already Closed	Already Closed	N.
Pocosin Lakes NWR	North Carolina	Already Open	Already Open	O	Already Open.
San Luis NWR	California	E	Already Open	Already Closed	Already Open.
Shiawassee NWR	Michigan	E	Already Open	Already Open	Already Open.
Southern Maryland Woodlands NWR	Maryland	Already Closed	Already Closed	N	Already Closed.
Willapa NWR	Washington	E	Already Open	E	Already Open.

Key:

N = New station opened for the first time.

O = Opening (New species and/or new activity on a station previously open to other activities).

E = Expansion (Station is already open to the activity; the final rule adds new lands/waters, modifies areas open to hunting or fishing, extends season dates, adds a targeted hunt, modifies season dates, modifies hunting hours, etc.).

*We consider the changes at Grasslands WMA to be formal openings, rather than opening hunting for the first time. This is because these formal openings reflect existing hunts on Grasslands WMA that were opened and administered under the hunt plan for San Luis NWR, an adjacent station within the same complex. These formal openings will result in a new opportunity by expanding snipe hunting to additional acres, but the openings are largely an administrative change intended to provide greater clarity to the hunting public. This is why, for Grasslands WMA's migratory bird and upland game hunting, we use the designation 'O' rather than 'N' in this table.

The changes for the 2025–2026 hunting and fishing seasons noted in the table above are each based on a complete administrative record which, among other detailed documentation, also includes a hunt plan, a compatibility determination (for refuges), and the appropriate NEPA analysis, all of which were the subject of a public review and comment process. The record also includes the appropriate ESA analysis. These documents are available upon request.

Through these openings and expansions, we are opening or expanding hunting or fishing on 87,587 acres within the NWRS and the NFHS.

Refuge Name Change

On March 4, 2025, Executive Order (E.O.) 14229 renamed the Anahuac NWR to honor Jocelyn Nungaray. This rule revises the CFR to reflect the name change.

Fish Advisory

For health reasons, anglers should review and follow State-issued consumption advisories before enjoying recreational sport fishing opportunities on Service-managed waters. You can find information about current fish-consumption advisories on the internet at <https://www.epa.gov/choose-fish-and-shellfish-wisely>.

Required Determinations*Regulatory Planning and Review—E.O.s 12866 and 13563*

E.O. 12866 provides that the Office of Information and Regulatory Affairs (OIRA) in the OMB will review all significant rules. OIRA has determined that this rule is not significant.

E.O. 13563 reaffirms the principles of E.O. 12866 while calling for improvements in the Nation's regulatory system to promote predictability, to reduce uncertainty, and to use the best, most innovative, and least burdensome tools for achieving regulatory ends. E.O. 13563 directs agencies to consider regulatory approaches that reduce burdens and maintain flexibility and freedom of choice for the public where these approaches are relevant, feasible, and consistent with regulatory objectives. E.O. 13563 emphasizes further that regulations must be based on the best available science and that the rulemaking process must allow for public participation and an open exchange of ideas. We have developed

this final rule and additions to the CFR in a manner consistent with these requirements.

Regulatory Flexibility Act (5 U.S.C. 601 et seq.)

Under the Regulatory Flexibility Act (RFA; 5 U.S.C. 601 *et seq.*), as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA; 5 U.S.C. 801 *et seq.*), whenever a Federal agency is required to publish a notice of rulemaking for any proposed or final rule, it must prepare and make available for public comment a regulatory flexibility analysis that describes the effect of the rule on small entities (*i.e.*, small businesses, small organizations, and small government jurisdictions). However, no regulatory flexibility analysis is required if the head of an agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Thus, for a regulatory flexibility analysis to be required, impacts must exceed a threshold for “significant impact” and a

threshold for a “substantial number of small entities.” See 5 U.S.C. 605(b). SBREFA amended the RFA to require Federal agencies to provide a statement of the factual basis for certifying that a rule will not have a significant economic impact on a substantial number of small entities.

These revisions and additions to the CFR open or expand hunting or fishing on 17 stations. As a result, visitor use for wildlife-dependent recreation on these stations will change. If the stations establishing new programs were a pure addition to the current supply of those activities, it would mean an estimated maximum increase of 189 user days (one person per day participating in a recreational opportunity; see table 2, below). Because the participation trend is flat in these activities, this increase in supply will most likely be offset by other sites losing participants. Therefore, this is likely to be a substitute site for the activity and not necessarily an increase in participation rates for the activity.

TABLE 2—ESTIMATED MAXIMUM CHANGE IN RECREATION OPPORTUNITIES IN 2025–2026

[Thousands, 2024 dollars]

Station	Additional hunting days	Additional fishing days	Additional expenditures
Black Coulee NWR	0	.....	\$0
Bowdoin NWR	0	.....	0
Buffalo Lake NWR	20	.....	1
Creedman Coulee NWR	0	.....	0
Eufaula NWR	0	.....	0
Grasslands WMA	0	.....	0
Grays Lake NWR	0	.....	0
Hewitt Lake NWR	0	.....	0
Laguna Atascosa NWR	0	.....	0
Lake Thibadeau NWR	0	.....	0
Moosehorn NWR	2	.....	<1
North Attleboro NFH .....	.....	156	5
Pocosin Lakes NWR	7	.....	<1
San Luis NWR	0	.....	0
Shiawassee NWR	2	.....	<1
Southern Maryland Woodlands NWR	2	.....	<1
Willapa NWR	0	.....	0
Total	33	156	6

To the extent visitors spend time and money in the area of the station that they would not have spent there anyway, they contribute new income to the regional economy and benefit local businesses. Due to the unavailability of site-specific expenditure data, we use the national estimates from the 2022 National Survey of Fishing, Hunting, and Wildlife Associated Recreation to identify expenditures for food and lodging, transportation, and other incidental expenses. Using the average expenditures for these categories with

the maximum expected additional participation of the Refuge System yields approximately \$6,000 in recreation-related expenditures (see table 2, above). By having ripple effects throughout the economy, these direct expenditures are only part of the economic impact of these recreational activities. Using a national impact multiplier for hunting activities (2.4) derived from the report “Hunting in America: An Economic Force for Conservation” and for fishing activities (2.3) derived from the report

“Sportfishing in America” yields a total maximum economic impact of approximately \$14,000 (2024 dollars) (Southwick Associates, Inc., 2024).

Since we know that most of the fishing and hunting occurs within 100 miles of a participant's residence, it is unlikely that most of this spending will be “new” money coming into a local economy; therefore, this spending will be offset with a decrease in some other sector of the local economy. The net gain to the local economies will be no more than \$14,000 and likely less. Since

80 percent of the participants travel less than 100 miles to engage in hunting and fishing activities, their spending patterns will not add new money into the local economy, and, therefore, the real impact will be on the order of about \$3,000 annually.

Small businesses within the retail trade industry (such as hotels, gas stations, taxidermy shops, bait-and-tackle shops, and similar businesses)

may be affected by some increased or decreased station visitation. A large percentage of these retail trade establishments in the local communities around stations qualify as small businesses (see table 3, below). We expect that the incremental recreational changes will be scattered, and so we do not expect that the rule will have a significant economic effect on a substantial number of small entities in

any region or nationally. As noted previously, we expect at most \$14,000 to be spent in total in the stations' local economies. The maximum increase will be less than one-tenth of one percent for local retail trade spending (see table 3, below). Table 3 does not include entries for those stations for which we project no changes in recreation opportunities in 2025–2026; see table 2, above.

TABLE 3—COMPARATIVE EXPENDITURES FOR RETAIL TRADE ASSOCIATED WITH ADDITIONAL STATION VISITATION FOR 2025–2026

[Thousands, 2024 dollars]

Station & county(ies)	Retail trade in 2017 ¹	Estimated maximum addition from new activities	Addition as % of total	Establishments in 2017 ¹	Establishments with fewer than 10 employees in 2017
Buffalo Lake NWR:					
Randall, TX	\$2,340,561	<\$1	<0.1	351	237
Moosehorn NWR:					
Washington, ME	516,503	<1	<0.1	141	88
North Attleboro NFH:					
Bristol, MA	11,953,854	5	<0.1	2,147	1,439
Pocosin Lakes NWR:					
Hyde, NC	36,521	<1	<0.1	41	38
Tyrrell, NC	43,816	<1	<0.1	20	17
Washington, NC	120,827	<1	<0.1	46	35
Shiawassee NWR:					
Saginaw, MI	4,019,898	<1	<0.1	825	528
Southern Maryland Woodlands NWR:					
Anne Arundel, MD	11,736,536	<1	<0.1	1,984	1,216
Calvert, MD	1,166,179	<1	<0.1	204	137
Charles, MD	2,882,128	<1	<0.1	479	281
Prince George's, MD	13,034,013	<1	<0.1	2,361	1,482
St. Mary's, MD	1,703,425	<1	<0.1	294	172

¹ U.S. Census Bureau.

With the small change in overall spending anticipated from this action, it is unlikely that a substantial number of small entities will have more than a small impact from the spending change near the affected stations. Therefore, we certify that this rule will not have a significant economic effect on a substantial number of small entities as defined under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). A regulatory flexibility analysis is not required. Accordingly, a small entity compliance guide is not required.

Congressional Review Act

These revisions and additions to the CFR, collectively, are not a major rule under 5 U.S.C. 804(2), the Congressional Review Act. We anticipate no significant employment or small business effects. Collectively, the revisions and additions to the CFR:

a. Will not have an annual effect on the economy of \$100 million or more. The minimal impact will be scattered across the country and will most likely not be significant in any local area.

b. Will not cause a major increase in costs or prices for consumers; individual industries; Federal, State, or local government agencies; or geographic regions. The opportunities will have only a slight effect on the costs of hunting opportunities for Americans. If the substitute sites are farther from the participants' residences, then an increase in travel costs will occur. The Service does not have information to quantify this change in travel cost but assumes that, since most people travel less than 100 miles to hunt, the increased travel cost will be small. We do not expect these hunting and fishing opportunities to affect the supply or demand for hunting or fishing opportunities in the United States, and, therefore, it should not affect prices for hunting or fishing equipment and supplies, or the retailers that sell equipment.

c. Will not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises.

The additions and revisions to existing opportunities represent only a small proportion of recreational spending at NWRs. Therefore, the additions and revisions to the CFR will have no measurable economic effect on the wildlife-dependent industry, which has annual sales of equipment and travel expenditures of \$72 billion nationwide.

Unfunded Mandates Reform Act (2 U.S.C. 1501 *et seq.*)

Since the revisions and additions to the CFR will apply to public use of federally owned and managed refuges, it would not impose an unfunded mandate on State, local, or Tribal governments or the private sector of more than \$100 million per year. The revisions and additions will not have a significant or unique effect on State, local, or Tribal governments or the private sector. A statement containing the information required by the Unfunded Mandates Reform Act (2 U.S.C. 1531 *et seq.*) is not required.

Takings—E.O. 12630

In accordance with E.O. 12630, the revisions and additions to the CFR will not have significant takings implications. The revisions and additions will affect only visitors to NWRs and NFHS and will describe what they can do while they are on a Service station.

Federalism—E.O. 13132

As discussed under *Regulatory Planning and Review and Unfunded Mandates Reform Act*, above, the revisions and additions to the CFR would not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement under E.O. 13132. In preparing these revisions and additions to the CFR, we worked with State governments.

Civil Justice Reform—E.O. 12988

In accordance with E.O. 12988, the Department of the Interior has determined that these revisions and additions to the CFR would not unduly burden the judicial system and that it meets the requirements of sections 3(a) and 3(b)(2) of the E.O.

Energy Supply, Distribution or Use—E.O. 13211

On May 18, 2001, the President issued E.O. 13211 on regulations that significantly affect energy supply, distribution, or use. E.O. 13211 requires agencies to prepare statements of energy effects when undertaking certain actions. Because these revisions and additions would open or expand hunting at 17 NWRs and NFHS stations, the revisions and additions are not collectively a significant regulatory action under E.O. 12866, and we do not expect it to significantly affect energy supplies, distribution, or use. Therefore, this action is not a significant energy action, and no statement of energy effects is required.

Consultation and Coordination With Indian Tribal Governments—E.O. 13175

In accordance with E.O. 13175, we have evaluated possible effects on federally recognized Indian Tribes and have determined that there are no effects. We coordinate recreational use on NWRs and NFHS with Tribal governments having adjoining or overlapping jurisdiction before we propose the regulations.

Paperwork Reduction Act (44 U.S.C. 3501 et seq.)

This rule contains existing and new collections of information. All information collections require approval

by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (PRA; 44 U.S.C. 3501 et seq.). 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 OMB has reviewed and approved the information collection requirements associated with hunting and sport fishing activities across the National Wildlife Refuge System and National Fish Hatchery System and assigned the following OMB control numbers:

- 1018–0140, “Hunting and Sport Fishing Application Forms and Activity Reports for National Wildlife Refuges, 50 CFR 25.41, 25.43, 25.51, 26.32, 26.33, 27.42, 30.11, 31.15, 32.1 to 32.72” (Expires 09/30/2025, and in accordance with 5 CFR 1320.10, an agency may continue to conduct or sponsor this collection of information while the submission is pending at OMB),
- 1018–0102, “National Wildlife Refuge Special Use Permit Applications and Reports, 50 CFR 25, 26, 27, 29, 30, 31, 32, & 36” (Expires 08/31/2025, and in accordance with 5 CFR 1320.10, an agency may continue to conduct or sponsor this collection of information while the submission is pending at OMB),
- 1018–0135, “Electronic Federal Duck Stamp Program” (Expires 06/30/2028),
- 1018–0093, “Federal Fish and Wildlife Permit Applications and Reports—Management Authority; 50 CFR 13, 15, 16, 17, 18, 22, 23” (Expires 12/31/2026), and
- 1024–0252, “The Interagency Access Pass and Senior Pass Application Processes” (Expires 10/31/2027).

In accordance with the PRA and its implementing regulations at 5 CFR 1320.8(d)(1), we provide the general public and other Federal agencies with an opportunity to comment on our proposed revision to OMB Control Number 1018–0140. This input will help us assess the impact of our information collection requirements and minimize the public’s reporting burden. It will also help the public understand our information collection requirements and provide the requested data in the desired format.

The existing and new reporting and/or recordkeeping requirements identified below require approval by OMB:

Form 3–2358, “Sport Fishing-Shrimping-Crabbing Permit Application”—Form 3–2358 collects the following information:

- *Date of application:* We often have application deadlines, and this information helps staff determine the order in which we received the applications. It also ensures that the information is current.

- *State fishing license number:* We ask for this information to verify the applicant is legally licensed by the State (where required).

- *Permit type:* On sport fishing permits, we ask what type of activity (crabbing, shrimping, crabbing, frogging, etc.) is being applied for.

- *Applicant information:* We collect name, address, phone number(s), and email so we can contact the applicant/permittee either during the application process or after receiving a permit.

- *Signature and date:* To confirm that the applicant (and parent/guardian, if a youth hunter) understands the terms and conditions of the permit.

Form 3–2405 “Self-Clearing Check-In/Out Permit”—Form 3–2405 has three parts:

- *Self-Clearing Daily Check-in Permit.* Each user completes this portion of the form (date of visit, name, and telephone numbers) and deposits it in the permit box prior to engaging in any activity on the refuge.

- *Self-Clearing Daily Visitor Registration Permit.* Each user must complete the front side of the form (date, name, city, State, zip code, and purpose of visit) and carry this portion while on the refuge. At the completion of the visit, each user must complete the reverse side of the form (number of hours on refuge, harvest information (species and number), harvest method, angler information (species and number), and wildlife sighted (e.g., black bear and hog)) and deposit it in the permit box.

- *Self-Clearing Daily Vehicle Permit.* The driver and each user traveling in the vehicle must complete this part and display in clear view in the vehicle while on the refuge.

Form 3–2405 collects:

- Information on the visitor (name, address, and contact information). We use this information to identify the visitor or driver/passenger of a vehicle while on the refuge. This is extremely valuable information should visitors become lost or injured. Law enforcement officers can easily check vehicles for these cards in order to determine a starting point for the search or to contact family members in the event of an abandoned vehicle. Having this information readily available is critical in a search and rescue situation.

- Purpose of visit (hunting, sport fishing, wildlife observation, wildlife photography, auto touring, birding,

hiking, boating/canoeing, visitor center, special event, environmental education class, volunteering, other recreation). This information is critical in determining public use participation in wildlife management programs. This not only allows the refuge to manage its hunt and other visitor use programs, but also to increase and/or improve facilities for non-consumptive uses that are becoming more popular on refuges. Data collected will also help managers better allocate staff and resources to serve the public as well as develop annual performance measures.

- **Total number of hunt days on the refuge** (at the conclusion of their hunting activities). Refuge management will use this information to monitor and evaluate hunt quality and resource impacts.

- **Success of harvest by hunters/ anglers** (number and type of harvest/ caught). This information is critical to wildlife management programs on refuges. Each refuge will customize the form by listing game species and incidental species available on the refuge, hunting methods allowed, and data needed for certain species (e.g., for deer, whether it's a buck or doe and the number of points; or for turkeys, the weight and beard and spur lengths).

- **Whether or not visitors observed black bear or hogs, for example.** This information will help managers develop annual performance measures for hog removal, and it provides information to help develop resource management planning.

- **Photograph of animal harvested** (specific refuges only). This requirement documents the sex of animal prior to the hunter being eligible to harvest the opposite sex (where allowed).

- **Date of visit and/or area visited.**
- **Comments.** We encourage visitors to comment on their experience.

Form 3-2439, "Hunting Application/ Permit"—Form 3-2439 collects the following information:

- **Lottery application:** Refuges who administer hunting via a lottery system use Form 3-2439 as the lottery application. If the applicant is successful, the completed Form 3-2439 also serves as their permit application, avoiding a duplication of burden on the public filling out two separate forms.

- **Date of application:** We often have application deadlines, and this information helps staff determine the order in which we received the applications. It also ensures that the information is current.

- **Methods:** Some refuges hold multiple types of hunts (i.e. archery, shotgun, primitive weapons, etc). We ask for this information to identify

which opportunity(ies) a hunter is applying for.

- **Species permit type:** Some refuges allow only certain species, such as moose, elk, or bighorn sheep, to be hunted. We ask hunters to identify which species hunt they are applying for.

- **Applicant information:** We collect name, address, phone number(s), and email so we can contact the applicant/ permittee either during the application process, when the applicant is successful in a lottery drawing, or after receiving a permit.

- **Party members:** Some refuges allow the permit applicant to include additional hunters in their group. We collect the names of all additional hunters, when allowed by the refuge.

- **Parent/Guardian contact information:** We collect name, relationship, address, phone number(s), and email for a parent/guardian of youth hunters. We ask for this information in the event of an emergency.

- **Date:** We ask hunters for their preferences for hunt dates.

- **Hunt/Blind location:** We ask hunters for their preferences for hunt units, areas, or blinds.

- **Special hunts:** Some refuges hold special hunts for youth, hunters who are disabled, or other underserved populations. We ask hunters to identify if they are applying for these special hunts. For youth hunts, we ask for the age of the hunter at the time of the hunt.

- **Signature and date:** To confirm that the applicant (and parent/guardian, if a youth hunter) understands the terms and conditions of the permit.

- **Disabled hunts:** Some refuges provide an option to allow mobility-impaired applicants to reserve specific hunting blinds upon providing proof of disability. The refuge will not retain the proof of disability. The documentation will be shredded upon approval of the blind reservation.

Form 3-2542, "Hunter Harvest Report"—Form 3-2542 collects the following information:

- **State-issued hunter identification (ID)/license number.** (*Note:* Refuges/hatcheries who rely on the State agency to issue hunting permits are not required to collect the permittee's personal identifying information (PII) on the harvest form. Those refuges/hatcheries may opt to collect only the State ID number assigned to the hunter in order to match harvest data with their issued permit. Refuges/hatcheries will collect either hunter PII or State-issued ID number, but not both.)

- **Species observed**—Data will be used by refuge/hatchery staff to

document the presence of rare or unusual species.

- **Permit number/type**—Data will be used to link the harvest report to the issued permit.

- **Hunt tag number**—Data will be used to link the harvest report to the species-specific hunt tag.

- **Number of youth** (younger than age 18) in party—Data will be used to better understand volume of youth hunting on a refuge/hatchery. Specific hunter names are not collected, just total number of youths in hunting party.

- **Harvested by**—Data will be used to determine ratio of adults to youth hunters. Specific hunter names are not collected.

- **Species observed**—Data will be used by a refuge/hatchery to determine the presence of any unusual species (e.g., endangered or threatened species, or invasive species).

Labeling/Marking Requirements—As a condition of the permit, some refuges require permittees to label hunting and/or sport fishing gear used on the refuge. This equipment may include items such as the following: tree stands, blinds, or game cameras; hunting dogs (collars); flagging/trail markers; boats; and/or sport fishing equipment such as jugs, trotlines, and crawfish or crab traps. Refuges require the owner label their equipment with their last name, the State-issued hunting/fishing license number, and/or hunting/fishing permit number. Refuges may also require equipment for youth hunters include "YOUTH" on the label. This minimal information is necessary in the event the refuge needs to contact the owner.

Required Notifications—On occasion, hunters may find their game has landed outside of established hunting boundaries. In this situation, hunters must notify an authorized refuge employee to obtain consent to retrieve the game from an area closed to hunting or entry only upon specific consent. Certain refuges also require hunters to notify the refuge manager when hunting specific species (e.g., black bear, bobcat, or eastern coyote) with trailing dogs. Refuges encompassing privately owned lands, referred to as "easement overlay refuges," may also require the hunter obtain written or oral permission from the landowner prior to accessing the land.

Proposed Revisions—With this submission, we will request OMB approval of the revisions to OMB Control No. 1018-0140 as described below:

1. **Updates to Form 3-2439, "Hunting Application/Permit"**—With the submission, we propose to incorporate the fields listed below from the

Mentored Hunt Application (no form number assigned), which is currently approved under OMB Control No. 1018–0191, Lenape NWR Complex Mentored Hunt Application, into the currently approved Form 3–2439, “Hunting Application/Permit.” The Service requires all mentored hunt participants to sign the Service’s “USFWS Release and Waiver of Liability,” as well as a Form 3–2260, “Agreement for Use of Likeness in Audio/Visual Products,” when they are on the Refuge.

- Emergency contact (name and phone number);
- Applicant hunting history, such as:
- Whether applicant has completed a basic hunter education course;
- Whether applicant has purchased a hunting license, and if yes, when;
- Previous hunting experience;
- Previous participation in a mentored hunt program;
- Interest in hunting;
- Family history of hunting;
- Whether applicant owns equipment and if yes, type of equipment; and
- Medical conditions/allergies for program staff to be aware of in the event of an emergency.

The information collected via the application will be used by the Service and partners to determine eligibility for the program the hunter applies to participate in. Upon OMB approval of this revision at the final rule stage, we will discontinue OMB Control No. 1018–0191.

2. Update Regarding Terms of Clearance—With this submission, we are also providing OMB with an update regarding the Terms of Clearance they assigned to Control Number 1018–0140 on 09/16/2022 regarding the implementation of a single, FedRAMP-certified platform for hunt applications. The Service obtained FedRAMP authorization for the RecAccess platform. We are also working with a contractor to improve services on the *Recreation.gov* platform. However, based on customer experience analysis, a mandate to consolidate to one platform would adversely affect the customer experience at some sites that offer free opportunities to veterans and youth. It would also create a problem for some refuges that charge for issued permits, not for each permit application. The use of two platforms allows the Service to account for the variability in fee models and to continue to offer free and low-cost options to our customers, as the Service primarily uses permits to limit use, not to generate fees.

3. New IC for Web-Based Permit Application Platforms—With this submission, we are also splitting the previously approved burden associated

with hunting applications into separate information collections for hardcopy permit applications and those that are web-based permit applications on the *Recreation.gov* and *RecAccess.com* platforms. The online systems do not collect any information above what is currently approved to be collected via the hardcopy version of Form 3–2439.

4. Renewal of OMB Control No. 1018–0140: With this submission, we are renewing this information collection (current expiration date of 09/30/2025) for an additional 3 years from the effective date of OMB’s conclusion of the submission in conjunction with this final rule.

Copies of the draft forms are available to the public by submitting a request to the Service Information Collection Clearance Officer using one of the methods identified above in **ADDRESSES**.

Title of Collection: Hunting and Fishing Application Forms and Activity Reports for National Wildlife Refuges and National Fish Hatcheries (50 CFR parts 32 and 71).

OMB Control Number: 1018–0140.

Form Numbers: 3–2348, 3–2405, 3–2439, and 3–2542.

Type of Review: Revision of a currently approved collection.

Respondents/Affected Public: Individuals/households.

Total Estimated Number of Annual Respondents: 1,632,055.

Total Estimated Number of Annual Responses: 1,632,055.

Estimated Completion Time per Response: Varies from 5 minutes to 30 minutes, depending on activity.

Total Estimated Number of Annual Burden Hours: 265,117.

Respondent’s Obligation: Required to obtain or retain a benefit.

Frequency of Collection: On occasion for applications; annually or on occasion for reports.

Total Estimated Annual Non-Hour Burden Cost: \$87,365 (primarily associated with application fees at some refuges hunting and/or sport fishing).

On May 15, 2025, we published in the **Federal Register** (90 FR 20600) a proposed rule (RIN 1018–BI01) that announced our intention to request OMB approval of the revisions to this collection explained above and the simultaneous renewal of OMB Control No. 1018–0140. In that proposed rule, we solicited comments for 60 days on the information collections in this submission, ending on July 15, 2025. We did not receive any public comments regarding the information collections in response to that proposed rule.

As part of our continuing effort to reduce paperwork and respondent

burdens, and in accordance with 5 CFR 1320.8(d)(1), we invite the public and other Federal agencies to comment on any aspect of this proposed information collection, including:

(1) Whether or not the collection of information is necessary for the proper performance of the functions of the agency, including whether or not the information will have practical utility;

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

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

(4) Ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of response.

Comments that you submit in response to the proposed revisions and additions to the information collection are a matter of public record. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Send your written comments and suggestions on this information collection by the date indicated in **DATES** to the Service Information Collection Clearance Officer, U.S. Fish and Wildlife Service, MS: PRB/PERMA (JAO), 5275 Leesburg Pike, Falls Church, VA 22041–3803 (mail); or by email to Info_Coll@fws.gov. Please reference OMB Control Number 1018–0140 in the subject line of your comments.

Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.)

We comply with section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.), when developing comprehensive conservation plans and step-down management plans—which includes hunting and/or fishing plans—for public use of refuges and hatcheries, and prior to implementing any new or revised public recreation program on a station as identified in 50 CFR 26.32. We complied with section 7 for each of the

stations affected by these openings and expansions of hunting and fishing opportunities.

National Environmental Policy Act (42 U.S.C. 4321 et seq.)

We analyzed these openings and expansions in accordance with the criteria of the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4332(C)) and 516 Departmental Manual (DM) 8.

A categorical exclusion from NEPA documentation applies to publication of amendments to station-specific hunting and fishing regulations because they are technical and procedural in nature, and the environmental effects are too broad, speculative, or conjectural to lend themselves to meaningful analysis (516 DM 8). Concerning the actions that are the subject of these additions and revisions, we have complied with NEPA at the project level when developing each hunting or fishing opportunity. This is consistent with the Department of the Interior instructions for compliance with NEPA where actions are covered sufficiently by an earlier environmental document.

Prior to the addition of a refuge or hatchery to the list of areas open to hunting and fishing in 50 CFR parts 32 and 71, we develop hunting and fishing plans for the affected stations. We incorporate these hunting and fishing activities in the appropriate station comprehensive conservation plan and/or other step-down management plans, pursuant to our refuge planning guidance in 602 Fish and Wildlife Service Manual (FW) 1, 3, and 4. We prepare these comprehensive conservation plans and step-down plans in compliance with section 102(2)(C) of NEPA and the Department of Interior's NEPA regulations at 43 CFR part 46. We invite the affected public to participate in the review, development, and implementation of these plans. Copies of all plans and NEPA compliance are available upon request.

Available Information for Specific Stations

More information about the Service's hunting and fishing programs is available online, including an interactive map of hunting and fishing opportunities. Hunting information is available at <https://www.fws.gov/initiative/hunting/hunting-us-fish-and-wildlife-service-lands-and-waters> and <https://www.fws.gov/library/collections/hunting>. Sport fishing information is available at <https://www.fws.gov/activity/fishing>.

Individual refuge and hatchery offices also have more detailed information

about public use programs and conditions that apply to their specific programs and maps of their respective areas. To find contact information for the appropriate Service office, you may locate the office on an interactive map at <https://www.fws.gov/locations>.

Primary Author

Christian Myers, Division of Natural Resources and Conservation Planning, National Wildlife Refuge System, is the primary author of this document.

Regulation Summary Table

The regulatory amendments set forth below are presented alongside existing station-specific regulations that have not been amended. For a table that provides additional clarity on which specific regulatory provisions have been amended, please see Docket No. FWS-HQ-NWRS-2025-0031 on <https://www.regulations.gov> for a separate document containing a table that provides additional clarity on which specific regulatory provisions have been amended and how they have been amended.

List of Subjects

50 CFR Part 32

Fishing, Hunting, Reporting and recordkeeping requirements, Wildlife, Wildlife refuges.

50 CFR Part 71

Fish, Fishing, Hunting, Wildlife.

Regulation Promulgation

For the reasons described in the preamble, we amend title 50, chapter I, subchapters C and E of the CFR as set forth below:

PART 32—HUNTING AND FISHING

- 1. The authority citation for part 32 continues to read as follows:

Authority: 5 U.S.C. 301; 16 U.S.C. 460k, 664, 668dd–668ee, and 715i; Pub. L. 115–20, 131 Stat. 86.

- 2. Amend § 32.7 by revising and republishing paragraphs (e), (t), and (qq) to read as follows:

§ 32.7 What refuge units are open to hunting and/or sport fishing?

* * * * *

(e) *California*. (1) Cibola National Wildlife Refuge.

(2) Clear Lake National Wildlife Refuge.

(3) Colusa National Wildlife Refuge.

(4) Delevan National Wildlife Refuge.

(5) Don Edwards San Francisco Bay National Wildlife Refuge.

(6) Grasslands Wildlife Management Area.

(7) Havasu National Wildlife Refuge.

(8) Humboldt Bay National Wildlife Refuge.

(9) Imperial National Wildlife Refuge.

(10) Kern National Wildlife Refuge.

(11) Lower Klamath National Wildlife Refuge.

(12) Marin Islands National Wildlife Refuge.

(13) Merced National Wildlife Refuge.

(14) Modoc National Wildlife Refuge.

(15) Sacramento National Wildlife Refuge.

(16) Sacramento River National Wildlife Refuge.

(17) Salinas River National Wildlife Refuge.

(18) San Diego National Wildlife Refuge.

(19) San Diego Bay National Wildlife Refuge.

(20) San Luis National Wildlife Refuge.

(21) San Pablo Bay National Wildlife Refuge.

(22) Sonny Bono Salton Sea National Wildlife Refuge.

(23) Stone Lakes National Wildlife Refuge.

(24) Sutter National Wildlife Refuge.

(25) Tule Lake National Wildlife Refuge.

* * * * *

(t) *Maryland*. (1) Blackwater National Wildlife Refuge.

(2) Eastern Neck National Wildlife Refuge.

(3) Patuxent Research Refuge.

(4) Southern Maryland Woodlands National Wildlife Refuge.

* * * * *

(qq) *Texas*. (1) Aransas National Wildlife Refuge.

(2) Balcones Canyonlands National Wildlife Refuge.

(3) Big Boggy National Wildlife Refuge.

(4) Brazoria National Wildlife Refuge.

(5) Buffalo Lake National Wildlife Refuge.

(6) Caddo Lake National Wildlife Refuge.

(7) Hagerman National Wildlife Refuge.

(8) Jocelyn Nungaray National Wildlife Refuge.

(9) Laguna Atascosa National Wildlife Refuge.

(10) Lower Rio Grande Valley National Wildlife Refuge.

(11) McFaddin National Wildlife Refuge.

(12) Muleshoe National Wildlife Refuge.

(13) Neches River National Wildlife Refuge.

(14) San Bernard National Wildlife Refuge.

(15) Texas Point National Wildlife Refuge.

(16) Trinity River National Wildlife Refuge.

* * * * *

■ 3. Amend § 32.20 by revising and republishing paragraph (d) to read as follows:

§ 32.20 Alabama.

* * * * *

(d) *Eufaula National Wildlife Refuge*—(1) *Migratory game bird hunting*. We allow hunting of mourning dove and Eurasian-collared dove, duck, and goose on designated areas of the refuge subject to the following conditions:

(i) You must possess and carry a signed refuge hunt permit (signed brochure) when hunting.

(ii) All youth hunters (ages 10 through 15) must remain within sight and normal voice contact of a properly licensed hunting adult age 21 or older. Youth hunters must possess and carry verification of passing a State-approved hunter education course. One adult may supervise no more than two youth hunters.

(iii) All waterfowl hunting opportunities are spaced-blind and assigned by lottery. Hunters wishing to participate in our waterfowl hunt must submit a Waterfowl Lottery Application (FWS Form 3–2439, Hunt Application—National Wildlife Refuge System).

(iv) Hunters must remove all stands/blinds and other personal property at the end of each day's hunt (see § 27.93 of this chapter).

(v) We allow access to the refuge for hunting from 1½ hours before legal sunrise to 1½ hours after legal sunset.

(vi) We prohibit organized drives. We define a “drive” as an organized or planned effort to pursue, drive, chase, or otherwise frighten or cause game to move in the direction of any person(s) who is part of the organized or planned hunt and known to be waiting for the game.

(vii) We prohibit hunting or observing from an elevated stand without use of a full body harness.

(2) *Upland game hunting*. We allow hunting of gray squirrel and rabbit on designated areas of the refuge subject to the following conditions:

(i) The conditions set forth at paragraphs (d)(1)(i), (ii) and (v) through (vii) of this section apply.

(ii) We allow only shotguns and State-designated archery equipment as means of take for upland game hunting.

(3) *Big game hunting*. We allow hunting of white-tailed deer and feral hog on designated areas of the refuge subject to the following conditions:

(i) The conditions set forth at paragraphs (d)(1)(i) and (v) through (vii) of this section apply.

(ii) We allow youth gun hunting opportunities that are spaced-blind and assigned by lottery. Hunters wishing to participate in our youth gun hunt must submit a Big/Upland Game Hunt Application (FWS Form 3–2439, Hunt Application—National Wildlife Refuge System).

(iii) All youth hunters must remain within sight and normal voice contact of a properly hunting-licensed adult age 21 or older. Youth hunters must possess and carry verification of passing a State-approved hunter education course. One adult may supervise no more than one youth hunter.

(iv) All big game hunting opportunities, except for youth gun, are archery-only.

(v) We close those portions of the refuge between Bustahatchee and Rood Creeks to archery hunting until November 1.

(4) *Sport fishing*. We allow sport fishing, including bowfishing, in designated areas of the refuge subject to the following conditions:

(i) We allow shoreline access for fishing from 1 hour before legal sunrise to 1 hour after legal sunset.

(ii) We prohibit taking frog or turtle on all refuge lands and waters (see § 27.21 of this chapter).

(iii) We adopt reciprocal license agreements between Alabama and Georgia for fishing in Lake Eufaula. Anglers fishing in waters not directly connected to Lake Eufaula must be properly licensed for the State in which they are fishing.

* * * * *

■ 4. Amend § 32.24 by:

■ a. Redesignating paragraphs (f) through (x) as paragraphs (g) through (y), respectively;

■ b. Adding new paragraph (f); and

■ c. Revising and republishing newly redesignated paragraphs (r) and (t).

The addition and revisions read as follows:

§ 32.24 California.

* * * * *

(f) *Grasslands Wildlife Management Area*—(1) *Migratory game bird hunting*. We allow hunting of goose, duck, coot, moorhen, and snipe on designated areas of the refuge subject to the following conditions:

(i) You may not possess more than 25 shot shells while in the field once you have left your assigned parking lot. On the Freitas Units, you may not possess more than 25 shot shells once you are in the field.

(ii) You must return your permits (State-issued) to the check stations immediately upon completion of your hunt and prior to using any tour routes or leaving the refuge vicinity.

(iii) We restrict hunters in the spaced blind area to their assigned blind except when they are placing decoys, traveling to and from the parking area, retrieving downed birds, or pursuing crippled birds.

(iv) We restrict hunters in the spaced zone area of the East Bear Creek Unit and West Bear Creek Unit to their assigned zone except when they are traveling to and from the parking area, retrieving downed birds, or pursuing crippled birds.

(v) Access to the Freitas Unit free-roam hunting area is by boat only. We prohibit air-thrust and inboard water-thrust boats.

(vi) We require State-issued Type A area permits for accessing the Freitas Unit on Wednesdays, Saturdays, and Sundays.

(2) *Upland game hunting*. We allow hunting of pheasant on designated areas of the refuge.

(3)–(4) [Reserved]

* * * * *

(r) *San Diego National Wildlife Refuge*—(1) [Reserved]

(2) *Upland game hunting*. We allow hunting of quail, mourning and white-winged dove, spotted and ringed turtle dove, Eurasian collared-dove, brush rabbit, cottontail rabbit, and jackrabbit on designated areas of the refuge subject to the following conditions:

(i) Archery hunting of quail is limited to September 1 to the closing date established by the California Department of Fish and Wildlife (CDFW).

(ii) Hunting of brush rabbit and cottontail rabbit is limited to September 1 to the closing date established by the CDFW.

(iii) Hunting of Eurasian collared-dove and jackrabbit is limited to September 1 to the last day of February.

(iv) We allow shotguns and archery only. Falconry is prohibited.

(v) We allow the use of dogs when hunting upland game.

(3) *Big game hunting*. We allow hunting of mule deer on designated areas of the refuge.

(4) [Reserved]

* * * * *

(t) *San Luis National Wildlife Refuge*—(1) *Migratory game bird hunting*. We allow hunting of goose,

duck, coot, moorhen, and snipe on designated areas of the refuge subject to the following conditions:

(i) You may not possess more than 25 shot shells while in the field once you

have left your assigned parking lot. On the Freitas Units, you may not possess more than 25 shot shells once you are in the field.

(ii) You must return your permits (State-issued) to the check stations immediately upon completion of your hunt and prior to using any tour routes or leaving the refuge vicinity.

(iii) We restrict hunters in the spaced blind area to their assigned blind except when they are placing decoys, traveling to and from the parking area, retrieving downed birds, or pursuing crippled birds.

(iv) We restrict hunters in the spaced zone area of the East Bear Creek Unit and West Bear Creek Unit to their assigned zone except when they are traveling to and from the parking area, retrieving downed birds, or pursuing crippled birds.

(v) Access to the Freitas Unit free-roam hunting area is by boat only. We prohibit air-thrust and inboard water-thrust boats.

(vi) We require State-issued Type A area permits for accessing the Freitas Unit on Wednesdays, Saturdays, and Sundays.

(vii) We prohibit the use of motorized boats and other flotation devices in the free-roam units with the exception of the Freitas Unit.

(viii) We prohibit vehicle trailers of any type or size to be in the refuge hunt areas at any time or to be left unattended at any location on the refuge.

(ix) We allow the use of dogs when hunting.

(2) *Upland game hunting.* We allow hunting of pheasant on designated areas of the refuge.

(3) [Reserved]

(4) *Sport fishing.* We allow sport fishing on designated areas of the refuge subject to the following conditions:

(i) We only allow fishing during normal refuge visitation hours in designated areas as posted.

(ii) We only allow the use of pole and line or rod and reel to take fish, and anglers must attend their equipment at all times.

* * * * *

■ 5. Amend § 32.29 by revising and republishing paragraphs (b), (e), (h), and (i) to read as follows:

§ 32.29 Georgia.

* * * * *

(b) *Blackbeard Island National Wildlife Refuge*—(1)–(2) [Reserved]

(3) *Big game hunting.* We allow hunting of white-tailed deer and feral hog on designated areas of the refuge subject to the following conditions:

(i) We require a refuge hunt permit (electronic form) for all hunters age 16 and older.

(ii) Each hunter may place one stand on the refuge no earlier than one month prior to the opening day of each hunt but must remove the stand by the end of each hunt (see § 27.93 of this chapter).

(iii) Only permitted hunters may camp at the designated camping area during refuge hunts.

(iv) For hunting, we allow only bows as governed by State regulations.

(v) Hunters may take five deer (no more than two antlered).

(vi) We allow mooring of boats to the government dock only for loading and unloading purposes.

(4) *Sport fishing.* We allow fishing on designated areas of the refuge subject to the following conditions:

(i) We allow saltwater fishing year-round in the estuarine waters adjacent to the refuge.

(ii) We allow bank/beach saltwater fishing into estuarine waters only from legal sunrise to legal sunset except during managed hunts.

* * * * *

(e) *Harris Neck National Wildlife Refuge*—(1)–(2) [Reserved]

(3) *Big game hunting.* We allow hunting of white-tailed deer and feral hog on designated areas of the refuge subject to the following conditions:

(i) We require a refuge hunt permit (electronic form) for all hunters age 16 and older.

(ii) Each hunter may place one stand on the refuge during the week preceding each hunt but must remove the stand by the end of each hunt (see § 27.93 of this chapter).

(iii) We prohibit hunting within 100 yards (91 meters) of Harris Neck Road, the refuge entrance drive, Visitor Contact Station/Office, Barbour River Landing, Barbour River Road, or Gould's Cemetery.

(iv) Hunters may take five deer (no more than two antlered).

(v) During the gun hunt, we allow only shotguns (20 gauge or larger), muzzleloaders, bows, air rifles (.30 caliber or larger), and air bows, as governed by State regulations. We prohibit the use of centerfire rifles and prohibit the use of buckshot.

(vi) We allow the incidental take of armadillo, feral hog, and coyote during any refuge hunt with the weapons legal for that hunt, subject to applicable State seasons and regulations. There is no bag limit for these species.

(4) *Sport fishing.* We allow sport fishing on designated areas of the refuge subject to the following conditions:

(i) We allow saltwater fishing year-round in the estuarine waters adjacent to the refuge.

(ii) We allow bank fishing into estuarine waters only from legal sunrise to legal sunset except during managed hunts.

(iii) We prohibit freshwater fishing.

* * * * *

(h) *Savannah National Wildlife Refuge*—(1) *Migratory game bird hunting.* We allow hunting of waterfowl and mourning dove on designated areas of the refuge subject to the following conditions:

(i) We require a refuge hunt permit (electronic form) for all hunters age 16 and older.

(ii) You may take feral hog and coyote during all refuge hunts with weapons authorized and legal for those hunts.

(iii) We allow the incidental take of armadillo, beaver, opossum, and raccoon during all refuge hunts with firearms and other equipment authorized for use on refuge lands in Georgia only.

(iv) We allow the use of dogs for retrieving migratory birds.

(2) *Upland game hunting.* We allow hunting of squirrel and rabbit on designated areas of the refuge subject to the following conditions:

(i) The conditions set forth at paragraphs (h)(1)(i), (iii), and (iv) of this section apply.

(ii) You may not hunt on or within 100 yards (90 meters) of public roads, refuge facilities, roads and trails, and railroad rights-of-way, or in closed areas.

(3) *Big game hunting.* We allow hunting of white-tailed deer, turkey, alligator, feral hog, and coyote on designated areas of the refuge subject to the following conditions:

(i) The conditions set forth at paragraphs (h)(1)(i), (ii), and (iii) and (h)(2)(ii) of this section apply.

(ii) You may only use bows, as governed by State regulations, for deer, feral hog, and coyote hunting during the archery hunt for these species.

(iii) You may only use shotguns (20 gauge or larger), centerfire rifles, centerfire pistols, muzzleloaders, and bows, as governed by State regulations, for deer, feral hog, and coyote hunting during the firearm hunts for these species.

(iv) Hunters may take five deer (no more than two antlered).

(v) We allow only shotguns with approved nontoxic #2 shot or smaller, and bows, as governed by State regulations, for turkey hunting.

(vi) We prohibit the use of buckshot

(vii) We prohibit catch-and-release of alligators.

(4) *Sport fishing.* We allow sport fishing on designated areas of the refuge subject to the following conditions:

- (i) Anglers may fish in refuge impoundments and canals from March 1 through November 30 annually.
- (ii) Anglers may fish in Kingfisher Pond and all tidal creeks year-round.
- (iii) We allow fishing from legal sunrise to legal sunset.
- (iv) Anglers may bank fish year-round throughout the refuge, unless otherwise posted.
- (v) Anglers may only use nonmotorized boats and boats with electric motors within impounded waters.

(i) *Wassaw National Wildlife Refuge—(1)–(2) [Reserved]*

(3) *Big game hunting.* We allow hunting of white-tailed deer and feral hog on designated areas of the refuge subject to the following conditions:

(i) We require a refuge hunt permit (electronic form) for all hunters age 16 and older.

(ii) Hunters may take five deer (no more than two antlered).

(iii) We prohibit the use of buckshot.

(iv) We allow mooring of boats to the government dock only for loading or unloading purposes.

(v) We allow only permitted hunters to camp at the designated camping area while participating in refuge hunts.

(vi) Each hunter may place one stand on the refuge no earlier than one month prior to the opening day of each hunt, but you must remove all stands by the end of each hunt (see § 27.93 of this chapter).

(4) *Sport fishing.* We allow sport fishing on designated areas of the refuge subject to the following conditions:

(i) We allow saltwater fishing year-round in the estuarine waters adjacent to the refuge.

(ii) We allow bank/beach fishing into estuarine waters only from legal sunrise to legal sunset except during managed hunts.

(iii) We prohibit freshwater fishing.

* * * * *

■ 6. Amend § 32.37 by revising and republishing paragraphs (l), (t), and (u) to read as follows:

§ 32.37 Louisiana.

* * * * *

(l) *D'Arbonne National Wildlife Refuge—(1) Migratory game bird hunting.* We allow hunting of duck, goose, coot, and woodcock on designated areas of the refuge subject to the following conditions:

(i) You must carry a signed refuge hunt permit (signed public use regulations brochure) and must carry

and fill out daily a Visitor Check-In Permit and Report (FWS Form 3–2405).

(ii) We allow waterfowl hunting until 12 p.m. (noon) during the State season.

(iii) Hunters may enter the refuge no earlier than 4 a.m. and must exit no later than 1:30 p.m.

(iv) We prohibit hunting within 100 feet (30 meters (m)) of the maintained rights-of-way of roads. We prohibit hunting within 50 feet (15 m) or trespassing on aboveground oil, gas, or electrical transmission facilities.

(v) Hunters must remove boats, blinds, and decoys from the refuge at the end of each day's hunt (see § 27.93 of this chapter).

(vi) When hunting migratory game birds, you may only use dogs to locate, point, and retrieve game.

(2) *Upland game hunting.* We allow hunting of squirrel, rabbit, raccoon, and opossum on designated areas of the refuge subject to the following conditions:

(i) The conditions set forth at paragraphs (l)(1)(i) and (iv) of this section apply.

(ii) You may enter the refuge no earlier than 4 a.m. and must exit no later than 2 hours after legal shooting hours.

(iii) When hunting upland game, you may only use dogs to locate, point, and retrieve game.

(3) *Big game hunting.* We allow hunting of white-tailed deer on designated areas of the refuge as indicated subject to the following conditions:

(i) The conditions set forth at paragraphs (l)(1)(i) and (iv) and (l)(2)(ii) of this section apply.

(ii) You must check all deer taken during general gun deer hunts at a refuge check station on the same day taken.

(iii) We prohibit hunters from placing or hunting from stands on pine trees with white-painted bands or rings.

(4) *Sport fishing.* We allow sport fishing on the refuge subject to the following condition: We prohibit the taking of turtle (see § 27.21 of this chapter).

* * * * *

(t) *Tensas River National Wildlife Refuge—(1) Migratory game bird hunting.* We allow hunting of duck, goose, rail, gallinule, coot, woodcock, and snipe on designated areas of the refuge subject to the following conditions:

(i) All hunters and anglers age 16 and older must purchase an Annual Public Use Permit (FWS Form 3–2439). This permit allows individuals to participate in open (non-quota) hunting and fishing seasons.

(ii) All hunters and anglers must obtain a Self-Clearing Permit (FWS Form 3–2405), available at refuge entry points and at the Visitor Center, or utilize electronic check in and check out, and complete the self-clearing process when exiting the refuge at the end of each day.

(iii) We allow hunting of duck, goose, rail, gallinule, coot, and snipe on Tuesdays, Thursdays, Saturdays, and Sundays until 2 p.m. during the State season. We prohibit migratory bird hunting during refuge gun hunts for deer.

(iv) We allow refuge hunters to enter the refuge no earlier than 4 a.m., and they must leave no later than 2 hours after legal sunset unless they are participating in the refuge nighttime raccoon hunt or tracking wounded deer.

(v) We allow all-terrain vehicle (ATV) travel on designated trails for access typically from October 1 to the last day of the refuge squirrel season.

(vi) We prohibit field dressing of game within 150 feet (45 meters) of parking areas, maintained roads, and trails.

(vii) An adult age 18 or older must supervise youth hunters age 17 and younger during all hunts. One adult may supervise two youths during small game and migratory bird hunts but may supervise only one youth during big game hunts. Youth must remain within normal voice contact of the adult who is supervising them.

(viii) We allow the incidental take of coyote, beaver, raccoon, opossum, feral hog, armadillo, and nutria during authorized hunts with firearms and archery equipment legal for use during the hunt.

(2) *Upland game hunting.* We allow hunting of raccoon, squirrel, and rabbit, and the incidental take of coyote, beaver, raccoon, opossum, armadillo, and nutria, on designated areas of the refuge subject to the following conditions:

(i) The conditions set forth at paragraphs (t)(1)(i), (ii), and (iv) through (viii) of this section apply.

(ii) A nighttime raccoon hunt will be conducted during December, January, and/or February, usually in conjunction with the adjacent State Wildlife Management Area (WMA) raccoon hunting season.

(iii) We allow the use of dogs when squirrel and rabbit hunting subject to the following conditions:

(A) We allow hunting without dogs from the beginning of the State season to December 31.

(B) From the beginning of the State season to December 31, we do not require hunters to wear hunter orange.

(C) We allow squirrel and rabbit hunting with or without dogs from January 1 to the last day of February.

(D) From January 1 to the last day of February, squirrel and rabbit hunters are required to wear a minimum solid hunter orange cap.

(E) We allow no more than three dogs per hunting party.

(iv) We close squirrel and rabbit hunting during the following gun hunts for deer: Refuge-wide youth hunt, primitive firearms hunt, and modern firearms hunts.

(3) *Big game hunting.* We allow hunting of white-tailed deer and turkey, and the incidental take of feral hog, on designated areas of the refuge subject to the following conditions:

(i) The conditions set forth at paragraphs (t)(1)(i), (ii), and (iv) through (viii) of this section apply.

(ii) We require a valid Quota Firearm Permit (FWS Form 3-2439) to hunt during a Deer Quota Firearm Hunt. You must complete and submit an application for all Deer Quota Hunts, and hunters will be notified of their drawing status. If selected, hunters are required to purchase the Annual Public Use Permit (FWS Form 3-2439) to claim their Quota Firearm Permit for the selected hunt. Hunters must carry a signed paper copy or electronic version of the permit with them on their person while hunting.

(iii) Deer archery season will begin the first Saturday in November and will conclude on January 31, except for during the youth gun hunt and modern firearms hunts, when archery is prohibited.

(iv) The deer primitive firearms season will occur between November 1 and January 31. We allow all legal primitive firearms as governed by State regulations.

(v) During the deer primitive firearms season, hunters may fit any legal primitive firearms with magnified scopes.

(vi) We allow hunters using primitive weapons to hunt reforested areas.

(vii) We prohibit youth hunters from using modern firearms during the primitive weapon hunt.

(viii) We prohibit hunting and/or shooting into or across any reforested area during the gun hunts for deer.

(ix) For the guided quota youth hunts, we consider youth to be ages 8 through 15.

(x) We will conduct a refuge-wide youth deer hunt that will coincide with the State youth hunt weekend.

(xi) Hunters may take only one deer (one buck or one doe) per day during refuge deer hunts, except that during guided youth and wheelchair-bound

hunts, the limit will be one antlerless and one antlered deer per day.

(xii) We allow turkey hunting in designated areas during the State turkey hunt season not to exceed 16 days.

(xiii) We allow a youth turkey hunt weekend in conjunction with the State youth turkey hunt weekend.

(xiv) We allow muzzleloader hunters to discharge their primitive firearms at the end of each hunt safely into the ground at least 150 feet (45 meters (m)) from any designated public road, maintained road, trail, fire break, dwelling, or aboveground oil and gas production facility. We define a "maintained road or trail" as one that has been mowed, disked, or plowed, or one that is free of trees.

(xv) We prohibit deer hunters leaving deer stands unattended before the opening day of the refuge archery season. Hunters must remove stands from the refuge by the end of the last day of the refuge archery season (see § 27.93 of this chapter). Hunters must remove portable stands from trees at the end of each day's hunt and place freestanding stands in a nonhunting position when unattended. Hunters must clearly mark stands left unattended on the refuge with the hunter's last name, Louisiana Department of Wildlife and Fisheries license number, and I-Sportsman Permit Number.

(xvi) We allow hunting with slugs, rifle, or pistol ammunition larger than .22 caliber rimfire only during the quota hunts for deer. We prohibit use of buckshot when hunting.

(4) *Sport fishing.* We allow sport fishing on designated areas of the refuge subject to the following conditions:

(i) The conditions set forth at paragraphs (t)(1)(i) and (ii) of this section apply.

(ii) We allow anglers to enter the refuge no earlier than 4 a.m., and they must depart no later than 2 hours after legal sunset.

(iii) We prohibit the taking of turtle (see § 27.21 of this chapter).

(iv) We prohibit fish cleaning within 150 feet (45 m) of parking areas, maintained roads, and trails.

(u) *Upper Ouachita National Wildlife Refuge—(1) Migratory game bird hunting.* We allow hunting of duck, goose, coot, dove, rail, gallinule, snipe, and woodcock on designated areas of the refuge subject to the following conditions:

(i) You must carry a signed refuge public use brochure and must carry and fill out daily a Visitor Check-In Permit and Report (FWS Form 3-2405).

(ii) Hunters may only hunt during designated refuge seasons as listed in the signed refuge public use brochure.

(iii) We allow waterfowl hunting until 12 p.m. (noon) during the State season. Waterfowl hunters must exit the refuge no later than 1:30 p.m.

(iv) Hunters may enter the refuge no earlier than 4 a.m.

(v) We prohibit hunting within 100 feet (30 meters (m)) of the maintained rights-of-way of roads and from or across all-terrain vehicle (ATV) trails. We prohibit hunting within 50 feet (15 m) of, or trespassing on, aboveground oil, gas, or electrical transmission facilities.

(vi) When hunting migratory game birds, you may only use dogs to locate, point, and retrieve.

(vii) We allow ATVs only on trails designated for their use and marked by signs (see § 27.31 of this chapter). ATV trails are closed March 1 through August 31.

(viii) We allow the incidental take of coyote, beaver, and feral hog during any refuge hunt with the weapons legal for that hunt, subject to applicable State seasons and regulations.

(2) *Upland game hunting.* We allow hunting of quail, squirrel, rabbit, raccoon, and opossum, and the incidental take of coyote and beaver, on designated areas of the refuge subject to the following conditions:

(i) The conditions set forth at paragraphs (u)(1)(i), (ii), (iv), (v), (vii), and (viii) of this section apply.

(ii) You must exit no later than 2 hours after legal shooting hours, unless participating in authorized hunting after legal sunset.

(iii) We allow the nighttime hunting of raccoon and opossum from December 1 to January 31 with the aid of dogs. We allow hunting of raccoon and opossum during the daylight hours of rabbit and squirrel season.

(3) *Big game hunting.* We allow hunting of white-tailed deer and turkey, and the incidental take of feral hog, on designated areas of the refuge subject to the following conditions:

(i) The conditions set forth at paragraphs (u)(1)(i), (ii), (iv), (v), (vii), and (viii), and (u)(2)(ii) of this section apply.

(ii) Deer hunters must wear hunter orange as governed by State deer hunting regulations in wildlife management areas.

(iii) We prohibit hunters from placing stands or hunting from stands on pine trees with white-painted bands and/or rings.

(4) *Sport fishing.* We allow sport fishing on designated areas of the refuge subject to the following conditions:

(i) We prohibit leaving boats and other personal property on the refuge overnight (see § 27.93 of this chapter).

(ii) You must tend trotlines daily. You must attach ends of trotlines by a length of cotton line that extends into the water.

(iii) We prohibit the taking of turtle (see § 27.21 of this chapter).

■ 7. Amend § 32.38 by revising and republishing paragraph (c) to read as follows:

§ 32.38 Maine.

* * * * *

(c) *Moosehorn National Wildlife Refuge—(1) Migratory game bird hunting.* We allow hunting of duck, goose, American woodcock, and snipe on designated areas of the refuge subject to the following conditions:

(i) We allow the use of dogs consistent with State regulations.

(ii) We allow hunters to enter the refuge one (1) hour before legal shooting hours, and they must exit the refuge by one (1) hour past legal shooting hours.

(iii) We only allow portable or temporary blinds and decoys that must be removed from the refuge following each day's hunt (see § 27.93 of this chapter).

(iv) Hunters must retrieve all species harvested on the refuge.

(2) *Upland game hunting.* We allow hunting of bobcat, eastern coyote, ruffed grouse, snowshoe hare, red fox, gray and red squirrel, raccoon, skunk, porcupine, and woodchuck on designated areas of the refuge subject to the following conditions:

(i) The conditions set forth at paragraphs (c)(1)(i), (ii) (except for hunters pursuing raccoon and coyote at night), (iii), and (iv) of this section apply.

(ii) We allow hunting for eastern coyote, red squirrel, and woodchuck only from October 1 to March 31.

(3) *Big game hunting.* We allow hunting of black bear, moose, turkey, and white-tailed deer on designated areas of the refuge subject to the following conditions:

(i) The conditions set forth at paragraphs (c)(1)(i), (ii), and (iv) of this section apply.

(ii) We allow stands, blinds, and ladders to be set up on the opening day of the archery deer season. Stands, blinds and ladders may not be set up within 50 yards of a road open to motorized vehicles. Hunters must clearly label tree stands, blinds, or ladders left on the refuge overnight with their State hunting license number and last name. Hunters must remove stands, blinds, and ladders from the refuge by

the last day of the muzzleloader deer season (see § 27.93 of this chapter).

(iii) You may hunt black bear, eastern coyote, and white-tailed deer during the State archery and firearms deer seasons on the Baring Division east of State Route 191.

(iv) We prohibit use of firearms to hunt bear during the archery deer season on the Baring Division east of Route 191. We prohibit the use of firearms, other than a muzzleloader, to hunt coyote during the deer muzzleloader season on the Baring Division east of Route 191.

(v) You may hunt turkey during the State fall turkey season using archery equipment only.

(4) *Sport fishing.* We allow sport fishing on designated areas of the refuge subject to the following conditions:

(i) We only allow fishing from ½ hour before legal sunrise to ½ hour after legal sunset.

(ii) We prohibit trapping fish for use as bait.

* * * * *

■ 8. Amend § 32.39 by adding paragraph (d) to read as follows:

§ 32.39 Maryland.

* * * * *

(d) *Southern Maryland Woodlands National Wildlife Refuge—(1)–(2)* [Reserved]

(3) *Big game hunting.* We allow the hunting of white-tailed deer and turkey on designated areas of the refuge subject to the following conditions:

(i) We allow only the use of archery equipment, as defined by the State, in designated areas open to hunting.

(ii) We prohibit organized deer drives. We define a “deer drive” as an organized or planned effort to pursue, drive, chase, or otherwise frighten or cause deer to move in the direction of any person(s) who is part of the organized or planned hunt and known to be waiting for the deer.

(4) [Reserved]

■ 9. Amend § 32.41 by revising and republishing paragraph (f) to read as follows:

§ 32.41 Michigan.

* * * * *

(f) *Shiawassee National Wildlife Refuge—(1) Migratory game bird hunting.* We allow hunting of waterfowl (duck and goose), American woodcock, American crow, American coot, common gallinule, sora, Virginia rail, and Wilson's snipe on designated areas of the refuge subject to the following conditions:

(i) You must possess and carry a refuge check-in card (FWS Form 3–2405, Self-Clearing Check-in Permit).

(ii) We allow waterfowl hunting on Saturdays, Sundays, Tuesdays, and Thursdays during the regular goose season after September 30 and during the State youth waterfowl season.

(iii) We allow hunter access to the refuge 2 hours before legal shooting time to 2 hours after legal shooting time.

(iv) You may possess no more than 25 shotgun shells while hunting in the field.

(v) We allow the use of dogs while hunting, provided the dog is under the immediate control of the hunter at all times.

(vi) We allow the take of feral hog incidental to other lawful hunting using legal methods of take.

(2) *Upland game hunting.* We allow hunting of turkey, small game (eastern fox squirrel, eastern cottontail, and ring-necked pheasant), and furbearers (raccoon, coyote, and red fox) on designated areas of the refuge subject to the following conditions:

(i) The conditions set forth at paragraphs (f)(1)(iii) and (vi) of this section apply, except we allow hunter access to the refuge for furbearer hunting from ½ hour before legal sunrise to ½ hour after legal sunset.

(ii) You may only hunt turkey during the spring season.

(iii) We allow dogs for hunting. Raccoon hunting dogs must wear global positioning system (GPS) or radio collars.

(3) *Big game hunting.* We allow hunting of white-tailed deer on designated areas of the refuge subject to the following conditions:

(i) The conditions set forth at paragraphs (f)(1)(iii) and (vi) of this section apply.

(ii) You must possess and carry a refuge permit (State-issued permit).

(4) *Sport fishing.* We allow sport fishing on designated areas of the refuge subject to the following conditions:

(i) We allow fishing by boat in navigable waterways but not within any managed refuge units.

(ii) We allow bank fishing from legal sunrise to legal sunset only at designated sites along the Tittabawassee and Cass Rivers.

■ 10. Amend § 32.45 by revising and republishing paragraphs (c), (d), (h), (j), and (l) to read as follows:

§ 32.45 Montana.

* * * * *

(c) *Black Coulee National Wildlife Refuge—(1) Migratory game bird hunting.* We allow migratory game bird hunting on designated areas of the refuge subject to the following condition: You must remove all boats, decoys, portable blinds, other personal

property, and any materials brought onto the refuge for blind construction by legal sunset each day (see §§ 27.93 and 27.94 of this chapter).

(2) *Upland game hunting*. We allow hunting of pheasant, sharp-tailed grouse, sage grouse, gray partridge, fox, and coyote on designated areas of the refuge subject to the following condition: Fox and coyote hunters may only use centerfire rifles, rimfire rifles, or shotguns with approved nontoxic shot (see § 32.2(k)).

(3) *Big game hunting*. We allow big game hunting on designated portions of the refuge subject to the following conditions:

(i) We allow hunters to leave portable tree stands, portable blinds, and freestanding elevated platforms on the refuge from August 15 through December 15.

(ii) You must visibly mark portable tree stands, portable blinds, and freestanding elevated platforms with your automated licensing system (ALS) number.

(4) [Reserved]

(d) *Bowdoin National Wildlife Refuge—(1) Migratory game bird hunting*. We allow migratory game bird hunting on designated areas of the refuge.

(2) *Upland game hunting*. We allow hunting of pheasant, sharp-tailed grouse, sage grouse, gray partridge, fox, and coyote on designated areas of the refuge subject to the following conditions:

(i) You must possess and carry a refuge Special Use Permit (FWS Form 3–1383–G) to hunt fox and coyote.

(ii) Fox and coyote hunters may only use centerfire rifles, rimfire rifles, or shotguns with approved nontoxic shot (see § 32.2(k)).

(3)–(4) [Reserved]

* * * * *

(h) *Creedman Coulee National Wildlife Refuge—(1) Migratory game bird hunting*. We allow migratory game bird hunting on designated areas of the refuge.

(2) *Upland game hunting*. We allow hunting of pheasant, sharp-tailed grouse, sage grouse, gray partridge, fox, and coyote on designated areas of the refuge.

(3) *Big game hunting*. We allow big game hunting on designated areas of the refuge.

(4) [Reserved]

* * * * *

(j) *Hewitt Lake National Wildlife Refuge—(1) Migratory game bird hunting*. We allow migratory game bird hunting on designated areas of the refuge subject to the following

condition: You must remove all boats, decoys, portable blinds, other personal property, and any materials brought onto the refuge for blind construction by legal sunset each day (see §§ 27.93 and 27.94 of this chapter).

(2) *Upland game hunting*. We allow hunting of pheasant, sharp-tailed grouse, sage grouse, gray partridge, fox, and coyote on designated portions of the refuge subject to the following condition: Fox and coyote hunters may use only centerfire rifles, rim-fire rifles, or shotguns with approved nontoxic shot (see § 32.2(k)).

(3) *Big game hunting*. We allow big game hunting on designated areas of the refuge subject to the following conditions:

(i) We allow hunters to leave portable tree stands, portable blinds, and freestanding elevated platforms on the refuge from August 15 through December 15.

(ii) You must visibly mark portable tree stands, portable blinds, and freestanding elevated platforms with your automated licensing system (ALS) number.

(4) [Reserved]

* * * * *

(l) *Lake Thibadeau National Wildlife Refuge—(1) Migratory game bird hunting*. We allow migratory game bird hunting on designated areas of the refuge.

(2) *Upland game hunting*. We allow hunting of pheasant, sharp-tailed grouse, sage grouse, gray partridge, fox, and coyote on designated areas of the refuge.

(3) *Big game hunting*. We allow big game hunting on designated areas of the refuge.

(4) [Reserved]

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■ 11. Amend § 32.47 by revising and republishing paragraph (a) to read as follows:

§ 32.47 Nevada.

* * * * *

(a) *Ash Meadows National Wildlife Refuge—(1) Migratory game bird hunting*. We allow hunting of goose, duck, coot, moorhen, snipe, and dove on designated areas of the refuge subject to the following condition: We open the refuge to the public from 1 hour before legal sunrise until 1 hour after legal sunset.

(2) *Upland game hunting*. We allow hunting of quail and rabbit on designated areas of the refuge subject to the following condition: We open the refuge to the public from 1 hour before legal sunrise until 1 hour after legal sunset.

(3)–(4) [Reserved]

* * * * *

■ 12. Amend § 32.51 by revising and republishing paragraph (e) to read as follows:

§ 32.51 New York.

* * * * *

(e) *Montezuma National Wildlife Refuge—(1) Migratory game bird hunting*. We allow hunting of waterfowl, Canada goose, snow goose, and gallinule on designated areas of the refuge subject to the following conditions:

(i) We allow the use of dogs consistent with State regulations.

(ii) For the regular waterfowl season and October through January season for Canada goose:

(A) We require daily electronic refuge permits and reservations. We require you to check in, check out, and report your harvest each hunt day using the designated online platform.

(B) We allow hunting only on Tuesdays, Thursdays, and Saturdays during the established refuge season set within the State western zone season, and during New York State's established special hunts, which can occur any day of the week as set by the State. Veteran and active military hunters may be accompanied by a non-hunting companion. Youth hunters must be accompanied by a qualified guide (qualified guides must be of legal hunting age and possess a valid hunting license, Federal Migratory Bird Hunting and Conservation Stamp (as known as a "Federal Duck Stamp"), Harvest Information Program (HIP) number, and proof of successful completion of a waterfowl identification course as described in paragraph (e)(1)(ii)(F) of this section).

(C) Hunters may not enter the refuge earlier than 5 a.m. and must exit the hunt area by 1 p.m.

(D) We allow motorless boats to hunt waterfowl. We limit hunters to one boat per reservation and one motor vehicle in the hunt area per reservation.

Participants in the New York State youth waterfowl hunt may request exceptions to this provision at the discretion of refuge staff.

(E) We prohibit shooting from within 500 feet (152 meters) of the Tschache Pool observation tower.

(F) We require proof of successful completion of the New York State waterfowl identification course, the Montezuma nonresident waterfowl identification course, or a suitable nonresident State waterfowl identification course. All hunters must show proof of successful course completion each time they hunt.

(G) You may hunt gallinule and Canada goose on refuge areas designated for the regular waterfowl season only during the regular waterfowl season.

(iii) For Canada goose in September and snow goose hunting:

(A) We allow hunting of Canada goose during the New York State September season and hunting of snow goose during portions of the New York State snow goose season and portions of the period covered by the Light Goose Conservation Order.

(B) You must possess a valid daily hunt permit (FWS Form 3–2542). We require you to complete and return the daily hunt permit card by the end of the hunt day.

(C) For snow goose hunting, hunters may enter the refuge/Hunter Check Station area no earlier than 4 hours before legal sunrise. For Canada goose hunting, hunters may enter the refuge/Hunter Check Station area no earlier than 2 hours before legal sunrise.

(2) *Upland game hunting.* We allow hunting of rabbit and squirrel on designated areas of the refuge subject to the following conditions:

(i) The condition set forth at paragraph (e)(1)(i) of this section applies.

(ii) You must possess a valid daily hunt permit (FWS Form 3–2542) and are required to complete and return the daily hunt permit card by the end of each hunt day.

(iii) We allow upland game hunters to access the refuge from 2 hours before legal sunrise until 2 hours after legal sunset.

(iv) We require the use of approved non-lead shot for upland game hunting (see § 32.2(k)).

(3) *Big game hunting.* We allow hunting of white-tailed deer and wild turkey on designated areas of the refuge subject to the following conditions:

(i) The condition set forth at paragraph (e)(1)(i) of this section applies.

(ii) You must possess a valid daily hunt permit (FWS Form 3–2542). We require you to complete and return the daily hunt permit card by the end of the hunt day.

(iii) We allow white-tailed deer and turkey hunters to access the refuge from 2 hours before legal sunrise until 2 hours after legal sunset.

(iv) We allow youth and special big game hunts during New York State's established youth and special big game hunts each year.

(4) *Sport fishing.* We allow access for fishing from designated areas of the refuge subject to the following

condition: We prohibit the use of lead fishing tackle.

* * * * *

■ 13. Amend § 32.52 by revising and republishing paragraph (i) to read as follows:

§ 32.52 North Carolina.

* * * * *

(i) *Pocosin Lakes National Wildlife Refuge—(1) Migratory game bird hunting.* We allow hunting of duck, goose, swan, dove, woodcock, rail, and snipe on designated areas of the refuge subject to the following conditions:

(i) We require all hunters and anglers to possess and carry a signed, self-service refuge hunting/fishing permit (signed brochure) while hunting and fishing on the refuge. We require all hunters age 16 and older to purchase and carry a special refuge recreational activity permit (name/address/phone number).

(ii) We allow hunters to enter and remain in hunting areas from 2 hours before legal sunrise until 2 hours after legal sunset when we allow hunting in those areas.

(iii) We allow the use of all-terrain vehicles (ATVs) only on designated ATV roads (see § 27.31 of this chapter) and only to transport hunters and their equipment to hunt and scout. We allow hunting from ATVs while on these designated ATV roads when they are stationary and the engine is turned off. We allow ATV use only on the ATV roads at the following times:

(A) When we open the ATV road and surrounding area to hunting;

(B) One week prior to the ATV road and surrounding area opening to hunting; and

(C) On Sundays, when we open the ATV road and surrounding area for hunting the following Monday.

(iv) We allow the use of only biodegradable-type flagging.

(v) We allow the use of only portable blinds and temporary blinds constructed of natural materials. You must remove portable blinds at the end of each day (see § 27.93 of this chapter).

(vi) We allow the use of dogs to point and retrieve migratory game birds.

(2) *Upland game hunting.* We allow hunting of quail, squirrel, raccoon, opossum, rabbit, beaver, nutria, and fox on designated areas of the refuge subject to the following conditions:

(i) The conditions set forth at paragraphs (i)(1)(i) through (iv) of this section apply.

(ii) We only allow the taking of beaver and nutria with firearms and only during those times when the area is open to hunting of other game animals with firearms.

(iii) We prohibit the hunting of raccoon and opossum during, 5 days before, and 5 days after the State bear seasons. Outside of these periods, we allow the hunting of raccoon and opossum at night but only while possessing a General Special Use Application and Permit (FWS Form 3–1383–G).

(iv) We prohibit the use of rifles, other than .22-caliber rimfire rifles, for hunting, and we prohibit the use of pistols for hunting.

(v) We allow the use of dogs for pointing and retrieving upland game and for chasing rabbit (but not fox). We prohibit possession of buckshot or slugs while hunting with dogs.

(3) *Big game hunting.* We allow hunting of black bear, deer, turkey, and feral hog on designated areas of the refuge subject to the following conditions:

(i) The conditions set forth at paragraphs (i)(1)(i) through (iv) of this section apply.

(ii) You may hunt turkey only if you carry a valid permit (General Activities Special Use Permit Application, FWS Form 3–1383–G). These permits are valid only for the dates and areas shown on the permit. You may possess only approved nontoxic shot (see § 32.2(k)) while hunting turkeys west of Evans Road and on the Pungo Unit.

(iii) We only allow the take of white-tailed deer with the use of archery equipment, black powder firearms, and shotguns as authorized by the North Carolina Wildlife Resources Commission.

(iv) For the special opportunity black bear hunt:

(A) We allow the use of centerfire rifle only;

(B) Hunters must shoot from a raised position (portable stand) of 15 feet or higher; and

(C) Additional requirements may apply for hunters selected to participate in the special opportunity hunt.

(v) We allow deer hunting on the Pungo Unit only through the end of October each season, except that we allow deer hunting with archery equipment on the Pungo Unit through the end of November.

(vi) We allow hunters to take feral hog in any area that is open to hunting deer using only those weapons authorized for taking deer. On the Frying Pan tracts, we also allow hunters to take feral hog, using only those weapons authorized for taking deer, whenever we open those tracts to hunting any game species with firearms.

(vii) We allow the use of only portable deer stands (tree climbers, ladders, tripods, etc.). We require that you

remove all stands, blinds, and other personal property at the end of each day (see § 27.93 of this chapter).

(4) *Sport fishing.* We allow sport fishing on designated areas of the refuge subject to the following conditions:

(i) We allow fishing in Pungo Lake and New Lake only from March 1 through October 31, except that we close Pungo Lake and the entire Pungo Unit to fishing during the limited big game hunts.

(ii) We allow fishing only from ½ hour before legal sunrise until ½ hour after legal sunset.

* * * * *

■ 14. Amend § 32.59 by revising and republishing paragraph (d) to read as follows:

§ 32.59 South Carolina.

* * * * *

(d) *Pinckney Island National Wildlife Refuge* (1)–(2) [Reserved]

(3) *Big game hunting.* We allow hunting of white-tailed deer on designated areas of the refuge subject to the following conditions:

(i) We require a refuge hunt permit (electronic form) for all hunters age 16 and older.

(ii) Each hunter may place one stand on the refuge during the week preceding the hunt. You must remove your stand at the end of the hunt (see § 27.93 of this chapter).

(iii) We allow only shotguns (20 gauge or larger), muzzleloaders, and bows as governed by State regulations.

(iv) We prohibit the use of buckshot.

(v) We prohibit hunting closer than 100 yards (90 meters (m)) to U.S. Highway 278 or the check station area, or closer than 200 yards (180 m) to the residence area.

(vi) Hunters may take five deer (no more than two antlered).

(4) *Sport fishing.* We allow sport fishing on designated areas of the refuge subject to the following conditions:

(i) We allow saltwater fishing year-round in the estuarine waters adjacent to the refuge.

(ii) We prohibit freshwater fishing.

* * * * *

■ 15. Amend § 32.62 by:

■ a. Removing paragraph (a);

■ b. Redesignating paragraphs (b) through (h) as paragraphs (a) through (g), respectively;

■ c. Revising and republishing newly redesignated paragraph (e);

■ d. Adding new paragraph (h); and

■ e. Revising and republishing paragraph (i).

The revisions and addition read as follows:

§ 32.62 Texas.

* * * * *

(e) *Buffalo Lake National Wildlife Refuge*—(1) *Migratory game bird hunting.* We allow hunting of mourning dove, white-winged dove, and Eurasian collared-dove on designated areas of the refuge subject to the following conditions:

(i) We require hunters to obtain a refuge permit (FWS Form 3–2439).

(ii) All hunters must check in and out at refuge headquarters.

(iii) Bag limits will be determined annually for each species but will never exceed the limits set by Texas Parks and Wildlife Department. Bag limits and other hunting information, such as number of hunt days and permits issued, will be posted prior to the hunt.

(iv) We prohibit the use of all-terrain vehicles (ATVs).

(v) 1 hour after legal sunset, hunters may only be present on the refuge in designated camping areas.

(vi) We allow the use of dogs for retrieving game.

(vii) Hunters must attend a briefing prior to all hunts.

(viii) We prohibit falconry.

(ix) All bird harvests must be checked at the designated check points.

(x) Hunting hours will be from ½ hour before legal sunrise until 12 p.m. (noon).

(2) *Upland game hunting.* We allow hunting of ring-necked pheasant, northern bobwhite, and scaled quail on designated areas of the refuge subject to the following conditions:

(i) The conditions set forth at paragraphs (f)(1)(i) through (ix) of this section apply.

(ii) Hunting hours will be from 9 a.m. to 4:30 p.m.

(iii) We allow only shotguns for pheasant and quail hunting.

(3) *Big game hunting.* We allow hunting of white-tailed deer, mule deer, and feral hog on designated areas of the refuge subject to the following conditions:

(i) The conditions set forth at paragraph (f)(1)(i) through (vii) of this section apply.

(ii) Hunters may enter the hunting area and begin hunting 1 hour before legal sunrise and must exit the hunting area by 1 hour after legal sunset.

(iii) We prohibit the use of tree stands and any devices, such as nails, tacks, or scaffolding, used to climb trees. We also prohibit the use of elevated blinds, including tripod blinds.

(iv) We prohibit the use of decoys.

(v) We only allow archery equipment or centerfire rifles (.243/6mm or larger) as methods of take.

(4) [Reserved]

* * * * *

(h) *Jocelyn Nungaray National Wildlife Refuge*—(1) *Migratory game bird hunting.* We allow hunting of goose, duck, coot, white-winged dove, mourning dove, rock dove, Eurasian collared-dove, and rock pigeon on designated areas of the refuge subject to the following conditions:

(i) You must carry a current signed refuge hunting permit (signed refuge hunt brochure) while waterfowl hunting on all refuge hunt units.

(ii) Season dates for waterfowl will be concurrent with the State, except as specified in the refuge hunt brochure.

(iii) Hunters age 17 and younger must be under the direct supervision of an adult age 18 or older.

(iv) For waterfowl hunting, you may enter the refuge hunt units no earlier than 4 a.m. Hunting starts at the designated legal shooting time and ends at 12 p.m. (noon). You must leave refuge hunt units by 12:30 p.m. For dove hunting, you may enter the refuge 1 hour before legal sunrise and must leave the refuge by ½ hour after legal sunset. We close refuge hunt units on Thanksgiving, Christmas, and New Year's Day.

(v) For waterfowl hunting, we allow hunting in portions of the East Unit on Saturdays, Sundays, and Tuesdays during the regular waterfowl seasons.

(vi) Hunters must check in and out through the check station (FWS Form 3–2405) when accessing the East Unit by vehicle.

(vii) We require hunters to remain in an assigned area for that day's hunt.

(viii) We allow hunters to access designated areas of the East Unit by boat from Jackson Ditch, East Bay Bayou, or Onion Bayou.

(ix) We allow hunting on the East Unit as governed by the State light goose conservation order. Hunt areas are by permit on a first-come, first-served basis the morning of the hunt. We allow a maximum of six persons per field. Individuals in each group must set up and stay in their permitted area and stay within 50 feet (15 meters (m)) of each other unless retrieving goose.

(x) Hunters must set up within 50 yards (45 m) of the post marker and must stay within 50 feet (15 m) of each other unless retrieving waterfowl. We allow a minimum of two, and a maximum of six, persons per permit.

(xi) We allow hunting in portions of the Middleton Tract daily during the September teal season and on Saturdays, Sundays, and Wednesdays of the regular waterfowl season.

(xii) We restrict motorized boats in inland waters of the Middleton Tract to motors of 25 horsepower or less or

electric trolling motors during hunting season.

(xiii) You may access hunt areas by foot, nonmotorized watercraft, outboard motorboat, or airboat. Airboats may not exceed 10 horsepower with direct drive with a propeller length of 48 inches (120 centimeters) or less.

(xiv) On inland waters of refuge hunt areas open to motorized boats, we restrict the operation of motorized boats to lakes, ponds, ditches, and other waterways when hunting. We prohibit the operation of motorized boats on or through emergent wetland vegetation.

(xv) On inland waters of the refuge hunt areas open to motorized boats, we restrict the use of boats powered by air-cooled or radiator-cooled engines to those powered by a single engine of 25 horsepower or less and utilizing a propeller 9 inches (22.5 centimeters) in diameter or less during the hunting season.

(xvi) We allow portable blinds or temporary natural vegetation blinds. You must remove all blinds, decoys, boats, spent shells, marsh chairs, and other equipment from the refuge at the end of each day's hunt (see §§ 27.93 and 27.94 of this chapter).

(xvii) We require a minimum distance between hunt parties of 200 yards (180 m).

(xviii) We allow the use of dogs when hunting.

(2)–(3) [Reserved]

(4) *Sport fishing.* We allow fishing and crabbing on designated areas of the refuge subject to the following conditions:

(i) We allow fishing and crabbing only with pole and line, rod and reel, or handheld line. We prohibit the use any method not expressly allowed, including trotlines, setlines, jug lines, limb lines, bows and arrows, gigs, spears, or crab traps.

(ii) We allow cast netting for bait for personal use along waterways in areas open to the public and along public roads.

(iii) The conditions set forth at paragraphs (a)(1)(xiii) and (xv) of this section apply.

(iv) We prohibit mooring to water control structures.

(i) *Laguna Atascosa National Wildlife Refuge—(1) Migratory game bird hunting.* The refuge is closed to migratory bird hunting, including shoreline hunting, but retrieval of birds downed by hunters hunting on nearby navigable waters under State regulations is authorized subject to the following conditions:

(i) Hunters may not discharge firearms while retrieving waterfowl on the refuge.

(ii) Access for waterfowl retrieval will be allowed only during State specified hunting seasons. We only allow hunters to enter the Laguna Atascosa Unit by boat, and hunters may only enter subunits 3, 4, 5, 7, and 10, for retrieval of downed waterfowl.

(2) [Reserved]

(3) *Big game hunting.* We allow hunting of white-tailed deer, feral hog, nilgai antelope, other exotic ungulates, and American alligator on designated areas of the refuge subject to the following conditions:

(i) We allow the incidental take of nilgai antelope, feral hog, and other rarely observed exotic ungulates (such as fallow deer, axis deer, sika deer, Barbary sheep, and black buck) during all refuge hunts, with the exception of American alligator hunts.

(ii) We require hunters to review the refuge hunter orientation email prior to any refuge hunt activity.

(iii) Bag limits for species hunted on the refuge are provided in the refuge hunt brochure annually.

(iv) We allow a scouting period prior to the commencement of each refuge hunt period. A permitted hunter and a limit of two non-permitted individuals may enter the hunt units during the scouting period, which begins after hunter orientation and ends at legal sunset. Each hunter must clearly display a Vehicle Validation Tag (FWS Form 3–2405) face up on the vehicle dashboard when scouting and hunting.

(v) We allow hunters to enter the refuge 1½ hours before legal sunrise during their permitted hunt periods. Hunters must leave the hunt units no later than 1 hour after State legal shooting hours.

(vi) Hunters may access hunt units only by foot or bicycle, including electric bicycles. You may only use a bicycle on designated routes; we prohibit off-road use of a bicycle.

(vii) We allow hunting from portable stands or by stalking and still hunting. There is a limit of one blind or stand per permitted hunter. Hunters must attach hunter identification (permit number or State license number) to the blind or stand. Hunters must remove all blinds and stands at the end of the permitted hunt period (see § 27.93 of this chapter).

(viii) During American alligator hunts, we allow hunters to leave hooks set over only one night period at a time; set lines must be checked daily.

(ix) Hunters must field dress all harvested big game in the field and check the game at the hunt check station before removal from the refuge. Hunters may use a nonmotorized cart to assist with the transportation of harvested game animals.

(x) We prohibit the killing or wounding of a game animal and then intentionally or knowingly failing to make a reasonable effort to retrieve and include it in the hunter's bag limit.

(4) *Sport fishing.* We allow fishing and crabbing on designated areas of the refuge subject to the following conditions:

(i) We allow only pole and line, rod and reel, hand line, dip net, and cast net for fishing. We prohibit the use of crab traps or pots for crabbing.

(ii) Anglers must attend all fishing lines, crabbing equipment, and other fishing devices at all times.

(iii) Inside the refuge boundary on San Martin Lake, we allow bank and wade fishing within a designated area, which may be accessed only on foot.

* * * * *

PART 71—HUNTING AND SPORT FISHING ON NATIONAL FISH HATCHERIES

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

Authority: Sec. 4, Pub. L. 73–121, 48 Stat. 402, as amended; sec. 4, Pub. L. 87–714, 76 Stat. 654; 5 U.S.C. 301; 16 U.S.C. 460k, 664, 668dd, 1534.

■ 17. Amend § 71.12 by:

■ a. Redesignating paragraphs (o) through (s) as paragraphs (p) through (t), respectively; and

■ b. Adding new paragraph (o).

The addition reads as follows:

§ 71.12 National fish hatcheries open for sport fishing.

* * * * *

(o) *North Attleboro National Fish Hatchery.* We allow sport fishing on designated areas of the hatchery.

* * * * *

Kevin Lilly,

Acting Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 2025–16440 Filed 8–27–25; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 250312–0036; RTID 0648–XF144]

Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.
ACTION: Temporary rule; reallocation.

SUMMARY: NMFS is exchanging allocations of Amendment 80 cooperative quota (CQ) for Amendment 80 acceptable biological catch (ABC) reserves. This action is necessary to allow the 2025 total allowable catch (TAC) of yellowfin sole in the Bering Sea and Aleutian Islands management area (BSAI) to be harvested.

DATES: Effective August 26, 2025, through December 31, 2025.

FOR FURTHER INFORMATION CONTACT: Steve Whitney, 907–586–7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the BSAI according to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP) prepared and recommended by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The 2025 flathead sole, rock sole, and yellowfin sole Amendment 80 allocations of the TAC specified in the BSAI are 30,148 metric tons (mt), 63,975 mt, and 105,837 mt, respectively, as established by the final 2025 and 2026 harvest specifications for groundfish in the BSAI (90 FR 12640, March 18, 2025). The 2025 flathead sole, rock sole, and yellowfin sole Amendment 80 ABC reserves are 42,692 mt, 73,661 mt, and 113,908 mt, respectively, as established by the final 2025 and 2026 harvest specifications for groundfish in the BSAI (90 FR 12640, March 18, 2025).

The Alaska Seafood Cooperative has requested that NMFS exchange 9,000 mt of flathead sole TAC allocated to the Amendment 80 sector and 8,000 mt of rock sole TAC allocated to the Amendment 80 sector for 17,000 mt of yellowfin sole Amendment 80 ABC reserves pursuant to §§ 679.91(i)(3) and 679.4(p). NMFS approves the completed

Flatfish Exchange Application submitted by the Alaska Seafood Cooperative, which meets all the criteria specified at § 679.4(p)(3). Specifically, the Alaska Seafood Cooperative has sufficient ABC reserves of yellowfin sole, is exchanging an equal amount of unused flathead sole and rock sole, approval will not cause harvest to exceed an ABC or ABC reserve for any of these species, and NMFS can approve the exchange before the end of the calendar year in which it would be effective. Therefore, NMFS exchanges 9,000 mt of flathead sole TAC allocated to the Amendment 80 sector and 8,000 mt of rock sole TAC allocated to the Amendment 80 sector for 17,000 mt of yellowfin sole Amendment 80 ABC reserves in the BSAI. This action also decreases and increases the TACs and Amendment 80 ABC reserves by the corresponding amounts. Tables 13 and 15 of the final 2025 and 2026 harvest specifications for groundfish in the BSAI (90 FR 12640, March 18, 2025) are revised as follows:

TABLE 13—FINAL 2025 COMMUNITY DEVELOPMENT QUOTA (CDQ) RESERVES, INCIDENTAL CATCH AMOUNTS (ICAs), AND AMENDMENT 80 ALLOCATIONS OF THE ALEUTIAN ISLANDS PACIFIC OCEAN PERCH AND BSAI FLATHEAD SOLE, ROCK SOLE, AND YELLOWFIN SOLE TACS

[Amounts are in metric tons]

Sector	Pacific ocean perch			Flathead sole BSAI	Rock sole BSAI	Yellowfin sole BSAI
	Eastern Aleutian district	Central Aleutian district	Western Aleutian district			
TAC	6,278	5,559	11,500	27,000	67,000	152,000
CDQ	672	595	1,231	3,852	8,025	14,445
ICA	100	60	10	2,000	3,000	2,000
BSAI trawl limited access	551	490	205	.....	.....	12,718
Amendment 80	4,956	4,414	10,054	21,148	55,975	122,837

Note: Sector apportionments may not total precisely due to rounding.

TABLE 15—FINAL 2025 AND 2026 ABC SURPLUS, ABC RESERVES, COMMUNITY DEVELOPMENT QUOTA (CDQ) ABC RESERVES, AND AMENDMENT 80 ABC RESERVES IN THE BSAI FOR FLATHEAD SOLE, ROCK SOLE, AND YELLOWFIN SOLE

[Amounts are in metric tons]

Sector	2025 Flathead sole	2025 Rock sole	2025 Yellowfin sole	2026 ¹ Flathead sole	2026 ¹ Rock sole	2026 ¹ Yellowfin sole
ABC	83,807	157,487	262,557	87,700	158,225	267,639
TAC	27,000	67,000	152,000	36,000	75,000	145,000
ABC surplus	56,807	90,487	144,557	51,700	83,225	122,639
ABC reserve	56,807	90,487	144,557	51,700	83,225	122,639
CDQ ABC reserve	5,115	8,826	13,649	5,532	8,905	13,122
Amendment 80 ABC reserve	51,692	81,661	96,908	46,168	74,320	109,517

¹ The 2026 allocations for Amendment 80 species between Amendment 80 cooperatives and the Amendment 80 limited access sector will not be known until eligible participants apply for participation in the program by November 1, 2025.

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR

part 679, which was issued pursuant to section 304(b) of the Magnuson-Stevens Act, and is exempt from review under Executive Order 12866.

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment would be impracticable and contrary to

the public interest, as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would not allow for full harvest of yellowfin sole in the BSAI by the Amendment 80 sector. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data on flathead sole, rock sole, and yellowfin sole only

became available as of August 25, 2025. Without this inseason adjustment, NMFS could not allow the fishery for yellowfin sole in the BSAI to be harvested in an expedient manner.

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

waiver of prior notice and opportunity for public comment.

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

Dated: August 26, 2025.

Kelly Denit,

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

[FR Doc. 2025–16539 Filed 8–26–25; 4:15 pm]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register

Vol. 90, No. 165

Thursday, August 28, 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.

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Parts 1000, 1025, 1051, 1052, and 1502

[CPSC Docket No. CPSC–2023–0038]

Disclosure of Interests in Commission Proceedings

AGENCY: Consumer Product Safety Commission.

ACTION: Termination of rulemaking.

SUMMARY: The Consumer Product Safety Commission is withdrawing its proposed rule to amend its regulations to require disclosure of relevant interests by persons seeking to make oral presentations, participate in adjudicative proceedings, or submit petitions for rulemaking to the Commission because the Commission has not taken any action on this proposed rule since it was published in September 2023.

DATES: As of August 28, 2025, the proposed rule published on September 29, 2023, at 88 FR 67127, is withdrawn.

ADDRESSES: Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814.

FOR FURTHER INFORMATION CONTACT:

Hilda M. Garcia Concepcion, Division of Federal Court Litigation, Office of the General Counsel, 4330 East-West Highway, Bethesda, MD 20814; telephone: 301–504–7548; hgarciaconcepcion@cpsc.gov.

SUPPLEMENTARY INFORMATION: The Commission encourages all interested stakeholders, particularly including consumers and consumer organizations, to participate actively in the agency's decision-making processes.

Opportunities for public contributions include appearances at public hearings before the Commission, participation in adjudicative proceedings, and petitioning for rulemaking, among other opportunities. To that end, 16 CFR part 1025 establishes the Commission's Rules of Practice for Adjudicative Proceedings ("Rules of Practice"); 16

CFR part 1051 sets out the Procedures for Petitioning for Rule Making; 16 CFR part 1052 provides the Procedural Regulations for Informal Oral Presentations in Proceedings before the Commission; and 16 CFR part 1502 contains the Procedures for Formal Evidentiary Public Hearing.

On September 29, 2023, CPSC published a notice of proposed rulemaking (NPR) stating the Commission's intention to amend its regulations to require disclosures of financial interests and sources of funding and other contributions by those seeking to present oral testimony, request rulemaking before the Commission, or participate in an adjudicative proceeding, as well as to require disclosure of certain corporate affiliations. The Commission received two comments on the proposed rule. No further action was taken by the Commission after the NPR was published.

This Commission finds that this proposal would impose heightened disclosure requirements that could chill public participation in Commission proceedings, duplicates existing federal mandates, and needlessly burdens stakeholders and consumers. The proposal also raises First Amendment concerns. The Commission believes that any Presiding Officer or the Commission itself can fully evaluate any testimony, participation or argument under current rules without new regulations that could be perceived as discouraging candor and make it harder for all members of the public to be heard. Because the Commission has not taken action on this proposed rule since 2023, the Commission is terminating this proceeding.¹ In the future, the Commission may consider revisions to the Rules to establish disclosure requirements for persons seeking to make certain appearances before the Commission in light of its experience with public appearances at public hearings before the Commission, participation in adjudicative

proceedings, and petitioning for rulemaking.

Alberta E. Mills,

Secretary, Consumer Product Safety Commission.

[FR Doc. 2025–16548 Filed 8–27–25; 8:45 am]

BILLING CODE 6355–01–P

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Part 1101

[CPSC Docket No. CPSC–2014–0005]

Information Disclosure Under Section 6(b) of the Consumer Product Safety Act

AGENCY: Consumer Product Safety Commission.

ACTION: Termination of rulemaking.

SUMMARY: The U.S. Consumer Product Safety Commission (CPSC or Commission) is withdrawing its proposed rule to amend section 6(b) of the Consumer Product Safety Act, 16 CFR part 1101 (6(b) Regulation). On February 26, 2014, the Commission issued a notice of proposed rulemaking in this matter (79 FR 10712). On February 17, 2023, the Commission issued a supplemental notice of proposed rulemaking (88 FR 10432). The Commission has not taken any action on this rule since it was published in February 2023.

DATES: As of August 28, 2025 the proposed rule issued on February 26, 2014 and the Supplemental Notice of Proposed Rulemaking issued on February 17, 2023, are withdrawn.

FOR FURTHER INFORMATION CONTACT:

Amy Colvin, Attorney, Division of Federal Court Litigation, Office of the General Counsel, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814; telephone: 301–504–7639; email: acolvin@cpsc.gov.

SUPPLEMENTARY INFORMATION: The Commission is withdrawing the NPR and Supplemental NPR that proposed to amend the CPSC's regulation, Information Disclosure Under Section 6(b) of the Consumer Product Safety Act, codified at 16 CFR part 1101.

¹ On August 23, 2025, the Commission voted unanimously to publish in the **Federal Register** this notice of withdrawal of the proposed rule titled Disclosure of Interests in Commission Proceedings.

I. Background

A. Statutory Authority

Section 6(b) of the CPSA governs the Commission's disclosure of certain information to the public. In general, section 6(b)(1) requires, "prior to its public disclosure of any information obtained under this Act, or to be disclosed to the public in connection therewith," that the Commission, "to the extent practicable," provide manufacturers or private labelers with advance notice and opportunity to comment on the proposed disclosure, in the manner in which such consumer product is designated or described in such information "permit[s] the public to ascertain readily the identity of such manufacturer or private labeler." 15 U.S.C. 2055(b)(1). The CPSA defines "manufacturer" to include an importer. 15 U.S.C. 2052(a)(11). Section 6(b)(1) also requires the Commission, prior to such public disclosure, to "take reasonable steps to assure" that the information CPSC intends to disclose "is accurate, and that such disclosure is fair in the circumstances and reasonably related to effectuating the purposes of this Act." *Id.* In 1980, the U.S. Supreme Court ruled that CPSC's disclosures under the Freedom of Information Act (FOIA) are among the public releases covered by the section 6(b)(1) restrictions. *CPSC v. GTE Sylvania, Inc.*, 447 U.S. 102 (1980).

The Consumer Product Safety Improvement Act of 2008 (CPSIA), Public Law No. 110-314, 122 Stat. 3016, enacted on August 14, 2008, amended section 6 of the CPSA. The amendments shortened, from 30 days to 15 days the time for public disclosure of information (after complying with the provisions of section 6(b)). In addition, the amendments eliminated the requirement that the Commission publish a **Federal Register** notice when the Commission publishes a finding that the public health and safety requires a lesser period of notice. CPSIA also broadened the statutory exceptions to section 6(b). For example, the amendments excluded from the requirements of section 6(b)(1)–(3) a public disclosure of information about any consumer product which the Commission has reasonable cause to believe is in violation of any consumer product safety rule or provision of the CPSA, or similar rule or provision of any other act enforced by the Commission.

B. History of the 6(b) Regulation

On December 29, 1983, the Commission published a final rule interpreting section 6(b) of the CPSA. 48

FR 57406; *see* 49 FR 8428 (Mar. 7, 1984) (technical correction). The 6(b) Regulation, 16 CFR part 1101, describes the Commission's procedures for providing manufacturers and private labelers advance notice and "a reasonable opportunity to submit comments" to the Commission on proposed disclosures of certain information. In addition, the 6(b) Regulation explains the "reasonable steps" the Commission will take pursuant to section 6(b) to assure, prior to public disclosure of covered information, that the information "is accurate, and that such disclosure is fair in the circumstances and reasonably related to effectuating the purposes of this Act." In 2008, the Commission amended the 6(b) Regulation to reflect the CPSIA amendments. 73 FR 72334 (Nov. 28, 2008).

On February 26, 2014, the Commission published the 2014 NPR. *Information Disclosure Under Section 6(b) of the Consumer Product Safety Act*, 79 FR 10712 (Feb. 26, 2014). *See* Fiscal Year 2013 Midyear Review and Operating Plan Adjustments, available at <https://www.cpsc.gov>. The Commission received 24 comments on the 2014 NPR. Seven consumer groups supported the proposed revisions to modernize the regulation and make it more consistent with the statute and industry practice. However, these commenters were concerned that section 6(b)'s obstacles to transparency and the immediate release of crucial product safety information remain. The other commenters, comprising trade associations and one firm, objected to various proposals contained in the 2014 NPR. In general, these commenters asserted that the proposed revisions would result in the disclosure of inaccurate or misleading information. Moreover, according to these commenters, some of the proposed changes could chill cooperation between the Commission and industry.

In 2023, the Commission published a supplemental notice of proposed rulemaking that provided additional responses to the 2014 NPR and proposed additional changes to the 6(b) regulation. *Information Disclosure Under Section 6(b) of the Consumer Product Safety Act*, 88 FR 10432 (February 17, 2023). The Commission received more than 100 comments from individuals (approximately 85), consumer groups (approximately 9), and industry (approximately 11). Some comments were form letters that sought repeal of section 6(b), others thought the proposed changes did not go far enough, while still others advocated for

reinsertion of text proposed to be removed.

No further action was taken by the Commission after the SNPR was published. The Commission has developed additional tools and processes to provide vital safety information to the public about consumer product hazards while at the same time meeting the requirements under section 6(b) to take the reasonable steps required to assure that any public disclosure of manufacturer/private labeler specific information is accurate, fair and reasonably related to effectuating the purposes of the CPSA. The Commission does not view section 6(b) or the rule as a bar to public disclosure of such information about product specific issues. Because the Commission has not acted on this proposed rule since 2023, the Commission is terminating this proceeding.¹ In the future, the Commission may consider revision to the 6(b) rule as time, technological changes and resources may warrant.

Alberta E. Mills,

Secretary, Consumer Product Safety Commission.

[FR Doc. 2025-16545 Filed 8-27-25; 8:45 am]

BILLING CODE 6355-01-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R05-OAR-2022-0352; EPA-R05-OAR-2023-0093; FRL-9995-01-R5]

Air Plan Approval; Ohio; 2015 Ozone Moderate Reasonably Available Control Technology SIP

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve revisions to Ohio Administrative Code (OAC) Chapters 3745-21 and 3745-110 into the Ohio State Implementation Plan (SIP). The Ohio Environmental Protection Agency ("Ohio" or "Ohio EPA") submitted these revisions on March 30, 2022, and supplemented the submittal on February 1, 2023, and August 28, 2023. EPA is proposing to approve parts of OAC Chapters 3745-21

¹ On August 23, 2025, the Commission voted unanimously to publish this notice terminating the rulemaking and withdrawing the Notice of Proposed Rulemaking and Supplemental Notice of Proposed Rulemaking on Information Disclosure Under Section 6(b) of the Consumer Product Safety Act.

and 3745–110 as satisfying some of the Moderate Volatile Organic Compound (VOC) Reasonably Available Control Technology (RACT) and Nitrogen Oxide (NO_x) RACT requirements for the Cleveland, OH nonattainment area (Cuyahoga, Geauga, Lake, Lorain, Medina, Portage, and Summit counties) under the 2015 ozone National Ambient Air Quality Standard (“NAAQS” or “standard”). Finally, EPA is proposing to approve OAC rule 3745–15–03, submitted by Ohio on February 9, 2023, and supplemented on December 1, 2023, and December 30, 2024.

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

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R05–OAR–2022–0352 and EPA–R05–OAR–2023–0093 at <https://www.regulations.gov>, or via email to arra.sarah@epa.gov. For comments submitted at *Regulations.gov*, follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from the docket. EPA may publish any comment received to its public docket. Do not submit to EPA’s docket at <https://www.regulations.gov> any information you consider to be Confidential Business Information (CBI), Proprietary Business Information (PBI), or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI, PBI, or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>.

FOR FURTHER INFORMATION CONTACT: Katie Mullen, Air and Radiation Division (AR–18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353–3490, mullen.kathleen@epa.gov. The EPA Region 5 office is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays.

SUPPLEMENTARY INFORMATION: Throughout this document whenever

“we,” “us,” or “our” is used, we mean EPA.

I. What is EPA proposing?

EPA is proposing to approve parts of OAC Chapters 3745–21 and 3745–110 as satisfying some of the Moderate VOC RACT requirements of 182(b)(2) and NO_x RACT requirements of 182(f) of the Clean Air Act (CAA), respectively, for the Cleveland, OH nonattainment area under the 2015 ozone standard. EPA is also proposing to approve OAC 3745–21–11 and 3745–110–03(J) as SIP strengthening measures for the Cleveland nonattainment area. EPA is proposing to approve OAC Chapter 3745–21 and 3745–110–03(J) as SIP strengthening for Ashtabula County and the Ohio portion of the Cincinnati, OH-KY maintenance area (Butler, Clermont, Hamilton, and Warren counties) under the 2015 ozone standard. Ohio submitted these SIP revisions to the EPA on March 30, 2022, and supplemented the submittal on February 1, 2023, and August 28, 2023. Finally, EPA is proposing to approve OAC rule 3745–15–03, submitted as part of Ohio’s SIP revision on February 9, 2023, and supplemented on December 1, 2023, and December 30, 2024.

II. What is the background for this action?

VOCs and NO_x contribute to the production of ground-level ozone, or smog, which harms human health and the environment. EPA defines RACT as the lowest emission limit that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility. Sections 182(b)(2) and 182(f) of the CAA require States to implement RACT in ozone nonattainment areas classified as Moderate (and higher). Specifically, these areas are required to implement RACT for all major sources of VOC and NO_x and for all VOC sources covered by a Control Techniques Guideline (CTG). A CTG provides recommendations to inform State, local, and tribal air agencies as to what constitutes RACT for categories of VOC sources. Air agencies can use the recommendations in the CTG to inform their own determination as to what constitutes RACT. If there are no sources covered by a certain CTG within a nonattainment area, a State may submit a negative declaration in place of regulatory requirements to apply RACT for that category of sources.

EPA’s SIP Requirements Rule for the 2008 ozone NAAQS indicates that States may meet RACT through the establishment of new or more stringent

requirements that meet RACT control levels, through a certification that previously adopted RACT controls for a prior ozone NAAQS continue to represent adequate RACT control levels for the 2008 ozone NAAQS, or with a combination of these two approaches. See 80 FR 12264, 12278–79 (March 6, 2015). As previously stated, a State may submit a negative declaration in instances where there are no sources covered by a particular CTG. EPA’s SIP Requirements Rule for the 2015 ozone NAAQS retains the existing general 2008 RACT requirements for purposes of the 2015 ozone NAAQS. See 83 FR 63007 (December 6, 2018).

On June 4, 2018 (83 FR 25776), EPA designated the Cleveland, OH nonattainment area and the Ohio portion of the Cincinnati, OH-KY nonattainment area as Marginal nonattainment areas for the 2015 ozone NAAQS. The Cleveland, OH nonattainment area consists of Cuyahoga, Geauga, Lake, Lorain, Medina, Portage, and Summit counties. The Ohio portion of the Cincinnati, OH-KY nonattainment area consists of Butler, Clermont, Hamilton, and Warren counties. EPA also designated Ashtabula County as attainment/unclassifiable for the 2015 ozone NAAQS.¹ On April 13, 2022 (87 FR 21849), pursuant to section 181(b)(2) of the CAA, EPA proposed to determine that the Cleveland, OH nonattainment area failed to attain the 2015 ozone NAAQS by the August 3, 2021, Marginal area attainment deadline and thus proposed to reclassify the area from Marginal to Moderate nonattainment. In that action, EPA proposed to establish January 1, 2023, as the due date for the State to submit all Moderate area nonattainment plan SIP requirements applicable to newly reclassified areas. The Ohio portion of the Cincinnati OH-KY 2015 ozone nonattainment area attained the 2015 ozone standard based on the 2019–2021 design value, and the area was redesignated to attainment effective June 9, 2022 (87 FR 35104). This action addresses the Moderate area VOC and NO_x RACT SIP submissions for the Cleveland nonattainment area under the 2015 ozone standard. Also, this action addresses VOC SIP strengthening measures for Ashtabula County and the Ohio portion of the

¹ While Ashtabula County was designated as attainment/unclassifiable under the 2015 ozone NAAQS, it was designated nonattainment as part of the Cleveland area under previous ozone standards. Approval of revisions to OAC 3745–21 will not relax VOC RACT provisions applicable to Ashtabula County under previous ozone standards.

Cincinnati maintenance area under the 2015 ozone standard.

III. What is EPA's evaluation of Ohio's VOC and NO_x RACT submittal?

EPA has previously determined that Chapter 3745–21 VOC regulations have met RACT for requirements associated with past ozone NAAQS and incorporated them into the Ohio SIP. See actions dated September 8, 2017 (82 FR 42451), September 30, 2020 (85 FR 68758), and March 23, 1995 (60 FR 15235). For certain source categories, Ohio is certifying the previously adopted RACT regulations and controls contained in OAC Chapter 3745–21 for VOCs continue to satisfy RACT requirements under the 2015 ozone NAAQS. Ohio has also adopted new or more stringent RACT regulations in OAC Chapter 3745–21 for VOCs and in OAC Chapter 3745–110 for NO_x. The revisions to OAC Chapter 3745–21 VOC regulations apply to both the Cleveland, OH nonattainment area and the Ohio portion of the Cincinnati OH-KY maintenance area under the 2015 ozone NAAQS, and to Ashtabula County. The new OAC Chapter 3745–110 NO_x regulations apply only to the Cleveland, OH 2015 ozone nonattainment area.

A. Certifying Existing Sections of OAC Chapter 3745–21 as VOC RACT for Cleveland

EPA approved OAC Chapter 3745–21 into Ohio's SIP under previous ozone standards. EPA performed a RACT due diligence analysis which can be found in the technical support document (TSD)² and is described in detail in section III, subsection H of this preamble. EPA has not identified any new control technologies that are reasonably available considering technological and economic feasibility for these sources since our last approval, and therefore EPA is proposing to determine that the controls for the CTG categories below still represent RACT for implementing the 2015 ozone standard in the Cleveland, OH nonattainment area. Also, EPA is also proposing to determine that the rules below are newly approved as SIP strengthening for Ashtabula County and the Cincinnati 2015 ozone NAAQS maintenance area:

- OAC 3745–21–09(D) for cans; (E) for coils; (F) for paper; (G) for fabrics; (H) vinyl; (C) for automobiles and light-duty trucks, Surface Coating of Cans, Coils, Paper, Fabrics, Automobiles, and Light-duty trucks
- OAC 3745–21–09(F)(2), Paper, Film and Foil Coatings

- OAC 3745–21–09(I), Surface Coating of Metal Furniture
- OAC 3745–21–09(I)(4), Surface Coating of Metal Furniture
- OAC 3745–21–09(J), Surface Coating of Insulation of Magnet Wire
- OAC 3745–21–09(K), Surface Coating of Large Appliances
- OAC 3745–21–09(K)(6), Surface Coating of Large Appliances
- OAC 3745–21–09(L), Storage of Petroleum Liquids in Fixed-Roof Tanks
- OAC 3745–21–09(M), Refinery Vacuum Producing Systems, Wastewater Separators, and Process Unit Turnarounds
- OAC 3745–21–09(N), Use of Cutback Asphalt
- OAC 3745–21–09(O)(2)(a) to (O)(2)(d), (O)(3) to (O)(6), Solvent Metal Cleaning
- OAC 3745–21–09(P), Bulk Gasoline Plants
- OAC 3745–21–09(Q), Tank Truck Gasoline Loading Terminals
- OAC 3745–21–09(R), Stage I Vapor Control Systems
- OAC 3745–21–09(T), Leaks from Petroleum Refinery Equipment
- OAC 3745–21–09(V), Leaks from Gasoline Tank Trucks and Vapor Collection
- OAC 3745–21–09(W), Manufacture of Synthesized Pharmaceutical Products
- OAC 3745–21–09(X), Manufacture of Pneumatic Rubber Tires
- OAC 3745–21–09(Y), Graphic Arts-Rotogravure and Flexography
- OAC 3745–21–09(Y)(4), Flexographic, Packaging Rotogravure and Publication Rotogravure Printing Lines
- OAC 3745–21–09(Z), Petroleum Liquid Storage in External Floating Roof Tanks
- OAC 3745–21–09(AA), Perchloroethylene Dry Cleaning Systems
- OAC 3745–21–09(BB), Large Petroleum Dry Cleaners
- OAC 3745–21–09(DD), Leaks from Synthetic Organic Chemical Polymer and Resin Manufacturing Equipment
- OAC 3745–21–09(EE), Air Oxidation Processes in Synthetic Organic Chemical Manufacturing Industry
- OAC 3745–21–13, Reactor Processes and Distillation Operations in Synthetic Organic Chemical Manufacturing Industry
- OAC 3745–21–15, Wood Furniture Manufacturing Operations
- OAC 3745–21–19, Control of Volatile Organic Compound Emissions from Aerospace Manufacturing and Rework Facilities
- OAC 3745–21–20, Control of Volatile Organic Emissions from Shipbuilding

and Ship Repair Operations (Marine Coatings)

- OAC 3745–21–21, Storage of Volatile Organic Liquids in Fixed Roof Tanks and External Floating Roof Tanks
- OAC 3745–21–22, Control of Volatile Organic Compound Emissions from Offset Lithographic Printing and Letterpress Printing Facilities
- OAC 3745–21–23, Control of Volatile Organic Compound Emissions from Industrial Solvent Cleaning Operations
- OAC 3745–21–24, Flat Wood Paneling Coatings
- OAC 3745–21–26, Surface Coating of Miscellaneous Metal and Plastic Parts
- OAC 3745–21–27, Boat Manufacturing
- OAC 3745–21–28, Miscellaneous Industrial Adhesives and Sealants
- OAC 3745–21–29, Control of Volatile Organic Compound Emissions from Automobile and Light-duty Truck Assembly Coating Operations, Heavier Vehicle Assembly Coating Operations and Cleaning Operations Associated with These Coating Operations

B. Minor Revisions to Existing VOC RACT Regulations in OAC Chapter 3745–21

Ohio's SIP submittal included minor revisions to OAC Chapter 3745–21 for clarification and agency and State formatting protocols. The minor revisions are included in the following sections: 3745–21–01, 3745–21–04, 3745–21–07, 3745–21–09, 3745–21–10, 3745–21–15, and 3745–21–18. EPA is proposing to approve the minor revisions to OAC Chapter 3745–21 because the revisions are non-substantive minor edits that do not alter the meaning or legal effect of these rules.

C. Permits for Two Sources Within the Categories Covered by the Oil and Natural Gas Industry CTG in the Cleveland, OH Nonattainment Area

Ohio identified only two sources that fall into the categories covered by the 2016 CTG for the Oil and Natural Gas Industry located in the Cleveland, OH nonattainment area. Rather than adopt categorical rules for sources falling into categories covered by the 2016 oil and gas CTG, Ohio requested that EPA approve specific portions of source specific federally enforceable permits for these two facilities—Wylie Compressor Station and Smallwood facility—for incorporation into the Ohio SIP. EPA is proposing to approve these specific portions of these permits for incorporation into the SIP to fulfill RACT requirements for the Cleveland

² Available in the docket for this action.

nonattainment area for the category of sources covered by the Oil and Gas CTG.

The Wylie Compressor Station is a portable reciprocating natural gas compressor driven by a 68 hp natural gas fired compressor engine, emissions unit (EU) P001. EPA is proposing to approve sections C.1.b)(1)e., C.1.b)(2)a., C.1.c)(2), C.1.d)(2) and C.1.e)(4) of the Wylie Compressor Station construction permit for incorporation into the SIP as satisfying the Moderate area RACT requirement resulting from the 2016 Oil and Natural Gas CTG in the Cleveland, OH Nonattainment area under the 2015 ozone standard. Please see more details on these sections below:

- C.1.b)(1)e—references that the control requirements located in C.1.c)(2) apply to reciprocating compressors located between the wellhead and point of custody transfer to the natural gas transmission and storage segment. Also, this section references that additional terms and conditions related to RACT can be found in C.1.b)(2)a.

- C.1.b)(2)a.—Because the compressor is portable, language has been added to clarify that the requirements only apply when the EU is installed and operating in a Moderate nonattainment area for the 2015 ozone NAAQS.

- C.1.c)(2) contains operational restrictions to reduce VOC emissions by replacing reciprocating compressor rod packing on or before 26,000 hours of operation or every 36 months. EPA proposes to determine that these operational restrictions are RACT levels of control. See EPA's TSD and subsection H of section III of this preamble for more information on EPA's analysis.

- C.1.d)(2) contains the monitoring and recordkeeping requirements for this EU and C.1.e)(4) contains requirements for submitting annual reports for this EU.

The Smallwood facility is a portable reciprocating natural gas compressor driven by a 145 hp natural gas fired engine, EU P001. EPA is proposing to approve sections C.1.b)(1)e., C.1.b)(2)b., C.1.c)(3), C.1.d)(7) and C.1.e)(5) of the Smallwood facility construction permit for incorporation into the SIP as satisfying the Moderate area RACT requirement resulting from the 2016 Oil and Natural Gas CTG in the Cleveland, OH Nonattainment area under the 2015 ozone standard. Please see more details on these sections below:

- C.1.b)(1)e—references that the control requirements located in C.1.c)(3) apply to reciprocating compressors located between the wellhead and point of custody transfer to the natural gas

transmission and storage segment. Also, this section references that additional terms and conditions related to RACT can be found in C.1.b)(2)b.

- C.1.b)(2)b.—Because the compressor is portable, language has been added to clarify that the requirements only apply when the EU is installed and operating in a Moderate nonattainment area for the 2015 ozone NAAQS.

- C.1.c)(3) contains operational restrictions to reduce VOC emissions by replacing reciprocating compressor rod packing on or before 26,000 hours of operation or 36 months. EPA proposes to determine that these operational restrictions are RACT levels of control. See EPA's TSD and subsection H of section III of this preamble for more information on EPA's analysis.

- C.1.d)(7) contains the monitoring and recordkeeping requirements for this EU and C.1.e)(5) contains requirements for submitting annual reports for this EU.

D. Negative Declarations

Ohio provided Negative Declarations for the following CTG categories: "Manufacturing of High-Density Polyethylene and Polypropylene Resin" and "VOC Equipment Leaks from Natural Gas/Gasoline Processing Plants." Ohio performed searches for facilities meeting each of these CTG categories in the Cleveland, OH nonattainment area for the 2015 ozone standard. Ohio determined that there are no sources subject to either of these CTGs in the Cleveland, OH nonattainment area.

E. Non-CTG VOC Major Source RACT

Major non-CTG VOC sources, which are subject to RACT, are stationary sources that have the potential to emit (PTE) at least 100 TPY of VOCs in Moderate ozone nonattainment areas and are not covered by the applicability criteria in the CTGs. Many major non-CTG VOC sources located in the ozone nonattainment area are subject to categorical RACT rules. Currently, Ohio's VOC RACT rules establish non-CTG RACT for the following five source categories. These rules were developed based upon the EPA's Alternative Control Techniques (ACT) documents or Maximum Available Control Technology (MACT) standards:

- OAC 3745–21–12, Control of Volatile Organic Compound Emissions from Commercial Bakery Oven Facilities
- OAC 3745–21–14, Control of Volatile Organic Compound Emissions from Process Vents in Batch Operations

- OAC 3745–21–16, Control of Volatile Organic Compound Emissions from Industrial Wastewater
- OAC 3745–21–21, Storage of Volatile Organic Liquids in Fixed Roof Tanks and External Floating Roof Tanks
- OAC 3745–21–25, Control of Volatile Organic Compound Emissions from Reinforced Plastic Composites Production Operations

In EPA's due diligence analysis, which can be found in the TSD, EPA compares Ohio's non-CTG categorical RACT rules to other relevant State rules and ACTs. EPA found Ohio's rules to be consistent with similar non-CTG categorical rules adopted by other States and with the relevant ACTs. EPA has not identified any new control technologies that are reasonably available considering technological and economic feasibility for these sources. As a result of EPA's due diligence analysis, EPA is proposing to determine that these non-CTG VOC RACT regulations are still representative of RACT for the Cleveland, OH nonattainment area for purposes of the 2015 ozone standard. See more about the due diligence process in section III, subsection H of this preamble.

F. OAC 3745–21–11 and 3745–110–03(J) VOC and NO_x RACT Studies for Non-CTG Sources

OAC rules 3745–21–11 and 3745–110–03(J) require VOC and NO_x major non-CTG sources that are not regulated under other Ohio RACT rules to submit RACT studies within one year of the effective date of Ohio's rule. Ohio will then submit the source specific RACT plans with enforceable measures to EPA for review and approval into the Ohio SIP. Because these rules do not establish any control standards for these sources, they do not establish RACT level controls, as required, for these sources. Therefore, Ohio has not yet established all RACT level controls as required across the Cleveland, OH nonattainment area. However, EPA is proposing to approve OAC rules 3745–21–11 and 3745–110–03(J) as SIP strengthening for the Cleveland, OH nonattainment area, Ashtabula County, and for the Ohio portion of the Cincinnati, OH-KY maintenance areas under the 2015 ozone standard. If Ohio later submits specific RACT plans for individual sources as SIP revisions, EPA will evaluate those SIP submissions to determine whether they comprise RACT-level controls for the relevant sources.

G. OAC 3745–110

OAC 3745–110 has not been previously submitted or approved into

Ohio's SIP. On December 11, 2007, Ohio promulgated NO_x RACT emission standards for various sizes of boilers, stationary combustion turbines, and stationary internal combustion engines, which are contained in OAC Chapter 3745–110. NO_x RACT emission standards for reheat furnaces were later promulgated on July 18, 2013.

Ohio EPA evaluated other States' recent RACT regulations and analyzed emissions and operational profiles of combustion units at major source facilities in Ohio to determine RACT requirements for these categories. These regulations establish NO_x RACT for very large, large, mid-size, and small boilers, stationary combustion turbines, stationary internal combustion engines, and reheat furnaces. EPA is proposing to approve the following sections of OAC Chapter 3745–110 as meeting the NO_x RACT requirement for the Cleveland nonattainment area under the 2015 ozone standard into the Ohio SIP: 3745–110–01, 3745–110–02, 3745–110–03 except paragraph J, 3745–110–04, and 3745–110–05. In EPA's due diligence analysis, EPA compares Ohio's NO_x RACT rules to other relevant State rules and ACTs. EPA found Ohio's rules to be in some cases more stringent than other States' NO_x RACT rules and consistent with the ACTs. EPA has not identified any new control technologies that are reasonably available considering technological and economic feasibility for these sources. See EPA's TSD and section III, subsection H of this preamble for more information on EPA's due diligence analysis.

H. RACT Due Diligence

As part of its March 30, 2022, submittal, Ohio certified that the RACT requirements for CTG and non-CTG VOC and NO_x sources in the Cleveland 2015 ozone Moderate nonattainment area have been fulfilled. Ohio conducted its RACT analysis for VOC and NO_x by: (1) Identifying all categories of CTG and major non-CTG sources of VOC and NO_x emissions within the Cleveland nonattainment area; (2) Listing the Ohio State regulation that implements or exceeds RACT requirements for that CTG or non-CTG category; and (3) Submitting negative declarations when there are no CTG applicable sources within the Cleveland area.

EPA performed a due diligence analysis to validate Ohio's VOC and NO_x RACT submittal for the Cleveland nonattainment area under the 2015 ozone standard. In EPA's TSD (available in the docket), EPA details the basis for concluding that Ohio's regulations fulfill RACT through comparison with

RACT rules developed by other States, CTG guidance documents and applicable ACT documents. EPA evaluated the relevant RACT rules in various States including Region 5 States (Illinois, Michigan, Indiana, Wisconsin) and States in Regions 1, 2, 6, 8, and 9 (Maine, Vermont, California, Colorado, Texas, Arizona, New Jersey, Connecticut, and New York). EPA found Ohio's rules to be generally consistent with or more stringent than control measures in other States' regulations, CTGs, and ACTs. EPA has not identified any new control technologies that are reasonably available considering technological and economic feasibility for these sources. Based upon our findings, EPA proposes to determine that Ohio's rules continue to represent RACT.

EPA is also proposing to approve Ohio's VOC and NO_x RACT regulations as SIP strengthening for the Cincinnati 2015 ozone NAAQS maintenance area and Ashtabula County.

I. OAC Rule 3745–15–03 Submission of Emission Information

EPA is also proposing to approve OAC rule 3745–15–03, which sets forth reporting requirements for sources in Ohio through the construction permit program. OAC rule 3745–15–03 applies to all VOC and NO_x sources subject to RACT that are covered by this proposed rule, and therefore ensures that these sources are subject to periodic reporting requirements. Approval of this rule is consistent with the requirements of CAA section 110(l) because it strengthens Ohio's SIP by providing for enforceability of the RACT requirements.

IV. What action is EPA taking?

EPA is proposing to approve parts of OAC Chapters 3745–21 as satisfying some of the Moderate VOC RACT requirements of 182(b)(2) of the CAA for the Cleveland, OH nonattainment area under the 2015 ozone standard. EPA is also proposing to approve parts of OAC Chapter 3745–110 as satisfying some of the Moderate NO_x RACT requirements of 182(f) of the CAA for the Cleveland, OH nonattainment area under the 2015 ozone standard. EPA is also proposing to approve OAC Chapter 3745–21 and 3745–110–03(J) as SIP strengthening for Ashtabula County and the Ohio portion of the Cincinnati, OH–KY maintenance area under the 2015 ozone standard. Ohio submitted these SIP revisions to the EPA on March

30, 2022, and supplemented the submittal on February 1, 2023, and August 28, 2023. Finally, EPA is proposing to approve OAC rule 3745–15–03, submitted as part of Ohio's SIP revision on February 9, 2023, and supplemented on December 1, 2023 and December 30, 2024.

V. Incorporation by Reference

In this rule, EPA is proposing to include in a final EPA rule regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, EPA is proposing to incorporate by reference Ohio Administrative Code Chapters 3745–21, effective on March 27, 2022, and 3745–110, effective on March 25, 2022, sections C.1.b)(1)e., C.1.b)(2)a., C.1.c)(2), C.1.d)(2) and C.1.e)(4) of the Wylie Compressor Station construction permit and sections C.1.b)(1)e., C.1.b)(2)b., C.1.c)(3), C.1.d)(7) and C.1.e)(5) of the Smallwood facility construction permit, discussed in section III of this preamble. EPA has made, and will continue to make, these documents generally available through www.regulations.gov and at the EPA Region 5 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

VI. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Clean Air Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve State choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this action merely approves State law as meeting Federal requirements and does not impose additional requirements beyond those imposed by State law. For that reason, this action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP actions are exempt from review under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities

under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);

- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);

- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);

- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a State program;

- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and

- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act.

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction. In those areas of Indian country, the rulemaking does not have Tribal implications and will not impose substantial direct costs on Tribal governments or preempt Tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Volatile organic compounds.

Dated: August 18, 2025.

Cheryl Newton,

Acting Regional Administrator, Region 5.

[FR Doc. 2025–16484 Filed 8–27–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R06–OAR–2025–0015; FRL–12949–01–R6]

Air Plan Approval; Arkansas; Codification of the State Implementation Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: Pursuant to the Federal Clean Air Act (CAA or the Act), the Environmental Protection Agency (EPA) is proposing to approve revisions to the Arkansas State Implementation Plan (SIP) submitted to the EPA on February

4, 2025. The revisions address the codification of the Arkansas Pollution Control and Ecology Commission (APC & EC) Rule 19 and Regulations 9, 26, and 31 into the Code of Arkansas Rules (CAR). The revisions are non-substantive and administrative in nature, and do not add or relax any provisions in the approved SIP.

DATES: Written comments must be received on or before September 29, 2025.

ADDRESSES: Submit your comments, identified by Docket No. EPA–R06–OAR–2025–0015, at <https://www.regulations.gov> or via email to tsui-bowen.alethea@epa.gov. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, please contact Alethea Tsui-Bowen, 214–665–7555, tsui-bowen.alethea@epa.gov. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>.

Docket: The index to the docket for this action is available electronically at www.regulations.gov. While all documents in the docket are listed in the index, some information may not be publicly available due to docket file size restrictions or content (*e.g.*, CBI).

FOR FURTHER INFORMATION CONTACT:

Alethea Tsui-Bowen, EPA Region 6 Office, Infrastructure and Ozone Section, 214–665–7555, tsui-bowen.alethea@epa.gov. We encourage the public to submit comments via <https://www.regulations.gov>. Please call or email the contact listed above if you need alternative access to material indexed but not provided in the docket.

SUPPLEMENTARY INFORMATION:

Throughout this document wherever “we,” “us,” or “our” is used, we mean the EPA.

I. Background

The SIP is a plan that specifies the manner in which the National Air Ambient Quality Standards (NAAQS) will be achieved and maintained within each air quality control region in a state. States must develop and submit a SIP to EPA for approval as required by the CAA. A SIP includes air pollution regulations, control strategies, other means or techniques, and technical analyses developed by the state to help ensure that the state meets the NAAQS. When a state makes changes to the regulations and control strategies in its SIP, such revisions must be submitted to the EPA for approval and incorporation into the federally enforceable SIP.¹

The Arkansas SIP is the air quality protection strategy implemented by the Arkansas Department of Energy and Environment (ADEE or State) pursuant to the CAA. The SIP consists of laws and rules, nonregulatory and quasi-regulatory measures, and other state enforceable requirements codified at 40 CFR part 52 subpart E. The Arkansas SIP is federally enforceable. All revisions to the SIP require EPA approval as mandated in section 110(l) of the Act.

II. The State’s SIP Submission

On February 4, 2025, the State submitted SIP revisions to EPA that address the codification of the APC & EC Rule 19 and Regulations 9, 26, and 31 into the CAR. Rule 19 is the Arkansas Plan of Implementation for Air Pollution Control and includes Chapters 1 (Title, Intent and Purpose), 2 (Definitions), 3 (Protection of the NAAQS), 4 (Minor Source Review), 5 (General Emission Limitations Applicability to Equipment), 6 (Upset and Emergency Conditions), 7 (Sampling, Monitoring, and Reporting Requirements), 9 (Prevention of Significant Deterioration), 10 (Rules for the Control of Volatile Organic Compounds in Pulaski County), 11 (Major Source Permitting Procedures), 13 (Stage 1 Vapor Recovery), 14 (Reserved), 15 (Best Available Retrofit Technology), 18 (Effective Date) and the associated appendices (Insignificant Activities List and NAAQS List).

Regulation 9 is Fee Regulation and includes Chapters 1 (Title), 2 (Definitions), 3 (Permit Fee Payment), 5 (Air Permit Fees), and 9 (Administrative Procedures). Regulation 26 is Regulations of the Arkansas Operating Permit Program and includes Chapters 3 (Requirements for Permit Applicability), 4 (Applications for Permits), 5 (Action

¹ For more about SIPs, please visit <https://www.epa.gov/air-quality-implementation-plans>.

of Application), and 6 (Permit Review by the Public, Affected States, and EPA). Regulation 31 is Nonattainment New Source Review Requirements and includes Chapters 1 (Title, Intent, and Purpose), 2 (Definitions), 3 (Preconstruction review), 4 (Applicability Tests), 5 (Reserved), 6 (Reserved), 7 (Reserved), 8 (Actual PALS), and 9 (Effective Date).

III. The EPA's Evaluation

In this SIP revision, codification involves the numbering of the SIP rules and regulations in a manner consistent with the CAR. The revisions are limited to codification and non-substantive administrative edits. For example, Regulation 9 is codified as Part 12, Rule 19 is codified as Part 41, Regulation 26 is codified as Part 42, and Regulation 31 is codified as Part 43. The administrative edits include, for example, "Commission" is replaced with "the Arkansas Pollution Control and Ecology Commission" and "paragraph (E) of this definition" is replaced with "(b)(13)(E) of this section." The submitted revisions renumber, relabel, edit, and restructure paragraphs within the revised parts. The submitted revisions do not relax, do not delete, and do not introduce new rules to the approved SIP. Due to the non-substantive and administrative nature of these revisions, these SIP revisions are not expected to contribute to violations of the NAAQS in Arkansas. Accordingly, we find the submitted revisions consistent with CAA section 110(l). Additional background and a table detailing each of the revisions to Regulation 9, Rule 19, Regulation 26, and Regulation 31 is provided in the Technical Support Document, available in the docket for this proposed rule. The State's submittal is also posted in the docket.

IV. Proposed Action

We are proposing to approve the revisions to the Arkansas SIP submitted to EPA on February 4, 2025. These revisions codify the corresponding rules and regulations in the Arkansas SIP. We are proposing to approve this SIP submission in accordance with the requirements of section 110 of the Act and EPA's regulations.

V. Incorporation by Reference

In this action, we are proposing to include in a final rule regulatory text that includes incorporation by reference. In accordance with the requirements of 1 CFR 51.5, we are proposing to incorporate by reference revisions to the Arkansas regulations as described in sections II and III of this

preamble. We have made, and will continue to make, these documents generally available electronically through www.regulations.gov (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

VI. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely proposes to approve state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993);
 - Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP actions are exempt from review under Executive Order 12866;
 - Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
 - Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
 - Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4);
 - Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
 - Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a state program;
 - Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
 - Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act.
- In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction. In those areas of Indian country, the proposed

rulemaking does not have Tribal implications and will not impose substantial direct costs on Tribal governments or preempt Tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Authority: 42 U.S.C. 7401 *et seq.*

Dated: August 20, 2025.

Walter Mason,

Regional Administrator, Region 6.

[FR Doc. 2025-16483 Filed 8-27-25; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R03-OAR-2025-0130; FRL-11444-01-R3]

Air Plan Approval; Pennsylvania; Motor Vehicle Inspection and Maintenance Program Certification for Moderate Nonattainment Under the 2015 Ozone National Ambient Air Quality Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve a state implementation plan (SIP) revision submitted by the Commonwealth of Pennsylvania. This SIP revision addresses Clean Air Act (CAA) requirements for the enactment of a Basic vehicle emissions inspection and maintenance (I/M) program for the five counties comprising the Pennsylvania portion of the Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE Moderate nonattainment area (Philadelphia nonattainment area) for the 2015 8-hour ozone national ambient air quality standards (NAAQS).

DATES: Written comments must be received on or before September 29, 2025.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R03-OAR-2025-0130 at www.regulations.gov, or via email to gordon.mike@epa.gov. For comments submitted at Regulations.gov, follow the online instructions for submitting comments. Once submitted, comments

cannot be edited or removed from *Regulations.gov*. For either manner of submission, the EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be confidential business information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the EPA's full public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit www.epa.gov/dockets/commenting-epa-dockets.

FOR FURTHER INFORMATION CONTACT:

Brian Rehn, Planning & Implementation Branch (3AD30), Air & Radiation Division, U.S. Environmental Protection Agency, Region III, 1600 John F. Kennedy Boulevard, Philadelphia, Pennsylvania 19103. The telephone number is (215) 814-2176. Mr. Rehn can also be reached via email at rehn.brian@epa.gov.

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 - I. National Technology Transfer and Advancement Act (NTTAA)

I. Background

On September 28, 2023, Pennsylvania submitted to the EPA a SIP revision request titled "Basic I/M Program Certification" applicable to the Pennsylvania portion of the Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE Moderate nonattainment area for the 2015 8-hour ozone NAAQS. I/M programs are required for certain urbanized nonattainment areas classified as Moderate and higher based on criteria detailed in the CAA and the Federal I/M rule at 40 CFR 51 subpart S. The CAA establishes two performance levels of I/M programs: "Basic" and "Enhanced." Enhanced I/M programs are required in areas classified as Serious, Severe, or Extreme for the ozone NAAQS. In addition, all Metropolitan Statistical Areas (MSAs) in an Ozone Transport Region (OTR) as defined in the CAA are required to implement an Enhanced program regardless of air quality designation/classification in areas with a 1980 population greater than 100,000. By virtue of Pennsylvania's inclusion in an OTR, Pennsylvania already operates an Enhanced I/M Program that encompasses the nonattainment area (NAA), as described in Section I.B below.

The Philadelphia-Wilmington-Atlantic City NAA was initially required to demonstrate attainment of the 2015 ozone NAAQS by the Marginal area attainment date of August 3, 2021. However, monitored ozone levels in the area failed to meet the NAAQS by that

attainment date, so the area was reclassified by operation of law. In October 2022, the EPA issued a determination confirming that the area was reclassified from Marginal to Moderate nonattainment for the 2015 ozone NAAQS.¹ This Moderate classification subjected the Philadelphia NAA to the CAA requirement for a Basic I/M program—among other CAA requirements for a Moderate NAA.²

A. Clean Air Act I/M Requirements Applicable to Ozone Nonattainment Areas of Select Classification

Section 182 of the CAA outlines SIP requirements for each classification that are generally cumulative (*e.g.*, areas classified as Moderate ozone nonattainment must meet Moderate requirements in addition to Marginal classification requirements). Section 182(b)(4) requires States with areas classified as Moderate ozone nonattainment to implement a Basic I/M program. The EPA's Basic I/M regulations are codified at 40 Code of Federal Regulations (CFR) part 51, subpart S. The relevant Federal performance standard³ for a Basic I/M program for an area classified as Moderate under an 8-hour ozone NAAQS is outlined in 40 CFR 51.352(e). The EPA allows newly classified Moderate NAAs that have an existing I/M program (for example, because of the area's nonattainment status and classification under a prior NAAQS, by virtue of being located in an ozone transport region) to demonstrate with performance standard modeling analysis and a review of applicable requirements in the I/M Rule that the existing EPA-approved I/M program would meet the performance standard for purposes of the new Moderate 2015 ozone NAAQS classification.⁴ If the existing I/M program does not meet all requirements for a Basic I/M program as required for the Moderate classification, the State must submit a SIP revision amending the I/M program so that it meets the requirements.⁵

In October 2022, the EPA provided states with guidance on evaluating a specific I/M program against the applicable Federal benchmark program outlined in the CAA and detailed in the

¹ 87 FR 60897, October 7, 2022.

² Clean Air Act section 182(b).

³ An I/M performance standard is a collection of program design elements which defines a benchmark program to which a state's proposed I/M program is compared in terms of its potential to reduce emissions of the ozone precursors nitrogen oxides (NO_x) and volatile organic compounds (VOCs).

⁴ See 87 FR 60897, 60906; 87 FR 21842 (April 13, 2022).

⁵ *Id.*

I/M rule. This guidance (hereinafter referred to as the EPA guidance or the EPA PSM Guidance) specifies that a performance standard modeling (PSM) analysis is required for an ozone nonattainment area “meeting the criteria for a Basic I/M program upon its reclassification from Marginal to Moderate for the 2015 or subsequent ozone NAAQS regardless of whether the area already operates an existing I/M program under a prior NAAQS.”⁶ This PSM analysis evaluates the state’s selected program against the CAA’s applicable benchmark performance standard to demonstrate that the state program design meets CAA minimum performance requirements, as measured against the CAA-established program benchmark.⁷ This EPA guidance describes the PSM methodology for that required demonstration, as well as those required SIP elements necessary for a state to certify that its SIP-approved, enacted I/M program meets minimum CAA program requirements.⁸

The EPA PSM guidance further specifies that in order to certify that an existing I/M program satisfies CAA I/M requirements, in addition to a PSM analysis, a state must show that all applicable requirements of the EPA’s governing I/M regulations (including the eight I/M SIP submission requirements listed in the EPA’s I/M rule at 40 CFR 51.372) are met. The certification submission requirements outlined by 40 CFR 51.372 include an implementation schedule with a list of milestones for the state I/M program, discussed later in this document. Additionally, the EPA’s PSM guidance references seven

additional program elements specified by the EPA’s I/M rule that ensure that a state’s program meets minimum requirements for an I/M program as discussed later in this document.

B. Philadelphia Ozone Nonattainment and Associated I/M Program Requirements

On October 26, 2015, the EPA published revised primary and secondary NAAQS for ozone to a level of 0.70 parts per million (ppm) (based on the annual fourth-highest daily maximum 8-hour average concentration, averaged over three years) to provide requisite protection of public health and welfare.⁹

On June 4, 2018 (effective August 3, 2018), the EPA published a final rule that designated the Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE area (including Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties as Pennsylvania’s portion of the nonattainment area) as nonattainment for the 2015 8-hour ozone NAAQS and classified the area as Marginal with an attainment deadline of August 3, 2021.¹⁰

On October 7, 2022, the EPA issued a final determination that the Philadelphia NAA failed to attain the 2015 ozone NAAQS by its attainment date, and the area was reclassified from Marginal to Moderate, with a new attainment date of August 3, 2024.¹¹

C. Pennsylvania’s Philadelphia Region I/M Program

To address the Basic I/M certification requirement for the Pennsylvania

portion of the Philadelphia NAA, Pennsylvania submitted a SIP revision dated September 28, 2023. Due to the NAA’s classifications under previous ozone NAAQS¹² and Pennsylvania’s location in a CAA-established OTR, Pennsylvania already implements an Enhanced I/M program in the Philadelphia NAA, which was instituted in the late 1990s and fully enacted by 2004. The EPA issued a final rule in June 1999 fully approving Pennsylvania’s Enhanced I/M program SIP, including the program’s governing regulations at 67 Pennsylvania (Pa) Code sections 175 and 177.¹³ Pennsylvania subsequently revised the I/M program to add on-board diagnostic (OBD) testing requirements and to establish a phase-out schedule for tailpipe I/M testing for older vehicles once they reach 25 years of age. The EPA approved a SIP revision with these program updates in October 2005.¹⁴

The existing Enhanced I/M program is applicable countywide in each of the five counties comprising Pennsylvania’s portion of the multi-state Philadelphia ozone nonattainment area. Pennsylvania operates a decentralized testing program, administered by privately-owned, licensed testing and repair stations, with emissions testing conducted on an annual basis. The emissions inspection requirement for vehicles in the Commonwealth’s Philadelphia Region program varies by model year and vehicle type, as listed in Table 1 in this document.

TABLE 1—PENNSYLVANIA I/M PROGRAM SUBJECT VEHICLES AND INSPECTION TESTS

I/M program	Vehicle model years tested	I/M test performed
Vehicles weighing up to 8,500 lbs. GVWR.	1975–1995 1996-and-newer	Visual anti-tampering inspection. Gas cap pressure test. OBD inspection. Gas cap pressure test.
Vehicles weighing 8,501 to 9,000 lbs. GVWR.	1996 and newer	Two-speed idle tailpipe test. Visual anti-tampering inspection. Gas cap pressure test.
Emission Inspections Exemptions.	Pre-1975 vehicles. Vehicles powered by other than gasoline. Vehicles over 9,000 lbs. GVWR. New vehicles initially registered (for up to 1 year). Vehicles driven fewer than 5,000 miles per year. Special mobile equipment. Implements of husbandry. Classic, antique or collectible motor vehicles. Street rods.	

⁶ EPA, EPA-420-B-22-034, Performance Standard Modeling for New and Existing Vehicle Inspection and Maintenance (I/M) Programs Using the MOVES Mobile Source Emissions Model (2022) (p. 4).

⁷ *Id.*

⁸ *Id.* (pp. 4–5 and 8–3).

⁹ 80 FR 65292 (October 26, 2015).

¹⁰ 83 FR 25776 (June 4, 2018).

¹¹ 87 FR 60897 (October 7, 2022).

¹² The Philadelphia-Wilmington-Trenton NAA was previously classified as Severe nonattainment under the now revoked 1979 ozone NAAQS.

¹³ 64 FR 32411 (June 17, 1999).

¹⁴ 70 FR 58313 (October 6, 2005).

TABLE 1—PENNSYLVANIA I/M PROGRAM SUBJECT VEHICLES AND INSPECTION TESTS—Continued

I/M program	Vehicle model years tested	I/M test performed
	Motorcycles. Motorized pedal cycles. Buses with a seating capacity of 16 or more. Specially constructed vehicles.	

II. Summary of Pennsylvania's September 2023 Basic I/M Certification SIP Revision and the EPA's Analysis

A. Description of Pennsylvania's September 2023 I/M Certification SIP

On September 28, 2023, Pennsylvania submitted its “Basic I/M Program Certification for the Pennsylvania Portion of the Philadelphia-Wilmington-Atlantic City PA-NJ-MD-DE Moderate Nonattainment Area for the 2015 8-Hour Ozone NAASQ” (or I/M Certification SIP) as a revision to the Pennsylvania SIP, for the purpose of demonstrating that Pennsylvania’s existing, SIP-approved Enhanced I/M program meets applicable requirements for a Basic I/M program required for newly classified Moderate ozone NAAs, per CAA section 182(b) and 40 CFR 51.372(a)(1) through (8).

Because Pennsylvania has already adopted and implemented an Enhanced I/M program that the EPA has approved as described above in section I.C, the Commonwealth’s September 2023 SIP revision contains a Basic PSM demonstration certifying that the existing Enhanced I/M program meets all relevant requirements for a Basic I/M program applicable to the NAA under the 2015 ozone NAAQS Moderate classification.

The EPA will further summarize applicable Federal I/M requirements and our review of Pennsylvania’s means of addressing these requirements in their SIP submission below.

B. Summary and EPA Review of the Required Elements of the Philadelphia Region I/M Program

1. Performance Standard Analysis for the Philadelphia Region for the Basic I/M Program

The PSM demonstration, as required by the EPA’s I/M rule at 40 CFR 51.372(a)(2), must have a modeling analysis of ozone precursor emission level targets using the most current EPA mobile source emission model (or an alternative approved by the Administrator) showing that the program meets the applicable Basic performance standard described in 40 CFR 51.352.

An I/M performance standard is a benchmark of program design elements established by the CAA and the EPA I/M rule, to which a state’s I/M program can be compared for its potential to reduce emissions of the ozone precursors. This analysis is performed using the most recent version of the EPA’s Motor Vehicle Emissions Simulator Model (MOVES) available at the time of analysis. The PSM demonstration compares the resultant MOVES-derived emissions levels, expressed as a comparison of tons per day, of the ozone precursors nitrogen oxides (NO_x) and volatile organic compounds (VOCs) from onroad mobile sources in the I/M area.¹⁵

Pennsylvania’s methodology used to produce the emission data conforms to the recommendations provided in the EPA’s MOVES Technical Guidance.¹⁶ Model inputs for the PSM demonstration were based on a mix of local data and national default data. Local data were used for the primary data items that have a significant impact on emissions, including: vehicle miles of travel (VMT) by vehicle type; average speed distribution; vehicle type distributions; source type population (for light-duty vehicles); vehicle age distribution; hourly distributions; meteorology data; and the specific design elements of the Commonwealth’s Inspection/Maintenance program. Most local data inputs to the analysis process reflect the latest planning assumptions based on 2020 data obtained from the Pennsylvania Department of Transportation (PennDOT), the Bureau of Motor Vehicles, and other local/national sources. More recently available data was used for control strategies, vehicle age distributions and fuel characteristics.

Pennsylvania’s analysis utilizes a proprietary emissions inventory generation tool that post processes the results of batched MOVES scenarios to generate results for a specific area’s emission inventory, transportation conformity, or mobile source emission

control program development. The onroad mobile source emission inventory was developed using available travel data and this tool utilized the EPA’s MOVES3 emission model. Though the EPA had released newer versions of the MOVES model (i.e., MOVES4 and MOVES5) at the time this SIP analysis was submitted, Pennsylvania commenced development of their SIP analyses prior to the release of MOVES4 in September 2023—MOVES3 was the most recent available version of the model.^{17 18} The methodologies that were used to produce the emission data conform to the recommendations provided in the EPA’s applicable MOVES3 Technical Guidance.¹⁹ For purposes of the PSM demonstration, an evaluation year of 2023 was used,²⁰ with July weekday emission rates for VOC-related MOVES3 pollutants and NO_x. A summary of the inputs and assumptions used by Pennsylvania for its MOVES analysis are described in a Technical Support Document (TSD) prepared by the EPA available in the docket for this action.

To model I/M program benefits, the EPA’s MOVES model utilizes I/M program parameters and historic program data, while the program design elements of EPA’s Basic performance standard are used to model the benchmark program, as specified at 40 CFR 51.352(e). Pennsylvania’s historic program data was used to generate

¹⁷ 88 FR 62567 (September 12, 2023)

¹⁸ See EPA, 420–B–20–044, Policy Guidance on the Use of MOVES3 for State Implementation Plan Development, Transportation Conformity, General Conformity, and Other Purposes (2020), p. 7. Pennsylvania’s PSM analysis supporting this SIP revision commenced in Spring 2023, prior to the subsequent release by EPA of MOVES4 and its policy memorandum requiring use of that more recent model.

¹⁹ EPA Office of Transportation and Air Quality, 420–B–20–052, MOVES3 Technical Guidance: Using MOVES to Prepare Emission Inventories for State Implementation Plans and Transportation Conformity, (2020).

²⁰ Though 2023 is the attaining ozone season, the attainment date of August 3, 2024, is in the middle of the ozone season and thus 2023 is the last complete ozone season prior to attainment. Pursuant to the *Modeling and attainment demonstration requirements* of 40 CFR 51.1308, if Pennsylvania were to have started a new I/M program, for attainment purposes, they would need to have it fully implemented “no later than the beginning of the attainment year ozone season.”

¹⁵ See the EPA’s PSM Guidance (pp. 8–9).

¹⁶ See the EPA MOVES3 Technical Guidance: Using MOVES to Prepare Emission Inventories for State Implementation Plans and Transportation Conformity.

program compliance statistics. These program compliance statistics include: compliance rate (*i.e.*, the percentage of I/M-subject vehicles that pass I/M inspection or are granted a waiver); failure rate (*i.e.*, the fraction of tested

vehicles that fail an initial I/M inspection); and waiver rate (*i.e.*, the fraction of initially failing vehicles that cannot pass a retest but expend enough in repair costs to be granted a repair waiver). Table 2 in this document

summarizes historic data from Pennsylvania's existing program, based on I/M annual reporting submitted to the EPA for calendar year 2019.²¹

TABLE 2—HISTORIC I/M PROGRAM DATA AND PROGRAM STATISTICS FOR THE PHILADELPHIA REGION

Program statistic	1975–1996 Model year vehicles	1996-and-newer vehicles
Subject Fleet	53,634	2,540,164
Unique Tested Vehicles	12,132	2,138,030
Passing Vehicles	12,024	2,121,778
Initially Failed Vehicles	857	74,484
Waived Vehicles	38	4,966
Vehicles With No Known Final Outcome	70	11,286
Vehicles Granted Low-Mileage Exemption	32,327	338,456
Compliance Rate	22.49%	83.72%
Waiver Rate	4.43%	6.67%
Failure Rate	7.06%	3.48%

As part of its I/M Certification SIP, Pennsylvania's submission includes an I/M performance standard modeling analysis to demonstrate that the existing Enhanced I/M program for the Philadelphia area obtains the same or lower emission levels as the applicable EPA Basic I/M performance standard.

To demonstrate that the existing program meets the Basic I/M performance standard described in 40

CFR 51.352(e), Pennsylvania's program must be evaluated on a performance basis against that of the EPA's benchmark Basic I/M program. This comparison and evaluation uses the latest version of the EPA's MOVES emissions model to ensure that the Commonwealth's program achieves the same or better performance in reducing the ozone precursors (*i.e.*, NO_x and VOCs). For that evaluation, the Basic I/

M Certification SIP compares July weekday emissions levels (in tons per day) for VOC and NO_x based on the existing Pennsylvania Enhanced I/M program and the Basic I/M model program benchmark. A comparison between the EPA's Basic performance standard benchmark program and Pennsylvania's SIP-approved, existing I/M program is shown in Table 3 in this document.

TABLE 3—COMPARISON BETWEEN EPA'S BASIC I/M PERFORMANCE STANDARD AND PENNSYLVANIA'S EXISTING I/M PROGRAM FOR THE PHILADELPHIA-WILMINGTON-ATLANTIC CITY OZONE NONATTAINMENT AREA

I/M program element	Basic I/M model program	Pennsylvania's existing enhanced I/M program
Network Type	Centralized	Decentralized.
Program Start Date	4 years after the effective date of designation and classification under the 8-hour ozone standard.	1996.
Test Frequency	Annual	Annual.
Model Year Coverage	1968 and newer	1975 and newer (newest model year exempt).
Vehicle Type Coverage	Light-duty vehicles	1975 and newer light-duty gasoline vehicles (LDGVs) and light-duty gasoline trucks (LDGTs) (up to 8,500 lbs GVWR); and 1996 and newer Medium Duty Gasoline Trucks (MDGTs) (between 8,500–9,000 lbs GVWR).
Test Types	Idle test: 1968–2000 vehicles; OBD test: 2001 and newer vehicles.	OBD test: 1996 and newer LDGVs and LDGTs (up to 8,500 lbs GVWR); 2-Speed idle test: 1997 and newer MDGTs (between 8,500–9,000 lbs GVWR).
Emission Control Device Visual Inspection	None	Catalyst visual inspection: 1975–1995 LDGVs and LDGTs (up to 8,500 lbs GVWR); and 1995 and newer MDGTs (between 8,500–9,000 lbs GVWR).
Evaporative system function check	None (except those performed by the OBD system on model year 2001 and newer, OBD-equipped vehicles).	OBD Evaporative Test: 1996 and newer LDGTs (up to 8,500 lbs GVWR). Gas Cap Pressure Test: 1975–1995 LDGVs and LDGTs (up to 8,500 lbs GVWR); and 1996 and newer LDGVs (up to 8,500 lbs GVWR). MDGTs (between 8,500–9,000 lbs GVWR).
Waiver Rate (number of state-issued repairs granted, in proportion to the number of initially failed vehicles).	0% Waiver rate (for all I/M tested vehicles)	Pre-1996 Vehicles: 4.4%. 1996 and Newer Vehicles: 6.7%.
I/M Compliance Rate (number of I/M compliant vehicles as a proportion of the universe of I/M-subject vehicles).	100%. Compliance Rate (as a percentage subject vehicles having I/M final test outcomes).	Pre-1996 Vehicles: 22.5%. 1996 and Newer Vehicles: 83.7%.

Table 4 in this document shows the results of Pennsylvania's Basic I/M

performance standard analysis for the Philadelphia NAA. The results of this

modeling show that for a 2023 evaluation year, NO_x and VOC emission

²¹ Pennsylvania elected to use 2019 historic data rather than 2020 or 2021, to avoid potential bias

from COVID impacts during those more recently available years.

levels from Pennsylvania's existing Philadelphia Region Enhanced I/M

program achieve the EPA's Basic I/M performance standard (at 40 CFR

51.352) as described in detail in Table 3 in this document.

TABLE 4—PHILADELPHIA REGION BASIC I/M PERFORMANCE STANDARD MODELING COMPARISON

County	Summer daily vehicle miles of travel (VMT)	Basic I/M performance standard program scenario emissions (tons/day)		Existing Pennsylvania enhanced I/M program scenario emissions (tons/day)		Performance standard met?	
		VOC	NO _x	VOC	NO _x	VOC	NO _x
Bucks	15,242,950	4.68	7.64	4.36	7.37	Yes	Yes
Chester	14,395,491	3.97	7.70	3.72	7.46	Yes	Yes
Delaware	11,004,582	3.69	6.33	3.45	6.13	Yes	Yes
Montgomery	21,711,839	6.43	11.85	6.02	11.47	Yes	Yes
Philadelphia	17,839,019	7.57	11.45	7.09	11.09	Yes	Yes
Region Total	80,193,881	26.35	44.97	24.64	43.52	Yes	Yes

Pennsylvania's PSM analysis indicates that the existing Enhanced I/M program for the Philadelphia area that the EPA has approved in PA's prior SIP submissions exceeds the comparable emissions benefits of the benchmark Federal Basic I/M performance standard—for the ozone precursors VOC and NO_x as evaluated in 2023. Based on the review of Pennsylvania's documentation included in the I/M Certification SIP, the EPA finds that Pennsylvania used appropriate methods and modeled input data to perform the I/M PSM demonstration for the area, analyzed an appropriate year consistent with 40 CFR 51.352(e), and included sufficient documentation to support the PSM analysis to meet the applicable Moderate area I/M requirement under section 182(b)(4) of the CAA.

2. EPA Review of Additional Applicable CAA I/M Requirements of Pennsylvania's I/M Certification SIP

In addition to conducting a PSM analysis to demonstrate that the existing I/M program is at least as effective in generating benefits as the EPA's model Basic I/M program, states are required to satisfy other applicable statutory and regulatory I/M program requirements. These regulatory requirements include showing compliance with the EPA's governing I/M regulations, including the aforementioned I/M SIP submission requirements of 40 CFR 51.372.

The submission requirements applicable to all I/M programs in 40 CFR 51.372 include an implementation schedule with a list of milestones for the state I/M program that shall at minimum include: (1) passage of enabling statutory or other legal authority; (2) proposal of draft regulations and promulgation of final regulations; (3) issuance of final specifications and procedures; (4) issuance of final Request

for Proposals (if applicable); (5) licensing or certifications of stations and inspectors; (6) the date mandatory testing will begin for each model year to be covered by the program; (7) the date full-stringency cutpoints will take effect; and (8) all other relevant dates.

The EPA's PSM guidance references seven additional program elements from the EPA's I/M rule. The EPA has reviewed Pennsylvania's September 2023 certification SIP to ensure that its existing program meets all applicable I/M program requirements, including: (1) the aforementioned PSM analysis; (2) the geographic applicability of the I/M program; (3) a detailed discussion of each of the required design elements specified in the applicable EPA I/M rule subpart (*i.e.*, 40 CFR 51.372); (4) legal authority requiring or allowing implementation of the I/M program and providing either broad or specific authority to perform all required elements of the program; (5) legal authority for I/M program operation until such time as it is no longer necessary; (6) implementing regulations, interagency agreements, and memoranda of understanding; (7) and evidence of adequate funding and resources to implement all aspects of the program. A summary of the EPA's review of each of these requirements is detailed below, with further detail of our review provided in the TSD prepared by EPA for this action and available in the docket.

a. Implementation Milestones for Pennsylvania's Philadelphia Region I/M Program

The EPA PSM guidance provides that implementation milestones specified at 40 CFR 51.372 (a)(1) are most relevant for new rather than existing state I/M programs.²² Pennsylvania already implements an Enhanced I/M program

in the Philadelphia Region that the EPA approved in prior SIP submissions. The Commonwealth has not amended its program regulations since the program was approved. Pennsylvania's September 2023 I/M certification SIP describes non-regulatory updates made to its program operation contracts as well as several program specifications to enact program operational needs since the SIP was last amended. The SIP contains program requests for proposal and contract materials containing these non-regulatory program revisions. The Commonwealth attests that these updates and changes did not require revision of the approved I/M SIP.

b. Geographic Applicability of the Philadelphia Region I/M Program

The EPA's I/M SIP criteria at 40 CFR 51.372(a)(3) requires a description of program geographic applicability requirements for newly classified Moderate areas.²³ Pennsylvania was already required to implement an Enhanced I/M program in the Philadelphia area as a Severe nonattainment area under the prior, 1979 1-hour ozone NAAQS.²⁴ Additionally, the Philadelphia census-defined MSA is also subject to Enhanced I/M under CAA section 184, as the area lies in a statutory-defined OTR.²⁵ The Philadelphia Area is designated as nonattainment for the 2015 Ozone NAAQS and became subject to Basic I/M upon reclassification from Marginal to Moderate. Pennsylvania defines the Philadelphia I/M Region at 67 Pa Code section 177.3 as comprising Bucks, Chester, Delaware, Montgomery, and Philadelphia counties (*i.e.*, those counties in the Philadelphia NAA). The EPA approved Pennsylvania's geographic applicability provisions at

²³ See 40 CFR 51.350(a)(4).

²⁴ See 40 CFR 51.350(a)(2).

²⁵ See 40 CFR 51.350(a)(1).

²² See EPA "PSM Guidance" (p. 5).

67 Pa Code section 177.3 with approval of Pennsylvania's I/M program SIP revision on October 6, 2005.²⁶

c. Additional Required I/M Program Design Elements

Per the EPA guidance and regulation, the Commonwealth detailed in the Basic I/M certification SIP submission the means by which it met and/or continues to meet each of the requirements of the I/M rule.²⁷ A detailed description of Pennsylvania's compliance with the EPA I/M requirements at 40 CFR 51.350 through 51.373 is provided in Table 9 of the EPA's TSD for this action.

d. State Legal Authority for I/M Program Implementation and Operation

The EPA's I/M requirements at 40 CFR 51.372(a)(5) and (6) require a state to list as part of its SIP revision its legal authority to implement and operate an I/M program. The Commonwealth's legal authority to establish, implement, and operate an I/M program (including in the Philadelphia Region) is found in the Pennsylvania Vehicle Code at 75 Pa. C.S. section 4706 *et seq.* With the EPA's approval of Pennsylvania's Enhanced I/M SIP revision in 2005, Pennsylvania's legal authority has been adopted by reference and codified at 40 CFR 52.2020(c). The SIP under review in this action thus meets the requirements of Basic I/M.

e. State Implementing Regulations, Interagency Agreements, and Memoranda of Understanding

The EPA's I/M requirements at 40 CFR 51.372(a)(7) require a discussion of program implementing regulations, interagency agreements, and memoranda of understanding. Implementing regulations are established at 67 Pa. Code Chapter 177 and Appendices A and B, which were previously approved by the EPA into Pennsylvania's SIP on June 17, 1999 (64 FR 32111) and October 6, 2005 (70 FR 58313). Pennsylvania certifies that these prior submissions satisfy the requirements for Basic I/M.

f. Evidence of Adequate State Funding and Resources To Implement the Program

The EPA's I/M requirements at 40 CFR 51.372(a)(8) require that states provide evidence of adequate funding and resources to implement all aspects of the program as part of the I/M SIP revision. Section B.8 of Pennsylvania's Basic I/M Program SIP Revision

document details funding and resources that Pennsylvania employs to operate its existing Enhanced I/M program in the Philadelphia Area. Appendix B of Pennsylvania's SIP revision provides relevant portions of the latest 2018 oversight contract for the program. Pennsylvania's current program oversight contract establishes terms for the per-inspection fee that the contractor collects from licensed, private inspection stations to fund program oversight. Pennsylvania collects no fees directly from motorists and does establish a set cost for the test fee, instead allowing stations to set motorist inspection fees under a market-based approach. Costs for PennDOT personnel to administer the program are paid from the Pennsylvania Motor License Fund. Pennsylvania certifies that these mechanisms ensure adequate funding and resources to operate the program as required for Basic I/M.

3. Summary of EPA's Review of Pennsylvania's I/M Certification SIP Elements

The EPA finds that the Commonwealth has addressed each of the required elements of a Basic I/M program and that those program elements (which primarily consist of elements of the currently operating Enhanced I/M program for the Philadelphia Region) satisfy all the applicable I/M requirements for a Basic I/M program set forth in the EPA's I/M Rule at 40 CFR part 51, subpart S. Based on our review, we find that the Commonwealth's MOVES-based PSM evaluation was conducted appropriately and meets the performance standard for a Basic I/M program and that the Commonwealth's PSM modeling was consistent with the most current guidance at the time of the Commonwealth's analysis. We therefore propose to find that the Pennsylvania I/M program for the Commonwealth's portion of the Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE nonattainment area meets applicable Basic I/M program SIP requirements under CAA section 182(b)(4) and 40 CFR part 51, subpart S, and the EPA's performance standard modeling guidance.

III. Proposed Action

The EPA has evaluated Pennsylvania's Basic I/M Certification SIP submitted September 28, 2023 against the applicable requirements of the CAA and proposes to find that Pennsylvania's Enhanced I/M Program SIP for the Pennsylvania portion of the Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE nonattainment Area

meets all applicable requirements for a Basic I/M program, as required for a Moderate nonattainment area under the 2015 ozone NAAQS.

The EPA is soliciting public comments on the issues discussed in this document. These comments will be considered before taking final action.

IV. Statutory and Executive Order Reviews

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

A. Executive Order 12866: Regulatory Planning and Review, Executive Order 13563: Improving Regulation and Regulatory Review, and Executive Order 14192: Unleashing Prosperity Through Deregulation

This action is not a significant regulatory action and was therefore not required to be submitted to the Office of Management and Budget (OMB) for review. These Executive Orders do not apply to this action.

B. Paperwork Reduction Act (PRA)

This action does not impose an information collection burden under the PRA.

C. Regulatory Flexibility Act (RFA)

I certify that this action will not have a significant economic impact on a substantial number of small entities under the RFA. This action will not impose any requirements on small entities. The proposed SIP approval, if finalized, would not impose any requirements but rather would determine that the State's submission complies with the CAA and applicable regulations.

D. Unfunded Mandates Reform Act (UMRA)

This action does not contain any unfunded mandate as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. This action proposes to approve pre-existing requirements under state or local law and imposes no new requirements. Accordingly, no additional costs to state, local, or Tribal governments, or to the private sector, result from this action.

E. Executive Order 13132: Federalism

This action does not have federalism implications. It will not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and

²⁶ See 70 FR 58313, October 6, 2005.

²⁷ See 40 CFR 51.372(a)(4) and EPA's PSM guidance (pp. 4–5).

responsibilities among the various levels of government.

F. Executive Order 13175: Coordination With Indian Tribal Governments

This action does not have Tribal implications, as specified in Executive Order 13175, because the SIP revision that the EPA is proposing to approve would not apply on any Indian reservation land or in any other area where the EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction and will not impose substantial direct costs on Tribal governments or preempt Tribal law. Thus, Executive Order 13175 does not apply to this action.

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

The EPA interprets Executive Order 13045 as applying only to those regulatory actions that concern environmental health or safety risks that the EPA has reason to believe may disproportionately affect children, per the definition of “covered regulatory action” in section 2–202 of the Executive Order. Therefore, this action is not subject to Executive Order 13045 because this proposed SIP approval, if finalized, will not in-and-of itself create any new regulations, but will simply approve certain State requirements for inclusion in the SIP, thereby determining whether the requirements are or are not federally enforceable. Furthermore, the EPA’s Policy on Children’s Health does not apply to this action.

H. Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution, or Use

This action is not subject to Executive Order 13211, because it is not a significant regulatory action under Executive Order 12866.

I. National Technology Transfer and Advancement Act (NTTAA)

Section 12(d) of the NTTAA directs the EPA to use voluntary consensus standards in its regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. The EPA believes that this action is not subject to the requirements of section 12(d) of the NTTAA because application of those requirements would be inconsistent with the CAA.

In addition, this Pennsylvania I/M certification SIP for the 2015 Moderate ozone NAAQS is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian Tribe has demonstrated that a Tribe has

jurisdiction. In those areas of Indian country, the rule does not have Tribal implications and will not impose substantial direct costs on Tribal governments or preempt Tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, and Volatile organic compounds.

Amy Van Blarcom-Lackey,
Regional Administrator, Region III.

[FR Doc. 2025–16482 Filed 8–27–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 63 and 70

[EPA–R01–OAR–2025–0655; FRL–12924–01–R1]

Approval of the Clean Air Act, Section 112(l), Authority for Hazardous Air Pollutants; State of Connecticut Department of Energy and Environmental Protection; Approval of the Clean Air Act Section 502, State Operating Permit Programs, State of Connecticut Department of Energy and Environmental Protection

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve regulatory amendments that revise two previous program approvals from the Connecticut Department of Energy and Environmental Protection (CT DEEP). The revisions include amendments to the Regulations of Connecticut State Agencies (RCSA) that revise the Connecticut State Operating Permit Program and amendments to RCSA that revise limitations on potential to emit Clean Air Act (CAA) pollutants. A significant aspect of this action involves revising the definition of “hazardous air pollutant” in the RCSA in response to EPA adding 1-bromopropane to the list of hazardous air pollutants. This action is being taken under the Clean Air Act.

DATES: Written comments must be received on or before September 29, 2025.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R01–OAR–2025–0655 at <https://www.regulations.gov>, or via email to numrich.liam@epa.gov. For comments submitted at [Regulations.gov](https://www.regulations.gov), follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from [Regulations.gov](https://www.regulations.gov). For either manner of submission, the EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.* on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>. Publicly available docket materials are available at <https://www.regulations.gov> or at the U.S. Environmental Protection Agency, EPA Region 1 Regional Office, Air and Radiation Division, 5 Post Office Square—Suite 100, Boston, MA. EPA requests that if at all possible, you contact the contact listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection.

www.regulations.gov, or via email to numrich.liam@epa.gov. For comments submitted at [Regulations.gov](https://www.regulations.gov), follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from [Regulations.gov](https://www.regulations.gov). For either manner of submission, the EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.* on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>. Publicly available docket materials are available at <https://www.regulations.gov> or at the U.S. Environmental Protection Agency, EPA Region 1 Regional Office, Air and Radiation Division, 5 Post Office Square—Suite 100, Boston, MA. EPA requests that if at all possible, you contact the contact listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection.

FOR FURTHER INFORMATION CONTACT: Liam Numrich, Air Permits, Toxics, and Indoor Programs Branch, U.S. Environmental Protection Agency, EPA New England Regional Office, 5 Post Office Square—Suite 100, (Mail code 5–MI), Boston, MA 02109–3912, telephone number 617–918–1307, numrich.liam@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document whenever “we,” “us,” or “our” is used, we mean EPA.

Table of Contents

- I. Background and Purpose
- II. Review of Connecticut State Operating Permit Program Revisions and Amendments to Air Quality Regulations
- III. EPA’s Analysis of CT DEEP’s Title V Program Revisions and 112(l) State Program Revisions
- IV. Proposed Action
- V. Incorporation by Reference
- VI. Statutory and Executive Order Reviews

I. Background and Purpose

The Clean Air Act Amendments of 1990 required all state and local permitting authorities to develop operating permit programs that meet certain federal criteria. (42 U.S.C. 7661–7661e.) In implementing the operating permit programs, the permitting authorities require certain sources of air pollution to obtain permits that contain all applicable requirements under the CAA. The focus of the operating permit program is to improve compliance and enforcement by issuing each source a permit that consolidates all of the applicable CAA requirements into a federally enforceable document. By consolidating all of the applicable requirements, the source, the public, and the permitting authorities can more easily determine what CAA requirements apply and how to determine compliance with those requirements.

Sources required to obtain an operating permit under this program include “major” sources of air pollution and certain other sources specified in the CAA or in EPA’s implementing regulations. (See 40 CFR 70.3.) For example, all sources regulated under the acid rain program, regardless of size, must obtain operating permits. (See 40 CFR 72.30.) Examples of major sources include: those that have the potential to emit 100 tons per year or more of volatile organic compounds, carbon monoxide, lead, sulfur dioxide, nitrogen oxides, or particulate matter (PM 10); those that emit 10 tons per year of any single hazardous air pollutant (HAP); or those that emit 25 tons per year or more of a combination of HAPs. (40 CFR 70.2.) In areas that are not meeting the National Ambient Air Quality Standards for ozone, carbon monoxide, or particulate matter, major sources are defined by the gravity of the nonattainment classification. (*Id.*) The Connecticut State Operating Permit Program’s initial approval became effective on May 31, 2002. (67 FR 31966.)

Section 112(b) of the CAA established a list of 189 HAP. This provision of the CAA also provides the EPA with the authority to modify the list. In response to a petition to the Administrator to list 1-bromopropane or 1-BP (also known as n-propyl bromide (nPB)), the EPA, for the first time, added a new HAP to the CAA section 112(b) HAP list (HAP list) on January 5, 2022. (87 FR 393.) This new addition to the HAP list prompted updates to Connecticut’s definition of “hazardous air pollutant” in the RSCA in order to keep Connecticut’s regulations consistent with listing or

delisting chemical compounds from the federal HAP list.

The Administrator may, under the authority of section 112(l) and 40 CFR 63.91, approve a State program designed to establish limits on the potential to emit HAP listed pursuant to section 112 of the CAA. Any request for approval under this subpart shall meet all section 112(l) approval criteria specified by the otherwise applicable Federal section 112 rule, emission standard, or requirement. Approval of the rule delegates to the State the authority to implement and enforce the approved rule in lieu of the otherwise applicable Federal section 112 rule. CT DEEP’s 112(l) program was approved on April 11, 2022.

On June 14, 2024, CT DEEP submitted revisions to its State Operating Permit Program and to its Approved Limitations on Potential to Emit CAA Section 112 pollutants to EPA. These amendments revise two previous program approvals for EPA’s approval. They consist of (1) amendments to sections 22a–174–1 (Definitions) and 22a–174–33 (Title V sources) of the RSCA that revise the Connecticut State Operating Permit Program; and (2) amendments to RSCA sections 22a–174–1, 22a–174–33a (Limit on Premises-Wide Actual Emissions Below 50% of Title V Source Thresholds), and 22a–174–33b (Limit on Premises-Wide Actual Emissions Below 80% of Title V Source Thresholds) that revise limitations on potential to emit CAA section 112 pollutants for the state’s CAA section 112(l) state program to limit the potential to emit HAP pollutants below Title V source thresholds.

II. Review of Connecticut State Operating Permit Program Revisions and Amendments to Air Quality Regulations

In accordance with Title V program revisions required at 40 CFR 70.4(i)(2) and CAA 112(l) state program revision requirements at 40 CFR 63.91, the primary change in CT DEEP’s June 14, 2024, submittal is a new definition of “hazardous air pollutant” in RSCA section 22a–174–1. The current definition of “hazardous air pollutant” is deleted and replaced with the following: ‘Hazardous air pollutant,’ ‘Federal hazardous air pollutant’ or ‘HAP,’ except as otherwise provided in section 22a–174–29 of the Regulations of Connecticut State Agencies, means any air pollutant listed in section 112(b)(1) of the Act, inclusive of deletions and additions set out in 40 CFR part 63, subpart C, as may be amended from time to time.’”

This new definition is consistent with EPA’s most recent change to the federal definition of HAP to include 1-bromopropane in the list of HAP established under the CAA section 112 program. The new definition also incorporates future changes to the federal definition resulting from EPA’s listing or delisting of a chemical compound.

CT DEEP submitted companion changes to RSCA section 22a–174–33a(a)(4) and RSCA section 22a–174–33b(a)(10) to effectuate the change in the definition of “hazardous air pollutant” at RSCA section 22a–174–1 into those two regulations as they regulate HAP emissions as a CAA section 112(l) state program.

In addition to this change, there are a number of revisions to CT DEEP’s Title V operating permit program at RSCA section 22a–174–33 to correct citations to another Connecticut air quality regulation. The corrections will better ensure that Title V applications, notifications, reports, and records are properly certified by a responsible official, and are as follows:

- RSCA section 22a–174–33(g)(1)(G). The internal citation to section 22a–174–2a(a)(5) is corrected to 22a–174–2a(a)(4).
- RSCA section 22a–174–33(h)(2). The internal citation to section 22a–174–2a(a)(5) is corrected to 22a–174–2a(a)(4).
- RSCA section 22a–174–33(o)(4). The internal citation to section 22a–174–2a(a)(5) is corrected to 22a–174–2a(a)(4).
- RSCA section 22a–174–33(p)(3). The internal citation to section 22a–174–2a(a)(5) is corrected to 22a–174–2a(a)(4).
- RSCA section 22a–174–33(q)(1). The internal citation to section 22a–174–2a(a)(5) is corrected to 22a–174–2a(a)(4).
- RSCA section 22a–174–33(q)(2). The internal citation to section 22a–174–2a(a)(5) is corrected to 22a–174–2a(a)(4).

III. EPA’s Analysis of CT DEEP’s Title V Program Revisions and 112(l) State Program Revisions

EPA’s analysis of Connecticut’s submittal finds the revisions necessary for maintaining consistency between state regulations and federal regulations. Due to the addition of 1-bromopropane as a HAP under the CAA, the change to the definition of “hazardous air pollutant” in RSCA ensures that Connecticut state regulations will include all HAPs, which is necessary in their Title V program and 112 program. The other changes to Connecticut’s Title

V program are administrative in nature and are also approvable.

IV. Proposed Action

EPA is proposing to approve Connecticut's revisions to its Title V Operating Permit program and CAA section 112(l) state program revision. Specifically, EPA is proposing to approve revisions to RCSA section 22a–174–1 and RCSA section 22a–174–33 as Title V program revisions and RCSA section 22a–174–1, RCSA section 22a–174–33a and RCSA section 22a–174–33b as CAA section 112(l) state program revision.

EPA is soliciting public comments on the issues discussed in this notice or on other relevant matters. These comments will be considered before taking final action. Interested parties may participate in the Federal rulemaking procedure by submitting written comments to this proposed rule by following the instructions listed in the **ADDRESSES** section of this **Federal Register**.

V. Incorporation by Reference

In this rule, the EPA is proposing to include in a final EPA rule regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is proposing to incorporate by reference the CT DEEP rules regarding definitions and permitting requirements discussed in sections I and II of this preamble. The EPA has made, and will continue to make, these documents generally available through <https://www.regulations.gov> and at the EPA Region 1 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

VI. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve CAA Section 112(l) and Title V submissions that comply with the provisions of the Clean Air Act and applicable Federal regulations. Thus, in reviewing submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this proposed action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this proposed action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993);

- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);

- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);

- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);

- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);

- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a state program;

- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and

- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act.

In addition, the submission is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

List of Subjects

40 CFR Part 63

Environmental protection, Administrative practice and procedure, Air pollution control, Hazardous substances, Incorporation by reference, Intergovernmental relations, Reporting and recordkeeping requirements.

40 CFR Part 70

Acid rain, Administrative practice and procedure, Air pollution control, Environmental protection, Hazardous substances, Incorporation by reference, Intergovernmental relations, Licensing and registration, Reporting and recordkeeping requirements.

Authority: 42 U.S.C. 7401 *et seq.*

Dated: July 30, 2025.

Mark Sanborn,

Regional Administrator, EPA Region 1.

[FR Doc. 2025–16486 Filed 8–27–25; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

42 CFR Parts 405, 414, 424, 455, 484, and 498

[CMS–1828–P]

RIN 0938–AV53

Medicare and Medicaid Programs; Calendar Year 2026 Home Health Prospective Payment System (HH PPS) Rate Update; Requirements for the HH Quality Reporting Program and the HH Value-Based Purchasing Expanded Model; Durable Medical Equipment, Prosthetics, Orthotics, and Supplies (DMEPOS) Competitive Bidding Program Updates; DMEPOS Accreditation Requirements; Provider Enrollment; and Other Medicare and Medicaid Policies

Correction

In proposed rule document C2–2025–12347, appearing on page 30833 in the issue of Wednesday, July 9, 2025, make the following correction:

On page 30833, in the first column, in the 37th line, “September 2, 2025” should read “August 29, 2025”.

[FR Doc. C3–2025–12347 Filed 8–27–25; 8:45 am]

BILLING CODE 0099–10–D

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 51 and 63

[WC Docket Nos. 25–208, 25–209; FCC 25–37; FR ID 308937]

Reducing Barriers to Network Improvements and Service Changes

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: In this document, the Federal Communications Commission (Commission) adopted a Notice of Proposed Rulemaking that seeks comment on deregulatory options to encourage providers to build, maintain, and upgrade their networks such that all consumers and businesses can benefit from technological strides in the communications marketplace, while safeguarding consumers' access to critical emergency services such as 911. These actions propose to reduce regulatory barriers that prevent much-needed investment in and deployment of broadband and thus hinder the transition to all-IP networks offering a

plethora of advanced communications services, and seek comment on ways to further fast-track the delivery of services to consumers through modernized networks while protecting public safety.

DATES: Comments are due on or before September 29, 2025; reply comments are due on or before October 27, 2025.

ADDRESSES: Pursuant to §§ 1.415 and 1.419 of the Commission's rules, 47 CFR 1.415, 1.419, interested parties may file comments and reply comments. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS). You may submit comments, identified by WC Docket Nos. 25–208 and 25–209, by the following method:

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

- **Paper Filers:** Parties who choose to file by paper must file an original and one copy of each filing.

- Filings can be sent by hand or messenger delivery, by commercial courier, or by the U.S. Postal Service. All filings must be addressed to the Secretary, Federal Communications Commission.

- Hand-delivered or messenger-delivered paper filings for the Commission's Secretary are accepted between 8:00 a.m. and 4:00 p.m. by the FCC's mailing contractor at 9050 Junction Drive, Annapolis Junction, MD 20701. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.

- Commercial courier deliveries (any deliveries not by the U.S. Postal Service) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.

- Filings sent by U.S. Postal Service First-Class Mail, Priority Mail, and Priority Mail Express must be sent to 45 L Street NE, Washington, DC 20554.

- **People with Disabilities.** To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an email to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202–418–0530.

In addition to filing comments with the Secretary, a copy of any comments on the Paperwork Reduction Act proposed information collection requirements contained herein should be submitted to the Federal Communications Commission via email to PRA@fcc.gov and to Nicole Ongele, FCC, via email to Nicole.Ongele@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For further information about this

proceeding, please contact Michele Berlove, Competition Policy Division, Wireline Competition Bureau, at (202) 418–1477, or michele.berlove@fcc.gov, or Mason Shefa, Competition Policy Division, Wireline Competition Bureau, at mason.shefa@fcc.gov, or (202) 418–2494. For additional information concerning the Paperwork Reduction Act proposed information collection requirements contained in this document, send an email to PRA@fcc.gov or contact Nicole Ongele at (202) 418–2991.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rulemaking in WC Docket Nos. 25–208, 25–209; FCC 25–37, adopted on July 24, 2025, and released on July 25, 2025. The full text of this document is available for public inspection at the following internet address: <https://docs.fcc.gov/public/attachments/FCC-25-37A1.pdf>.

Paperwork Reduction Act: This document contains proposed new or modified information collection requirements. The Commission, as part of its continuing effort to reduce paperwork burdens, invites the general public and the Office of Management and Budget (OMB) to comment on the information collection requirements contained in this document, as required by the Paperwork Reduction Act of 1995, Public Law 104–13. In addition, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, see 44 U.S.C. 3506(c)(4), we seek specific comment on how we might further reduce the information collection burden for small business concerns with fewer than 25 employees.

Providing Accountability Through Transparency Act: Consistent with the Providing Accountability Through Transparency Act, a summary of this Notice of Proposed Rulemaking is available at <https://www.fcc.gov/proposed-rulemakings>. To request materials in accessible formats for people with disabilities (e.g. Braille, large print, electronic files, audio format), send an email to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418–0530.

Ex Parte Rules: The proceeding this document initiates shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission's *ex parte* rules. Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte*

presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

Synopsis

I. Discussion

A. Copper Retirement (and Other Network Change Disclosures)

1. Section 251(c)(5) of the Act, which establishes incumbent local exchange carriers' (LECs) obligations when making changes that could affect the interoperability of their facilities or networks, is a notice-only provision. An incumbent LEC may thus make changes to its network, including switching from copper facilities to fiber or other next-generation facilities, without the need to receive prior Commission authorization so long as it provides “reasonable public notice”—a requirement the Commission historically has reflected in its implementing rules. Consistent with section 251(c)(5), the Commission's implementing rules require that an incumbent LEC provide public notice regarding any network change that (1) will affect a competing service provider's performance or ability to provide service; (2) will affect the incumbent LEC's interoperability with

other service providers; or (3) will result in a copper retirement. The rules define copper retirement as “[t]he removal or disabling of copper loops, subloops, or the feeder portion of such loops or subloops; or [t]he replacement of such loops with fiber-to-the-home loops or fiber-to-the-curb loops.” Section 251(c)(5) reflects the decision by Congress that a notice-based network change process best serves the public by striking a balance between allowing incumbent LECs to make changes to their networks without undue regulatory burdens and giving competitive LECs time to account for those changes. Accordingly, the Commission has periodically reviewed its rules to determine whether they appropriately reflect this balance.

2. Earlier this year, the Bureau issued the *NCD Waiver Order*, which waives, for a period of two years, the filing requirements in the Commission’s network change disclosure rules adopted pursuant to section 251(c)(5) of the Act. The Bureau also waived its process of issuing public notices for short-term network changes and copper retirements, as well as the associated objection process for interconnected service providers. Pursuant to the waiver, incumbent LECs are only required to post public notice of planned network changes through industry fora, industry publications, or on the carrier’s publicly accessible internet site. Incumbent LECs are still required to provide direct notice of copper retirements and short-term network changes to interconnected telephone exchange service providers. Additionally, incumbent LECs must continue to provide public notice and communicate directly with interconnected telephone exchange service providers about network changes resulting from *force majeure* events and other events outside of the carrier’s control.

3. The Bureau found that this waiver would result in “more effective implementation of overall policy” of the transition from legacy networks to next-generation networks. It also concluded that by reducing unnecessary regulatory burdens, as contemplated by the *First Wireline Infrastructure Order* (82 FR 61520 (11/28/2017)), the waiver would serve the public interest by freeing up incumbent LEC resources to devote to the development and deployment of networks capable of supporting more advanced communications services. The Bureau noted that over the past two years, the Commission has processed more than 400 network change disclosure filings and did not receive a single comment in opposition despite

the public notices released by the Bureau. The Bureau thus concluded that the requirement of filing with the Commission “serve[s] no purpose but to unnecessarily duplicate the information that incumbent LECs are already required to publicly post on their websites or in other public places.”

1. Codify Waiver of Network Change Disclosure Filing Requirements

4. We propose to eliminate all filing requirements with the Commission currently set forth in our network change disclosure rules. We seek comment on this proposal.

5. What benefit, if any, does the public gain from requiring incumbent LECs to file their network change disclosures with the Commission? What benefit, if any, does the public gain from public notices released by the Commission notifying the public of incumbent LEC network change disclosures? Conversely, what costs do incumbent LECs incur in connection with these requirements? What would be the likely cost savings to carriers from eliminating all of these filing requirements? Does eliminating all filing requirements, while maintaining public notice requirements consistent with section 251(c)(5), meaningfully reduce the regulatory burdens on carriers? Does publishing public network change disclosures through carriers’ own channels, and not with the Commission, provide reasonable public notice, as required by section 251(c)(5) of the Act?

2. Forbearance From All Section 251(c)(5) Requirements

6. As an alternative to our proposal to eliminate all network change disclosure filing and associated requirements, we seek comment on whether we should instead forbear from all public notice requirements imposed by section 251(c)(5) and our implementing rules.

7. Section 251(c)(5)’s “reasonable public notice” requirement ensures that all providers are aware of changes that may affect a carrier’s ability to provide service. Congress enacted section 251(c)(5) as one of a number of market-opening provisions at a time when incumbent LECs held a virtual monopoly in the communications marketplace. The Commission based its rules implementing section 251(c)(5)’s public notice requirements on the then-existing industry practice of notifying carriers of network changes via industry fora, industry publications, and the internet. The filing requirements served as an additional measure to ensure “wide availability of pertinent network change information,” particularly for

small entities with limited resources. In the *NCD Waiver Order*, the Bureau concluded that the need for incumbent LECs to also file notice with the Commission in addition to providing public notice imposes “redundant regulatory filing requirements that serve no practical purpose.”

8. Section 10 of the Act requires the Commission to forbear from applying any requirement of the Act or of our regulations to a telecommunications carrier or telecommunications service if the Commission determines that (1) enforcement of the requirement “is not necessary to ensure that the charges, practices, classifications, or regulations by, for, or in connection with that telecommunications carrier or telecommunications service are just and reasonable and are not unjustly or unreasonably discriminatory,” (2) enforcement of that requirement “is not necessary for the protection of consumers,” and (3) “forbearance from applying such provision or regulation is consistent with the public interest.” When determining whether forbearance is consistent with the public interest, the Commission must consider “whether forbearance from enforcing the provision or regulation will promote competitive market conditions.” Forbearance is warranted only if all three criteria are satisfied. Section 10 of the Act also requires the Commission to determine whether the requirements in section 251(c) of the Act “have been fully implemented” before forbearing from them. The Commission has previously concluded that the requirements in section 251(c) have been fully implemented because the Commission issued rules implementing that section that went into effect. The D.C. Circuit upheld this conclusion using a *Chevron* analysis in *Qwest Corp. v. FCC*. We seek comment on any current and relevant aspects of the fully implemented requirement and on whether the Commission’s determination in the *Qwest Forbearance Order* that section 251(c) has been fully implemented constitutes the best reading of the statute.

9. *Ensuring practices are just and reasonable (section 10(a)(1))*. Should the Commission forbear from section 251(c)(5)’s requirements, incumbent LECs would be allowed to make any network change or copper retirement without providing public notice of any type or filing with the Commission. Is section 251(c)(5)’s requirement that incumbent LECs provide “reasonable public notice of changes in the information necessary for the transmission and routing of services using that local exchange carrier’s

facilities or networks, as well as of any other changes that would affect the interoperability of those facilities and networks” still necessary to ensure that incumbent LECs’ practices are just and reasonable and not unjustly or unreasonably discriminatory? If the requirement continues to be necessary, why and to what extent? Do incumbent LECs still exert sufficient control over the marketplace such that an incumbent LEC providing no notice of changes to its network would unreasonably inhibit competing service providers? Would interconnected telephone exchange service providers be adversely affected by receiving no notice of short-term network changes or copper retirements? Do interconnection agreements between incumbent LECs and competitive providers contain notice requirements that make section 251(c)(5)’s requirements redundant?

10. *Ensuring protection of consumers (section 10(a)(2)).* We seek comment on whether enforcement of the public notice requirements in section 251(c)(5) and our implementing rules is necessary to protect consumers, understanding that the notice is directed to interconnecting carriers that are in a business relationship with the incumbent LEC. Would consumers be harmed were we to forbear from section 251(c)(5)’s public notice requirement and the Commission’s rules implementing that requirement? Have incumbent LEC network changes affected other carriers’ ability to provide services to their customers and, if so, how often and in what ways? In instances where carriers’ ability to provide services has been affected, how long have such disruptions lasted? Were consumers harmed as a result of such disruptions and, if so, what was the extent of those harms? Do interconnection agreements between incumbent LECs and competitive LECs provide sufficient protection for consumers?

11. *Consistent with the public interest (section 10(a)(3)).* We seek comment on whether forbearance from section 251(c)(5)’s requirements would be consistent with the public interest. In the *Second Local Competition Order*, the Commission noted that notice of network changes was necessary to “reduce[] the possibility that incumbent LECs could make network changes in a manner that inhibits competition.” At the time, competing providers relied on their connection to incumbent LECs’ networks to provide service to customers. The marketplace has since gone through significant developments and become much more competitive. At the end of 2003, the year in which the

Commission extended its network change disclosure rules to copper retirements, incumbent LECs provisioned more than 80% of the roughly 181 million reported end-user switched access lines. Since then, reliance on legacy networks in the communications marketplace has drastically decreased, with only 18 million switched access lines by mid-2024 compared to 64.5 million interconnected VoIP subscriptions. And when accounting for all retail voice telephone service connections across both technologies, incumbent LECs have steadily lost market share to non-incumbents, dropping to just 25% of all wireline retail voice telephone service connections as of June 2024. Does this correlate to incumbent LECs having a smaller share of the market? Does this change in the marketplace support elimination of all notice requirements? Should incumbent LECs alone bear the burden of mandated notice requirements when other carriers have no equivalent regulatory burden? Were we to forbear from section 251(c)(5)’s requirements, incumbent LECs would be freed from regulatory burdens that might divert their focus from the development and deployment of next-generation networks that give consumers access to more advanced communication services. Does this mean forbearance would be in the public interest? Does this benefit outweigh any harm that could result from forbearance from section 251(c)(5)? Would forbearance, and the potential loss of a significant number of switched access lines, have any impact on the ability of critical infrastructure industries or government agencies to maintain critical operations and services? If we were to forbear from section 251(c)(5)’s public notice requirement, could the Commission, through its own outreach, mitigate any potential harm to consumers? If so, how best could the Commission utilize such outreach?

12. We also seek comment on how to ensure that 911 service remains available and fully functional for consumers if we were to forbear from section 251(c)(5)’s requirements. The Commission has consistently emphasized that a key element of “promoting safety of life and property through the use of wire and radio communications” is to ensure that the American people have access to reliable and resilient 911 communications service. We therefore seek comment on how to ensure that granting forbearance would not lead to interruptions in 911 service. In particular, we note that

network transitions subject to section 251(c)(5) may occur in areas where 911 authorities and originating service providers (OSPs) have not yet transitioned to Next Generation 911 (NG911) and will therefore continue for some time to rely on legacy selective routers and other TDM-based infrastructure for delivery of 911 calls to public safety answering points (PSAPs). Unlike legacy 911 systems that rely on Time Division Multiplexing (TDM) infrastructure, NG911 uses internet Protocol (IP)-based formats and routing and supports the transmission of text, photos, videos, and data. The Commission recently adopted nationwide NG911 transition rules that define responsibilities and deadlines for originating service providers (OSPs), such as wireless carriers, to deliver 911 calls to NG911 systems, among other requirements. The NG911 Order also establishes the demarcation point for assigning cost responsibilities for OSPs to deliver 911 traffic to NG911 systems and for 911 authorities to route 911 traffic to PSAPs. Some commenters have expressed concern that in such circumstances, discontinuing operation of critical TDM circuits in the 911 call path without prior notice could lead to disruption or interruption of 911 calls. We seek comment on this concern and whether safeguards are needed to ensure the continuity of 911 service. For example, should we require advance notice for network changes that could disrupt traffic to 911 networks to allow time for substitute services to be arranged? Should the Commission reserve the right to direct a carrier to temporarily delay a section 251(c)(5) network change if it would imminently disrupt 911 service? On what basis would the Commission have the authority to do so? Alternatively, could forbearance from section 251(c)(5)’s requirements help accelerate the deployment of the next-generation networks necessary for NG911?

B. Section 214 Discontinuance

13. We next examine our rules governing the section 214(a) discontinuance process. We first take a close look at our rules governing technology transitions discontinuances and seek comment on various ways to replace, forbear from, simplify, or otherwise revise our section 214(a) discontinuance rules to expedite the transition from legacy services to next-generation services. We seek comment on the possible regulatory costs and delays for carriers seeking to discontinue services, and ultimately for consumers who must wait longer for advanced services or may experience a

gap in service. We also seek comment on other targeted actions, such as whether to extend application of the no-customer rule to the emergency discontinuance context in cases in which customers migrate to other services while their provider attempts to restore their existing service. Finally, we undertake a long-overdue broad review of specific outdated discontinuance regulations to determine whether any existing rules have become fully obsolete in this modern communications era.

14. Section 214(a) of the Act provides that a carrier may not discontinue, reduce, or impair a telecommunications service without Commission authorization. Section 214(a)'s discontinuance obligations apply to interstate voice and data telecommunications services, but not to services provisioned by a carrier that fall outside of the purview of Title II of the Act, such as information services or data or other services offered on a private carriage basis. While the Commission has not categorized interconnected VoIP as either a telecommunications service or an information service, it extended the section 214(a) discontinuance obligations to include that service. In evaluating whether to grant such authorization, the Commission must determine whether the discontinuance would adversely impact the public interest. All applicants seeking to discontinue a service on a streamlined basis are required to file a section 214 application in accordance with the Commission's rules governing notice, opportunity for comment, review, and processing requirements. Such applications are automatically granted on a specified date unless the Bureau has notified the applicant that the grant will not be automatically effective. Under such streamlined processing, a discontinuance application is automatically granted on the 31st day (for non-dominant carriers) or the 60th day (for dominant carriers) after the Bureau accepts the application for filing. The Bureau has the discretion to remove an application from streamlined processing "when the public interest demands a more searching review." The Bureau will generally authorize the discontinuance "unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience is otherwise adversely affected." In evaluating whether "the public convenience and necessity is otherwise adversely affected" by the discontinuance, the Commission has

long applied a five-factor balancing test. This test analyzes: (1) the financial impact on the common carrier of continuing to provide the service; (2) the need for the service in general; (3) the need for the particular facilities in question; (4) increased charges for alternative services; and (5) the existence, availability, and adequacy of alternatives.

15. *Technology Transitions Discontinuances.* The Commission defines a "technology transition" as "any change in service that would result in the replacement of a wireline TDM-based voice service with a service using a different technology or medium for transmission to the end user, whether internet Protocol (IP), wireless, or another type." In the *2016 Technology Transitions Order* (81 FR 62632 (09/12/2016)), the Commission adopted an updated approach for section 214 applications involving technology transitions, having determined that the adequacy of the replacement service has "heightened importance" in the context of technology transitions. It thus established the three-prong Adequate Replacement Test, which a carrier must meet to be eligible for streamlined treatment and automatic grant for their own replacement service. Under the Adequate Replacement Test, technology transitions discontinuance applications must: (1) demonstrate that an adequate replacement for their voice service exists "by either certifying or showing, based on the totality of the circumstances, that one or more replacement service(s) . . . offers substantially similar levels of network infrastructure and service quality"; (2) "show the replacement service complies with regulations regarding the availability and functionality of 911 service for consumers and public safety answering points"; and (3) show that the replacement service "offers interoperability with key applications and functionalities." Applicants relying on a third-party replacement service rather than their own replacement service are allowed to make a *prima facie* showing based on publicly available information that the third-party service is an adequate replacement. With this test, the Commission sought "to minimize uncertainty or confusion that could slow or even discourage technology transitions."

16. In the June 2018 *Second Wireline Infrastructure Order* (83 FR 31659 (07/09/2018)), in furtherance of its commitment to accelerate the transition to next-generation networks and advanced communications services, the Commission amended its technology

transitions discontinuance rules to provide an additional, more streamlined option, the Alternative Options Test, for carriers seeking to discontinue legacy voice services. Under the Alternative Options Test, an application seeking to discontinue a legacy retail voice service as part of a technology transition is eligible for streamlined treatment if (1) the applicant offers a stand-alone interconnected VoIP service throughout the affected service area, and (2) at least one other alternative stand-alone facilities-based wireline or wireless voice service is available from another unaffiliated provider throughout the affected service area, unless the Commission notifies the applicant otherwise. A service is "stand-alone" if a customer is "not required to purchase a separate broadband service to access the voice service." The Commission's rules exempt a carrier from the requirement to include in its application a certification or showing that it satisfies the adequate replacement test for streamlined processing if the carrier satisfies both prongs of the Alternative Options Test. Where only one potential replacement service exists, a carrier must meet the more rigorous demands of the Adequate Replacement Test in order to receive streamlined treatment of its discontinuance application. An application filed by a carrier meeting these requirements shall be automatically granted on the 31st day after filing unless the Commission has notified the applicant otherwise.

1. Reexamining the Technology Transitions Discontinuance Process

17. We first propose replacing the Adequate Replacement Test and the Alternative Options Test with one rule that would apply to all technology transition discontinuance applications. We next seek comment on two alternatives to this approach, namely: (1) eliminating the tests and the technology transition discontinuance distinction altogether; or (2) granting forbearance relief in certain contexts. We also seek comment more generally on whether there are additional ways in which we might further streamline the discontinuance process for carriers choosing to discontinue legacy voice services beyond those we describe below. We encourage commenters to be as specific as possible and to support any proposals with as much evidence as is available.

a. Replacing the Adequate Replacement Test and the Alternative Options Test With One Simplified Rule

18. We propose to replace both the Adequate Replacement Test and the

Alternative Options Test with one consolidated rule applicable to all technology transitions discontinuance applications. Specifically, we propose that an application to discontinue an existing retail service as part of a technology transition be eligible for streamlined processing if the applicant certifies that one or more of the following replacement services exists throughout the affected service area: (1) a facilities-based interconnected VoIP service; (2) a facilities-based mobile wireless service; (3) a voice service offered pursuant to an obligation from one of the Commission's modernized high-cost support programs; (4) a voice service that has been available from the applicant throughout the affected service area for the previous six months and for which the carrier has at least a certain number of existing subscribers; or (5) a widely adopted alternative voice service. We seek comment on this proposal, and on whether we should consider streamlined processing in any other instances, including those listed in the forbearance section below.

19. *Proposal generally.* We first seek comment on our proposal generally. Do commenters agree that we should replace both the Adequate Replacement Test and the Alternative Options Test with a single, consolidated rule applicable to all technology transition discontinuance applications? Should we retain the definition of "technology transition" in § 63.60(i) of our rules, or should we adopt a different definition? If commenters believe we should adopt a different definition, what should that definition be? Do commenters believe either the Adequate Replacement Test or the Alternative Options Test—whether with possible targeted revisions as contemplated below, or as they stand today—provides any benefit to carriers seeking to discontinue legacy voice services as part of a technology transition, or to consumers? We note that in spite of the Commission's goal that consumers receive the benefits of technology transitions with "all reasonable efficiency," the first discontinuance application seeking streamlined processing under the Adequate Replacement Test without relying on the existence of a third-party cable VoIP service was filed in July 2024, almost eight years after the Commission adopted the test, and six years after its effective date. Is this evidence that the Adequate Replacement Test, rather than supporting the Commission's goal of accelerating the transition to IP-based voice services, actually "impede[s] the

industry from a prompt transition to newer technologies"?

20. We seek comment on whether the Alternative Options Test has had the intended effect of "[r]emoving regulatory barriers causing unnecessary costs or delay when carriers seek to transition from legacy networks and services to broadband networks and services," or whether, as USTelecom argues, it has "fallen short of the Commission's intent"? As discussed further below, the Bureau concurred with USTelecom's assertion that "in the nearly seven years since the Alternative Options Test . . . was adopted, the Wireline Competition Bureau . . . has found that presumptive streamlined treatment under the . . . test was available only eight times" and thus adopted a limited waiver of the word "stand-alone" in the Alternative Options Test. Do commenters think this waiver is sufficient to enable the test, as USTelecom states, "to align . . . with the Commission's aims"? Or, would the replacement of both this test and the Adequate Replacement Test with a single, consolidated rule more effectively accelerate and streamline the technology transitions discontinuance process while providing adequate protection to consumers? Are there any other considerations that we should take into account regarding the adoption of a single, consolidated rule, particularly regarding the potential impact on consumers? We also seek comment on the extent to which our proposal ensures that subscribers maintain ready access to emergency services via 911.

21. *Specified replacement services.* We seek comment on our proposal to adopt five specific options for services that would each satisfy the applicant's requirement to certify that a replacement service exists throughout the affected service area. As is already the case under our rules, customers would have the opportunity to comment on or object to the discontinuance application, 47 CFR 63.71(a)(5), and Commission staff would have the discretion to remove an application from streamlined processing if they determine the application requires a more thorough review. Would adopting any of the options enumerated above adversely impact the current or future public convenience and necessity? In 2016, the Commission declined to adopt presumptions or exclusions regarding specific types of replacement services "because our public interest analysis demands that applicants provide objective evidence showing a replacement service will provide quality service and access to needed applications and functionalities." The

Commission noted that 911 service is a critical application that must remain available and fully functional as part of any technology transition. The Commission also noted that "it is critical that we retain the ability to examine each discontinuance application given the potential for variability in different implementations of the same technology," adding that "[t]he same technology could nonetheless utilize different features, be produced by different vendors with different methodologies, and use different quality measurement techniques, any of which could result in varied service quality and thus lead to potential interoperability issues." Do commenters agree that, over the course of nearly a decade, these concerns have become less relevant or irrelevant? In 2018, the Commission considered whether to replace the Adequate Replacement Test with a simple requirement that a discontinuing carrier show that any fixed or mobile voice service, including interconnected VoIP, is available to qualify for streamlined treatment. The Commission declined to do so, stating that such a rule would "fail[] to ensure the availability of a voice replacement service in the community as a condition to obtaining streamlined treatment that sufficiently addresses commenters' concerns . . . about the characteristics of the replacement voice service, and [would] not carry the added benefit of ensuring the availability of multiple alternatives to affected customers, whether present or future." Given the state of the voice service marketplace today, are such concerns still relevant? If so, do commenters think that our proposed rule, including any or all of the proposed options, addresses these concerns? Are the answers to these questions the same when the customers include critical infrastructure industries and government agencies that provide or support critical operations or services? Are the answers to these questions the same for any other types of customers or communities? How do prices for these various types of services compare to prices for legacy wireline services?

22. *Adequacy of facilities-based interconnected VoIP service.* We seek comment on adopting a rule establishing that facilities-based interconnected VoIP service is an adequate replacement for purposes of eligibility for streamlined processing. In adopting the Alternative Options Test, the Commission noted that "the stand-alone interconnected VoIP service option required to meet the . . . test

embodies managed service quality and underlying network infrastructure, and disabilities access and 911 access requirements” In the *Stand-Alone and Single Service Waiver Order*, however, the Bureau pointed to the improvements in technology and the “new and innovative communications technologies and bundled service offerings that benefit consumers” that have come about since that time in waiving the Alternative Options Test’s stand-alone requirement. Do subscribers to facilities-based interconnected VoIP service have comparable access to services used by individuals with disabilities and to 911? For example, how accurate is the caller location information that these interconnected VoIP services transmit to PSAPs in comparison with legacy wired voice services? And do commenters agree that the availability of “apps running solely on data networks” “obviate the need or desire for stand-alone voice service”? The Bureau also pointed to evidence in the record that facilities-based interconnected VoIP service compares favorably in price on average to legacy voice services. Do commenters agree, including when facilities-based interconnected VoIP service is offered on a stand-alone basis? Is there other evidence the Commission should consider regarding the relative prices of facilities-based interconnected VoIP service and legacy voice service? Do commenters agree that facilities-based interconnected VoIP service is an adequate replacement service for legacy voice service? Do commenters believe that facilities-based interconnected VoIP service has inherent benefits or drawbacks compared to legacy voice service? If so, please state with specificity the characteristics leading to this conclusion. Do commenters consider the state of competition for facilities-based interconnected VoIP service to be strong in most localities? Are there any drawbacks to adopting this rule?

23. Adequacy of facilities-based mobile wireless service. We seek comment on our proposed rule establishing that a facilities-based mobile wireless service is an adequate replacement for purposes of eligibility for streamlined processing. The Wireline Competition Bureau recently granted a technology transitions discontinuance application filed by a subsidiary of Lumen Technologies, Inc. seeking streamlined treatment under the Adequate Replacement Test in which Lumen provided a showing of a 4G LTE and 5G NR mobile broadband and voice wireless service as the adequate

replacement service. By proposing and seeking comment on a broader rule that a mobile wireless service is an adequate replacement to a legacy voice service, we consider whether and under what circumstances to more broadly enable discontinuing carriers to conduct a technology transition discontinuance with a type of mobile wireless service as the replacement service. Mobile telephony (mobile voice) service is a real-time, two-way switched voice service that is interconnected with the public switched network using an in-network switching facility that enables the provider to reuse frequencies and accomplish seamless handoff of subscriber calls. As of December 2023, there were approximately 386.1 million mobile voice subscriptions in the United States. According to preliminary data from the Centers for Disease Control and Prevention, as of December 2023, more people continue to live in wireless-only homes across all age groups. The Commission thus noted recently that “consumers continue to rely more heavily on mobile wireless services” and that, “thus, they have become an essential part of everyday life.” The Commission found that the three largest nationwide service providers in the marketplace have networks that they report “cover a substantial majority of the country—each reports covering at least 95% of the U.S. population and at least 68% of U.S. road miles with their 4G LTE networks, and at least 75% of the U.S. population and at least 35% of road miles with their 5G-NR networks at speeds of at least 7/1 Mbps.” Do commenters agree that we should consider mobile wireless service as an adequate replacement for legacy voice service for purposes of the section 214 discontinuance streamlined process? What are the drawbacks, if any, of adopting this rule? Is mobile wireless service network performance and pricing comparable to that of legacy voice services? If we adopt this rule, what showing should we require carriers to make to satisfy this prong of the test? The National Broadband Map reflects the coverage mobile service providers report to the FCC as part of the Broadband Data Collection. What data source(s), in addition to the availability data depicted on the National Broadband Map, are available for applicants and the Commission to use to determine whether a mobile wireless service is available throughout the affected service area? For example, can the Commission’s publicly available mobile voice coverage data be used to support a carrier’s showing as to the availability of mobile voice service in a

given service area? Are there any cognizable benefits of legacy voice service that are not met by mobile wireless service? Are there services used by persons with disabilities that cannot be replicated on mobile wireless services? We propose to exclude from the purview of the proposed rule iterations of mobile services earlier than 4G LTE. We seek comment on this proposal. Would replacement of a legacy voice service by a facilities-based mobile wireless service raise any concerns with respect to 911 emergency services?

24. Adequacy of facilities-based voice services funded by Commission modernized high-cost mechanisms. We seek comment on our proposed rule stating that a facilities-based voice service provided via funding from one of the Commission’s modernized high-cost support mechanisms is an adequate replacement for the purposes of eligibility of streamlined processing. The federal universal service high-cost program is designed to ensure that consumers in rural, insular, and high-cost areas have access to modern communications networks capable of providing voice and broadband service, both fixed and mobile, at rates that are reasonably comparable to those in urban areas. The program fulfills this universal service goal by allowing eligible carriers that serve these areas to recover some of their costs from the federal Universal Service Fund. The Commission began modernizing its universal service high-cost support mechanisms in 2011 with the *USF/ICC Transformation Order* (76 FR 76623 (12/08/2011)), which established the Connect America Fund. In that *Order* (76 FR 76623 (12/08/2011)), the Commission required support recipients to offer broadband service in addition to the supported “voice telephony” service. The Commission requires recipients of CAF Phase II support “to offer broadband service with latency suitable for real-time applications, including Voice over internet Protocol [VoIP], and usage capacity that is reasonably comparable to comparable offerings in urban areas, at rates that are reasonably comparable to rates for comparable offerings in urban areas. In the intervening years, the Commission established additional mechanisms to support voice- and broadband-capable networks, including, among others, the Rural Digital Opportunity Fund (RDOF) and the 5G Fund. Support recipients of these mechanisms must offer voice telephony at rates that are reasonably comparable to urban rates and must report compliance with their deployment

obligations showing where they have built out the required facilities and offer voice and broadband service. Do commenters agree that we should adopt this rule? Should we limit the rule to voice service provided through specific funding mechanisms? If so, which ones and why? Is pricing for newly deployed services similar to what consumers were paying for similar legacy services? We do not propose to extend this option to include legacy high-cost support mechanisms that do not contain the same deployment reporting obligations as the modernized mechanisms. Do commenters agree with this limitation? Should we exclude from consideration voice service provided pursuant to any other high-cost support mechanisms, and if so, why? If we adopt this rule, what data source(s) should the Commission and applicants use to determine whether a particular area has voice service provided via funding from one of the modernized high-cost support mechanisms?

25. *Adequacy of a carrier's already available alternative voice service.* As noted above, our proposed rule states that where a carrier has already made available its own alternative voice service throughout the affected service area for a specific period of time, and for which the carrier has at least a certain number of existing subscribers, the service is an adequate replacement for the service being discontinued in that area. We propose to conclude that a minimum time period of the immediately preceding 6 months of service availability throughout the affected service area would adequately balance the need to ensure a service is stable and satisfactory to customers and the Commission's goal of ensuring that carriers can rapidly transition their resources and investments to such next-generation services. Do commenters agree with this proposed conclusion? We propose to conclude that at least 50 percent of the carrier's total voice service customer base in the affected service area must be subscribed to this already available alternative voice service. Do commenters agree with this proposed conclusion? Should the percentage instead be based on the total voice lines in the affected service area regardless of provider? Should we adopt a specific subscriber count for the replacement service rather than a percentage of the carrier's total voice service customer base in the affected service area? Should we limit the analysis to residential subscribers or also include enterprise subscribers? How would this approach affect smaller and larger carriers, and would it affect

more densely populated service areas differently than service areas with lower population density? We propose, should we adopt such a rule, to require carriers to describe the replacement service and certify that it meets the time period and subscriber count or penetration requirements.

26. *Widely adopted alternative voice service.* We seek comment on our proposed rule stating that a widely adopted alternative voice service that exists through an affected service area is an adequate replacement for the purposes of eligibility of streamlined processing. How should we define "widely adopted" for purposes of this rule? Should "widely adopted" relate to the number of subscribers of a given service, or a certain proportion of the service area's total number of subscribers to voice services? Given that this test would only apply in the case of a technology transition, should we make clear that the relevant subscriber population in a given service area is the population that subscribes to non-legacy voice services as measured by living units, assuming such information can be easily extrapolated from the Commission's collected data? What data sources would a provider use to demonstrate that the alternative voice service is widely adopted? Do commenters believe a different definition or measurement would be more appropriate or less burdensome, such as whether a service is widely available? If so, please provide as detailed an explanation as possible of such alternative definition or measurement. In the case of a service area that has a plurality of alternative voice services, what showing should we require discontinuing carriers to make to meet the "widely adopted" threshold? Should we instead require discontinuing carriers to provide a showing that the proportion of total subscribers of voice service in a given service area that subscribe to the discontinuing service is a minority? What, if any, other limitations should we place on such a rule?

27. *Reliability and access to emergency services.* We seek comment on whether our proposed consolidated rule replacing the Adequate Replacement Test and the Alternative Options Test should address the reliability of the replacement service and its ability to provide access to emergency services, including access by persons with disabilities, and, if so, how. The Adequate Replacement Test includes requirements that the replacement service "offer[] substantially similar levels of network infrastructure and service quality," and

"compl[y] with regulations regarding the availability and functionality of 911 service for consumers and public safety answering points." The Alternative Options Test addresses reliability by virtue of the "stand-alone" requirement (currently waived by the Bureau) and access to emergency services by virtue of its requirement that the discontinuing carrier offer interconnected VoIP service, which is subject to such requirements. Given advancements in technology and the robust state of competition for next-generation services such as interconnected VoIP, what concerns, if any, do commenters have regarding the reliability of next-generation services? We note that some next-generation services, such as interconnected VoIP, enable advanced functionalities such as next-generation 911 (NG911). The Commission has found that NG911 will help save lives by ensuring faster call delivery to 911 call centers, improved service reliability, and more accurate caller location as well as support the transmission of text, photos, videos, and data. Do commenters have any concerns about the quality, reliability, or 911 capabilities of interconnected VoIP, mobile wireless, or satellite services specifically, as compared with fixed wireline services? Should we adopt requirements regarding the provision of access to emergency services? Given that providers of interconnected VoIP and CMRS are already subject to our part 9 rules, would adopting a requirement for end-user access to emergency services capabilities for interconnected VoIP and CMRS be unnecessary? Why or why not?

b. *Eliminating the Technology Transitions Discontinuance Distinction Entirely and Applying Streamlined Processing to All Discontinuance Applications*

28. As an alternative to our proposal to replace the Adequate Replacement Test and Alternative Options Test with a single, consolidated rule for technology transitions discontinuances, we seek comment on whether we should instead eliminate the technology transitions distinction entirely and make all technology transitions discontinuance applications eligible for streamlined processing, pursuant to § 63.71(f)(1) of our rules. Streamlined treatment of a discontinuance application entails the automatic grant of a discontinuance application on a specific date unless the Bureau has notified the applicant that the grant will not be automatically effective. Under such streamlined processing, a discontinuance application is

automatically granted on the 31st day (for non-dominant carriers) or the 60th day (for dominant carriers) after the Bureau accepts the application for filing. Customers that have concerns may still file comments or objections to that carrier's discontinuance application, and the Commission will evaluate those comments or objections to determine whether to remove the application at issue from streamlined processing for further evaluation under the traditional five-factor test.

Applications that are removed from streamlined processing are subject to review under a five-factor balancing test. Before 2016, all discontinuance applications were automatically eligible for streamlined processing. As noted above, the Commission concluded in 2016 that applications seeking to discontinue a legacy voice service warranted enhanced scrutiny due to particular concerns regarding the availability of an adequate replacement service. Does this reasoning apply today? Or has the communications marketplace and the state of competition sufficiently evolved such that the distinction between legacy voice services and more advanced communications services has largely been rendered unnecessary for purposes of evaluating the impact of a discontinuance on the public convenience and necessity, such that all discontinuance applications should be eligible for streamlined processing under current § 63.71(f)(1) of our rules?

c. Forbearance

29. As an alternative to revising our rules, we seek comment on whether we should forbear, on our own motion, from applying section 214 discontinuance requirements with respect to the discontinuance of legacy voice service in some or all of the following specific instances: (1) where the discontinuing carrier has deployed a replacement network, such as fiber or fixed wireless, in the affected area over which it offers interconnected VoIP service; (2) where interconnected VoIP service is available from either the discontinuing carrier or a third-party provider throughout the affected area; (3) where voice service is available from at least one facilities-based mobile wireless service provider throughout the affected area; (4) where the discontinuing carrier has deployed a replacement voice service throughout the affected area for a specified period of time and for which the carrier has a certain number of existing subscribers; (5) where there is fixed terrestrial broadband with speeds of at least 25/3 Mbps and latency of no more than 100

milliseconds (ms) throughout the affected area; and (6) where there is low earth orbit satellite broadband service with speeds of at least 25/3 Mbps and latency of no more than 100 ms throughout the affected area. The Commission has previously found 25/3 Mbps and latency of no more than 100 ms sufficient to support over-the-top VoIP. Over-the-top VoIP is a type of VoIP traffic routed to or from an end user "over the top" of a broadband connection provided by a third party. We also seek comment on whether we should forbear from our section 214(a) discontinuance requirements for resold services that are the subject of a technology transitions discontinuance application from the originating provider. Alternatively, should we forbear from applying the discontinuance requirements in section 214 and our rules with respect to all applications to discontinue any type of service, without qualification?

30. The Act requires us to forbear from applying any requirement of the Act or of our regulations to a telecommunications carrier or telecommunications service if we determine that: (1) enforcement of the requirement is not necessary to ensure that the charges, practices, classifications, or regulations by, for, or in connection with that telecommunications carrier or telecommunications service are just and reasonable and are not unjustly or unreasonably discriminatory; (2) enforcement of that requirement is not necessary for the protection of consumers; and (3) forbearance from applying that requirement is consistent with the public interest. In making the public interest determination, we must also consider, pursuant to section 10(b) of the Act, "whether forbearance from enforcing the provision or regulation will promote competitive market conditions." We seek comment on whether forbearing from all discontinuance requirements under section 214(a) and the Commission's implementing rules in any or all of the situations described above would satisfy each of these statutory criteria.

31. *Ensuring practices are just and reasonable (section 10(a)(1)).* Is maintaining the requirement to obtain discontinuance authorization in any or all of the scenarios laid out above necessary to ensure that the charges, practices, classifications, or regulations by, for, or in connection with that carrier or service are just and reasonable and are not unjustly or unreasonably discriminatory? Is maintaining these requirements necessary to ensure that the charges, practices, classifications,

and regulations by, for, or in connection with a carrier or service are just and reasonable and not unjustly or unreasonably discriminatory in *some* of the situations we have described above, but not others? If so, for which of these scenarios is maintaining the requirement to obtain discontinuance authorization necessary, and for which is it unnecessary? Why?

32. We seek comment on whether, in instances where a replacement service already exists throughout the affected service area, we should conclude that it necessarily follows that section 214(a) discontinuance processes are not required to ensure just and reasonable and nondiscriminatory terms of service. In such instances, any customers of the legacy voice services being discontinued are free to transition to the replacement service offered by their existing carrier or a third-party provider. Given the state of competition in the marketplace, would a discontinuance involving any of these scenarios provide incentives for new carriers to serve customers following the discontinuance? Are there areas where, despite the broad scope of wireless and satellite service offerings, no alternative services exist, and if so, should the section 214 discontinuance process remain unchanged for those areas?

33. *Protection of consumers (section 10(a)(2)).* Is enforcement of section 214(a)'s requirements, as well as the requirements of the Commission's implementing rules, necessary to protect consumers in any or all of the situations described above? Is it necessary to maintain any protections for consumers regarding the notice or amount of time that must be allowed for customers to transition to alternative services in response to a planned discontinuance? What if a replacement service from the same carrier already exists? What if that replacement service is interconnected VoIP, whether offered by the discontinuing carrier or a third party? Would these circumstances ensure that communities are not deprived of critical links to the larger public communications infrastructure? What if the replacement service is mobile wireless or satellite-based? How should consumers be advised of the different technologies available to them? We seek comment on the similarities and differences between either of these types of services and interconnected VoIP services with respect to their respective abilities to protect consumers. In particular, do these services provide the same levels of reliability, disability access, and access to emergency services? Are they comparable in price to legacy voice services? Are there

material differences between various mobile wireless networks that we would need to consider in granting forbearance based on the existence of mobile wireless service in a particular geographic area? Does the Commission's most recent *Wireless E911 Location Accuracy Requirements Further Notice of Proposed Rulemaking* (90 FR 19374 (05/07/2025)) bear on this analysis? To what extent does the high adoption rate of wireless technologies and high percentage of wireless-only households undercut arguments against the suitability of mobile wireless as a replacement service? Should any forbearance based on the presence of satellite-based replacement services be limited to services provisioned by low-earth orbit satellites? Many markets have already made similar transitions. Are there specific patterns of consumer protection issues that arose during those transitions? If so, what steps can the Commission take to mitigate those issues during future transitions? Should issues arise in their transition to replacement services, what avenues will consumers have to express their concerns? Would Commission outreach and consumer education help to reduce the potential for consumer harm during a transition?

34. *Consistent with the public interest (section 10(a)(3)).* Is forbearance from applying these requirements in any or all of the scenarios described above consistent with the public interest? In which of those scenarios is it consistent with the public interest? In which is it inconsistent? How should we ensure that the public has an opportunity to raise objections or comments, if at all? Will forbearance from applying these requirements help promote competitive market conditions? We propose to conclude that forbearing from applying our section 214 discontinuance requirements in instances where a replacement service already exists will promote competitive market conditions by eliminating superfluous regulations that slow the transition to next-generation IP-based services and by enabling carriers to redirect resources away from legacy voice services—which are no longer competitive and are not in high demand—and toward maintaining and building out the next-generation IP-based services that consumers not only desire but have come to expect. We seek comment on these proposed conclusions. Would forbearance from section 214(a)'s discontinuance requirements in the context of any or all of the scenarios described above help speed the continuing transition to next-generation IP-based services and

networks? Would forbearance from applying these requirements reduce unnecessary costs and burdens associated with discontinuing legacy voice networks and/or deploying next-generation IP-based services? Why or why not? We also seek comment on whether forbearance from applying section 214 requirements would affect consumers' access to emergency services. For example, what, if any, impact could it have on the delivery of 911 service to the extent that carriers and 911 authorities are still relying on TDM-based circuits and switches to route 911 calls during the transition to NG911? What impact, if any, would forbearance have on the transition to NG911 itself, and why? Would the forbearance impact critical infrastructure industries and government agencies responsible for providing or supporting critical operations or services?

35. *Resold services.* Would forbearance from our discontinuance requirements for resold services that are the subject of a technology transitions discontinuance by the wholesale provider be appropriate? INCOMPAS asserts that “a facilities-based carrier that seeks to cease offering a service pursuant to a technology transition discontinuance application is almost always the only entity capable of offering that service in the geographic areas subject to the application” and that its “members fear that if the Commission approves a facilities-based carrier's technology transition discontinuance application, resellers of the services subject to that application have no choice but to discontinue the service to their customers.” Are the facilities-based carriers conducting technology transitions discontinuances usually or always the only entity offering that service in the area? If so, how frequently is this occurring? In those situations, are our discontinuance requirements necessary for the protection of resellers' customers? Should any customer notice requirements be uniform as between facilities-based and resold services, or are there reasons that such notices should be handled differently in the case of resold services during a technology transition?

36. *Forbearance conditions.* Were we to grant forbearance relief in any of the scenarios described above, should we condition that forbearance in any respect? For example, in instances where the discontinuing carrier has deployed a replacement service throughout the affected area for a specified period of time and for which the carrier has a certain number of

existing subscribers or penetration rate in the affected area, for what length of time should the replacement service have to be in place for forbearance to apply? How many existing subscribers or what penetration rate should the replacement service be required to have in the affected area? Should any forbearance be conditioned on ensuring that there are no disruptions to critical infrastructure industry or government agency operations?

37. In instances where the discontinuing carrier has deployed a replacement network, such as fiber or fixed wireless, throughout the affected area over which it offers interconnected VoIP service, should we require that services provisioned over such replacement network be of comparable or superior quality to the service being discontinued? How would we define what constitutes “comparable or superior quality” in such instances?

38. In instances where fixed terrestrial broadband service with speeds of at least 25/3 Mbps and latency of no more than 100 ms is available throughout the affected area, are there further requirements we should consider, such as the length of time the fixed terrestrial broadband service has been in place or the number of subscribers it has?

39. In addition, or in the alternative, in any or all of the scenarios we have described above, should carriers be required to send notice to their customers informing them that their legacy voice service is being discontinued and what sort of replacement services, if any, are available throughout the affected area? Would any consumer protection concerns be obviated were we to condition forbearance relief on the requirement that resellers in such circumstances provide notice to their customers? If so, should that notice be consistent with the customer notice requirements set forth in § 63.71(a), or should they differ in some way? Should customer notices be transmitted via traditional mail, email, or some alternative means? Should the form of transmittal align with any communication preferences the consumer has indicated to their current service provider, such as mode of communication (e.g., via email), preferred language, or accessibility needs? What information would be included in any such notice? How far in advance of a planned discontinuance should the notice be sent to consumers? Should carriers be required to furnish the Commission or other governing bodies with some similar type of notice? What form should that notice take? Should it be formal or informal?

2. Targeted Revisions to Existing Technology Transitions Discontinuance Application Rules

40. In the event that we conclude that our proposal to replace both the Adequate Replacement Test and Alternative Options Test with a single, consolidated test for all technology transitions discontinuance applications is not appropriate, we seek comment on whether we should instead make more targeted revisions to either the Adequate Replacement Test or Alternative Options Test, or both.

a. Adequate Replacement Test

41. We seek comment on whether, if we retain the Adequate Replacement Test for streamlined processing of technology transitions discontinuance applications, we should adopt certain revisions to that test. As noted above, the Commission adopted this test because it found that “clear, streamlined criteria will eliminate uncertainty that could potentially impede the industry from a prompt transition to newer technologies.” Do commenters agree that the test has had these effects? If not, how has the test prevented the industry from undertaking such a prompt transition? Do certain prongs of the test pose barriers to rapidly seeking discontinuance authorizations for legacy services? If so, which ones, and how? Are certain prongs of the test unnecessary or redundant? If so, which ones, and how so?

42. *Network Performance.* We seek comment on whether we should codify the Bureau’s waiver in the *May 2025 Grandfathering and Technical Appendix Order* and the Bureau’s clarification in the *Testing Clarification Order* for all applications relying on the Adequate Replacement Test. Specifically, we seek comment on whether to eliminate the specified testing methodology and parameters adopted in the *2016 Technology Transitions Order* (81 FR 62632 (09/12/2016)) for carriers to satisfy the test’s network performance prong and instead codify the standard that the carrier need only show, based on the results of the carrier’s routine internal testing or other types of network testing, that “the network still provides substantially similar performance and availability as the service being discontinued.”

43. As noted above, § 63.602(b)(1) of the Commission’s rules requires an applicant seeking streamlined processing of its technology transitions discontinuance application to demonstrate, by either certifying or showing, based on the totality of the circumstances, that one or more

replacement service(s) “offers substantially similar levels of network infrastructure and service quality as the service being discontinued.” The Commission adopted this prong of the Adequate Replacement Test to ensure that a replacement service “is performing adequately enough to serve as a replacement for a legacy TDM service,” and that the “customer experience with the replacement service that is substantially similar to the customer experience with the service being discontinued.” In doing so, the Commission acknowledged that “a comparison between a legacy voice service and its potential replacement is not an apples-to-apples comparison,” and that it would therefore evaluate “actual performance numbers . . . in a holistic manner to determine the overall network performance.” In light of the developments in the voice services marketplace since the adoption of the Adequate Replacement Test in 2016, is compliance with the specific testing methodology and parameters in the Technical Appendix necessary for carriers to ensure that the replacement service offers “substantially similar levels of network infrastructure and service quality as the service being discontinued?” If so, why?

44. We alternatively seek comment on whether we should eliminate the network performance prong of the Adequate Replacement Test altogether. As noted above, the Commission adopted the first prong of the Adequate Replacement Test to ensure that “the replacement service will perform as effectively as the legacy voice service.” While the Commission acknowledged that, “[f]or most data communications, a packet-switched network (*i.e.*, an IP network) is more efficient than a circuit-switched network (*i.e.*, a TDM network) because a packet-switched network does not dedicate capacity for the duration of a particular call or session,” it also cited a 2013 source that suggested that “‘real-time applications proceed far more smoothly in a circuit-switched environment, where bandwidth is guaranteed, than in a . . . packet-switched environment,’ where there is extensive and constant competition for bandwidth.” We seek comment on whether these concerns about the transmission of voice calls over IP-based networks still apply today. Are concerns regarding the specific network performance benchmarks established in the *2016 Technology Transitions Order* (81 FR 62632 (09/12/2016)) still relevant given extensive technological improvements in network infrastructure and design since 2016? On the whole,

have advances in network infrastructure mitigated these issues, and if so, how? Are latency and data loss still a concern? As the copper networks providing most legacy TDM-based voice connections become more and more outdated and as severe weather events increase in frequency and severity, do the more advanced and resilient networks, such as fiber, eliminate former concerns about a drop in network performance when migrating to IP-based voice services? Given the vast majority of voice service connections use interconnected VoIP—a percentage that continues to grow rapidly—is this evidence that consumers no longer expect or have a need for the network performance characteristics of TDM-based legacy voice service? Do consumers have any lingering concerns regarding the network performance of advanced, next-generation IP-based voice services as compared to legacy TDM voice service connections, or does the continuing growth of interconnected VoIP indicate a consumer preference for the network performance characteristics of IP-based voice services?

45. *Interoperability requirement.* We next seek comment on whether we should eliminate the requirement that a technology transitions discontinuance application certify or show that a replacement service offers interoperability and compatibility with an enumerated list of applications and functionalities determined to be key for consumers and competitors.

46. The Commission adopted this third prong of the Adequate Replacement Test because it recognized “the importance of specified key applications and functionalities that today are associated with legacy voice services, while at the same time recognizing that consumer preferences will evolve as part of technology transitions.” The Commission also made clear that “carriers are not required to provide access to these capabilities in perpetuity,” and stated that, after the planned sunset of its initial list of key applications in 2025, “the interoperability requirement will no longer be part of our Section 214 analysis.” The Commission listed the following devices as key applications for the purposes of the interoperability requirement: fax machines, home security alarms, medical monitoring devices, analog-only caption telephone sets, and point-of-sale terminals. The Commission also described a framework for identifying whether other applications or functionalities not specifically identified in the list should receive similar status, and adopted a process for modifying the list. The

Commission required applicants to “certify or make an appropriate showing that a replacement service offers interoperability and compatibility . . . with the list of key applications and functionalities.”

47. We seek comment on whether this prong of the Adequate Replacement Test is needed or relevant today. Given consumers’ rapid shift away from TDM-based services to IP-based services capable of supporting a vast array of applications, do consumers still have any interoperability concerns? Are there any remaining TDM-based devices on which consumers rely for any reason and which cannot be replaced by effective IP-based solutions?

48. Are there specific concerns about using IP-based technologies, such as real-time text (RTT), as a replacement for analog text-based technologies, such as TTY, used by people with hearing or speech disabilities? The Commission’s rules require wireless providers to comply with RTT–TTY interoperability requirements, but do not require that all IP-based technologies support RTT. Are there measures the Commission should take to promote the transition of all TTY users to functionally equivalent IP solutions? Are there reasonably reliable estimates of the approximate number of people in the United States, or in particular jurisdictions, that still use TTY and other analog text-based technologies? What are the primary barriers preventing their migration to IP-based technologies? How should the Commission ensure such users can continue to access telecommunications relay services (TRS) in areas where legacy TDM services have been discontinued? How should the Commission ensure that users of other analog forms of TRS (e.g., Speech-to-Speech Relay and Captioned Telephone Service) are not disconnected from services during a network transition? We note that, in December 2024, the Consumer and Governmental Affairs Bureau issued a public notice seeking comment on a White Paper submitted by State TRS programs, Accessibility Organizations, and academics, which argued that there is a “current compelling need for Federal and state policymakers to proactively adapt TRS obligations and programs to reflect the evolution of the country’s analog telecommunications networks to IP-based networks.” Comments to the public notice were mixed, with some arguing that the use of legacy analog services is declining and the transition poses minimal problems, while others argued that transitioning to IP-based networks risks leaving some users behind. Does the Adequate Replacement

Test still hold relevance specifically for users of analog TRS services? Are there other ways the Commission can protect TTY users during the transition to IP-based networks?

49. *Single-Service Requirement.* We next seek comment on whether we should remove the requirement that a single replacement service satisfy all three prongs of the Adequate Replacement Test. Section 63.602(b) of the Commission’s rules requires applicants to show that a single replacement service (whether offered by the carrier or a third party) satisfies all three prongs of the test in order for the application to be eligible for streamlined treatment.

50. On March 20, 2025, the Bureau adopted an order waiving this requirement for a period of two years. The Bureau found that developments in the voice service marketplace and the large-scale adoption of broadband among consumers supported waiver of the single-service requirement. Specifically, the Bureau noted that the “shift among consumers away from managed, stand-alone voice service to bundled voice and broadband service, which supports a near-infinite variety of over-the-top services, applications, and functionalities obviates the need for a single voice service that satisfies all three prongs.” The Bureau also found that waiver of the single-service requirement serves the public interest because it will help “free up carrier resources to devote to the development and deployment of next-generation networks.” The Bureau also noted that the fact that some “technologically advanced VoIP services may only be available in bundles with broadband, text messaging, or some other service” should not preclude an adequate replacement finding if, as is often the case, consumers would pay either the same price or less for the bundle than they did for the legacy voice service.

51. Do commenters agree with the Bureau’s assessment? Have consumers experienced cost savings when transitioning from a single legacy voice service to a service bundle? How has the waiver of the single-service requirement affected carriers’ plans to discontinue legacy voice services and transition customers to next-generation replacement services? Given the ever-increasing availability of over-the-top services, is it still reasonable for consumers “to expect a single service to provide adequate network infrastructure and service quality, performance from critical applications, and access to other key applications and functionalities,” such as fax machines, home security alarms, and analog-only

caption telephone sets[?]” We seek comment on customer reactions to transitioning from a single service to a service bundle. Have customers experienced difficulties in any of these areas and, if so, what have those difficulties been? According to recent Broadband Data Collection (BDC) data, 24 million Americans, or 7% of the nation’s population, lack access to fixed broadband. For the remaining consumers still without access to a broadband connection, how will carriers ensure such consumers have access to an adequate replacement service?

52. *Ministerial updates to § 63.602.* If we retain the Adequate Replacement Test, in addition to any revisions necessitated by the approaches set forth above, we propose to amend § 63.602 of the Commission’s rules to update outdated cross-references in paragraph (b)(2)(i) of that rule. That rule currently provides that a carrier must certify that the proposed replacement service “[c]omplies with regulations regarding the availability and functionality of 911 service for consumers and public safety answering points (PSAPs), specifically §§ 1.7001 through .7002, 9.5, 12.4, 12.5, 20.18, 20.3, 64.3001 of this chapter.” Updates would add references to §§ 9.3, 9.4, 9.10, and 9.19, and eliminate the references to §§ 12.4, 12.5, 20.18, and 64.3001 to account for intervening changes to the numbering of the Commission’s public safety-related rules. Assuming we retain the Adequate Replacement Test, should we make any other changes to § 63.602 and the second prong of the Adequate Replacement Test?

b. Alternative Options Test

53. We seek comment on whether, if we retain the Alternative Options Test set forth in § 63.71(f)(2)(ii), we should adopt certain revisions to that test for streamlined processing of technology transitions discontinuance applications. The Commission’s stated goal in adopting the Alternative Options Test was to “provid[e] additional opportunities to streamline the discontinuance process for legacy voice services, with appropriate limitations to protect consumers and the public interest, . . . allow[ing] carriers, including small carriers, to more quickly redirect resources to next-generation networks, and the public to receive the benefit of those new networks.” Do carriers agree that adoption of the test has had these effects? If not, how has the test prevented the industry from undertaking such a prompt transition? Do certain requirements of the Alternative Options Test pose barriers to

rapidly seeking discontinuance authorizations for legacy services? If so, which ones, and how? Are certain requirements of the test unnecessary or redundant? If so, which ones, and how so?

54. *Codify waiver of the stand-alone requirement.* We seek comment on whether we should remove the requirement that a replacement voice service offered by the carrier or an unaffiliated provider be stand-alone in order for a technology transitions discontinuance application to be eligible for streamlined processing under the Alternative Options Test.

55. Under § 63.71(f)(2)(iii) of the Commission's rules, a service is "stand-alone" if a customer is "not required to purchase a separate broadband service to access the voice service." On March 20, 2025, the Bureau, acting on delegated authority, granted USTelecom's petition for waiver of the stand-alone requirement for a period of two years, finding that, since the Alternative Options Test was adopted, "the technology has improved while the marketplace for voice services, such as interconnected VoIP and mobile voice, has vastly expanded and spurred the creation of new and innovative communications technologies and bundled service offerings that benefit consumers." Does the Bureau's rationale in granting the waiver relief support removing the stand-alone requirement altogether? Do commenters agree with the Bureau's assessment and characterization of the voice service and broadband marketplace? How has the stand-alone requirement affected carriers' plans to discontinue legacy voice services and transition customers to next-generation replacement services?

56. USTelecom notes that "stand-alone VoIP service typically requires installation and maintenance of broadband equipment and ongoing provision of transmission capability," which is costly for carriers and requires "system and IT support that is difficult to justify for a product with relatively low demand." It adds that these inefficiencies "can raise costs for consumers and reduce capital available for investment and innovation." Do commenters agree with USTelecom's assessment that the stand-alone requirement is overly burdensome to carriers? Has the waiver of the stand-alone requirement alleviated these concerns and enabled carriers to rapidly discontinue legacy voice service in favor of promoting next-generation IP-based replacements? Will the proposed changes result in an increase in the pace and frequency of carriers upgrading networks? Given the widespread

adoption of broadband connections today, do customers reasonably expect or desire stand-alone voice service? How might removing the stand-alone requirement affect consumers, positively or negatively? Have customers that have transitioned from a stand-alone voice service to a bundled voice service experienced any difficulties or increased costs? For consumers that are transitioning, do carriers offer any introductory promotions that help offset the cost of bundled voice service? We note that consumers remain able to file comments or oppositions to discontinuance applications. Does the comment procedure provide adequate protection for consumers?

57. *Expand availability of the Alternative Options Test.* We seek comment on whether we should expand the Alternative Options Test to allow the existence of third-party, facilities-based interconnected VoIP service to satisfy the first part of the test rather than requiring the existence of facilities-based interconnected VoIP service offered by the discontinuing carrier itself.

58. Under § 63.71(f)(2)(ii)(A) of the Commission's rules, an applicant seeking to discontinue a legacy voice service under the Alternative Options Test must show that it offers a stand-alone interconnected VoIP service throughout the affected service area. The Commission required a showing that the discontinuing carrier itself provides interconnected VoIP service in addition to the availability of a voice service from an unaffiliated third party because it "expect[ed] customers will benefit from competition between facilities-based providers." This competition would effectively replace the need for a discontinuing carrier to comply with the specific testing methodology and parameters required under the Adequate Replacement Test to ensure the adequacy of the replacement service.

59. How has this requirement inhibited the ability for carriers to rapidly discontinue legacy voice services and transition subscribers to next-generation IP-based voice services? How would revising the first part of the test to include third-party facilities-based interconnected VoIP services affect carriers and consumers? Assuming that competition has indeed worked to ensure that available voice options are adequate for consumers under the current test, and given that a carrier would still need to show that at least one other alternative facilities-based wireline or wireless voice service is available from another unaffiliated

provider throughout the affected service area under the second part of the test, what effect, if any, would this change have on the quality of replacement service options? In instances where interconnected VoIP service is available from either the discontinuing carrier or a third-party provider throughout the affected area, does it matter whether the interconnected VoIP service is provided by the discontinuing carrier or a third-party provider? Why or why not?

3. Additional Revisions to § 63.71

60. We next consider whether to adopt a variety of targeted proposals relating to our discontinuance rules under § 63.71, namely: (1) codifying the relief granted in the *March 2025 Grandfathering Order* and the *May 2025 Grandfathering and Technical Appendix Order*; (2) granting forbearance relief from section 214(a) requirements for all lower-speed data telecommunications services; (3) eliminating the distinction between dominant and non-dominant providers for purposes of the streamlined processing automatic grant period; and (4) forbearing from the notice requirement to state Governors and the United States Department of Defense.

a. Eliminating Grandfathering Filing Requirements for Certain Services

61. We propose to eliminate any application filing requirements associated with grandfathering a legacy voice service, a lower-speed data telecommunications service, defined as those operating at speeds below 25/3 Mbps, or an interconnected VoIP service provisioned over copper wire, thus codifying the relief granted by the Bureau in the *March 2025 Grandfathering Order* and the *May 2025 Grandfathering and Technical Appendix Order*. Specifically, we propose to replace the requirements in § 63.71(k) and (l) with a statement that, notwithstanding any other provision of § 63.71, a carrier is not required to file an application to grandfather a legacy voice service, a lower-speed data telecommunications service, or an interconnected VoIP service provisioned over copper wire. We seek comment on this proposal generally, and also seek comment on (i) whether we should expand the definition of "lower-speed data telecommunications service," and (ii) whether we should extend the proposed to all interconnected VoIP services without regard to transmission medium.

62. *Lower-speed data telecommunications service.* We seek comment on our proposal to define "lower-speed data telecommunications

service” as a data telecommunications service operating under 25/3 Mbps. The Commission currently considers services that operate below 1.544 Mbps to be “low-speed,” and it provided for accelerated streamlining of applications to grandfather low-speed services. In the *Second Wireline Infrastructure Order*, the Commission extended that accelerated streamlining to data telecommunications services operating at speeds below 25/3 Mbps if the applicant was replacing them with a service operating at speeds of at least 25/3 Mbps. We seek comment on whether we should upwardly revise our proposed definition of lower-speed data telecommunications service given the rapidly increasing bandwidths of networks today. Specifically, should we define the term using speeds at or below 45 Mbps symmetrical or some other threshold? What are the benefits and drawbacks of using each speed tier in the definition? We note that a definition using speeds at or below 45 Mbps symmetrical would include Digital Signal 3 (DS3) service. How critical is DS3 service for the provision of data telecommunications services to current or future subscribers? Are alternatives, such as fiber-based networks, readily available as alternatives in localities served by DS3 lines? What impact would the removal or replacement of DS3 lines have on the continued availability of emergency services, including 911?

63. *Grandfathering*. A carrier currently has the option under the Commission’s rules to seek authorization to “grandfather” a service rather than fully discontinue it. A carrier seeking to grandfather a service requests authorization to stop accepting new customers for the service while continuing to provide the service to existing customers. Because grandfathering is a discontinuance of service offering to new customers, grandfathering applications traditionally have been processed in the same way as applications to fully discontinue a service, thereby requiring carriers to file applications, pay processing fees under the Commission’s rules, and delay plans to grandfather a service for new customers until they receive approval.

64. The Commission expedited the process for discontinuing legacy services in 2017 in the *First Wireline Infrastructure Order* (82 FR 61520 (11/28/2017)), including legacy service grandfathering applications, where it concluded that the then-existing rules governing the discontinuance process “impose[d] needless costs and delay on carriers that wish to transition from legacy services to next-generation, IP-

based infrastructure and services.” To that end, the Commission established a more streamlined approval process for discontinuance applications seeking to grandfather low-speed legacy data services for existing customers, shortening the comment and automatic grant periods for these applications. In doing so, the Commission concluded that “longer processing timelines for grandfathering applications are unnecessary to protect consumers from potential harm stemming from discontinuances, and that our current discontinuance rules may unnecessarily impede the deployment of advanced broadband networks by imposing costs on service providers who seek to upgrade legacy infrastructure.”

65. The Commission took additional steps to expedite the discontinuance process for legacy services the following year in the *Second Wireline Infrastructure Order* (83 FR 31659 (07/09/2018)), where it extended the same streamlined treatment to “applications seeking to grandfather data services with speeds below 25/3 Mbps, so long as the applying carrier provides fixed replacement data services at speeds of at least 25/3 Mbps throughout the affected service area.” The Commission concluded that by requiring carriers using this streamlined process to provide replacement data services at speeds of at least 25/3 Mbps, customers were ensured to have access to adequate alternatives. In that same *Order* (83 FR 31659 (07/09/2018)), the Commission extended this streamlined processing to all applications seeking to grandfather any legacy voice service, including legacy enterprise voice services. In doing so, the Commission determined that existing customers would not be harmed because they would be entitled to maintain their legacy voice services until such time as the carrier seeks to fully discontinue the grandfathered service.

66. In the *March 2025 Grandfathering Order*, the Bureau (1) granted blanket section 214(a) authority for carriers to grandfather any legacy voice or data service currently covered by § 63.71(k) and (l) of the rules, and (2) waived the requirement in the Commission’s rules that carriers file a section 214(a) discontinuance application seeking Commission authorization in that scenario. The Bureau found such relief to be warranted “by extraordinary developments in communications technologies and services” since 2016, such as the rapid adoption of interconnected VoIP services.

67. The Bureau subsequently issued the *May 2025 Grandfathering and Technical Appendix Order* extending

the relief granted in the *March 2025 Grandfathering Order* to include interconnected VoIP service provisioned over copper lines, concluding that “relief in this instance will advance the Commission’s overall policy of transitioning legacy networks and services to next-generation networks and advanced communications services, and that “such relief furthers ‘the public interest by freeing up carrier resources for the development and deployment of those next-generation networks and services, to the benefit of consumers.’”

68. We seek comment on whether the waiver relief granted in the *March 2025 Grandfathering Order* and the *May 2025 Grandfathering and Technical Appendix Order* should be made permanent in our rules by exempting grandfathering applications from any Commission filing requirements. How, if at all, does the waiver relief granted in the *Orders* reduce carriers’ burdens? Given that consumers have an opportunity to comment or object when the carrier later applies to fully discontinue the grandfathered legacy service, are there any benefits to retaining the grandfathering filing requirements? If not, should we also eliminate the requirement in § 63.71(a) to notify customers when a carrier grandfathers a service? What are the benefits and drawbacks of this approach? We also seek comment on whether we should extend the blanket 214 authority granted in the *March 2025 Grandfathering Order* and the *May 2025 Grandfathering and Technical Appendix Order* to the grandfathering of all services rather than limit it solely to certain legacy services and interconnected VoIP service provisioned over copper as the Bureau did in those *Orders*. Do the bases on which the Bureau granted the relief in those *Orders* apply more broadly to all services? Are there concerns that counsel against granting blanket section 214(a) authority for carriers to grandfather any service?

69. Rather than maintaining the grant of blanket 214 authority granted in the *March 2025 Grandfathering Order* and the *May 2025 Grandfathering and Technical Appendix Order*, should we instead forbear from section 214(a)’s discontinuance requirements with respect to the grandfathering of the types of services addressed in those *Orders*? Is maintaining the requirement to obtain Commission authorization before grandfathering any or all of those services necessary to ensure that the charges, practices, classifications, or regulations by, for, or in connection with the grandfathering carrier or the grandfathered service are just and

reasonable and are not unjustly or unreasonably discriminatory, particularly given the rapid decline in customer demand for these services? Is maintaining the section 214(a) discontinuance requirements in these contexts necessary to protect consumers, particularly given that existing customers would be able to retain the service at issue after the service is grandfathered? Would forbearing from these requirements in this context serve the public interest? For example, would it speed up the development and deployment of next-generation networks and advanced communications services by reducing regulatory burdens and their attendant costs? Would it negatively impact critical infrastructure industries or government agencies operations or services?

b. Forbearance for Lower-Speed Data Telecommunications Services and Interconnected VoIP Over Copper Services

70. We seek comment on whether we should forbear from all section 214(a) discontinuance requirements, including the Commission's implementing rules, for all lower-speed data telecommunications services. This alternative would not apply to the discontinuance of legacy voice services, which are encompassed by Sections I.B.1–2. As noted above, the Commission previously expedited the streamlined processing of applications to grandfather services with speeds below 25/3 Mbps. We also sought comment above on how to define “lower-speed data telecommunications service” for purposes of our proposed rules. We now seek comment on whether forbearance would satisfy the criteria set forth in section 10 of the Act.

71. *Ensuring practices are just and reasonable (section 10(a)(1)).* Would maintaining the requirement to obtain discontinuance authorization for all lower-speed data telecommunications services still be necessary to ensure that the charges, practices, classifications, or regulations by, for, or in connection with the discontinuing carrier or discontinued service are just and reasonable and are not unjustly or unreasonably discriminatory? As noted, the Commission previously took action to expedite the streamlined processing of applications to grandfather services with speeds below 25/3 Mbps. Given the rapid decline in customer demand for such lower-speed services, are section 214(a) discontinuance requirements necessary to ensure just and reasonable charges and practices given that consumer demand for such

lower-speed services is too small to exert a meaningful influence on carrier charges and practices with regards to such services? If not, please provide specific reasons. Does this analysis change when considering a higher speed threshold for lower-speed data telecommunications service, such as 45 Mbps symmetrical, or some other threshold?

72. *Ensuring protection of consumers (section 10(a)(2)).* In light of plummeting customer demand for lower-speed data telecommunications services, such as those with speeds lower than 25/3 Mbps, we seek comment on whether to conclude that section 214(a) discontinuance requirements are not necessary to protect consumers. Do commenters agree? Why or why not? Please provide specificity in responding to this request for comment. Does this analysis differ for speeds higher than 25/3 Mbps, whether the upper limit is 45 Mbps symmetrical or some other speed?

73. *Consistent with the public interest (section 10(a)(3)).* Do commenters believe that forbearing from applying our discontinuance approval requirements for lower-speed data telecommunications services will serve the public interest by eliminating superfluous regulations that slow the transition to next-generation IP-based services? Will taking this action promote competitive market conditions by enabling carriers to redirect resources away from lower speed data telecommunications services that are no longer competitive nor in high demand, and toward maintaining and building out the next-generation IP-based services that consumers not only desire but have come to expect? Again, please state with specificity why or why not. Do PSAPs or other public safety entities rely on these low-speed data telecommunications services to provide essential emergency services? If so, are there ready market alternatives in place to substitute for these data telecommunications services if they are discontinued? How do the prices of any substitute services compare? What percentage of 911 traffic currently flows over low-speed data telecommunications services, and are carriers considering plans to migrate off those services short- or long-term? Are there particular PSAPs or types of PSAPs, e.g., rural PSAPs, that rely on low-speed data telecommunications services more than others, and if so, how many? Do public safety entities or their service providers have contractual notice rights that allow sufficient time to arrange substitute data transmission services without a gap in the provision

of 911 service? Do the answers to any of these questions differ depending on how we ultimately define lower-speed data telecommunications services?

74. Will such forbearance foster advanced communications by providing carriers with incentives to develop and deploy higher-speed data telecommunications services? Will forbearance help promote competition in the market for higher-speed replacement services? Will granting such forbearance relief reduce unnecessary costs and burdens associated with compliance with the Commission's discontinuance rules, and free up capital needed for the deployment of next-generation networks? Is this analysis dependent on how we ultimately define lower-speed data telecommunications services and, if so, how?

75. *Conditions.* Are there further conditions for forbearance from applying section 214(a)'s discontinuance requirements, as well as the requirements of the Commission's implementing rules, that we should implement in instances where carriers seek to discontinue lower-speed data telecommunications services? For example, should we require that the discontinuing carrier provide fixed replacement data telecommunications service at a certain speed threshold? If so, what should that threshold be? Would it be sufficient for a replacement service to be mobile or provided via low earth orbit satellite so long as it offers a specific minimum speed and latency of no more than 100 ms? Are there compelling reasons to require that such replacement service be offered by the discontinuing carrier? Should we require that any such replacement data telecommunications service be of “equivalent quality” to the service being discontinued? How would we define what constitutes “equivalent quality” in such instances? Should we require that the discontinuing carrier ensure that there are no disruptions to critical infrastructure industry or government agency operations?

76. In addition or in the alternative, should discontinuing carriers be required to send notice to their customers informing them of the planned discontinuance and any available replacement service in the affected area? How might consumers be affected if a discontinuing carrier does not provide a notice of planned discontinuance? What form should such a notice take? Should it be transmitted via traditional mail, email, or some alternative means? Should the form of transmittal align with any communication preferences the

consumer has indicated to their current service provider? What information would be included in any such notice? How far in advance of a planned discontinuance should the notice be sent to consumers? Should carriers be required to furnish the Commission or other governing bodies with some similar type of notice? What form should that notice take? Should it be formal or informal?

c. Apply the 31-Day Automatic Grant Period to All Discontinuance Applications

77. We propose to extend the 31-day automatic grant period applicable to applications to discontinue services for which a carrier is non-dominant to apply to all instances in which a domestic carrier submits a request to discontinue service. We seek comment on this proposal.

78. Pursuant to § 63.71(f)(1) of the Commission's rules, a non-technology transitions discontinuance application—if filed by a domestic, non-dominant carrier—shall be automatically granted on the 31st day after its filing with the Commission unless the Commission has notified the applicant that the grant will not be automatically effective. As discussed in Section I.B above, technology transitions discontinuance applications currently are not automatically eligible for streamlined processing, but rather must satisfy either the Adequate Replacement Test or the Alternative Options Test in order to qualify for such processing. For applications to discontinue a service for which the provider is dominant, the automatic grant period is 60 days. We propose to eliminate the distinction between dominant and non-dominant carriers for purposes of discontinuance applications. In doing so, we would apply the 31-day automatic grant period to any domestic carrier who submits a request to discontinue any service.

79. We propose to conclude that there is no material reason to limit application of the 31-day automatic grant period to non-dominant carriers given the Commission's available discretion to remove an application from streamlined processing at any time during those 31 days should it deem it appropriate to do so. We propose to conclude that 31 days is sufficient time for the Commission to consider and come to a determination as to whether a grant should be allowed to auto-grant or, instead, whether the discontinuance raises sufficient questions or concerns that it should be removed from streamlined processing prior to the expiration of the automatic grant period.

In light of the backstop provided by the Commission, we propose to conclude that expanding the applicability of the 31-day automatic grant period to include all discontinuance applications is a prudent way of reducing regulatory red tape and speeding the grant of discontinuance requests while still complying with section 214(a)'s mandate to protect the public interest. We seek comment on this proposal.

80. What are the benefits and costs of applying the 31-day automatic grant period to all domestic carriers who submit a request to discontinue service? What costs, whether in terms of money or time, does the existing requirement impose on domestic carriers who are not eligible for the 31-day automatic grant period? Is there any reason not to extend the applicability of the 31-day automatic grant period to all discontinuance applications? Does the 31-day automatic grant period allow adequate time for the Commission to review discontinuance applications? We take note of the Commission's 2016 *Declaratory Ruling* in which it noted that "regulatory changes have restructured the marketplace in which incumbent LECs provide interstate switched access services so as to deny them market power," leading it to "declare incumbent LECs non-dominant in their provision of interstate switched access services." Are there particular services for which certain carriers remain dominant that might warrant a longer Commission review period for determining whether the application should be removed from streamlined processing?

81. We also seek comment on the length of the existing automatic grant period for non-dominant providers. Should the 31-day automatic grant period be abbreviated to a shorter time frame? As we propose to conclude that dominant and non-dominant providers be treated equally, would commenters feel the same if we were to apply a shortened automatic grant period to dominant and non-dominant providers alike? If so, what should the automatic grant period be and why? Beyond expanding the 31-day automatic grant period to apply to all discontinuance applications, we seek comment on any additional steps we might take to further streamline the automatic grant process for applications to discontinue service.

d. Forbear From Requirement To Notify State Governor and Department of Defense

82. We seek comment on whether we should forbear from section 214(b)'s requirement that domestic discontinuance applications be filed

with (1) the Governor of the state in which the discontinuance is proposed, and (2) the Secretary of Defense, and that we eliminate this same requirement from our implementing rules. We seek comment on this proposal.

83. Section 214(b) of the Act requires that upon receipt of a discontinuance application, "the Commission shall cause notice thereof to be given to, and shall cause a copy of such application to be filed with, the Secretary of Defense, the Secretary of State (with respect to such applications involving service to foreign points), and the Governor of each State . . . in which such discontinuance, reduction, or impairment of service is proposed." Relatedly, § 63.71(a) of the Commission's rules requires that any domestic carrier seeking to discontinue service notify its customers and submit a copy of its application to the public utility commission and to the Governor of the State in which the discontinuance of service is proposed, to any federally-recognized Tribal Nations with authority over the Tribal lands in which the discontinuance is proposed, and to the Secretary of Defense via the Special Assistant for Telecommunications, as well as file an application with the Commission requesting said discontinuance. We propose to conclude that while section 214(b) directs the Commission to cause such notice to be given, that notice requirement concerns applications to discontinue telecommunications services. In that sense, our proposed forbearance, if adopted, would be forbearance from applying section 214(b) to a telecommunications service within the meaning of section 10. We seek comment on this proposed conclusion.

84. *Ensuring practices are just and reasonable (section 10(a)(1)).* Is maintaining the requirement to file domestic discontinuance applications with the Governor of the state in which the discontinuance is proposed and the Secretary of Defense necessary to ensure that the charges, practices, classifications, or regulations by, for, or in connection with that carrier or service are just and reasonable and are not unjustly or unreasonably discriminatory? Is maintaining these requirements necessary to ensure that the charges, practices, classifications, and regulations by, for, or in connection with a carrier or service are just and reasonable and not unjustly or unreasonably discriminatory? If so, why?

85. *Protection of consumers (section 10(a)(2)).* Is enforcement of section 214(b)'s requirement to file domestic

discontinuance applications with the Governor of the state in which the discontinuance is proposed and the Secretary of Defense necessary to protect consumers? When seeking to discontinue a service, carriers must notify state public utility commissions, the specific state entities charged with their regulation. Would requiring carriers to file discontinuance applications with other state or local authorities better ensure consumers are protected during a transition? What additional protection does notice to a Governor's office confer on consumers? In this era of multitudinous communications options, what protection does notice to the Secretary of Defense provide to consumers?

86. *Consistent with the public interest (section 10(a)(3)).* Would forbearing from applying the requirement in section 214(b) to file domestic discontinuance applications with the Governor of the state in which the discontinuance is proposed and the Secretary of Defense serve the public interest? We propose to conclude that requiring notice to a Governor's office imposes a redundant and superfluous requirement that slows the transition to next-generation IP-based services by diverting resources from development of next-generation networks and advanced communications services. We also propose to conclude that the requirement that carriers notify and submit a copy of their application to the Governor of the state in which the discontinuance of service is proposed and to the Secretary of Defense serves no purpose other than to increase red tape and regulatory barriers, particularly in light of the many and varied modes of communication available to today's residential and businesses customers. We seek comment on these proposed conclusions. Would the elimination of these notification requirements be likely to save providers time and resources that would be better spent investing in high-speed broadband infrastructure? Are notifications to state Governors and the Secretary of Defense redundant and irrelevant given the requirements to notify customers, state public utility commissions, Tribal Nations, and the Commission? What are the benefits of notifying state Governors and the Secretary of Defense that cannot be achieved by notifying customers, state public utility commissions, Tribal Nations, and the Commission? Are there compelling policy reasons to retain the requirement to notify state Governors and the Secretary of Defense?

4. Emergency Discontinuances

87. We propose to revise § 63.63(b) to explicitly provide that a carrier may permanently discontinue a service upon filing a certification with the Commission that (1) the carrier has previously obtained emergency discontinuance authority for the service in question, (2) the service is one for which the requesting carrier has had no customers or reasonable requests for service during the 60-day period immediately preceding the permanent discontinuance, and (3) a comparable service is available in the affected service area. We seek comment on this proposal and on the processing of requests to permanently discontinue a service under § 63.63.

88. Section 63.63 of the Commission's rules sets forth procedures carriers must follow when seeking authority for an emergency discontinuance. Providers must submit an application for authority for an emergency discontinuance of service as soon as practicable but not later than 65 days following the occurrence of the conditions which occasion the discontinuance. In the case of public coast stations, notice must be given not later than 15 days following the occurrence of the conditions leading to the discontinuance. Authority is deemed granted as of the date the request is filed unless the Commission notifies the carrier otherwise on or before the 15th day after the date of filing, and our rules provide for renewal of such authority unless "the same or comparable service is reestablished before the termination of the emergency authorization" or the carrier submits an informal request for authorization to discontinue the service "for an indefinite period or permanently."

89. *Emergency discontinuances leading to no customers.* We propose to revise § 63.63(b) to provide that a carrier may permanently discontinue a service upon filing a certification that (1) it has previously obtained emergency discontinuance authority, (2) the service in question is one for which the requesting carrier has had no customers or reasonable requests for service during the 60-day period immediately preceding the planned permanent discontinuance, and (3) a comparable service is available in the affected service area. In instances where a carrier has previously filed for emergency discontinuance authority, has had no customers nor reasonable requests for service for a minimum of 60 days, and a comparable service is available, we propose to conclude that there is little risk that an emergency discontinuance of service is likely to affect any existing

or potential customers. We seek comment on this proposed conclusion.

90. We seek comment on the extent to which this would affect consumers, if at all. We also seek comment on the extent to which this would allow carriers to be more deft and responsive in reacting to natural disasters and other emergencies, and to focus their rebuilding efforts on modernized rather than legacy services. Should we leave the requirement open-ended and require merely that a carrier have filed for emergency discontinuance authority at any point in the past? Why or why not? Alternatively, should we specify a particular time period during which the carrier had to have previously filed for emergency discontinuance authority? If so, what should that time period be?

91. Is the proposed 60-day period without a customer or a reasonable request for service a reasonable period of time to justify granting a carrier authority to carry out a permanent discontinuance of service? When would the 60-day period commence? Does it differ depending upon whether the permanent discontinuance request is contained in the initial emergency discontinuance application? Is 60 days sufficient to ensure that most customers are likely to have obtained substitute service, thereby obviating any resulting harm? Should the 60-day period be extended? If so, why and by how much? We note that the qualifying period for the exemption in § 63.71(g)—which governs non-emergency-related discontinuances by domestic carriers of services with no customers or reasonable requests for service—is only 30 days. In light of this, should the proposed 60-day qualifying period for § 63.63 be reduced? If so, why and by how much? We encourage commenters to be specific in their suggestions and to support their claims with as much evidence as is available.

92. *Requests to permanently discontinue.* We also seek comment on the processing of requests to permanently discontinue a service under § 63.63. An emergency discontinuance application is deemed granted upon filing unless the Commission notifies the carrier to the contrary on or before the 15th day after filing. Grants of emergency discontinuance authority are valid for 60 days, although a carrier may seek renewal of that authority by informal request no later than 10 days prior to the expiration of the 60-day period. Both an original emergency discontinuance application and a request for renewal are required to contain demonstration that efforts are being made or have been made "to restore the original service or

establish comparable service.” In either the initial emergency discontinuance application or the renewal request, the carrier may request authority to indefinitely or permanently discontinue the service at issue.

93. We seek comment on how the Commission should process requests to permanently discontinue service, either in an initial emergency discontinuance application or in a later informal request. If a carrier submits an emergency discontinuance application that also contains a request to permanently discontinue the service at issue, should we process such a request on a streamlined basis? What benefits or cost savings would there be for carriers from this combined streamlined application? If so, what should the length of that auto-grant period be, and when should it commence? Should the auto-grant period be separate from and subsequent to the 15-day auto-grant period for the emergency discontinuance request, or should it run concurrently? What types of information should such a permanent discontinuance request contain? Should the carrier be required to indicate how the request satisfies the traditional five factors the Commission considers when evaluating a non-streamlined discontinuance application?

5. Reviewing Outdated Discontinuance Rules

94. We propose to eliminate a number of rules applicable to section 214(a) discontinuances that appear to be remnants of a bygone era. As discussed above, the communications marketplace has evolved significantly over the almost two decades since Congress last undertook significant revisions to the Act, and a thorough review of all of the Commission’s rules pertaining to discontinuances is long overdue. We seek comment on this proposal. We also seek comment on any other revisions to our discontinuance rules warranted at this time.

95. *Public toll stations.* We propose to eliminate §§ 63.60(f) and 63.504 of the Commission’s rules, which pertain to the closure of public toll stations and which we propose to conclude are no longer relevant or necessary in today’s communications marketplace. We seek comment on this proposal.

96. Section 63.60(f) of the Commission’s rules defines the meaning of the term “public toll station” for purposes of part 63 of the Commission’s rules as a public telephone station, located in a community, through which a carrier provides service to the public, and which is connected directly to a toll line operated by such carrier. Section

63.504 details the contents of an application to close a public toll station where no other such toll station of the applicant will continue service in the community and where telephone toll service is not otherwise available to the public through a telephone exchange connected with the toll lines of a carrier.

97. These rules were created more than six decades ago, at a time when public toll stations were far more prevalent, personal landlines far less prevalent, and mobile phones nonexistent. Now, with only 100,000 pay phones still remaining in America (a mere 5% of their peak of 2 million in 1999), it no longer makes sense to treat applications to discontinue this service distinctly from other types of service. We thus propose that discontinuances of public toll stations should be subject to the general provisions of § 63.71 of the Commission’s rules and that we eliminate §§ 63.60(f) and 63.504 as obsolete and redundant. We seek comment on this proposal.

98. *Telephone exchanges at military establishments.* We propose to eliminate the requirement that carriers file an informal request with the Commission before altering service hours at telephone exchanges at deactivated military establishments. We seek comment on our proposal.

99. Section 63.66 of the Commission’s rules requires carriers to “file in quintuplicate an informal request” before closing or reducing the “hours of service at a telephone exchange at a military establishment because of deactivation of the establishment.” Authority for the closure or reduction is deemed granted on the 15th day following the filing of the request unless the Commission notifies the carrier otherwise on or before the 15th day.

100. This rule was a reflection of Congress’s concern when enacting section 214 of the Act regarding “loss or impairment of service during” wartime. “Dominant carrier regulations include, among other things, requirements arising under section 214 related to transfer of control and discontinuance, cost-supported tariffing requirements, and price regulation for services falling under the Commission’s jurisdiction.” Given today’s modern communications marketplace and the plethora of communications services available to civilian and military establishments alike, is there any need to maintain § 63.66’s requirements? When is the last time a carrier filed an informal request under § 63.66? Should we retain § 63.66, we seek comment on requiring electronic filing of the request in the Commission’s Electronic Comment Filing System in lieu of filing “in

quintuplicate.” Is there any reason why electronic filing of such requests would be impracticable?

101. *Publication and posting of notices.* We propose to eliminate § 63.90 of the Commission’s rules. We seek comment on our proposal.

102. Section 63.90 requires providers filing an application or information request to discontinue or reduce hours of service at a telephone exchange to “post a public notice at least 51 cm by 61 cm (20 inches by 24 inches), with letter of commensurate size, in a conspicuous place in the exchange affected, and also in the window of any such exchange having window space fronting on a public street at street level.” Providers then must post a notice in a newspaper for two weeks in the community where the telephone exchange is located. If the provider seeks to close a public toll station, it must post a public notice in a newspaper as well. Additionally, § 63.90 requires providers to file a notice and copy of its request with the State Commission of any state where discontinuance or reduction is sought. Once a carrier has completed the requisite posting, publication, and notification, § 63.90 requires the carrier report this fact to the Commission, with specific information regarding the posting, publication, and notification.

103. Section 63.90 was enacted in 1980 as a part of the Commission’s effort to update domestic public message service rules. Public message services encompass the “variety of public record (or message) offerings generally involving acceptance of a message from the public, electronic transmission of the message, production of a physical hard copy, and ultimately some form of delivery to its recipient.” Due to technological developments, firms began handling public message services via telephone instead of in offices. The Commission implemented requirements to ensure adequate public notice of changes to office hours instead of requiring firms to seek Commission approval prior to altering or discontinuing hours of service.

104. With the evolution of the communications marketplace over those intervening four-plus decades, carriers and consumers alike have access to a variety of modes of communication. Indeed, the Commission in 2016 added email as an accepted means of providing notice to customers of a planned discontinuance, noting that “email is the preferred method of notice for many carriers seeking discontinuance, as well as for consumers.” Are § 63.90’s requirements relevant today? When was the last time a carrier posted a public

notice in the window of a telephone exchange? And when was the last time a carrier posted these notices in newspapers? Is there any continuing need to require providers to post notices in accordance with § 63.90? If we eliminate this rule, would a request to discontinue or reduce hours of service at a telephone exchange be covered by § 63.71 and its notice provisions?

105. *Notification of service outage.* We propose to eliminate § 63.100 from the Commission's rules, which directs providers to part 4 of the Commission's rules for the requirements concerning notifications of service outages. We seek comment on our proposal.

106. The Commission's rules did not set forth any specific requirements for reporting outages or service disruptions until the Commission enacted § 63.100 in 1992. The Commission enacted § 63.100 in response to widespread telephone outages, highlighting the need to monitor outages in real time. However, the requirements originally listed in § 63.100 are now found in part 4 of the Commission's rules, and § 63.100 does not contain any substantive regulations.

107. Given that § 63.100 merely directs providers to look at part 4 of the Commission's rules for the requirements pertaining to notifications of service outages, is § 63.100 still necessary? Would eliminating § 63.100 cause confusion among providers about their service outage notification obligations?

108. *Trunk lines and interchange of traffic with another carrier.* We seek comment on eliminating §§ 63.500 and 63.501 of the Commission's rules.

109. Section 63.500 sets forth the required contents of applications to dismantle or remove a trunk line. Section 63.501 does the same for applications to sever physical connection or to terminate or suspend interchange of traffic with another carrier. These rules were adopted at a time when copper was the dominant transmission medium. That is no longer the case. Indeed, no domestic applications relying on either of these provisions have been filed for at least two decades. Given the ongoing network evolution and the constantly decreasing reliance on copper lines, we seek comment on whether separate rules governing the contents of applications addressing these two specific situations remain necessary. Do §§ 63.500 or 63.501, which pertain solely to contents of applications, retain any relevance in today's communications marketplace? If we eliminate these provisions, should we remove the references to these types of discontinuances or these specific rule sections, or both, in §§ 63.19 and 63.62

of our rules? Where fiber is the transmission medium for interconnection trunks, would elimination of these rules permit incumbent LECs to discontinue interconnection and 911 trunks without filing an application? What impact would giving incumbent LECs the ability to disconnect such trunks have on the delivery of E911 calls and the universal availability of the public switched telephone network?

110. *Public coast stations.* We propose to modify the Commission's rules to remove references to public coast stations in §§ 63.60(c) and 63.63 of the Commission's rules and eliminate § 63.601, setting forth the requirements for the content of applications seeking to impair or discontinue operation of public coast stations. These provisions relate to other rules and policies regarding public coast stations that the Commission previously eliminated. We propose to conclude that the specific references to public coast stations in these rules are unnecessary vestiges of that previous regulation, and no longer serve any useful purpose. The remaining discontinuance obligations of certain public coast stations are addressed exclusively by other provisions of part 63 governing international service, in conjunction with part 80 of the Commission's rules governing the Maritime Radio Services including public coast stations. We seek comment on this proposal.

111. Public coast stations, part of the oldest radio service administered by the Commission, are commercial mobile radio service (CMRS) providers of ship/shore radiotelephone and radiotelegraph services, allowing ships along inland waterways, in coastal areas, and on the high seas to send and receive messages and to interconnect with the public switched telephone network. The Commission classified public coast stations as part of CMRS in 1994, and at the same time exercised its authority to forbear from section 214 with respect to discontinuance of service of domestic CMRS stations. The Commission did not include international CMRS in this forbearance, and thus public coast stations providing international (high seas) service are still subject to section 214, as non-dominant carriers, for the provision of new service or discontinuance of existing service.

112. In keeping with that forbearance, the Commission modified part 63 of its rules to eliminate provisions addressing impairment or discontinuance of public coast stations. While many references to public coast stations were removed, the instant rule provisions remained.

113. We tentatively conclude that these remaining provisions are no longer necessary because the only public coast stations that remain subject to section 214 and regulation under part 63 are those that provide international service. Discontinuances of international services are governed by § 63.19, which specifically provides that CMRS providers are not subject to the provisions of that section.

114. We also propose to delete the reference to "public coast stations" in § 63.63(a), applicable to emergency discontinuances. CMRS service is no longer subject to international discontinuance obligations under § 63.19, and the Commission previously forbore from discontinuance requirements for domestic CMRS service, making that reference in § 63.63(a) unnecessary and irrelevant. For the same reasons, and because it relies upon a previously eliminated rule, we also propose to delete § 63.601.

115. We also propose to eliminate references to public coast stations in the definitions in §§ 63.60(b)(1) and (2) and 63.60(c). The references in § 63.60(b)(1) and (2) appear to be unnecessary to operation of the rules now applicable to public coast stations providing international service. Moreover, the existing references can be misleading. Section 63.60(b)(1) cross-references the definition of public coast stations in § 80.5 that is simply a general description applicable to *all* public coast stations, without any indication of the limitation for the purposes of part 63 to only such stations providing international service. Section 63.60(c) includes public coast stations in defining "[e]mergency discontinuance, reduction, or impairment of service" and specifies a "reasonable time" for outage of public coast stations, at the same time pertinent rule provisions applicable to international service are in § 63.25 (Special provisions relating to temporary or emergency service by international carriers). We specifically seek comment on whether the public coast stations provision of § 63.60(c) conflicts with § 63.25 and should be deleted or modified, or whether it should be retained. Also, is there any need to retain or value in retaining the provision in § 63.60(c), given the operations-specific regulations governing public coast stations in part 80? These regulations include § 80.471 (discontinuance or impairment or service of public coast stations), § 80.47 (operation during emergency), § 80.90 (suspension of transmission), §§ 80.105 and 80.106 (communication obligations of public coast stations), § 80.121(b)(1) (watch requirement for public coast

stations when using telegraphy) and subpart G of part 80 (safety watch requirements and procedures for public coast stations).

116. We seek comment on these proposed modifications, as well as any specific suggestions of other modifications or alternatives that would enhance the clarity of the rules on impairment or discontinuance of service of public coast stations.

6. Other Issues

117. We seek general comment on any other potential revisions to our section 214 discontinuance regulations that might help facilitate the transition to next-generation networks and advanced communications services. We also seek comment on any other Federal, state, or local requirements that inhibit or impede the transition to next-generation networks and services. For example, are there any state or local requirements that would conflict with the Commission's goals of accelerating this transition by, for example, compelling carriers to continue providing legacy voice service or preventing carriers from discontinuing such service? If so, how can the Commission address such obstacles?

II. Initial Regulatory Flexibility Analysis

118. As required by the Regulatory Flexibility Act of 1980, as amended (RFA) the Federal Communications Commission (Commission) has prepared this Initial Regulatory Flexibility Analysis (IRFA) of the policies and rules proposed in this document assessing the possible significant economic impact on a substantial number of small entities. The Commission requests written public comments on this IRFA. Comments must be identified as responses to the IRFA and must be filed by the deadlines for comments specified on the first page of the document. The Commission will send a copy of the document, including this IRFA, to the Chief Counsel for Advocacy of the Small Business Administration (SBA). In addition, the document and IRFA (or summaries thereof) will be published in the **Federal Register**.

A. Need for, and Objectives of, the Proposed Rules

119. The document seeks to eliminate regulatory burdens in an effort to encourage providers to build, maintain, and upgrade their networks to ensure that all consumers can benefit from today's advanced communication services. Over the course of time, changes in the communications marketplace have altered how providers

deliver services to consumers. To reduce regulatory burdens that hinder providers from investing in and deploying next-generation networks, we propose to eliminate all filing requirements in the Commission's network change disclosure rules by codifying the Wireline Competition Bureau's (the Bureau) *NCD Waiver Order*. Alternatively, we seek comment on whether the communications marketplace is sufficiently competitive such that incumbent local exchange carriers (LECs) no longer exert monopoly control over the Nation's communications networks, and forbearing from the Commission's network change disclosure rules altogether. The document next proposes to simplify the discontinuance process for technology transitions discontinuance applications by consolidating rules governing discontinuance applications into one rule. We seek comment on alternative actions, such as granting forbearance from discontinuance obligations or through a targeted revision of our rules, including codifying relief granted by the Bureau.

120. We next provide options for further revision of the Commission's rules implementing the discontinuance requirements imposed by section 214(a) of the Act. We propose to eliminate the requirement that a carrier seeking to grandfather a legacy service file an application with the Commission and alternatively seek comment on extending this relief to the grandfathering of any service. We also seek comment on forbearing from all discontinuance requirements for all lower-speed data telecommunications services. Further, we propose to expand the 31-day automatic grant period applicable to applications to discontinue a service for which the discontinuing carrier is non-dominant to extend to all discontinuance applications eligible for streamlined processing regardless of carrier classification. In addition, we seek comment on granting forbearance from the requirement that domestic carriers seeking to discontinue a service notify the relevant state Governor and Secretary of Defense. We also seek comment on revising the emergency discontinuance requirements under § 63.63 and requests made under that rule for permanent discontinuance. Lastly, we propose to eliminate various discontinuance rules that are outdated or redundant.

B. Legal Basis

121. The proposed action is authorized pursuant to sections 1–4,

214(a), 251(c)(5) of the Communications Act of 1934, as amended, 47 U.S.C. 151–54, 214(a), 251(c)(5).

C. Description and Estimate of the Number of Small Entities to Which the Proposed Rules Will Apply

122. The RFA directs agencies to provide a description of and, where feasible, an estimate of the number of small entities that may be affected by the proposed rules, if adopted. The RFA generally defines the term “small entity” as having the same meaning as the terms “small business,” “small organization,” and “small governmental jurisdiction.” In addition, the term “small business” has the same meaning as the term “small business concern” under the Small Business Act.” A “small business concern” is one which: (1) is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the SBA.

123. *Small Businesses, Small Organizations, Small Governmental Jurisdictions.* Our actions, over time, may affect small entities that are not easily categorized at present. We therefore describe three broad groups of small entities that could be directly affected by our actions. First, while there are industry specific size standards for small businesses that are used in the regulatory flexibility analysis, in general, a small business is an independent business having fewer than 500 employees. These types of small businesses represent 99.9% of all businesses in the United States, which translates to 34.75 million businesses. Next, “small organizations” are not-for-profit enterprises that are independently owned and operated and not dominant in their field. While we do not have data regarding the number of non-profits that meet that criteria, over 99 percent of nonprofits have fewer than 500 employees. Finally, “small governmental jurisdictions” are defined as cities, counties, towns, townships, villages, school districts, or special districts with populations of less than fifty thousand. Based on the 2022 U.S. Census of Governments data, we estimate that at least 48,724 out of 90,835 local government jurisdictions have a population of less than 50,000.

1. Internet Access Service Providers

124. *Wired Broadband internet Access Service Providers (Wired ISPs).* Providers of wired broadband internet access service include various types of providers except dial-up internet access providers. Wireline service that terminates at an end user location or

mobile device and enables the end user to receive information from and/or send information to the internet at information transfer rates exceeding 200 kilobits per second (kbps) in at least one direction is classified as a broadband connection under the Commission's rules. Wired broadband internet services fall in the Wired Telecommunications Carriers industry. The SBA small business size standard for this industry classifies firms having 1,500 or fewer employees as small. U.S. Census Bureau data for 2017 show that there were 3,054 firms that operated in this industry for the entire year. Of this number, 2,964 firms operated with fewer than 250 employees.

125. Additionally, according to Commission data on internet access services as of June 30, 2024, nationwide there were approximately 2,204 providers of connections over 200 kbps in at least one direction using various wireline technologies. The Commission does not collect data on the number of employees for providers of these services, therefore, at this time we are not able to estimate the number of providers that would qualify as small under the SBA's small business size standard. However, in light of the general data on fixed technology service providers in the Commission's *2024 Communications Marketplace Report*, we believe that the majority of wireline internet access service providers can be considered small entities.

126. *Internet Service Providers (Non-Broadband)*. Internet access service providers using client-supplied telecommunications connections (e.g., dial-up ISPs) as well as VoIP service providers using client-supplied telecommunications connections fall in the industry classification of All Other Telecommunications. The SBA small business size standard for this industry classifies firms with annual receipts of \$40 million or less as small. For this industry, U.S. Census Bureau data for 2017 show that there were 1,079 firms in this industry that operated for the entire year. Of those firms, 1,039 had revenue of less than \$25 million. Consequently, under the SBA size standard a majority of firms in this industry can be considered small.

2. Wireline Service Providers

127. *Wired Telecommunications Carriers*. The U.S. Census Bureau defines this industry as establishments primarily engaged in operating and/or providing access to transmission facilities and infrastructure that they own and/or lease for the transmission of voice, data, text, sound, and video using wired communications networks.

Transmission facilities may be based on a single technology or a combination of technologies. Establishments in this industry use the wired telecommunications network facilities that they operate to provide a variety of services, such as wired telephony services, including VoIP services, wired (cable) audio and video programming distribution, and wired broadband internet services. By exception, establishments providing satellite television distribution services using facilities and infrastructure that they operate are included in this industry. Wired Telecommunications Carriers are also referred to as wireline carriers or fixed local service providers.

128. The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small. U.S. Census Bureau data for 2017 show that there were 3,054 firms that operated in this industry for the entire year. Of this number, 2,964 firms operated with fewer than 250 employees. Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 4,590 providers that reported they were engaged in the provision of fixed local services. Of these providers, the Commission estimates that 4,146 providers have 1,500 or fewer employees. Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

129. *Local Exchange Carriers (LECs)*. Neither the Commission nor the SBA has developed a size standard for small businesses specifically applicable to local exchange services. Providers of these services include both incumbent and competitive local exchange service providers. Wired Telecommunications Carriers is the closest industry with an SBA small business size standard. Wired Telecommunications Carriers are also referred to as wireline carriers or fixed local service providers. The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small. U.S. Census Bureau data for 2017 show that there were 3,054 firms that operated in this industry for the entire year. Of this number, 2,964 firms operated with fewer than 250 employees. Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 4,590 providers that reported they were fixed local exchange service providers. Of these providers, the Commission estimates that 4,146 providers have

1,500 or fewer employees. Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

130. *Incumbent Local Exchange Carriers (Incumbent LECs)*. Neither the Commission nor the SBA have developed a small business size standard specifically for incumbent local exchange carriers. Wired Telecommunications Carriers is the closest industry with an SBA small business size standard. The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small. U.S. Census Bureau data for 2017 show that there were 3,054 firms in this industry that operated for the entire year. Of this number, 2,964 firms operated with fewer than 250 employees. Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 1,212 providers that reported they were incumbent local exchange service providers. Of these providers, the Commission estimates that 916 providers have 1,500 or fewer employees. Consequently, using the SBA's small business size standard, the Commission estimates that the majority of incumbent local exchange carriers can be considered small entities.

131. *Competitive Local Exchange Carriers (CLECs)*. Neither the Commission nor the SBA has developed a size standard for small businesses specifically applicable to local exchange services. Providers of these services include several types of competitive local exchange service providers. Wired Telecommunications Carriers is the closest industry with a SBA small business size standard. The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small. U.S. Census Bureau data for 2017 show that there were 3,054 firms that operated in this industry for the entire year. Of this number, 2,964 firms operated with fewer than 250 employees. Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 3,378 providers that reported they were competitive local service providers. Of these providers, the Commission estimates that 3,230 providers have 1,500 or fewer employees. Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

132. *Interexchange Carriers (IXCs)*. Neither the Commission nor the SBA have developed a small business size standard specifically for Interexchange Carriers. Wired Telecommunications Carriers is the closest industry with a SBA small business size standard. The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small. U.S. Census Bureau data for 2017 show that there were 3,054 firms that operated in this industry for the entire year. Of this number, 2,964 firms operated with fewer than 250 employees. Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 127 providers that reported they were engaged in the provision of interexchange services. Of these providers, the Commission estimates that 109 providers have 1,500 or fewer employees. Consequently, using the SBA's small business size standard, the Commission estimates that the majority of providers in this industry can be considered small entities.

133. *Operator Service Providers (OSPs)*. Neither the Commission nor the SBA has developed a small business size standard specifically for operator service providers. The closest applicable industry with a SBA small business size standard is Wired Telecommunications Carriers. The SBA small business size standard classifies a business as small if it has 1,500 or fewer employees. U.S. Census Bureau data for 2017 show that there were 3,054 firms in this industry that operated for the entire year. Of this number, 2,964 firms operated with fewer than 250 employees. Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 20 providers that reported they were engaged in the provision of operator services. Of these providers, the Commission estimates that all 20 providers have 1,500 or fewer employees. Consequently, using the SBA's small business size standard, all of these providers can be considered small entities.

134. *Other Toll Carriers*. Neither the Commission nor the SBA has developed a definition for small businesses specifically applicable to Other Toll Carriers. This category includes toll carriers that do not fall within the categories of interexchange carriers, operator service providers, prepaid calling card providers, satellite service carriers, or toll resellers. Wired Telecommunications Carriers is the closest industry with a SBA small business size standard. The SBA small

business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small. U.S. Census Bureau data for 2017 show that there were 3,054 firms in this industry that operated for the entire year. Of this number, 2,964 firms operated with fewer than 250 employees. Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 90 providers that reported they were engaged in the provision of other toll services. Of these providers, the Commission estimates that 87 providers have 1,500 or fewer employees. Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

3. Wireless Providers—Fixed and Mobile

135. *Wireless Telecommunications Carriers (except Satellite)*. This industry comprises establishments engaged in operating and maintaining switching and transmission facilities to provide communications via the airwaves. Establishments in this industry have spectrum licenses and provide services using that spectrum, such as cellular services, paging services, wireless internet access, and wireless video services. The SBA size standard for this industry classifies a business as small if it has 1,500 or fewer employees. U.S. Census Bureau data for 2017 show that there were 2,893 firms in this industry that operated for the entire year. Of that number, 2,837 firms employed fewer than 250 employees. Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 594 providers that reported they were engaged in the provision of wireless services. Of these providers, the Commission estimates that 511 providers have 1,500 or fewer employees. Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

136. *Wireless Communications Services*. Wireless Communications Services (WCS) can be used for a variety of fixed, mobile, radiolocation, and digital audio broadcasting satellite services. Wireless spectrum is made available and licensed for the provision of wireless communications services in several frequency bands subject to Part 27 of the Commission's rules. Wireless Telecommunications Carriers (*except Satellite*) is the closest industry with an SBA small business size standard applicable to these services. The SBA

small business size standard for this industry classifies a business as small if it has 1,500 or fewer employees. U.S. Census Bureau data for 2017 show that there were 2,893 firms that operated in this industry for the entire year. Of this number, 2,837 firms employed fewer than 250 employees. Thus under the SBA size standard, the Commission estimates that a majority of licensees in this industry can be considered small.

137. The Commission's small business size standards with respect to WCS involve eligibility for bidding credits and installment payments in the auction of licenses for the various frequency bands included in WCS. When bidding credits are adopted for the auction of licenses in WCS frequency bands, such credits may be available to several types of small businesses based average gross revenues (small, very small and entrepreneur) pursuant to the competitive bidding rules adopted in conjunction with the requirements for the auction and/or as identified in the designated entities section in Part 27 of the Commission's rules for the specific WCS frequency bands.

138. In frequency bands where licenses were subject to auction, the Commission notes that as a general matter, the number of winning bidders that qualify as small businesses at the close of an auction does not necessarily represent the number of small businesses currently in service. Further, the Commission does not generally track subsequent business size unless, in the context of assignments or transfers, unjust enrichment issues are implicated. Additionally, since the Commission does not collect data on the number of employees for licensees providing these services, at this time we are not able to estimate the number of licensees with active licenses that would qualify as small under the SBA's small business size standard.

139. *All Other Telecommunications*. This industry is comprised of establishments primarily engaged in providing specialized telecommunications services, such as satellite tracking, communications telemetry, and radar station operation. This industry also includes establishments primarily engaged in providing satellite terminal stations and associated facilities connected with one or more terrestrial systems and capable of transmitting telecommunications to, and receiving telecommunications from, satellite systems. Providers of internet services (*e.g.* dial-up ISPs) or Voice over internet Protocol (VoIP) services, via client-supplied telecommunications connections are also included in this

industry. The SBA small business size standard for this industry classifies firms with annual receipts of \$40 million or less as small. U.S. Census Bureau data for 2017 show that there were 1,079 firms in this industry that operated for the entire year. Of those firms, 1,039 had revenue of less than \$25 million. Based on this data, the Commission estimates that the majority of “All Other Telecommunications” firms can be considered small.

D. Description of Economic Impact and Projected Reporting, Recordkeeping, and Other Compliance Requirements for Small Entities

140. The RFA directs agencies to describe the economic impact of proposed rules on small entities, as well as projected reporting, recordkeeping and other compliance requirements, including an estimate of the classes of small entities which will be subject to the requirements and the type of professional skills necessary for preparation of the report or record.

141. The document seeks comment on proposals that we expect will reduce reporting, recordkeeping, and other compliance requirements if adopted, as small and other carriers would then be subject to fewer regulatory burdens. In the document, we first propose to eliminate all filing requirements in the Commission’s network change disclosure rules. We seek comment on forbearing from all of the Commission’s network change disclosure rules instead, including whether carriers should remain obligated to provide public notice of network changes or copper retirement. We then examine our rules governing the section 214(a) discontinuance process, with the goal of expediting the transition from legacy services to next-generation IP networks, as well as eliminating unnecessary burdens and costs on carriers. We propose to simplify technology discontinuance applications by consolidating existing rules governing the applications to one rule. Upon application, carriers would be able to discontinue service so long as they could certify that one of the following replacement services are available in the affected service area: (1) a facilities-based interconnected VoIP service; (2) a facilities-based mobile wireless service; (3) a voice service offered pursuant to an obligation from one of the Commission’s modernized high-cost support programs; (4) a voice service deployed by the applicant in the affected area for six months, and for which the carrier has at least a certain number of existing subscribers; or (5) a widely adopted alternative voice service. We seek

comment on our expectation that these four alternatives are adequate replacements for purposes of eligibility for streamlined processing. We also seek comment on two alternatives to this approach, (1) eliminating the Adequate Replacement Test and Alternative Options test and the technology transition discontinuance distinction; or (2) forbearing from discontinuance obligations.

142. Next, we seek comment on a number of ways in which we might further revise our discontinuance requirements, all of which would reduce reporting and compliance requirements for small entities. This would include eliminating the requirement that a discontinuation application show that a replacement service offers interoperability and compatibility with an enumerated list of applications and functionalities determined to be key for consumers and competitors. We also seek comment on whether to codify the waiver of rules requiring carriers to provide a “stand-alone” voice service to customers which would not require them to purchase a separate broadband service to access the voice service. We further propose to eliminate the requirement that a carrier seeking to grandfather a legacy service file a 214(a) discontinuance application and seek comment on extending this relief to all situations in which a carrier seeks to grandfather any service. We next seek comment on whether to grant forbearance from the requirement that carriers seeking to discontinue service notify the Secretary of Defense and relevant state Governor. The document also proposes to eliminate the distinction between dominant and non-dominant carriers related to discontinuance applications, expanding the 31-day automatic grant period to include any domestic carrier who submits a request to discontinue any service. Lastly, concerning reporting, recordkeeping, and compliance requirements, we seek comment on granting forbearance to carriers the previously filed for emergency discontinuance authority under § 63.63 of the Commission’s rules, where the carrier has had no customers for the service during the preceding 60 days.

143. We expect that the proposals in the document will decrease regulatory burdens on small and other carriers by eliminating many of the reporting and recordkeeping obligations mentioned above. While we do not anticipate that these carriers will need to hire professionals to comply with the proposals herein, we request comments specific to any potential burdens or

costs small entities may incur in connection with these requirements.

E. Discussion of Significant Alternatives Considered That Minimize the Significant Economic Impact on Small Entities

144. The RFA directs agencies to provide a description of any significant alternatives to the proposed rules that would accomplish the stated objectives of applicable statutes, and minimize any significant economic impact on small entities. The discussion is required to include alternatives such as: “(1) the establishment of differing compliance or reporting requirements or timetables that take into account the resources available to small entities; (2) the clarification, consolidation, or simplification of compliance and reporting requirements under the rule for such small entities; (3) the use of performance rather than design standards; and (4) an exemption from coverage of the rule, or any part thereof, for such small entities.”

145. The document seeks comment on proposals and alternatives that we expect will positively impact small entities. We seek comment on several alternatives to remove regulatory barriers and simplify requirements so that carriers can develop and deploy next-generation networks capable of supporting the advanced communication services available today, such as forbearing from the Commission’s network change disclosure rules altogether. This would eliminate the need for small and other providers to comply with the current filing and notice requirements for a network change under the Commission’s rules. Regarding technology discontinuance applications, we seek comment on the alternatives of forbearing from discontinuance obligations under section 214(a) and the Commission’s rules or revising the Commission’s rules through codifying relief previously granted by the Bureau to entities that sought assistance. We also propose to replace both the Adequate Replacement Test and the Alternative Options Test with one consolidated rule applicable to all technology transitions discontinuance applications, and seek comment this approach, or alternatives such as targeted revisions to these tests instead.

146. To further revise the Commission’s discontinuance rules, we seek comment on the alternative of eliminating the need to file a section 214(a) discontinuance application in all situations in which a carrier intends to grandfather any service, instead of the current process which requires

Commission authorization. We also consider whether we should forbear from all section 214(a) discontinuance requirements for all lower-speed data telecommunications services, including whether notice should be required to consumers or the Commission and if so, what form that notice should take. The document also considers whether to eliminate the distinction between dominant and non-dominant carriers for purposes of discontinuance applications, and requests comment on the alternative of expanding the current 31-day automatic grant period for non-dominant carriers to include any domestic carrier who submits a request to discontinue any service. We also request comment on whether to grant forbearance from the requirement that carriers seeking to discontinue a service provide notice to both the Governor of the affected state and to the Secretary of Defense. In addition, we seek comment on alternatives to revising the emergency discontinuance requirements under § 63.63 and requests made under that rule for permanent discontinuance. Lastly, we propose a number of alternatives to eliminate various discontinuance rules that are outdated or redundant given the current communications marketplace. We seek comment on whether any of the burdens associated with alternatives that alter current filing, recordkeeping, and reporting requirements described in the document can be further minimized to lessen economic impact on small entities.

147. The Commission will fully consider the economic impact on small entities as it evaluates the comments filed in response to the document, including comments related to costs and benefits. Alternative proposals and approaches from commenters will further develop the record and could help the Commission further minimize the economic impact on small entities. The Commission's evaluation of the comments filed in this proceeding will shape the final conclusions it reaches, the final alternatives it considers, and the actions it ultimately takes to minimize any significant economic impact that may occur on small entities from the final rules.

F. Federal Rules That May Duplicate, Overlap, or Conflict With the Proposed Rules

148. None.

III. Ordering Clauses

149. Accordingly, *It Is Ordered* that pursuant to sections 1–4, 214(a), 251(c)(5) of the Communications Act of

1934, as amended, 47 U.S.C. 151–54, 214(a), 251(c)(5), this document hereby *is adopted*.

150. *It is further ordered* that the Commission's Office of the Secretary, *shall send* a copy of this document, including the Initial Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration.

List of Subjects

47 CFR Part 51

Communications, Communications common carriers, Telecommunications, Telephone.

47 CFR Part 63

Authority delegations (government agencies), Cable television, Communications, Communications common carriers, Organization and functions (Government agencies), Radio, Reporting and recordkeeping requirements, Telegraph, Telephone.

Federal Communications Commission.

Katura Jackson,

Federal Register Liaison Officer, Office of the Secretary.

Proposed Rules

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR parts 51 and 63 as follows:

PART 51—INTERCONNECTION

■ 1. The authority citation for part 51 continues to read as follows:

Authority: 47 U.S.C. 151–55, 201–05, 207–09, 218, 225–27, 251–52, 271, 332 unless otherwise noted.

■ 2. Amend § 51.329 by removing paragraph (c) and revising the introductory text of paragraph (a) to read as follows:

§ 51.329 Notice of network changes: Methods for providing notice.

(a) An incumbent LEC shall provide the required notice to the public of network changes through industry fora, industry publications, or the carrier's publicly accessible internet site.

* * * * *

■ 3. Amend § 51.333 by revising paragraphs (a) and (b) to read as follows:

§ 51.333 Notice of network changes: Short-term network changes and copper retirement.

(a) *Direct notice.* If an incumbent LEC wishes to provide less than six months' notice of planned network changes, or provide notice of a planned copper retirement, the incumbent LEC must

serve a copy of its public notice upon each telephone exchange service provider that directly interconnects with the incumbent LEC's network, provided that, with respect to copper retirement notices, such service may be made by postings on the incumbent LEC's website if the directly interconnecting telephone exchange service provider has agreed to receive notice by website postings. An incumbent LEC must provide the required direct notice of a planned copper retirement at least ninety days prior to implementation.

(b) *Limited exemption from advance notice and timing requirements—*

(1) *Force majeure events.*

(i) Notwithstanding the requirements of this section, if in response to a force majeure event, an incumbent LEC invokes its disaster recovery plan, the incumbent LEC will be exempted during the period when the plan is invoked (up to a maximum 180 days) from all advanced notice requirements under this section associated with network changes that result from or are necessitated as a direct result of the force majeure event.

(ii) As soon as practicable, during the exemption period, the incumbent LEC must continue to comply with § 51.325(a), include in its public notice the date on which the carrier invoked its disaster recovery plan, and must communicate with other directly interconnected telephone exchange service providers to ensure that such carriers are aware of any changes being made to their networks that may impact those carriers' operations.

(2) *Other events outside an incumbent LEC's control.*

(i) Notwithstanding the requirements of this section, if in response to circumstances outside of its control other than a force majeure event addressed in paragraph (b)(1) of this section, an incumbent LEC cannot comply with the timing requirement set forth in paragraph (a)(1), the incumbent LEC must give notice of the network change as soon as practicable.

(ii) A short-term network change or copper retirement notice subject to paragraph (b)(2) of this section must include a brief explanation of the circumstances necessitating the reduced waiting period and how the incumbent LEC intends to minimize the impact of the reduced waiting period on directly interconnected telephone exchange service providers.

* * * * *

PART 63—EXTENSION OF LINES, NEW LINES, AND DISCONTINUANCE, REDUCTION, OUTAGE AND IMPAIRMENT OF SERVICE BY COMMON CARRIERS; AND GRANTS OF RECOGNIZED PRIVATE OPERATING AGENCY STATUS

■ 4. The authority citation for part 63 continues to read as follows:

Authority: Sections 1, 4(i), 4(j), 10, 11, 201–205, 214, 218, 403 and 651 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), 154(j), 160, 201–205, 214, 218, 403, and 571, unless otherwise noted.

■ 5. Amend § 63.19 by revising the introductory text of paragraph (a) and paragraph (b) to read as follows:

(a) With the exception of those international carriers described in paragraphs (b) and (c) of this section, any international carrier that seeks to discontinue, reduce, or impair service, including the retiring of international facilities, dismantling or removing of international trunk lines, shall be subject to the following procedures in lieu of those specified in §§ 63.61 through 63.505:

(b) The following procedures shall apply to any international carrier that the Commission has classified as dominant in the provision of a particular international service because the carrier possesses market power in the provision of that service on the U.S. end of the route. Any such carrier that seeks to retire international facilities, dismantle or remove international trunk lines, but does not discontinue, reduce or impair the dominant services being provided through these facilities, shall only be subject to the notification requirements of paragraph (a) of this section. If such carrier discontinues, reduces or impairs the dominant service, or retires facilities that impair or reduce the service, the carrier shall file an application pursuant to §§ 63.62 and 63.505.

■ 6. Amend § 63.60 by revising paragraphs (a), (b)(1) and (2), (c), and (f) to read as follows:

§ 63.60 Definitions.

(a) For the purposes of §§ 63.60 through 63.71, the term “carrier,” when used to refer either to all telecommunications carriers or more specifically to non-dominant telecommunications carriers, shall include interconnected VoIP providers.

(b) * * *

(1) The closure by a carrier of a telephone exchange rendering interstate or foreign telephone toll service;

(2) The reduction in hours of service by a carrier at a telephone exchange rendering interstate or foreign telephone toll service; the term *reduction in hours of service* does not include a shift in hours which does not result in any reduction in the number of hours of service;

(c) *Emergency discontinuance, reduction, or impairment of service* means any discontinuance, reduction, or impairment of the service of a carrier occasioned by conditions beyond the control of such carrier where the original service is not restored or comparable service is not established within a reasonable time. For the purpose of this part, a reasonable time shall be deemed to be a period not in excess of 60 days.

(f) For the purposes of §§ 63.60 through 63.71, the term “service,” when used to refer to a real-time, two-way voice communications service, shall include interconnected VoIP service as that term is defined in § 9.3 of this chapter but shall not include any interconnected VoIP service that is a “mobile service” as defined in § 20.3 of this chapter.

■ 7. Amend § 63.62 by revising the introductory paragraph and paragraphs (a), (b), (d), and (e) to read as follows:

§ 63.62 Type of discontinuance, reduction, or impairment of telephone service requiring formal application.

Authority for the following types of discontinuance, reduction, or impairment of service shall be requested by formal application containing the information required by the Commission in the appropriate sections to this part, including § 63.505, except as provided in paragraph (d) of this section, or in emergency cases (as defined in § 63.60(b)) as provided in § 63.63:

(a) The dismantling or removal of a trunk line for all domestic carriers and for dominant international carriers except as modified in § 63.19;

(b) The severance of physical connection or the termination or suspension of the interchange of traffic with another carrier;

(d) The closure of a public toll station where no other such toll station of the

applicant in the community will continue service: *Provided, however*, That no application shall be required under this part with respect to the closure of a toll station located in a community where telephone toll service is otherwise available to the public through a telephone exchange connected with the toll lines of a carrier;

(e) Any other type of discontinuance, reduction, or impairment of telephone service not specifically provided set forth in paragraphs (a) through (d) of this section;

■ 8. Amend § 63.63 by revising the introductory text of paragraph (a) and adding a sentence to paragraph (b) to read as follows:

§ 63.63 Emergency discontinuance, reduction or impairment of service.

(a) Application for authority for emergency discontinuance, reduction, or impairment of service shall be made by electronically filing an informal request through the “Submit a Non-Docketed Filing” module of the Commission’s Electronic Comment Filing System. Such requests shall be made as soon as practicable but not later than 65 days after the occurrence of the conditions which have occasioned the discontinuance, reduction, or impairment. The request shall make reference to this section and show the following:

(b) * * * However, the Commission may, upon specific request of the carrier and upon a proper showing, contained in such informal request or in the initial application, authorize such discontinuance, reduction, or impairment of service for an indefinite period or permanently; except that the carrier may permanently discontinue, reduce, or impair a service, upon the filing of a certification showing that (1) it has received authority for emergency discontinuance, reduction, or impairment; (2) it has had no customers or reasonable requests for service during the 60-day period immediately preceding the stated planned permanent discontinuance date; and (3) a comparable service is available in the affected service areas.

§ 63.66 [Removed]

■ 9. Remove § 63.66.

■ 10. Amend § 63.71 by revising the introductory text of paragraph (a) and paragraphs (a)(5), (f)(1) and (2), and (i) to read as follows:

§ 63.71 Procedures for discontinuance, reduction or impairment of service by domestic carriers.

(a) The carrier shall notify all affected customers of the planned discontinuance, reduction, or impairment of service and shall notify and submit a copy of its application to the public utility commission of the State in which the discontinuance, reduction, or impairment of service is proposed and to any federally-recognized Tribal Nations with authority over the Tribal lands in which the discontinuance, reduction, or impairment of service is proposed. A notice shall be in writing to each affected customer unless the Commission authorizes in advance, for good cause shown, another form of notice. For purposes of this section, notice by email constitutes notice in writing. The notice shall include the following:

* * * * *

(5) The notice shall state:

The FCC will normally authorize this proposed discontinuance of service (or reduction or impairment) unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the Commission releases public notice of the proposed discontinuance. You may file your comments electronically through the FCC's Electronic Comment Filing System using the docket number established in the Commission's public

notice for this proceeding, or you may address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the § 63.71 Application of (carrier's name). Comments should include specific information about the impact of this proposed discontinuance (or reduction or impairment) upon you or your company, including any inability to acquire reasonable substitute service.

* * * * *

(f)

(1) The application to discontinue, reduce, or impair service that does not constitute a technology transition or, if constituting a technology transition, meets the requirements of paragraph (f)(2) of this section, shall be automatically granted on the 31st day after its filing with the Commission without any Commission notification to the applicant unless the Commission has notified the applicant that the grant will not be automatically effective. For purposes of this section, an application will be deemed filed on the date the Commission releases public notice of the filing.

(2) An application to discontinue, reduce, or impair an existing retail service as part of a technology transition, as defined in § 63.60(f), may be automatically granted only if the applicant certifies that at least one of the following types of services, exists throughout the affected service area:

(i) a facilities-based interconnected VoIP service, as defined in § 9.3 of this chapter;

(ii) a facilities-based mobile voice wireless service;

(iii) a voice service offered pursuant to an obligation from one of the Commission's modernized high-cost support programs;

(iv) a voice service that has been available from the applicant in the affected service area for a period of at least six months, and to which at least 50 percent of the carrier's total voice service customer base in the affected area are subscribed; or

(v) a widely adopted alternative service.

* * * * *

(i) Notwithstanding any other provision of this section, a carrier is not required to file an application to grandfather a legacy voice or lower-speed data telecommunications service, or an interconnected VoIP service provisioned over copper wire. For purposes of this section, a lower-speed data telecommunications service is a data telecommunications service operating at speeds below 25/3 Mbps.

§ 63.90 [Removed]

■ 11. Remove § 63.90.

§ 63.100 [Removed]

■ 12. Remove § 63.100.

§ 63.504 [Removed]

■ 13. Remove § 63.504.

§ § 63.601 and 63.602 [Removed]

■ 14. Remove §§ 63.601 and 63.602.

[FR Doc. 2025-16540 Filed 8-27-25; 8:45 am]

BILLING CODE 6712-01-P

Notices

Federal Register

Vol. 90, No. 165

Thursday, August 28, 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

Foreign Agricultural Service

Notice of Request for a Revision of a Currently Approved Information Collection

AGENCY: Foreign Agricultural Service, USDA.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces that the Foreign Agricultural Service (FAS) intends to request a revision of a currently approved information collection for the Refined Sugar Re-Export Program, the Sugar-Containing Products Re-Export Program, and the Polyhydric Alcohol Program.

DATES: Comments should be received on or before October 27, 2025 to be assured of consideration.

ADDRESSES: FAS invites interested persons to submit comments on this notice by any of the following methods:

☐ *Federal eRulemaking Portal:* This website provides the ability to type short comments directly into the comment field or attach a file for lengthier comments. Go to <https://www.regulations.gov>. Follow the on-line instructions at the site for submitting comments.

☐ *Email:* FAS.Sugars@usda.gov. Include OMB Number 0551-0015 in the subject line of the message.

☐ *Mail, hand delivery, or courier:* Sugar Import Program, Multilateral Affairs Division, Trade Policy and Geographic Affairs, Foreign Agricultural Service, U.S. Department of Agriculture, Room 5550, Stop 1070, 1400 Independence Ave. SW, Washington, DC 20250-1070.

Instructions: All submissions received must include the agency names and OMB Control Number for this notice. All comments received will be posted

without change to <http://www.regulations.gov>, including any personal information provided.

FOR FURTHER INFORMATION CONTACT:

Email at: FAS.Sugars@usda.gov.

SUPPLEMENTARY INFORMATION:

Title: Sugar Imported for Export as Refined Sugar or as Sugar-Containing Products or used in the Production of Certain Polyhydric Alcohols.

OMB Number: 0551-0015.

Expiration Date of Approval: September 30, 2025.

Type of Request: Revision of a currently approved information collection.

Abstract: As provided in 7 CFR part 1530, the Refined Sugar Re-Export Program, the Sugar-Containing Products Re-Export Program, and the Polyhydric Alcohol Program Sugar Re-Export Program, collectively referred to as the “Sugar Re-Export Program,” permit entry of raw cane sugar, unrestricted by the quantitative limit established by the sugar tariff-rate quota, for re-export in refined form or in sugar containing products or for production of certain polyhydric alcohols. As many as 130 licensees are currently eligible to participate in these programs. In 2024, the Foreign Agricultural Service (FAS) launched a new data reporting system called Sugar Unified Certification Review, Oversight, Statistics, and Evaluation (SUCROSE) for the Sugar Re-Export Program, which has led to a slight increase in initial reporting burden for licensees compared to the now decommissioned Sugars Users Group Accounting and Reporting System (SUGARS) due to a new account creation process required to access SUCROSE.

Estimate of Burden: The public reporting burden for each respondent resulting from information collection under the Sugar Re-Export Program varies in direct relation to the number and type of agreements entered by such respondent. The estimated average reporting burden for the Sugar Re-Export Program is 0.50 hours per response. Under 7 CFR part 1530, the information collected is used by the licensing authority to manage, plan, evaluate, and account for program activities. The reports and records are required to ensure the proper operation of these programs.

Respondents: Sugar refiners, manufacturers of sugar containing

products, and producers of polyhydric alcohol.

Estimated Number of Respondents: 129.

Estimated Number of Responses per Respondent: 9.

Estimated Total Annual Burden on Respondents: 598 hours.

Copies of this information collection can be obtained from Kenneth Vernon, the Agency Information Collection Coordinator, at kenneth.vernon@usda.gov.

Request for Comments: Send comments regarding (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency’s estimate of the burden of the collection of information including validity of the methodology and assumption used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

All comments received in response to this notice, including names and addresses when provided, will be a matter of public record. Comments will be available without change, including any personal information provided, for inspection online at <http://www.regulations.gov> and at the mail address listed above between 8:00 a.m. and 4:30 p.m., Monday through Friday, except holidays.

Comments will be summarized and included in the submission for Office of Management and Budget approval.

Persons with disabilities who require an alternative means for communication of information (Braille, large print, audiotape, etc.) should contact RARequests@usda.gov.

Jason Hafemeister,

Acting Administrator, Foreign Agricultural Service.

[FR Doc. 2025-16434 Filed 8-27-25; 8:45 am]

BILLING CODE 3410-10-P

DEPARTMENT OF AGRICULTURE**Forest Service****Boundary Establishment for Bautista Creek, Fuller Mill Creek, North Fork of the San Jacinto, and Palm Canyon Creek Wild and Scenic Rivers on the San Bernardino National Forest, Riverside County, California**

AGENCY: Forest Service, Agriculture (USDA).

ACTION: Notice of availability.

SUMMARY: The USDA Forest Service, Washington Office, in accordance with section 3(b) and section 3(d)(1) of the Wild and Scenic Rivers Act, is transmitting the final boundary of Bautista Creek, Fuller Mill Creek, North Fork of the San Jacinto, and Palm Canyon Creek Wild and Scenic Rivers to Congress.

ADDRESSES: The Bautista Creek, Fuller Mill Creek, North Fork of the San Jacinto, and Palm Canyon Creek Wild and Scenic Rivers boundary description and map are available for review at <https://www.fs.usda.gov/project/sbnf/?project=34053>. To view the documents in person, arrangements should be made in advance by contacting the office listed under **FOR FURTHER INFORMATION CONTACT**.

FOR FURTHER INFORMATION CONTACT: Information may be obtained by contacting, Carlo "Gino" San Paolo, Forest Service Regional Land Surveyor, 1323 Club Drive, Vallejo, CA 94592, by telephone at 707-562-8963, or via email at carlo.sanpaolo@usda.gov. Alternatively, contact Joseph Martin via email at joseph.martin@usda.gov. Individuals who use telecommunications devices for the hearing impaired may call 711 to reach the Telecommunications Relay Service, 24 hours a day, every day of the year, including holidays.

Persons with disabilities who require alternative means of communication for program information (Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at 202-720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at 844-433-2774. Additionally, program information may be made available in languages other than English.

SUPPLEMENTARY INFORMATION: The Omnibus Public Land Management Act of 2009 (Pub. L. 111-11) of March 30, 2009, designated Bautista Creek, Fuller Mill Creek, North Fork of the San Jacinto, and Palm Canyon Creek Wild and Scenic Rivers, California, as

National Wild and Scenic Rivers, to be administered by the Secretary of Agriculture. As specified by law, the boundary will not be effective until ninety days after Congress receives the transmittal.

Lisa Northrop,

Associate Deputy Chief State, Private, and Tribal Forestry, National Forest System.

[FR Doc. 2025-16538 Filed 8-27-25; 8:45 am]

BILLING CODE 3411-15-P

COMMISSION ON CIVIL RIGHTS**Notice of Public Meeting of the West Virginia 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 West Virginia 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 matters related to the Committee's civil rights project.

DATES: Monday, September 22, 2025, from 2:00 p.m.-3:30 p.m. Eastern Time.

ADDRESSES: The meeting will be held via Zoom Webinar.

Registration Link (Audio/Visual):
<https://www.zoomgov.com/webinar/register/WN/RqnBOC9OryMeRMy1pZAR1A>.

Join by Phone (Audio Only): (833) 435-1820 USA Toll-Free; Meeting ID: 160 892 3662.

FOR FURTHER INFORMATION CONTACT: David Barreras, Designated Federal Officer, at dbarreras@usccr.gov or (202) 656-8937.

SUPPLEMENTARY INFORMATION: This committee meeting is available to the public through the registration link above. Any interested members of the public may listen to the meeting. An open comment period will be provided to allow members of the public to make oral comments 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 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 within 30 days following the 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) 656-8937.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Coordination Unit, as they become available, both before and after the meeting. Records of the meeting will be available via the file sharing website, <https://bit.ly/4d5LbpG>. Persons interested in the work of this Committee are directed to the Commission's website, www.usccr.gov, or may contact the Regional Programs Coordination Unit at the above phone number.

Agenda

- I. Welcome & Roll Call
- II. Civil Rights Discussion
- III. Public Comment
- IV. Next Steps
- V. Adjournment

Dated: August 25, 2025.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2025-16438 Filed 8-27-25; 8:45 am]

BILLING CODE P

COMMISSION ON CIVIL RIGHTS**Notice of Public Meetings of the Colorado Advisory Committee to the U.S. Commission on Civil Rights**

AGENCY: Commission on Civil Rights.

ACTION: Notice of public meetings.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act that the Colorado Advisory Committee (Committee) to the U.S. Commission on Civil Rights will convene two business meetings for the purpose of debriefing the Committee's recent briefings on the topic of examining campus antisemitism at three Colorado universities and determining next steps in their project.

DATES:

Wednesday, September 17, 2025, at 3:00 p.m. Mountain Time.

Wednesday, October 15, 2025, at 3:00 p.m. Mountain Time.

ADDRESSES: The meetings will be held via Zoom.

9/17/25 Meeting Link (Audio/Visual): https://www.zoomgov.com/webinar/register/WN_XXCkd2kT2-wCqofTLbDzQ.

Join by Phone (Audio Only): 1-833 435 1820 USA Toll Free; Meeting ID: 160 653 1879 #.

10/15/25 Meeting Link (Audio/Visual): https://www.zoomgov.com/webinar/register/WN_wOQQ8iMPTNmjhc1pT_XGaA.

Join by Phone (Audio Only): 1-833 435 1820 USA Toll Free; Meeting ID: 160 768 8905 #.

FOR FURTHER INFORMATION CONTACT: Ana Fortes, Designated Federal Official, at afortes@usccr.gov, or by phone at 202-681-0857.

SUPPLEMENTARY INFORMATION: Any interested member of the public may attend the meetings via the links above. Before adjourning the meetings, the committee chair will announce that any member of the public may make a brief oral statement, as time allows. Per the Federal Advisory Committee Act, public minutes of meetings will include a list of persons who are present at meetings. If joining via phone, callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Closed captioning is available by selecting "CC" in the meeting platform. To request additional accommodations, please email ebohor@usccr.gov at least 10 business days prior to each meeting.

Members of the public are entitled to submit written comments; the comments must be received in the regional office within 30 days following scheduled meetings. Written comments may be emailed to Evelyn Bohor at ebohor@usccr.gov; please include Colorado Committee in the subject line of the transmitting email. Persons who desire additional information may contact the Regional Programs Coordination Unit at 1-312-353-8311.

Records generated from these meetings may be inspected and reproduced at the Regional Programs Coordination Unit Office, as they become available, both before and after each meeting. Records of the meetings will be available via the file sharing website: <https://usccr.box.com/s/aq52obvbs8uhkx2a0198po94elwbf2vl>. 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 ebohor@usccr.gov.

Agendas

September 17 and October 15, 2025

- I. Welcome and Roll Call
- II. Discussion
- III. Discuss Next Steps
- IV. Public Comment
- V. Adjournment

Dated: August 25, 2025.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2025-16451 Filed 8-27-25; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

In the Matter of Martina Juanita Gil, 2721 E. Caldwell Street, Phoenix, AZ 85042; Order Denying Export Privileges

On October 10, 2023, in the U.S. District Court for the District of Arizona, Martina Juanita Gil ("Gil") was convicted of violating 18 U.S.C. 554(a). Specifically, Gil was convicted of smuggling one thousand (1,000) rounds of .45 caliber ammunition and two thousand (2,000) rounds of 9mm ammunition from the U.S. to Mexico. As a result of her conviction, the Court sentenced Gil to 12 months and one day of imprisonment, with credit for time served, and three years of supervised release.

Pursuant to Section 1760(e) of the Export Control Reform Act ("ECRA"),¹ the export privileges of any person who has been convicted of certain offenses, including, but not limited to, 18 U.S.C. 554, may be denied for a period of up to ten (10) years from the date of his/her conviction. 50 U.S.C. 4819(e). In addition, any Bureau of Industry and Security ("BIS") licenses or other authorizations issued under ECRA, in which the person had an interest at the time of the conviction, may be revoked. *Id.*

BIS received notice of Gil's conviction for violating 18 U.S.C. 554. As provided in Section 766.25 of the Export Administration Regulations ("EAR" or the "Regulations"), BIS provided notice and opportunity for Gil to make a written submission to BIS. 15 CFR

766.25.² BIS has not received a written submission from Gil.

Based upon my review of the record and consultations with BIS's Office of Exporter Services, including its Director, and the facts available to BIS, I have decided to deny Gil's export privileges under the Regulations for a period of five years from the date of Gil's conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which Gil had an interest at the time of her conviction.³

Accordingly, it is hereby *ordered*:

First, from the date of this Order until October 10, 2028, Martina Juanita Gil, with a last known address of 2721 E. Caldwell Street, Phoenix, AZ 85042, and when acting for or on her behalf, her successors, assigns, employees, agents or representatives ("the Denied Person"), may not directly or indirectly participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as "item") exported or to be exported from the United States that is subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, license exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or engaging in any other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or from any other activity subject to the Regulations.

Second, no person may, directly or indirectly, do any of the following:

A. Export, reexport, or transfer (in-country) to or on behalf of the Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United

² The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730-774 (2025).

³ The Director, Office of Export Enforcement, is the authorizing official for issuance of denial orders pursuant to amendments to the Regulations (85 FR 73411, November 18, 2020).

¹ ECRA was enacted on August 13, 2018, as part of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, and as amended is codified at 50 U.S.C. 4801-4852.

States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, pursuant to Section 1760(e) of ECRA and Sections 766.23 and 766.25 of the Regulations, any other person, firm, corporation, or business organization related to Gil by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

Fourth, in accordance with Part 756 of the Regulations, Gil may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of Part 756 of the Regulations.

Fifth, a copy of this Order shall be delivered to Gil and shall be published in the **Federal Register**.

Sixth, this Order is effective immediately and shall remain in effect October 10, 2028.

Steven Fisher,

Acting Director, Office of Export Enforcement.
[FR Doc. 2025-16516 Filed 8-27-25; 8:45 am]

BILLING CODE 3510-DT-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

In the Matter of Imelda Jimenez, 434 Plantano, Brownsville, TX 78521; Order Denying Export Privileges

On June 8, 2023, in the U.S. District Court for the Southern District of Texas, Imelda Jimenez (“Jimenez”) was convicted of violating 18 U.S.C. 554(a). Specifically, Jimenez was convicted of smuggling firearms from the U.S. to Mexico. As a result of her conviction, the Court sentenced Jimenez to 30 months of imprisonment and two years of supervised release.

Pursuant to Section 1760(e) of the Export Control Reform Act (“ECRA”),¹ the export privileges of any person who has been convicted of certain offenses, including, but not limited to, 18 U.S.C. 554, may be denied for a period of up to ten (10) years from the date of his/her conviction. 50 U.S.C. 4819(e). In addition, any Bureau of Industry and Security (“BIS”) licenses or other authorizations issued under ECRA, in which the person had an interest at the time of the conviction, may be revoked. *Id.*

BIS received notice of Jimenez’s conviction for violating 18 U.S.C. 554. As provided in Section 766.25 of the Export Administration Regulations (“EAR” or the “Regulations”), BIS provided notice and opportunity for Jimenez to make a written submission to BIS. 15 CFR 766.25.² BIS has not received a written submission from Jimenez.

Based upon my review of the record and consultations with BIS’s Office of Exporter Services, including its Director, and the facts available to BIS, I have decided to deny Jimenez’s export privileges under the Regulations for a period of seven years from the date of Jimenez’s conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which Jimenez had an interest at the time of her conviction.³

Accordingly, it is hereby *ordered*:

First, from the date of this Order until June 8, 2030, Imelda Jimenez, with a last known address of 434 Plantano, Brownsville, TX 78521, and when acting

¹ ECRA was enacted on August 13, 2018, as part of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, and as amended is codified at 50 U.S.C. 4801–4852.

² The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730–774 (2025).

³ The Director, Office of Export Enforcement, is the authorizing official for issuance of denial orders pursuant to amendments to the Regulations (85 FR 73411, November 18, 2020).

for or on her behalf, her successors, assigns, employees, agents or representatives (“the Denied Person”), may not directly or indirectly participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as “item”) exported or to be exported from the United States that is subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, license exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or engaging in any other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or from any other activity subject to the Regulations.

Second, no person may, directly or indirectly, do any of the following:

A. Export, reexport, or transfer (in-country) to or on behalf of the Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such

service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, pursuant to Section 1760(e) of ECRA and Sections 766.23 and 766.25 of the Regulations, any other person, firm, corporation, or business organization related to Jimenez by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

Fourth, in accordance with Part 756 of the Regulations, Jimenez may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of Part 756 of the Regulations.

Fifth, a copy of this Order shall be delivered to Jimenez and shall be published in the **Federal Register**.

Sixth, this Order is effective immediately and shall remain in effect June 8, 2030.

Steven Fisher,

Acting Director, Office of Export Enforcement.

[FR Doc. 2025-16525 Filed 8-27-25; 8:45 am]

BILLING CODE 3510-DT-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

In the Matter of Gabriel Daniel Pinnace, Inmate Number: 77450-510, FCI Oakdale II, Federal Correctional Institution, P.O. Box 5010, Oakdale, LA 71463; Order Denying Export Privileges

On May 1, 2024, in the U.S. District Court for the Middle District of Florida, Gabriel Daniel Pinnace (“Pinnace”) was convicted of violating 18 U.S.C. 554(a). Specifically, Pinnace was convicted of smuggling firearms from the U.S. to Venezuela. As a result of his conviction, the Court sentenced Pinnace to 72 months of imprisonment and three years of supervised release.

Pursuant to Section 1760(e) of the Export Control Reform Act (“ECRA”),¹ the export privileges of any person who has been convicted of certain offenses, including, but not limited to, 18 U.S.C.

554, may be denied for a period of up to ten (10) years from the date of his/her conviction. 50 U.S.C. 4819(e). In addition, any Bureau of Industry and Security (“BIS”) licenses or other authorizations issued under ECRA, in which the person had an interest at the time of the conviction, may be revoked. *Id.*

BIS received notice of Pinnace’s conviction for violating 18 U.S.C. 554. As provided in Section 766.25 of the Export Administration Regulations (“EAR” or the “Regulations”), BIS provided notice and opportunity for Pinnace to make a written submission to BIS. 15 CFR 766.25.² BIS has not received a written submission from Pinnace.

Based upon my review of the record and consultations with BIS’s Office of Exporter Services, including its Director, and the facts available to BIS, I have decided to deny Pinnace’s export privileges under the Regulations for a period of 10 years from the date of Pinnace’s conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which Pinnace had an interest at the time of his conviction.³

Accordingly, it is hereby *ordered*:

First, from the date of this Order until May 1, 2034, Gabriel Daniel Pinnace, with last known addresses of Inmate Number: 77450-510, FCI Oakdale II, Federal Correctional Institution, P.O. Box 5010, Oakdale, LA 71463, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives (“the Denied Person”), may not directly or indirectly participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as “item”) exported or to be exported from the United States that is subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, license exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or engaging

in any other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or from any other activity subject to the Regulations.

Second, no person may, directly or indirectly, do any of the following:

A. Export, reexport, or transfer (in-country) to or on behalf of the Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, pursuant to Section 1760(e) of ECRA and Sections 766.23 and 766.25 of the Regulations, any other person, firm, corporation, or business organization related to Pinnace by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

Fourth, in accordance with Part 756 of the Regulations, Pinnace may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this

¹ ECRA was enacted on August 13, 2018, as part of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, and as amended is codified at 50 U.S.C. 4801-4852.

² The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730-774 (2025).

³ The Director, Office of Export Enforcement, is the authorizing official for issuance of denial orders pursuant to amendments to the Regulations (85 FR 73411, November 18, 2020).

Order and must comply with the provisions of Part 756 of the Regulations.

Fifth, a copy of this Order shall be delivered to Pinnacle and shall be published in the **Federal Register**.

Sixth, this Order is effective immediately and shall remain in effect until May 1, 2034.

Steven Fisher,

Acting Director, Office of Export Enforcement.

[FR Doc. 2025–16522 Filed 8–27–25; 8:45 am]

BILLING CODE 3510-DT-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

In the Matter of Vladimir Kuznetsov, Inmate Number: 91806–053, FCI Allenwood Low, Federal Correctional Institution, P.O. Box 1000, White Deer, PA 17887; Order Denying Export Privileges

On April 30, 2024, in the U.S. District Court for the Eastern District of New York, Vladimir Kuznetsov (“Kuznetsov”) was convicted of violating Section 38 of the Arms Export Control Act (22 U.S.C. 2778) (“AECA”). Specifically, Kuznetsov was convicted of knowingly and willfully exporting and attempting to export from the United States to Russia without obtaining required U.S. government authorization rifle parts and accessories designated as defense articles on the United States Munitions List, to wit: one Accuracy International AICS AX MK II rifle chassis, one “H–S Precision” aluminum rifle stock, one “Kinetic Research Group” savage 180-Alpha rifle chassis, one Dakota bolt shroud, one Timney Sportsman trigger assembly, multiple firearm magazines, and other firearms accessories. As a result of his conviction, the Court sentenced Kuznetsov to 46 months in prison and two years of supervised release.

Pursuant to Section 1760(e) of the Export Control Reform Act (“ECRA”), the export privileges of any person who has been convicted of certain offenses, including, but not limited to, Section 38 of the AECA, may be denied for a period of up to ten (10) years from the date of his/her conviction. *See* 50 U.S.C. 4819(e). In addition, any Bureau of Industry and Security (“BIS”) licenses or other authorizations issued under ECRA, in which the person had an interest at the time of the conviction, may be revoked. *Id.*

BIS received notice of Kuznetsov’s conviction for violating Section 38 of the AECA. BIS provided notice and opportunity for Kuznetsov to make a

written submission to BIS, as provided in Section 766.25 of the Export Administration Regulations (“EAR” or the “Regulations”). 15 CFR 766.25.² BIS has not received a written submission from Kuznetsov.

Based upon my review of the record and consultations with BIS’s Office of Exporter Services, including its Director, and the facts available to BIS, I have decided to deny Kuznetsov’s export privileges under the Regulations for a period of 10 years from the date of Kuznetsov’s conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which Kuznetsov had an interest at the time of his conviction.³

Accordingly, it is hereby *ordered*:

First, from the date of this Order until April 30, 2034, Vladimir Kuznetsov, with a last known address of Inmate Number: 91806–053, FCI Allenwood Low, Federal Correctional Institution, P.O. Box 1000, White Deer, PA, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives (“the Denied Person”), may not directly or indirectly participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as “item”) exported or to be exported from the United States that is subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, license exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or engaging in any other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or from any other activity subject to the Regulations.

Second, no person may, directly or indirectly, do any of the following:

A. Export, reexport, or transfer (in-country) to or on behalf of the Denied

Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, pursuant to Section 1760(e) of ECRA (50 U.S.C. 4819(e)) and Sections 766.23 and 766.25 of the Regulations, any other person, firm, corporation, or business organization related to Kuznetsov by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

Fourth, in accordance with Part 756 of the Regulations, Kuznetsov may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of Part 756 of the Regulations.

Fifth, a copy of this Order shall be delivered to Kuznetsov and shall be published in the **Federal Register**.

² The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730–774 (2025).

³ The Director, Office of Export Enforcement, is the authorizing official for issuance of denial orders, pursuant to amendments to the Regulations (85 FR 73411, November 18, 2020).

Sixth, this Order is effective immediately and shall remain in effect until April 30, 2034.

Steven Fisher,

Acting Director, Office of Export Enforcement.

[FR Doc. 2025–16530 Filed 8–27–25; 8:45 am]

BILLING CODE 3510-DT-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

In the Matter of: Pedro Cruz Almeida, Jr., Inmate Number: 43804–510, FCI Beaumont, P.O. Box 26020, Bryan, TX 77720; Order Denying Export Privileges

On August 31, 2023, in the U.S. District Court for the Southern District of Texas, Pedro Cruz Almeida, Jr. (“Almeida”) was convicted of violating 18 U.S.C. 554(a) (Smuggling Goods from the United States). Specifically, Almeida was convicted of smuggling nine hundred (900) rounds of Lake City .50 caliber tracer-equipped linked ammunition, from the United States to Mexico, without the required authorization from the U.S. Department of Commerce. As a result of his conviction, the court sentenced him to 50 months in prison and three years of supervised release.

Pursuant to Section 1760(e) of the Export Control Reform Act (“ECRA”),¹ the export privileges of any person who has been convicted of certain offenses, including, but not limited to 18 U.S.C. 554(a), may be denied for a period of up to ten (10) years from the date of his/her conviction. 50 U.S.C. 4819(e). In addition, any Bureau of Industry and Security (“BIS”) licenses or other authorizations issued under ECRA, in which the person had an interest at the time of the conviction, may be revoked. *Id.*

BIS received notice of Almeida’s conviction for violating 18 U.S.C. 554(a). As provided in Section 766.25 of the Export Administration Regulations (“EAR” or the “Regulations”), BIS provided notice and opportunity for Almeida to make a written submission to BIS. 15 CFR 766.25.² BIS has not received a written submission from Almeida.

Based upon my review of the record and consultations with BIS’s Office of Exporter Services, including its

Director, and the facts available to BIS, I have decided to deny Almeida’s export privileges under the Regulations for a period of 10 years from the date of Almeida’s conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which Almeida had an interest at the time of his conviction.³

Accordingly, it is hereby *ordered*:

First, from the date of this Order until August 31, 2033, Pedro Cruz Almeida, Jr with a last known address of: Inmate Number: 43804–510, FCI Beaumont, P.O. Box 26020 Bryan, Texas 77720 and when acting for or on his behalf, his successors, assigns, employees, agents or representatives (“the Denied Person”), may not directly or indirectly participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as “item”) exported or to be exported from the United States that is subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, license exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or engaging in any other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or from any other activity subject to the Regulations.

Second, no person may, directly or indirectly, do any of the following:

A. Export, reexport, or transfer (in-country) to or on behalf of the Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, pursuant to Section 1760(e) of ECRA and Sections 766.23 and 766.25 of the Regulations, any other person, firm, corporation, or business organization related to Almeida by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

Fourth, in accordance with Part 756 of the Regulations, Almeida may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of Part 756 of the Regulations.

Fifth, a copy of this Order shall be delivered to Almeida and shall be published in the **Federal Register**.

Sixth, this Order is effective immediately and shall remain in effect until August 31, 2033.

Steven Fisher,

Acting Director, Office of Export Enforcement.

[FR Doc. 2025–16531 Filed 8–27–25; 8:45 am]

BILLING CODE 3510-DT-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

In the Matter of Guadalupe Gil, 2721 E Caldwell Street, Phoenix, AZ 85042; Order Denying Export Privileges

On November 30, 2023, in the U.S. District Court for the District of Arizona,

¹ ECRA was enacted on August 13, 2018, as part of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, and as amended is codified at 50 U.S.C. 4801–4852.

² The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730–774 (2025).

³ The Director, Office of Export Enforcement, is the authorizing official for issuance of denial orders pursuant to amendments to the Regulations (85 FR 73411, November 18, 2020).

Guadalupe (“Gil”) was convicted of violating 18 U.S.C. 554(a). Specifically, Gil was convicted of smuggling one thousand (1,000) rounds of .45 caliber ammunition and two thousand (2,000) rounds of 9mm ammunition from the U.S. to Mexico. As a result of his conviction, the Court sentenced Gil to 41 months, with credit for time served, and three years of supervised release.

Pursuant to Section 1760(e) of the Export Control Reform Act (“ECRA”),¹ the export privileges of any person who has been convicted of certain offenses, including, but not limited to, 18 U.S.C. 554, may be denied for a period of up to ten (10) years from the date of his/her conviction. 50 U.S.C. 4819(e). In addition, any Bureau of Industry and Security (“BIS”) licenses or other authorizations issued under ECRA, in which the person had an interest at the time of the conviction, may be revoked. *Id.*

BIS received notice of Gil’s conviction for violating 18 U.S.C. 554. As provided in Section 766.25 of the Export Administration Regulations (“EAR” or the “Regulations”), BIS provided notice and opportunity for Gil to make a written submission to BIS. 15 CFR 766.25.² BIS has not received a written submission from Gil.

Based upon my review of the record and consultations with BIS’s Office of Exporter Services, including its Director, and the facts available to BIS, I have decided to deny Gil’s export privileges under the Regulations for a period of 10 years from the date of Gil’s conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which Gil had an interest at the time of his conviction.³

Accordingly, it is hereby *ordered*:

First, from the date of this Order until November 30, 2033, Guadalupe Gil, with a last known address of 2721 E Caldwell Street, Phoenix, AZ 85042, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives (“the Denied Person”), may not directly or indirectly participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as “item”) exported or to be exported from the United States that is subject to the

Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, license exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or engaging in any other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or from any other activity subject to the Regulations.

Second, no person may, directly or indirectly, do any of the following:

A. Export, reexport, or transfer (in-country) to or on behalf of the Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, pursuant to Section 1760(e) of ECRA and Sections 766.23 and 766.25 of the Regulations, any other person,

firm, corporation, or business organization related to Gil by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

Fourth, in accordance with Part 756 of the Regulations, Gil may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of Part 756 of the Regulations.

Fifth, a copy of this Order shall be delivered to Gil and shall be published in the **Federal Register**.

Sixth, this Order is effective immediately and shall remain in effect November 30, 2033.

Steven Fisher,

Acting Director, Office of Export Enforcement.

[FR Doc. 2025–16523 Filed 8–27–25; 8:45 am]

BILLING CODE 3510-DT-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

In the Matter of Cesar David Piz Corona, 830 N Lamb Blvd., Space 3, Las Vegas, NV 89110; Order Denying Export Privileges

On November 17, 2023, in the U.S. District Court for the Southern District of California, Cesar David Piz Corona (“Corona”) was convicted of violating 18 U.S.C. 554(a). Specifically, Corona was convicted of smuggling a Springfield Armory XDm 9mm handgun and a Beretta M9 from the United States to Mexico. As a result of his conviction, the Court sentenced Corona to 21 months of imprisonment and three years of supervised release.

Pursuant to Section 1760(e) of the Export Control Reform Act (“ECRA”),¹ the export privileges of any person who has been convicted of certain offenses, including, but not limited to, 18 U.S.C. 554, may be denied for a period of up to ten (10) years from the date of his/her conviction. 50 U.S.C. 4819(e). In addition, any Bureau of Industry and Security (“BIS”) licenses or other authorizations issued under ECRA, in which the person had an interest at the time of the conviction, may be revoked. *Id.*

BIS received notice of Corona’s conviction for violating 18 U.S.C. 554.

¹ ECRA was enacted on August 13, 2018, as part of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, and as amended is codified at 50 U.S.C. 4801–4852.

¹ ECRA was enacted on August 13, 2018, as part of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, and as amended is codified at 50 U.S.C. 4801–4852.

² The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730–774 (2025).

³ The Director, Office of Export Enforcement, is the authorizing official for issuance of denial orders pursuant to amendments to the Regulations (85 FR 73411, November 18, 2020).

As provided in Section 766.25 of the Export Administration Regulations (“EAR” or the “Regulations”), BIS provided notice and opportunity for Corona to make a written submission to BIS. 15 CFR 766.25.² BIS has not received a written submission from Corona.

Based upon my review of the record and consultations with BIS’s Office of Exporter Services, including its Director, and the facts available to BIS, I have decided to deny Corona’s export privileges under the Regulations for a period of five years from the date of Corona’s conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which Corona had an interest at the time of his conviction.³

Accordingly, it is hereby *ordered*:

First, from the date of this Order until November 17, 2028, Cesar David Piz Corona, with a last known address of 830 N. Lamb Blvd., Space 3, Las Vegas, NV 89110, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives (“the Denied Person”), may not directly or indirectly participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as “item”) exported or to be exported from the United States that is subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, license exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or engaging in any other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or from any other activity subject to the Regulations.

Second, no person may, directly or indirectly, do any of the following:

A. Export, reexport, or transfer (in-country) to or on behalf of the Denied

Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, pursuant to Section 1760(e) of ECRA and Sections 766.23 and 766.25 of the Regulations, any other person, firm, corporation, or business organization related to Corona by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

Fourth, in accordance with Part 756 of the Regulations, Corona may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of Part 756 of the Regulations.

Fifth, a copy of this Order shall be delivered to Corona and shall be published in the **Federal Register**.

Sixth, this Order is effective immediately and shall remain in effect November 17, 2028.

Steven Fisher,

Acting Director, Office of Export Enforcement.

[FR Doc. 2025–16519 Filed 8–27–25; 8:45 am]

BILLING CODE 3510-DT-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

In the Matter of Maxim Marchenko, Inmate Number: 78093–510, FCI Allenwood Low, Federal Correctional Institution, P.O. Box 1000, White Deer, PA 17887; Order Denying Export Privileges

On July 17, 2024, in the U.S. District Court for the District Southern of New York, Maxim Marchenko (“Marchenko”) was convicted of violating 18 U.S.C. 554 (Smuggling Goods from the United States). Specifically, Marchenko was convicted of unlawfully causing companies in the United States to export OLED micro-displays from the United States to Russia. Marchenko was also convicted of conspiracy to commit money laundering. As a result of his convictions, the Court sentenced Marchenko to 36 months of imprisonment and three years of supervised release.

Pursuant to Section 1760(e) of the Export Control Reform Act (“ECRA”),¹ the export privileges of any person who has been convicted of certain offenses, including, but not limited to, 18 U.S.C. 554, may be denied for a period of up to ten (10) years from the date of his/her conviction. 50 U.S.C. 4819(e). In addition, any Bureau of Industry and Security (“BIS”) licenses or other authorizations issued under ECRA, in which the person had an interest at the time of the conviction, may be revoked. *Id.*

BIS received notice of Marchenko’s conviction for violating 18 U.S.C. 554. As provided in Section 766.25 of the Export Administration Regulations (“EAR” or the “Regulations”), BIS provided notice and opportunity for Marchenko to make a written submission to BIS. 15 CFR 766.25.² BIS has not received a written submission from Marchenko.

Based upon my review of the record and consultations with BIS’s Office of

² The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730–774 (2025).

³ The Director, Office of Export Enforcement, is the authorizing official for issuance of denial orders pursuant to amendments to the Regulations (85 FR 73411, November 18, 2020).

¹ ECRA was enacted on August 13, 2018, as part of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, and as amended is codified at 50 U.S.C. 4801–4852.

² The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730–774 (2025).

Exporter Services, including its Director, and the facts available to BIS, I have decided to deny Marchenko's export privileges under the Regulations for a period of ten (10) years from the date of Marchenko's conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which Marchenko had an interest at the time of his conviction.³

Accordingly, it is hereby *ordered*:

First, from the date of this Order until July 17, 2034, Maxim Marchenko, with a last known address of Inmate Number: 78093–510, FCI Allenwood Low, Federal Correctional Institution, P.O. Box 1000, White Deer, PA 17887, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives (“the Denied Person”), may not directly or indirectly participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as “item”) exported or to be exported from the United States that is subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, license exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or engaging in any other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or from any other activity subject to the Regulations.

Second, no person may, directly or indirectly, do any of the following:

A. Export, reexport, or transfer (in-country) to or on behalf of the Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person

acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, pursuant to Section 1760(e) of ECRA and Sections 766.23 and 766.25 of the Regulations, any other person, firm, corporation, or business organization related to Marchenko by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

Fourth, in accordance with Part 756 of the Regulations, Marchenko may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of Part 756 of the Regulations.

Fifth, a copy of this Order shall be delivered to Marchenko and shall be published in the **Federal Register**.

Sixth, this Order is effective immediately and shall remain in effect July 17, 2034.

Steven Fisher,

Acting Director, Office of Export Enforcement.

[FR Doc. 2025–16529 Filed 8–27–25; 8:45 am]

BILLING CODE 3510–DT–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

**In the Matter of: Fares Abdo Al Eyani,
3838 Turquoise Way, Unit #415,
Oakland, CA 94609; Order Denying
Export Privileges**

On March 29, 2024, in the U.S. District Court for the Northern District of California, Fares Abdo Al Eyani (“Al Eyani”) was convicted of violating 18 U.S.C. 371 and Section 38 of the Arms Export Control Act (22 U.S.C. 2778) (“AECA”). Specifically, Al Eyani was convicted of conspiring and attempting to illegally export or cause to be exported defense articles to the Sultanate of Oman, without an export license, and in knowing and willful violation of the AECA and the International Traffic in Arms Regulations. As a result of his conviction, the Court sentenced Al Eyani to 12 months and one day of imprisonment and three years of supervised release.

Pursuant to Section 1760(e) of the Export Control Reform Act (“ECRA”), the export privileges of any person who has been convicted of certain offenses, including, but not limited to, 18 U.S.C. 371 and Section 38 of the AECA, may be denied for a period of up to ten (10) years from the date of his/her conviction. *See* 50 U.S.C. 4819(e). In addition, any Bureau of Industry and Security (“BIS”) licenses or other authorizations issued under ECRA, in which the person had an interest at the time of the conviction, may be revoked. *Id.*

BIS received notice of Al Eyani's convictions for violating 18 U.S.C. 371 and Section 38 of the AECA. BIS provided notice and opportunity for Al Eyani to make a written submission to BIS, as provided in Section 766.25 of the Export Administration Regulations (“EAR” or the “Regulations”). 15 CFR 766.25.² BIS has not received a written submission from Al Eyani.

Based upon my review of the record and consultations with BIS's Office of Exporter Services, including its Director, and the facts available to BIS, I have decided to deny Al Eyani's export privileges under the Regulations for a period of ten (10) years from the date of Al Eyani's conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which

³ The Director, Office of Export Enforcement, is the authorizing official for issuance of denial orders pursuant to amendments to the Regulations (85 FR 73411, November 18, 2020).

² The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730–774 (2025).

Al Eyani had an interest at the time of his conviction.³

Accordingly, it is hereby *ordered*:

First, from the date of this Order until March 29, 2034, Fares Abdo Al Eyani, with a last known address of 3838 Turquoise Way, Unit #415, Oakland, CA 94609, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives (“the Denied Person”), may not directly or indirectly participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as item”) exported or to be exported from the United States that is subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, license exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or engaging in any other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or from any other activity subject to the Regulations.

Second, no person may, directly or indirectly, do any of the following:

A. Export, reexport, or transfer (in-country) to or on behalf of the Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the

Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, pursuant to Section 1760(e) of ECRA (50 U.S.C. 4819(e)) and Sections 766.23 and 766.25 of the Regulations, any other person, firm, corporation, or business organization related to Al Eyani by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

Fourth, in accordance with Part 756 of the Regulations, Al Eyani may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of Part 756 of the Regulations.

Fifth, a copy of this Order shall be delivered to Al Eyani and shall be published in the **Federal Register**.

Sixth, this Order is effective immediately and shall remain in effect until March 29, 2034.

Steven Fisher,

Acting Director, Office of Export Enforcement.

[FR Doc. 2025-16541 Filed 8-27-25; 8:45 am]

BILLING CODE 3510-DT-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; National Security and Critical Technology Assessments of the U.S. Industrial Base

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of

1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public’s reporting burden. Public comments were previously requested via the **Federal Register** on June 13, 2025, during a 60-day comment period. This notice allows for an additional 30 days for public comments.

Agency: Bureau of Industry and Security, Department of Commerce.

Title: National Security and Critical Technology Assessments of the U.S. Industrial Base.

OMB Control Number: 0694-0119.

Form Number(s): None.

Type of Request: Regular submission, extension of a current information collection.

Number of Respondents: 28,000.

Average Hours per Response: 11 hours.

Burden Hours: 308,000.

Needs and Uses: The Bureau of Industry and Security (BIS) conducts surveys and assessments of critical U.S. industrial sectors and technologies. Undertaken at the request of various policy, research and development (R&D), and program and planning organizations within the Department of Defense and the Armed Services, Department of Homeland Security (DHS), National Aeronautics and Space Administration (NASA) and other agencies, BIS research, data collection and analysis provide needed information to benchmark industry performance and raise awareness of diminishing manufacturing capabilities. The use of a generic clearance process allows BIS to conduct the data collection and final assessments in a shorter timeframe, thus providing policy and program offices with needed results in a timely manner. Most surveys under this generic clearance process include questions necessary to obtain data on employment, supply chain, financial performance, production, technology and service capabilities, R&D, investment, competitive outlook, export controls and other relevant information.

Affected Public: Private Sector. Business or other for-profit organizations.

Frequency: On occasion.

Respondent’s Obligation: Mandatory.

Legal Authority: Section 705 of the Defense Production Act of 1950, as amended, Executive Orders 12656 and 13603.

This information collection request may be viewed at www.reginfo.gov. Follow the instructions to view the

³ The Director, Office of Export Enforcement, is the authorizing official for issuance of denial orders, pursuant to amendments to the Regulations (85 FR 73411, November 18, 2020).

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 0694–0119.

Sheleen Dumas,

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

[FR Doc. 2025–16517 Filed 8–27–25; 8:45 am]

BILLING CODE 3510–33–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

In the Matter of Jose Guadalupe Mejia, Inmate Number: 37825–510, FCI Beaumont Low, Federal Correctional Institution, P.O. Box 26020, Beaumont, TX 77720; Order Denying Export Privileges

On June 11, 2024, in the U.S. District Court for the District Southern of Texas, Jose Guadalupe Mejia (“Mejia”) was convicted of violating 18 U.S.C. 554(a). Specifically, Mejia was convicted of attempting to export 701 rounds of assorted ammunition from the United States to Mexico, without the required authorization from the U.S. Department of Commerce. As a result of his conviction, the Court sentenced Mejia to 46 months of imprisonment and three years of supervised release.

Pursuant to Section 1760(e) of the Export Control Reform Act (“ECRA”),¹ the export privileges of any person who has been convicted of certain offenses, including, but not limited to, 18 U.S.C. 554, may be denied for a period of up to ten (10) years from the date of his/her conviction. 50 U.S.C. 4819(e). In addition, any Bureau of Industry and Security (“BIS”) licenses or other authorizations issued under ECRA, in which the person had an interest at the time of the conviction, may be revoked. *Id.*

BIS received notice of Mejia’s conviction for violating 18 U.S.C. 554. As provided in Section 766.25 of the Export Administration Regulations

(“EAR” or the “Regulations”), BIS provided notice and opportunity for Mejia to make a written submission to BIS. 15 CFR 766.25.² BIS has not received a written submission from Mejia.

Based upon my review of the record and consultations with BIS’s Office of Exporter Services, including its Director, and the facts available to BIS, I have decided to deny Mejia’s export privileges under the Regulations for a period of 10 years from the date of Mejia’s conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which Mejia had an interest at the time of his conviction.³

Accordingly, it is hereby *ordered*:

First, from the date of this Order until June 11, 2034, Jose Guadalupe Mejia, with a last known address of Inmate Number: 37825–510, FCI Beaumont Low, Federal Correctional Institution, P.O. Box 26020, Beaumont, TX 77720, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives (“the Denied Person”), may not directly or indirectly participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as “item”) exported or to be exported from the United States that is subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, license exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or engaging in any other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or from any other activity subject to the Regulations.

Second, no person may, directly or indirectly, do any of the following:

A. Export, reexport, or transfer (in-country) to or on behalf of the Denied

Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, pursuant to Section 1760(e) of ECRA and Sections 766.23 and 766.25 of the Regulations, any other person, firm, corporation, or business organization related to Mejia by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

Fourth, in accordance with Part 756 of the Regulations, Mejia may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of Part 756 of the Regulations.

Fifth, a copy of this Order shall be delivered to Mejia and shall be published in the **Federal Register**.

¹ ECRA was enacted on August 13, 2018, as part of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, and as amended is codified at 50 U.S.C. 4801–4852.

² The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730–774 (2025).

³ The Director, Office of Export Enforcement, is the authorizing official for issuance of denial orders pursuant to amendments to the Regulations (85 FR 73411, November 18, 2020).

Sixth, this Order is effective immediately and shall remain in effect June 11, 2034.

Steven Fisher,

Acting Director, Office of Export Enforcement.

[FR Doc. 2025–16527 Filed 8–27–25; 8:45 am]

BILLING CODE 3510–33–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

In the Matter of: Jessica Alvarado, Inmate Number: 42634–510 FPC Bryan, Federal Prison Camp, P.O. Box 2149, Bryan, TX 77805; Order Denying Export Privileges

On April 18, 2024, in the U.S. District Court for the Southern District of Texas, Jessica Alvarado (“Alvarado”) was convicted of violating 18 U.S.C. 554(a). Specifically, Alvarado was convicted of smuggling thirty-three 7.62x39 caliber rifles, three 5.56 caliber rifles, one Ruger .22 caliber carbine rifle, two .45 caliber pistols, and thirty-nine ammunition magazines from the U.S. to Mexico, without a license or written approval from the U.S. Department of Commerce. As a result of her conviction, the Court sentenced Alvarado to 46 months of imprisonment and three years of supervised release.

Pursuant to Section 1760(e) of the Export Control Reform Act (“ECRA”),¹ the export privileges of any person who has been convicted of certain offenses, including, but not limited to, 18 U.S.C. 554, may be denied for a period of up to ten (10) years from the date of his/her conviction. 50 U.S.C. 4819(e). In addition, any Bureau of Industry and Security (“BIS”) licenses or other authorizations issued under ECRA, in which the person had an interest at the time of the conviction, may be revoked. *Id.*

BIS received notice of Alvarado’s conviction for violating 18 U.S.C. 554. As provided in Section 766.25 of the Export Administration Regulations (“EAR” or the “Regulations”), BIS provided notice and opportunity for Alvarado to make a written submission to BIS. 15 CFR 766.25.² BIS has not received a written submission from Alvarado.

Based upon my review of the record and consultations with BIS’s Office of Exporter Services, including its

Director, and the facts available to BIS, I have decided to deny Alvarado’s export privileges under the Regulations for a period of 10 years from the date of Alvarado’s conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which Alvarado had an interest at the time of her conviction.³

Accordingly, it is hereby *ordered*:

First, from the date of this Order until April 18, 2034, Jessica Alvarado, with a last known address of Inmate Number: 42634–510, FPC Bryan, Federal Prison Camp, P.O. Box 2149, Bryan, TX 77805, and when acting for or on her behalf, her successors, assigns, employees, agents or representatives (“the Denied Person”), may not directly or indirectly participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as “item”) exported or to be exported from the United States that is subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, license exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or engaging in any other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or from any other activity subject to the Regulations.

Second, no person may, directly or indirectly, do any of the following:

A. Export, reexport, or transfer (in-country) to or on behalf of the Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, pursuant to Section 1760(e) of ECRA and Sections 766.23 and 766.25 of the Regulations, any other person, firm, corporation, or business organization related to Alvarado by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

Fourth, in accordance with Part 756 of the Regulations, Alvarado may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of Part 756 of the Regulations.

Fifth, a copy of this Order shall be delivered to Alvarado and shall be published in the **Federal Register**.

Sixth, this Order is effective immediately and shall remain in effect April 18, 2034.

Steven Fisher,

Acting Director, Office of Export Enforcement.

[FR Doc. 2025–16526 Filed 8–27–25; 8:45 am]

BILLING CODE 3510–DT–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

In the Matter of Francisco Dario Mora, 2130 S 7th Avenue, Tucson, AZ 85713; Order Denying Export Privileges

On May 10, 2021, in the U.S. District Court for the District of Arizona,

¹ ECRA was enacted on August 13, 2018, as part of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, and as amended is codified at 50 U.S.C. 4801–4852.

² The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730–774 (2025).

³ The Director, Office of Export Enforcement, is the authorizing official for issuance of denial orders pursuant to amendments to the Regulations (85 FR 73411, November 18, 2020).

Francisco Dario Mora (“Mora”) was convicted of (among other crimes) violating 18 U.S.C. 371 and 18 U.S.C. 554(a). Specifically, Mora was convicted of conspiring to smuggle firearms, ammunition and magazines from the United States to Mexico. As a result of his conviction, the Court sentenced Mora to 60 months of imprisonment and three years of supervised release.

Pursuant to Section 1760(e) of the Export Control Reform Act (“ECRA”),¹ the export privileges of any person who has been convicted of certain offenses, including, but not limited to, 18 U.S.C. 371 and 18 U.S.C. 554, may be denied for a period of up to ten (10) years from the date of his/her conviction. 50 U.S.C. 4819(e). In addition, any Bureau of Industry and Security (“BIS”) licenses or other authorizations issued under ECRA, in which the person had an interest at the time of the conviction, may be revoked. *Id.*

BIS received notice of Mora’s conviction for violating 18 U.S.C. 371 and 18 U.S.C. 554. As provided in Section 766.25 of the Export Administration Regulations (“EAR” or the “Regulations”), BIS provided notice and opportunity for Mora to make a written submission to BIS. 15 CFR 766.25.² BIS has not received a written submission from Mora.

Based upon my review of the record and consultations with BIS’s Office of Exporter Services, including its Director, and the facts available to BIS, I have decided to deny Mora’s export privileges under the Regulations for a period of 10 years from the date of Mora’s conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which Mora had an interest at the time of his conviction.³

Accordingly, it is hereby *ordered*:

First, from the date of this Order until May 10, 2031, Francisco Dario Mora, with a last known address of 2130 S 7th Avenue, Tucson, AZ 85713, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives (“the Denied Person”), may not directly or indirectly participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as “item”)

exported or to be exported from the United States that is subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, license exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or engaging in any other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or from any other activity subject to the Regulations.

Second, no person may, directly or indirectly, do any of the following:

A. Export, reexport, or transfer (in-country) to or on behalf of the Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, pursuant to Section 1760(e) of ECRA and Sections 766.23 and 766.25 of the Regulations, any other person, firm, corporation, or business organization related to Mora by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

Fourth, in accordance with Part 756 of the Regulations, Mora may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of Part 756 of the Regulations.

Fifth, a copy of this Order shall be delivered to Mora and shall be published in the **Federal Register**.

Sixth, this Order is effective immediately and shall remain in effect until May 10, 2031.

Steven Fisher,

Acting Director, Office of Export Enforcement.

[FR Doc. 2025–16521 Filed 8–27–25; 8:45 am]

BILLING CODE 3510–DT–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

In the Matter of: Prince Bediako, 3790 Longview Drive, Douglasville, GA 30135–1370; Order Denying Export Privileges

On December 5, 2023, in the U.S. District Court for the Southern District of Georgia, Prince Bediako (“Bediako”) was convicted of violating 18 U.S.C. 554. Specifically, Bediako was convicted of smuggling fraudulently obtained vehicles from the United States to Ghana. As a result of his conviction, the Court sentenced Bediako to 28 months of imprisonment and three years of supervised release.

Pursuant to Section 1760(e) of the Export Control Reform Act (“ECRA”),¹ the export privileges of any person who has been convicted of certain offenses, including, but not limited to, 18 U.S.C. 554, may be denied for a period of up to ten (10) years from the date of his/her conviction. 50 U.S.C. 4819(e). In addition, any Bureau of Industry and Security (“BIS”) licenses or other authorizations issued under ECRA, in which the person had an interest at the

¹ ECRA was enacted on August 13, 2018, as part of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, and as amended is codified at 50 U.S.C. 4801–4852.

² The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730–774 (2025).

³ The Director, Office of Export Enforcement, is the authorizing official for issuance of denial orders pursuant to amendments to the Regulations (85 FR 73411, November 18, 2020).

¹ ECRA was enacted on August 13, 2018, as part of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, and as amended is codified at 50 U.S.C. 4801–4852.

time of the conviction, may be revoked.
Id.

BIS received notice of Bediako's conviction for violating 18 U.S.C. 554. As provided in Section 766.25 of the Export Administration Regulations ("EAR" or the "Regulations"), BIS provided notice and opportunity for Bediako to make a written submission to BIS. 15 CFR 766.25.² BIS has not received a written submission from Bediako.

Based upon my review of the record and consultations with BIS's Office of Exporter Services, including its Director, and the facts available to BIS, I have decided to deny Bediako's export privileges under the Regulations for a period of seven years from the date of Bediako's conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which Bediako had an interest at the time of his conviction.³

Accordingly, it is hereby *ordered*:

First, from the date of this Order until December 5, 2030, Prince Bediako, with a last known address of: 3790 Longview Drive, Douglasville, GA 30135-1370, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives ("the Denied Person"), may not directly or indirectly participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as "item") exported or to be exported from the United States that is subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, license exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or engaging in any other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or from any other activity subject to the Regulations.

Second, no person may, directly or indirectly, do any of the following:

A. Export, reexport, or transfer (in-country) to or on behalf of the Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, pursuant to Section 1760(e) of ECRA and Sections 766.23 and 766.25 of the Regulations, any other person, firm, corporation, or business organization related to Bediako by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

Fourth, in accordance with Part 756 of the Regulations, Bediako may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of Part 756 of the Regulations.

Fifth, a copy of this Order shall be delivered to Bediako and shall be published in the **Federal Register**.

Sixth, this Order is effective immediately and shall remain in effect December 5, 2030.

Steven Fisher,

Acting Director, Office of Export Enforcement.

[FR Doc. 2025-16535 Filed 8-27-25; 8:45 am]

BILLING CODE 3510-DT-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

In the Matter of Kamir Armando Brown Blanchard, Register Number 25223-510, FCI Atlanta, P.O. Box 150160, Atlanta, GA 30315; Order Denying Export Privileges

On July 12, 2024, in the U.S. District Court for the Northern District of Georgia, Kamir Armando Brown Blanchard ("Blanchard") was convicted of violating 18 U.S.C. 554. Specifically, Blanchard was convicted of unlawfully exporting firearms from the U.S. to Panama. As a result of his conviction, the Court sentenced Blanchard to 36 months of imprisonment and one year of supervised release.

Pursuant to Section 1760(e) of the Export Control Reform Act ("ECRA"),¹ the export privileges of any person who has been convicted of certain offenses, including, but not limited to, 18 U.S.C. 554, may be denied for a period of up to ten (10) years from the date of his/her conviction. 50 U.S.C. 4819(e). In addition, any Bureau of Industry and Security ("BIS") licenses or other authorizations issued under ECRA, in which the person had an interest at the time of the conviction, may be revoked.
Id.

BIS received notice of Blanchard's conviction for violating 18 U.S.C. 554. As provided in Section 766.25 of the Export Administration Regulations ("EAR" or the "Regulations"), BIS provided notice and opportunity for Blanchard to make a written submission to BIS. 15 CFR 766.25.² BIS has not received a written submission from Blanchard.

Based upon my review of the record and consultations with BIS's Office of Exporter Services, including its Director, and the facts available to BIS, I have decided to deny Blanchard's export privileges under the Regulations for a period of 10 years from the date of Blanchard's conviction. The Office of

² The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730-774 (2025).

³ The Director, Office of Export Enforcement, is the authorizing official for issuance of denial orders pursuant to amendments to the Regulations (85 FR 73411, November 18, 2020).

¹ ECRA was enacted on August 13, 2018, as part of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, and as amended is codified at 50 U.S.C. 4801-4852.

² The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730-774 (2025).

Exporter Services has also decided to revoke any BIS-issued licenses in which Blanchard had an interest at the time of his conviction.³

Accordingly, it is hereby *ordered*:

First, from the date of this Order until July 12, 2034, Kamir Armando Brown Blanchard, with a last known address of Register Number 25223–510, FCI Atlanta, P.O. Box 150160, Atlanta, GA 30315, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives (“the Denied Person”), may not directly or indirectly participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as “item”) exported or to be exported from the United States that is subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, license exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or engaging in any other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or from any other activity subject to the Regulations.

Second, no person may, directly or indirectly, do any of the following:

A. Export, reexport, or transfer (in-country) to or on behalf of the Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, pursuant to Section 1760(e) of ECRA and Sections 766.23 and 766.25 of the Regulations, any other person, firm, corporation, or business organization related to Blanchard by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

Fourth, in accordance with Part 756 of the Regulations, Blanchard may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of Part 756 of the Regulations.

Fifth, a copy of this Order shall be delivered to Blanchard and shall be published in the **Federal Register**.

Sixth, this Order is effective immediately and shall remain in effect July 12, 2034.

Steven Fisher,

Acting Director, Office of Export Enforcement.

[FR Doc. 2025–16511 Filed 8–27–25; 8:45 am]

BILLING CODE 3510-DT-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

In the Matter of Jasmine Desire Gallegos, Inmate Number: 61075–509, FPC Bryan, P.O. Box 2149, Bryan, TX 77805; Order Denying Export Privileges

On February 14, 2024, in the U.S. District Court for the Western District of Texas, (“Gallegos”) was convicted of violating 18 U.S.C. 554 (a) (Smuggling Goods from the United States). Specifically, Gallegos was convicted of

smuggling firearms from the United States to Mexico. As a result of her conviction, the court sentenced Gallegos to 60 months in prison and three years of supervised release.

Pursuant to Section 1760(e) of the Export Control Reform Act (“ECRA”),¹ the export privileges of any person who has been convicted of certain offenses, including, but not limited to, 18 U.S.C. 554, may be denied for a period of up to ten (10) years from the date of his/her conviction. 50 U.S.C. 4819(e). In addition, any Bureau of Industry and Security (“BIS”) licenses or other authorizations issued under ECRA, in which the person had an interest at the time of the conviction, may be revoked. *Id.*

BIS received notice of Gallegos’s conviction for violating 18 U.S.C. 554. As provided in Section 766.25 of the Export Administration Regulations (“EAR” or the “Regulations”), BIS provided notice and opportunity for Gallegos to make a written submission to BIS. 15 CFR 766.25.² BIS has not received a written submission from Gallegos.

Based upon my review of the record and consultations with BIS’s Office of Exporter Services, including its Director, and the facts available to BIS, I have decided to deny Gallegos’s export privileges under the Regulations for a period of 10 years from the date of Gallegos’s conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which Gallegos had an interest at the time of her conviction.³

Accordingly, it is hereby *ordered*:

First, from the date of this Order until February 14, 2034, Jasmine Desire Gallegos, with last known addresses of: Inmate Number: 61075–509, FPC Bryan, P.O. Box 2149, Bryan, Texas 77805, and when acting for or on her behalf, her successors, assigns, employees, agents or representatives (“the Denied Person”), may not directly or indirectly participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as “item”) exported or to be exported from the United States that is subject to the Regulations, including, but not limited to:

¹ ECRA was enacted on August 13, 2018, as part of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, and as amended is codified at 50 U.S.C. 4801–4852.

² The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730–774 (2025).

³ The Director, Office of Export Enforcement, is the authorizing official for issuance of denial orders pursuant to amendments to the Regulations (85 FR 73411, November 18, 2020).

³ The Director, Office of Export Enforcement, is the authorizing official for issuance of denial orders pursuant to amendments to the Regulations (85 FR 73411, November 18, 2020).

A. Applying for, obtaining, or using any license, license exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or engaging in any other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or from any other activity subject to the Regulations.

Second, no person may, directly or indirectly, do any of the following:

A. Export, reexport, or transfer (in-country) to or on behalf of the Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, pursuant to Section 1760(e) of ECRA and Sections 766.23 and 766.25 of the Regulations, any other person, firm, corporation, or business organization related to Gallegos by

ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

Fourth, in accordance with Part 756 of the Regulations, Gallegos may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of Part 756 of the Regulations.

Fifth, a copy of this Order shall be delivered to Gallegos and shall be published in the **Federal Register**.

Sixth, this Order is effective immediately and shall remain in effect until February 14, 2034.

Steven Fisher,

Acting Director, Office of Export Enforcement.

[FR Doc. 2025–16533 Filed 8–27–25; 8:45 am]

BILLING CODE 3510–DT–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; BIS Program Evaluation

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the **Federal Register** on June 20, 2025, during a 60-day comment period. This notice allows for an additional 30 days for public comments.

Agency: Bureau of Industry and Security, Department of Commerce.

Title: BIS Program Evaluation.

OMB Control Number: 0694–0125.

Form Number(s): BIS 0694–0125.

Type of Request: Regular submission, extension of a current information collection.

Number of Respondents: 3,030.

Average Hours per Response: 10 minutes.

Burden Hours: 505 hours.

Needs and Uses: The Bureau of Industry and Security (BIS) conducts seminars on various aspects of export controls under BIS' jurisdiction. Feedback from these seminars is vital to ensuring the quality and relevance of outreach programs. Participants' completion of a voluntary survey provides BIS with immediate feedback on various program elements allowing BIS to improve and adjust its course offerings to meet the needs of the exporting community. BIS typically conducts over 20 seminars each year, both virtually and in-person, at locations across the United States and overseas. The renewal of this generic information collection allows BIS to conduct the data collection and final assessments in a shorter timeframe, thus providing policy and program offices with needed results possibly before the next seminar.

Affected Public: Business or other for-profit organizations.

Frequency: On Occasion.

Respondent's Obligation: Voluntary.

Legal Authority: Government Performance and Results Act (GPRA).

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 0694–0125.

Sheleen Dumas,

Departmental PRA Compliance Officer, Office of the Under Secretary of Economic Affairs, Commerce Department.

[FR Doc. 2025–16512 Filed 8–27–25; 8:45 am]

BILLING CODE 3510–33–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

In the Matter of Damian Alejandro Vidal, Inmate Number: 93487–510, FMC Fort Worth, Federal Medical Center, P.O. Box 15330, Fort Worth, TX 76119; Order Denying Export Privileges

On May 16, 2024, in the U.S. District Court for the Southern District of Texas, Damian Alejandro Vidal ("Vidal") was convicted of violating 18 U.S.C. 554(a).

Specifically, Vidal was convicted of smuggling one Sig Sauer, model 1911 .45 caliber handgun and one Glock, model 19, 9mm handgun, from the U.S. to Mexico, without having first obtained the required licenses. As a result of his conviction, the Court sentenced Vidal to 40 months in prison and three years of supervised release.

Pursuant to Section 1760(e) of the Export Control Reform Act ("ECRA"),¹ the export privileges of any person who has been convicted of certain offenses, including, but not limited to, 18 U.S.C. 554, may be denied for a period of up to ten (10) years from the date of his/her conviction. 50 U.S.C. 4819(e). In addition, any Bureau of Industry and Security ("BIS") licenses or other authorizations issued under ECRA, in which the person had an interest at the time of the conviction, may be revoked. *Id.*

BIS received notice of Vidal's conviction for violating 18 U.S.C. 554. As provided in Section 766.25 of the Export Administration Regulations ("EAR" or the "Regulations"), BIS provided notice and opportunity for Vidal to make a written submission to BIS. 15 CFR 766.25.² BIS has not received a written submission from Vidal.

Based upon my review of the record and consultations with BIS's Office of Exporter Services, including its Director, and the facts available to BIS, I have decided to deny Vidal's export privileges under the Regulations for a period of eight years from the date of Vidal's conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which Vidal had an interest at the time of his conviction.³

Accordingly, it is hereby *ordered*:

First, from the date of this Order until May 16, 2032, Damian Alejandro Vidal, with a last known address of Inmate Number: 93487-510, FMC Fort Worth, Federal Medical Center, P.O. Box 15330, Fort Worth, TX 76119, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives ("the Denied Person"), may not directly or indirectly participate in any way in any transaction involving any commodity, software or technology (hereinafter

collectively referred to as "item") exported or to be exported from the United States that is subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, license exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or engaging in any other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or from any other activity subject to the Regulations.

Second, no person may, directly or indirectly, do any of the following:

A. Export, reexport, or transfer (in-country) to or on behalf of the Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, pursuant to Section 1760(e) of ECRA and Sections 766.23 and 766.25 of the Regulations, any other person, firm, corporation, or business organization related to Vidal by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

Fourth, in accordance with Part 756 of the Regulations, Vidal may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of Part 756 of the Regulations.

Fifth, a copy of this Order shall be delivered to Vidal and shall be published in the **Federal Register**.

Sixth, this Order is effective immediately and shall remain in effect May 16, 2032.

Steven Fisher,

Acting Director, Office of Export Enforcement.

[FR Doc. 2025-16520 Filed 8-27-25; 8:45 am]

BILLING CODE 3510-DT-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

In the Matter of: Chrissie Fier Williams, Inmate Number: 87415-510, FCI Allenwood Low, Federal Correctional Institution, P.O. Box 1000, White Deer, PA 17887; Order Denying Export Privileges

On June 21, 2024, in the U.S. District Court for the Middle District of Florida, Chrissie Fier Williams ("Williams") was convicted of violating 18 U.S.C. 554 (Smuggling Goods from the United States). Specifically, Williams was convicted of attempting to export or send firearms, firearms parts and components, and ammunition from the United States to Trinidad & Tobago without required authorization. As a result of his conviction, the Court sentenced Williams to 37 months of imprisonment and two years of supervised release.

Pursuant to Section 1760(e) of the Export Control Reform Act ("ECRA"),¹ the export privileges of any person who has been convicted of certain offenses, including, but not limited to, 18 U.S.C. 554, may be denied for a period of up to ten (10) years from the date of his/her

¹ ECRA was enacted on August 13, 2018, as part of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, and as amended is codified at 50 U.S.C. 4801-4852.

² The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730-774 (2025).

³ The Director, Office of Export Enforcement, is the authorizing official for issuance of denial orders pursuant to amendments to the Regulations (85 FR 73411, November 18, 2020).

¹ ECRA was enacted on August 13, 2018, as part of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, and as amended is codified at 50 U.S.C. 4801-4852.

conviction. 50 U.S.C. 4819(e). In addition, any Bureau of Industry and Security (“BIS”) licenses or other authorizations issued under ECRA, in which the person had an interest at the time of the conviction, may be revoked. *Id.*

BIS received notice of Williams’s conviction for violating 18 U.S.C. 554. As provided in Section 766.25 of the Export Administration Regulations (“EAR” or the “Regulations”), BIS provided notice and opportunity for Williams to make a written submission to BIS. 15 CFR 766.25.² BIS has not received a written submission from Williams.

Based upon my review of the record and consultations with BIS’s Office of Exporter Services, including its Director, and the facts available to BIS, I have decided to deny Williams’s export privileges under the Regulations for a period of 10 years from the date of Williams’s conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which Williams had an interest at the time of his conviction.³

Accordingly, it is hereby *ordered*:

First, from the date of this Order until June 21, 2034, Chrissie Pier Williams, with a last known address of: Inmate Number: 87415–510, FCI Allenwood Low, Federal Correctional Institution, P.O. Box 1000, White Deer, PA 17887, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives (“the Denied Person”), may not directly or indirectly participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as “item”) exported or to be exported from the United States that is subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, license exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or engaging in any other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or from any other activity subject to the Regulations.

Second, no person may, directly or indirectly, do any of the following:

A. Export, reexport, or transfer (in-country) to or on behalf of the Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, pursuant to Section 1760(e) of ECRA and Sections 766.23 and 766.25 of the Regulations, any other person, firm, corporation, or business organization related to Williams by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

Fourth, in accordance with Part 756 of the Regulations, Williams may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the

provisions of Part 756 of the Regulations.

Fifth, a copy of this Order shall be delivered to Williams and shall be published in the **Federal Register**.

Sixth, this Order is effective immediately and shall remain in effect June 21, 2034.

Steven Fisher,

Acting Director, Office of Export Enforcement.

[FR Doc. 2025–16532 Filed 8–27–25; 8:45 am]

BILLING CODE 3510–DT–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

In the Matter of: Miguel Barrera, Inmate Number: 10606–506, FCI Fort Dix, Federal Correctional Institution, P.O. Box 2000, Joint Base MDL, NJ 08640; Order Denying Export Privileges

On August 6, 2024, in the U.S. District Court for the Southern District of New York, Miguel Barrera (“Barrera”) was convicted of violating 18 U.S.C. 554 (Smuggling Goods from the United States) and 18 U.S.C. 1956(a)(2) (Money Laundering). With respect to the smuggling count, specifically, Barrera was convicted of concealing and exporting from the United States, and attempting to export from the United States, firearms and firearms components, knowing that the export of such firearms and firearms components was contrary to law. As a result of his conviction, the Court sentenced Barrera to 80 months of imprisonment and three years of supervised release.

Pursuant to Section 1760(e) of the Export Control Reform Act (“ECRA”),¹ the export privileges of any person who has been convicted of certain offenses, including, but not limited to, 18 U.S.C. 554, may be denied for a period of up to ten (10) years from the date of his/her conviction. 50 U.S.C. 4819(e). In addition, any Bureau of Industry and Security (“BIS”) licenses or other authorizations issued under ECRA, in which the person had an interest at the time of the conviction, may be revoked. *Id.*

BIS received notice of Barrera’s conviction for violating 18 U.S.C. 554. As provided in Section 766.25 of the Export Administration Regulations (“EAR” or the “Regulations”), BIS provided notice and opportunity for Barrera to make a written submission to

² The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730–774 (2025).

³ The Director, Office of Export Enforcement, is the authorizing official for issuance of denial orders pursuant to amendments to the Regulations (85 FR 73411, November 18, 2020).

¹ ECRA was enacted on August 13, 2018, as part of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, and as amended is codified at 50 U.S.C. 4801–4852.

BIS. 15 CFR 766.25.² BIS has not received a written submission from Barrera.

Based upon my review of the record and consultations with BIS's Office of Exporter Services, including its Director, and the facts available to BIS, I have decided to deny Barrera's export privileges under the Regulations for a period of 10 years from the date of Barrera's conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which Barrera had an interest at the time of his conviction.³

Accordingly, it is hereby *ordered*:

First, from the date of this Order until August 6, 2034, Miguel Barrera, with a last known address of: Inmate Number: 10606–506, FCI Fort Dix, Federal Correctional Institution, P.O. Box 2000, Joint Base MDL, NJ 08640, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives (“the Denied Person”), may not directly or indirectly participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as “item”) exported or to be exported from the United States that is subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, license exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or engaging in any other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or from any other activity subject to the Regulations.

Second, no person may, directly or indirectly, do any of the following:

A. Export, reexport, or transfer (in-country) to or on behalf of the Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by

the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, pursuant to Section 1760(e) of ECRA and Sections 766.23 and 766.25 of the Regulations, any other person, firm, corporation, or business organization related to Barrera by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

Fourth, in accordance with Part 756 of the Regulations, Barrera may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of Part 756 of the Regulations.

Fifth, a copy of this Order shall be delivered to Barrera and shall be published in the **Federal Register**.

Sixth, this Order is effective immediately and shall remain in effect August 6, 2034.

Steven Fisher,

Acting Director, Office of Export Enforcement.

[FR Doc. 2025–16534 Filed 8–27–25; 8:45 am]

BILLING CODE 3510-DT-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

In the Matter of Juan Manuel Cervantes-Aceves, 5226 E 23rd Street, Tucson, AZ 85042; Order Denying Export Privileges

On November 30, 2023, in the U.S. District Court for the District of Arizona, Juan Manuel Cervantes-Aceves (“Cervantes-Aceves”) was convicted of violating 18 U.S.C. 554(a). Specifically, Cervantes-Aceves was convicted of smuggling firearms and magazines from the United States to Mexico. As a result of his conviction, the Court sentenced Cervantes-Aceves to four years of probation.

Pursuant to Section 1760(e) of the Export Control Reform Act (“ECRA”),¹ the export privileges of any person who has been convicted of certain offenses, including, but not limited to, 18 U.S.C. 554, may be denied for a period of up to ten (10) years from the date of his/her conviction. 50 U.S.C. 4819(e). In addition, any Bureau of Industry and Security (“BIS”) licenses or other authorizations issued under ECRA, in which the person had an interest at the time of the conviction, may be revoked. *Id.*

BIS received notice of Cervantes-Aceves's conviction for violating 18 U.S.C. 554. As provided in Section 766.25 of the Export Administration Regulations (“EAR” or the “Regulations”), BIS provided notice and opportunity for Cervantes-Aceves to make a written submission to BIS. 15 CFR 766.25.² BIS has not received a written submission from Cervantes-Aceves.

Based upon my review of the record and consultations with BIS's Office of Exporter Services, including its Director, and the facts available to BIS, I have decided to deny Cervantes-Aceves's export privileges under the Regulations for a period of 10 years from the date of Cervantes-Aceves's conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which Cervantes-Aceves had an interest at the time of his conviction.³

Accordingly, it is hereby *Ordered*:

¹ ECRA was enacted on August 13, 2018, as part of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, and as amended is codified at 50 U.S.C. 4801–4852.

² The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730–774 (2025).

³ The Director, Office of Export Enforcement, is the authorizing official for issuance of denial orders pursuant to amendments to the Regulations (85 FR 73411, November 18, 2020).

² The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730–774 (2025).

³ The Director, Office of Export Enforcement, is the authorizing official for issuance of denial orders pursuant to amendments to the Regulations (85 FR 73411, November 18, 2020).

First, from the date of this Order until November 30, 2033, Juan Manuel Cervantes-Aceves, with a last known address of 5226 E 23rd Street, Tucson, AZ 85042, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives (“the Denied Person”), may not directly or indirectly participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as “item”) exported or to be exported from the United States that is subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, license exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or engaging in any other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or from any other activity subject to the Regulations.

Second, no person may, directly or indirectly, do any of the following:

A. Export, reexport, or transfer (in-country) to or on behalf of the Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned,

possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, pursuant to Section 1760(e) of ECRA and Sections 766.23 and 766.25 of the Regulations, any other person, firm, corporation, or business organization related to Cervantes-Aceves by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

Fourth, in accordance with Part 756 of the Regulations, Cervantes-Aceves may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of Part 756 of the Regulations.

Fifth, a copy of this Order shall be delivered to Cervantes-Aceves and shall be published in the **Federal Register**.

Sixth, this Order is effective immediately and shall remain in effect November 30, 2033.

Steven Fisher,

Acting Director, Office of Export Enforcement.

[FR Doc. 2025–16528 Filed 8–27–25; 8:45 am]

BILLING CODE 3510–DT–P

DEPARTMENT OF COMMERCE

International Trade Administration [C–570–197]

Slag Pots From the People’s Republic of China: Final Affirmative Countervailing Duty Determination

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that countervailable subsidies are being provided to producers and exporters of slag pots from the People’s Republic of China (China). The period of investigation is January 1, 2023, through December 31, 2023.

DATES: Applicable August 28, 2025.

FOR FURTHER INFORMATION CONTACT: Samuel Brummitt or T.J. Worthington, AD/CVD Operations, Office III, Enforcement and Compliance,

International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–7851 or (202) 482–4567, respectively.

SUPPLEMENTARY INFORMATION:

Background

On April 3, 2025, Commerce published its *Preliminary Determination* in the **Federal Register**.¹ Because no comments were submitted by interested parties, we have adopted our *Preliminary Determination* for purposes of this final determination. Accordingly, no decision memorandum accompanies this **Federal Register** notice. Commerce conducted this investigation in accordance with section 705 of the Tariff Act of 1930, as amended (the Act).

Scope of the Investigation

The products covered by this investigation are slag pots from China. For a complete description of the scope of this investigation, see Appendix.

Scope Comments

In the Preliminary Scope Memorandum, we set aside a period of time for parties to raise issues regarding product coverage (*i.e.*, scope) in scope-specific case or other written comments on scope issues.² We received no comments from interested parties on the scope of the investigation as it appeared in the Preliminary Scope Memorandum. Therefore, we made no changes to the scope of the investigation.³

Verification

Because the mandatory respondents in this investigation did not provide information requested by Commerce, and Commerce determined that the mandatory respondents were uncooperative, no verification was conducted.

All-Others Rate

As discussed in the *Preliminary Determination*, Commerce based the selection of the all-others rate on the countervailable subsidy rates established for the mandatory respondents, in accordance with 703(d) of the Act.⁴ Consistent with section 705(c)(5)(A)(ii) of the Act, we made no changes to the methodology used to

¹ See *Slag Pots from the People’s Republic of China: Preliminary Affirmative Countervailing Duty Determination*, 90 FR 14625 (April 3, 2025) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

² See Memorandum, “Preliminary Scope Decision Memorandum,” dated March 27, 2025 (Preliminary Scope Memorandum).

³ *Id.* at Appendix.

⁴ See *Preliminary Determination*, 90 FR at 14625, 14626.

select the all-others rate for the final determination; specifically, we have assigned the sole rate assigned to the

mandatory respondents to all other companies.

Final Determination

Commerce determines that the following estimated countervailable subsidy rates exist:

Company	Subsidy rate (percent ad valorem)
Chaeng Great Wall Steel Casting Co. Ltd	* 226.16
UMECC Beijing Equipment Inc. Ltd	* 226.16
Cast-Con Engineering GmbH & Co. KG	* 226.16
Changzhou Jinyuan Machinery Equipment Ltd. Co	* 226.16
Dawang Metals Co. Ltd	* 226.16
GVA Krefeld GmbH	* 226.16
Liaoning Mineral and Metallurgy Group Co. Ltd	* 226.16
Luoyang Zhongtai Industries Co., Ltd	* 226.16
Shantou Huaxing Metallurgical Equipment Co. Ltd	* 226.16
Tangshan Sinya International Trade Co., Ltd	* 226.16
All Others	226.16

* Rate is based on facts available with adverse inferences.

Disclosure

Normally, Commerce discloses to interested parties the calculations performed in final determination within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this final determination in the **Federal Register**, in accordance with 19 CFR 351.224(b). However, the program rates assigned as AFA in the *Preliminary Determination* are unchanged, there are no additional calculations performed in this final determination and, therefore, there are no calculations to disclose.

Suspension of Liquidation

As a result of our *Preliminary Determination* and pursuant to sections 703(d)(1)(B) and (d)(2) of the Act, we instructed U.S. Customs and Border Protection (CBP) to suspend liquidation of entries of subject merchandise from China that were entered, or withdrawn from warehouse, for consumption, on or after April 3, 2025, the date of publication of the *Preliminary Determination* in the **Federal Register**. In accordance with section 703(d) of the Act, we instructed CBP to discontinue the suspension of liquidation of all entries of subject merchandise entered or withdrawn from warehouse, on or after August 1, 2025 but to continue the suspension of liquidation of all entries of subject merchandise on or before July 31, 2025.

If the U.S. International Trade Commission (ITC) issues a final affirmative injury determination, we will issue a countervailing duty order, reinstate the suspension of liquidation under section 706(a) of the Act, and require a cash deposit of estimated countervailing duties for entries of

subject merchandise in the amounts indicated above. If the ITC determines that material injury, or threat of material injury, does not exist, this proceeding will be terminated, and all estimated duties deposited or securities posted as a result of the suspension of liquidation will be refunded or canceled.

ITC Notification

In accordance with section 705(d) of the Act, we intend to notify the ITC of our final affirmative determination that countervailable subsidies are being provided to producers and exporters of slag pots from China. Because the final determination in this proceeding is affirmative, in accordance with section 705(b) of the Act, the ITC will make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of slag pots from China no later than 45 days after our final determination. In addition, we are making available to the ITC all nonprivileged and nonproprietary information related to this investigation. We will allow the ITC access to all privileged and business proprietary information in our files, provided the ITC confirms that it will not disclose such information, either publicly or under an administrative protective order (APO), without the written consent of the Assistant Secretary for Enforcement and Compliance.

If the ITC determines that material injury or threat of material injury does not exist, this proceeding will be terminated and all cash deposits will be refunded or canceled, as Commerce determines to be appropriate. If the ITC determines that such injury does exist, Commerce intends to issue a countervailing duty order directing CBP

to assess, upon further instruction by Commerce, countervailing duties on all imports of the subject merchandise that are entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation, as discussed above in the "Continuation of Suspension of Liquidation" section.

Administrative Protective Order (APO)

In the event that the ITC issues a final negative injury determination, this notice will serve as the only reminder to parties subject to an APO of their responsibility concerning the destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

Notification to Interested Parties

We are issuing and publishing this final determination in accordance with sections 705(d) and 777(i) of the Act, and 19 CFR 351.210(c).

Dated: August 25, 2025.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

Appendix

Scope of the Investigation

The merchandise covered by the investigation is slag pots with a nominal capacity of 65 cubic feet to 1200 cubic feet regardless of shape, form, or finish.

Slag pots are load bearing devices typically formed as a curved shell or bowl-shaped container. Slag pots are metallurgical goods typically produced either using a casting

process or a fabrication process (e.g., welding) and may include a ceramic refractory coating, heat treatment or various finishes in order to handle high temperature slag. Slag pots may contain integral features or attachments including (1) legs (or a stand) and (2) pivotal mounting hooks or brackets. Legs (or a stand) are a fixed or detachable support structure which allows the slag pot to be securely positioned upright on a surface when not being lifted or transported and may also keep the slag pot off the ground and allow for air cooling. The pivotal mounting hooks and brackets are specialized attachment points (such as lifting lugs or trunnions) that allow the slag pot to be securely lifted and transported by a crane or lifting device, or that enable the slag pot to swing or rotate while remaining attached to the lifting mechanism. The merchandise covered by this investigation includes all aforementioned attachments of a fully assembled slag pot, regardless of whether shipped assembled or unassembled.

Slag pots are included within the scope whether finished or unfinished, whether imported individually or with other subject or non-subject merchandise, or whether assembled with attachments or unassembled. Finishing includes, but is not limited to, arc washing, welding, grinding, shot blasting, heat treatment, machining, and assembly of various parts.

The country of origin for slag pots whether fully assembled, unfinished or finished, is the country where the slag pot was cast or forged. Subject merchandise includes slag pots that have been further processed or further assembled in a third country. Further processing and further assembly include, but is not limited to, arc washing, welding, grinding, shot blasting, heat treatment, painting, coating, priming, machining, and assembly of attachments.

Slag pots subject to the investigation are specified within the Harmonized Tariff Schedule of the United States (HTSUS) under subheadings 7309.00.0090 and 8454.20.0080. The slag pot attachments covered by the scope of this investigation may enter under HTSUS subheadings 7316.00.0000, 7325.10.0080, 7325.99.1000, 7325.99.5000, and 7326.19.0080. The HTSUS subheading is provided for convenience and customs purposes only. The written description of the scope of the investigation is dispositive.

[FR Doc. 2025–16553 Filed 8–27–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–207]

Polypropylene Corrugated Boxes From the People's Republic of China: Preliminary Affirmative Determination of Sales at Less Than Fair Value

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

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that polypropylene corrugated boxes (corrugated boxes) from the People's Republic of China (China) is being, or is likely to be, sold in the United States at less than fair value (LTFV). The period of investigation (POI) is July 1, 2024, through December 31, 2024. Interested parties are invited to comment on this preliminary determination.

DATES: Applicable August 28, 2025.

FOR FURTHER INFORMATION CONTACT: Dan Alexander, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4313.

SUPPLEMENTARY INFORMATION:

Background

This preliminary determination is made in accordance with section 733(b) of the Tariff Act of 1930, as amended (the Act). Commerce published the notice of initiation of this investigation in the **Federal Register** on April 14, 2025.¹

For a complete description of the events that followed the initiation of this investigation, *see* the Preliminary Decision Memorandum.² A list of topics included in the Preliminary Decision Memorandum is included as Appendix II to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Scope of the Investigation

The product covered by this investigation is corrugated boxes from China. For a complete description of the

scope of this investigation, *see* Appendix I.

Scope Comments

In accordance with the preamble to Commerce's regulations,³ the *Initiation Notice* set aside a period of time for parties to raise issues regarding product coverage (*i.e.*, scope).⁴ No interested parties commented on the scope of the investigation as it appeared in the *Initiation Notice*. Thus, Commerce is not preliminarily modifying the scope language as it appeared in the *Initiation Notice*. *See* Appendix I.

Methodology

Commerce is conducting this investigation in accordance with section 731 of the Act. Furthermore, pursuant to sections 776(a) and (b) of the Act, Commerce preliminarily has relied upon facts otherwise available, with adverse inferences (AFA), for the China-wide entity. For a full description of the methodology underlying Commerce's preliminary determination, *see* the Preliminary Decision Memorandum.

Combination Rates

In the *Initiation Notice*,⁵ Commerce stated that it would calculate producer/exporter combination rates for the respondents that are eligible for a separate rate in this investigation. Policy Bulletin 05.1 describes this practice.⁶ In this case, because no respondent qualified for a separate rate, producer/exporter combination rates were not calculated.

Preliminary Determination

Commerce preliminarily determines that the following estimated weighted-average dumping margins exist:

³ *See Antidumping Duties; Countervailing Duties, Final Rule*, 62 FR 27296, 27323 (May 19, 1997).

⁴ *See Initiation Notice*.

⁵ *See Initiation Notice*, 89 FR at 87549.

⁶ *See Enforcement and Compliance's Policy Bulletin No. 05.1*, regarding, "Separate-Rates Practice and Application of Combination Rates in Antidumping Investigations Involving Non-Market Economy Countries," (April 5, 2005) (Policy Bulletin 05.1), available on Commerce's website at <https://enforcement.trade.gov/policy/bull05-1.pdf>.

¹ *See Polypropylene Corrugated Boxes from the People's Republic of China and the Socialist Republic of Vietnam: Initiation of Less-Than-Fair-Value Investigations*, 90 FR 15544 (April 14, 2025) (*Initiation Notice*).

² *See* Memorandum, "Decision Memorandum for the Preliminary Determination in the Less-Than-Fair-Value Investigation of Polypropylene Corrugated Boxes from the People's Republic of China," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

Producer/exporter	Weighted-average dumping margin (percent)	Cash deposit rate (adjusted for subsidy offset) (percent)
China-wide Entity	* 83.64	73.10

* Rate based on facts available with adverse inferences.

Suspension of Liquidation

In accordance with section 733(d)(2) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to suspend liquidation of subject merchandise as described in the Scope of the Investigation section entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**, as discussed below. Further, pursuant to section 733(d)(1)(B) of the Act and 19 CFR 351.205(d), Commerce will instruct CBP to require a cash deposit equal to the weighted average amount by which normal value exceeds U.S. price, as indicated in the chart above.

To determine the cash deposit rate, Commerce normally adjusts the estimated weighted-average dumping margin by the amount of domestic subsidy pass-through and export subsidies determined in a companion countervailing duty (CVD) proceeding when CVD provisional measures are in effect. Accordingly, where Commerce has made a preliminary affirmative determination for domestic subsidy pass-through or export subsidies, Commerce has offset the calculated estimated weighted-average dumping margin by the appropriate rate. Any such adjusted rates may be found in the "Preliminary Determination" section's chart of estimated weighted-average dumping margins above.

Should provisional measures in the companion CVD investigation expire prior to the expiration of provisional measures in this LTFV investigation, Commerce will direct CBP to begin collecting cash deposits at a rate equal to the estimated weighted-average dumping margin calculated in this preliminary determination unadjusted for the passed-through domestic subsidies or for export subsidies at the time the CVD provisional measures expire.

These suspension of liquidation instructions will remain in effect until further notice.

Disclosure

Normally, Commerce discloses to interested parties the calculations performed in connection with a

preliminary determination within five days of its public announcement or, if there is no public announcement, within five days of the date of publication of the notice of preliminary determination in the **Federal Register**, in accordance with 19 CFR 351.224(b). However, because Commerce preliminarily applied total AFA to the China-wide entity in this investigation, in accordance with section 776 of the Act, and the applied AFA rate is based solely on the petition, there are no calculations to disclose.

Verification

Because no company responded to Commerce's quantity and value questionnaire, we were unable to select mandatory respondents. Therefore, verification will not be conducted.

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than 30 days after the date of publication of the preliminary determination.⁷ Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing case briefs.⁸ Interested parties who submit case briefs or rebuttal briefs in this proceeding must submit: (1) a table of contents listing each issue; and (2) a table of authorities.⁹

As provided under 19 CFR 351.309(c)(2) and (d)(2), in prior proceedings we have encouraged interested parties to provide an executive summary of their brief that should be limited to five pages total, including footnotes. In this investigation, we instead request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.¹⁰ Further, we request that

interested parties limit their executive summary of each issue to no more than 450 words, not including citations. We intend to use the executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final determination in this investigation. We request that interested parties include footnotes for relevant citations in the executive summary of each issue. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).¹¹

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

Final Determination

Section 735(a)(1) of the Act and 19 CFR 351.210(b)(1) provide that Commerce will issue the final determination within 75 days after the date of its preliminary determination. Accordingly, Commerce will make its final determination no later than 75 days after the signature date of this preliminary determination.

U.S. International Trade Commission Notification

In accordance with section 733(f) of the Act, Commerce will notify the U.S. International Trade Commission (ITC) of its preliminary determination of sales at LTFV. If the final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after the final determination

⁷ See 19 CFR 351.309(c)(1)(i); see also 19 CFR 351.303 (for general filing requirements).

⁸ See 19 CFR 351.309(d); see also *Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings*, 88 FR 67069, 67077 (September 29, 2023) (*APO and Service Final Rule*).

⁹ See 19 CFR 351.309(c)(2) and (d)(2).

¹⁰ We use the term "issue" here to describe an argument that Commerce would normally address

in a comment of the Issues and Decision Memorandum.

¹¹ See *APO and Service Final Rule*.

whether imports of the subject merchandise are materially injuring, or threaten material injury to, the U.S. industry.

Notification to Interested Parties

This determination is issued and published in accordance with sections 733(f) and 777(i)(1) of the Act and 19 CFR 351.205(c).

Dated: August 25, 2025.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

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

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

includes polypropylene corrugated box lids or tops when imported separately from polypropylene corrugated boxes.

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

Appendix II

List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Period of Investigation
- IV. Discussion of Methodology
- V. Adjustment Under Section 777A(f) of the Act
- VI. Adjustment To Cash Deposit Rate for Export Subsidies
- VII. Recommendation

[FR Doc. 2025–16566 Filed 8–27–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–196]

Slag Pots From the People’s Republic of China: Final Affirmative Determination of Sales at Less Than Fair Value

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that slag pots from the People’s Republic of China (China) are being, or are likely to be, sold in the United States at less than fair value (LTFV). The period of investigation is April 1, 2024, through September 30, 2024.

DATES: Applicable August 28, 2025.

FOR FURTHER INFORMATION CONTACT: George McMahon, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–1167.

SUPPLEMENTARY INFORMATION:

Background

On June 17, 2025, Commerce published its *Preliminary Determination* in the **Federal Register**.¹ We invited

¹ See *Slag Pots from the People’s Republic of China: Preliminary Affirmative Determination of Sales at Less Than Fair Value*, 90 FR 25584 (June 17, 2025) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

interested parties to comment on our *Preliminary Determination*; however, no parties submitted comments. Because no interested parties submitted comments, we have adopted our *Preliminary Determination* as the final determination. Accordingly, no decision memorandum accompanies this **Federal Register** notice.

Scope of the Investigation

The products covered by this investigation are slag pots from China. For a complete description of the scope of this investigation, see the appendix to this notice.

Scope Comments

In the Preliminary Scope Memorandum, we set aside a period of time for parties to raise issues regarding product coverage (*i.e.*, scope) in scope-specific case or other written comments on scope issues.² We received no comments from interested parties on the scope of the investigation as it appeared in the Preliminary Scope Memorandum. Therefore, we made no changes to the scope of the investigation.³

Verification

Because no companies in this investigation demonstrated eligibility for a separate rate, Commerce determined that all companies are part of the China-wide entity; therefore, no verification was conducted.

China-Wide Entity and Use of Adverse Facts Available

Consistent with the *Preliminary Determination*,⁴ Commerce continues to find, pursuant to sections 776(a) and (b) of the Tariff Act of 1930, as amended (the Act), that the use of facts otherwise available, with adverse inferences, is warranted in determining the dumping rate for the China-wide entity. Thus, in this final determination, as adverse facts available (AFA), we continue to assign a rate of 294.43 percent, which is the highest margin alleged in the Petition,⁵ to the China-wide entity.⁶

² See Memorandum, “Preliminary Scope Decision Memorandum,” dated March 27, 2025 (Preliminary Scope Memorandum), at 3.

³ *Id.* at Appendix.

⁴ See *Preliminary Determination*, 90 FR at 25584; see also *Preliminary Determination PDM* at 6–10.

⁵ See *Slag Pots from the People’s Republic of China: Initiation of Less-Than-Fair-Value Investigation*, 90 FR 8276, 8279 (January 28, 2025) (*Initiation Notice*); see also Checklist, “Antidumping Duty Investigation Initiation Checklist: Slag Pots from the People’s Republic of China,” dated January 21, 2025 (Initiation Checklist) at 7.

⁶ The China-wide entity includes: (1) Chaeng Great Wall Casting Co., Ltd.; (2) Changzhou Jinyuan Machinery Equipment Ltd. Co.; (3) China Minmetals Corporation; (4) Dawang Metals Co. Ltd.;

Combination Rates

In the *Initiation Notice*,⁷ Commerce stated that it would calculate producer/exporter combination rates for the respondents that are eligible for a

separate rate in this investigation. Policy Bulletin 05.1 describes this practice.⁸ Because no respondent qualified for a separate rate, we did not calculate producer/exporter combination rates for this final determination.

Final Determination

Commerce determines that the following estimated weighted-average dumping margin exists:

Producer/exporter	Weighted-average dumping margin (percent)	Cash deposit rate (adjusted for export subsidy offset) (percent)
China-Wide Entity	* 294.43	278.81

* Rate is based on facts available with adverse inferences.

Disclosure

Normally, Commerce discloses to interested parties the calculations performed in connection with a final determination within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b). However, because Commerce applied AFA to the China-wide entity in this investigation, in accordance with section 776 of the Act, and the applied AFA rate is based solely on the petition, there are no calculations to disclose.

Continuation of Suspension of Liquidation

In accordance with section 735(c)(1)(B) of the Act, Commerce will instruct U.S. Customs and Border Protection (CBP) to continue to suspend liquidation of all appropriate entries of subject merchandise, as described in the appendix to this notice, which were entered, or withdrawn from warehouse, for consumption on or after June 17, 2025, which is the date of publication of the affirmative *Preliminary Determination* in the **Federal Register**, at the cash deposit rate indicated above.

Pursuant to section 735(c)(1)(B)(ii) of the Act and 19 CFR 351.210(d), upon the publication of this notice, Commerce will instruct CBP to require a cash deposit for estimated antidumping duties for appropriate entries. Commerce will instruct CBP to require the following cash deposits of estimated antidumping duties for all appropriate entries: (1) for all Chinese exporters of subject merchandise, the

cash deposit will be equal to the estimated dumping margin established for the China-wide entity; and (2) for all third-country exporters of merchandise under consideration, the cash deposit rate is also the cash deposit rate applicable to the China-wide entity. These suspension of liquidation instructions will remain in effect until further notice.

To determine the cash deposit rate, Commerce normally adjusts the estimated weighted-average dumping margin by the amount of domestic subsidy pass-through and export subsidies determined in a companion countervailing duty (CVD) proceeding when CVD provisional measures are in effect. Accordingly, where Commerce has made a preliminary affirmative determination for domestic subsidy pass-through or export subsidies, Commerce has offset the calculated estimated weighted-average dumping margin by the appropriate export subsidy rate. Any such adjusted cash deposit rate may be found in the “Final Determination” section above. However, the suspension of liquidation of provisional measures in the companion CVD investigation has been discontinued.⁹ Therefore, we are not instructing CBP to collect cash deposits based on the adjusted estimated weighted-average dumping margin for export subsidies at this time. If the U.S. International Trade Commission (ITC) makes a final affirmative determination of injury due to both dumping and subsidies, then the cash deposit rate will be revised effective on the date of publication of the ITC’s final affirmative

determination in the **Federal Register** to be the weighted-average dumping margin adjusted for export subsidies.

U.S. International Trade Commission Notification

In accordance with section 735(d) of the Act, we intend to notify the ITC of our final affirmative determination of sales at LTFV. Because the final determination in this proceeding is affirmative, in accordance with section 735(b)(2) of the Act, the ITC will make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of slag pots from China no later than 45 days after this final determination. In addition, we are making available to the ITC all nonprivileged and nonproprietary information related to this investigation. We will allow the ITC access to all privileged and business proprietary information in our files, provided the ITC confirms that it will not disclose such information, either publicly or under an administrative protective order (APO), without the written consent of the Assistant Secretary for Enforcement and Compliance.

If the ITC determines that material injury or threat of material injury does not exist, the proceeding will be terminated and all cash deposits will be refunded or canceled, and suspension of liquidation will be lifted. If the ITC determines that such injury does exist, Commerce will issue an AD duty order directing CBP to assess, upon further instruction by Commerce, AD duties on

(5) Dehua Protech Innovation Co., Ltd.; (6) Liaoning Mineral and Metallurgy Group Co. Ltd.; (7) MCC Baosteel Technology Services Co., Ltd.; (8) Shantou Huaxing Metallurgical Equipment Co. Ltd.; (9) Shaoguan Germany China Metal Group, Ltd.; (10) Shenyang Minmetal Import & Export Co., Ltd.; and (11) UMECC Beijing Equipment Co., Ltd. See *Preliminary Determination*, 90 FR at 25584.

⁷ See *Initiation Notice*, 90 FR at 8279–80.

⁸ See Enforcement and Compliance’s Policy Bulletin No. 05.1, regarding, “Separate-Rates Practice and Application of Combination Rates in Antidumping Investigations Involving Non-Market Economy Countries,” (April 5, 2005) (Policy Bulletin 05.1), available at <https://access.trade.gov/Resources/policy/bull05-1.pdf>.

⁹ See *Slag Pots from the People’s Republic of China: Preliminary Affirmative Countervailing Duty*

Determination, 90 FR 14625 (April 3, 2025); see also section 703(d) of the Act, which states that the provisional measures may not be in effect for more than four months, which in the companion CVD case is 120 days after the publication of the preliminary determination, or July 31, 2025 (i.e., last day provisional measures are in effect).

all imports of the subject merchandise that are entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation, as discussed above in the “Continuation of Suspension of Liquidation” section.

Administrative Protective Order

In the event that the ITC issues a final negative injury determination, this notice will serve as the only reminder to parties subject to an APO of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation subject to sanction.

Notification to Interested Parties

We are issuing and publishing this final determination in accordance with sections 735(d) and 777(i)(1) of the Act, and 19 CFR 351.210(c).

Dated: August 25, 2025.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

Appendix

Scope of the Investigation

The merchandise covered by the investigation is slag pots with a nominal capacity of 65 cubic feet to 1200 cubic feet regardless of shape, form, or finish.

Slag pots are load bearing devices typically formed as a curved shell or bowl-shaped container. Slag pots are metallurgical goods typically produced either using a casting process or a fabrication process (e.g., welding) and may include a ceramic refractory coating, heat treatment or various finishes in order to handle high temperature slag. Slag pots may contain integral features or attachments including (1) legs (or a stand) and (2) pivotal mounting hooks or brackets. Legs (or a stand) are a fixed or detachable support structure which allows the slag pot to be securely positioned upright on a surface when not being lifted or transported and may also keep the slag pot off the ground and allow for air cooling. The pivotal mounting hooks and brackets are specialized attachment points (such as lifting lugs or trunnions) that allow the slag pot to be securely lifted and transported by a crane or lifting device, or that enable the slag pot to swing or rotate while remaining attached to the lifting mechanism. The merchandise covered by this investigation includes all aforementioned attachments of a fully assembled slag pot, regardless of whether shipped assembled or unassembled.

Slag pots are included within the scope whether finished or unfinished, whether imported individually or with other subject or non-subject merchandise, or whether

assembled with attachments or unassembled. Finishing includes, but is not limited to, arc washing, welding, grinding, shot blasting, heat treatment, machining, and assembly of various parts.

The country of origin for slag pots whether fully assembled, unfinished or finished, is the country where the slag pot was cast or forged. Subject merchandise includes slag pots that have been further processed or further assembled in a third country. Further processing and further assembly include, but is not limited to, arc washing, welding, grinding, shot blasting, heat treatment, painting, coating, priming, machining, and assembly of attachments.

Slag pots subject to the investigation are specified within the Harmonized Tariff Schedule of the United States (HTSUS) under subheadings 7309.00.0090 and 8454.20.0080. The slag pot attachments covered by the scope of this investigation may enter under HTSUS subheadings 7316.00.0000, 7325.10.0080, 7325.99.1000, 7325.99.5000, and 7326.19.0080. The HTSUS subheading is provided for convenience and customs purposes only. The written description of the scope of the investigation is dispositive.

[FR Doc. 2025–16552 Filed 8–27–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–954]

Certain Magnesia Carbon Bricks From the People’s Republic of China: Rescission of Antidumping Duty Administrative Review; 2023–2024

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

SUMMARY: The U.S. Department of Commerce (Commerce) is rescinding the administrative review of the antidumping duty (AD) order on certain magnesia carbon bricks (bricks) from the People’s Republic of China (China), covering the period of review (POR) September 1, 2023, through August 31, 2024, because, as explained below, there are no reviewable suspended entries for the companies subject to this review.

DATES: Applicable August 28, 2025.

FOR FURTHER INFORMATION CONTACT: Nathan James, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–5305.

SUPPLEMENTARY INFORMATION:

Background

On September 3, 2024, Commerce published in the **Federal Register** a notice of opportunity to request an administrative review of the

antidumping duty order¹ on bricks from China, covering the period September 1, 2023, through August 31, 2024.² On September 30, 2024, the Magnesia Carbon Bricks Fair Trade Committee (the petitioner) submitted a timely request that Commerce conduct an administrative review.³

On October 17, 2024, Commerce published in the **Federal Register** a notice of initiation of an administrative review with respect to imports of bricks from China in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).⁴ On November 19, 2024, Commerce placed on the record U.S. Customs and Border Protection (CBP) entry data for the companies subject to the review, showing no reviewable POR entries, and invited interested parties to comment.⁵ No party filed comments with respect to the CBP data.

On July 8, 2025, Commerce issued a notice of intent to rescind the 2023–2024 administrative review and invited interested parties to comment.⁶ No party filed comments with respect to the Notice of Intent to Rescind.

Rescission of Review

Pursuant to 19 CFR 351.213(d)(3), it is Commerce’s practice to rescind an administrative review of an AD order when there are no reviewable entries of subject merchandise during the POR for which liquidation is suspended.⁷ Normally, upon completion of an administrative review, the suspended entries are liquidated at the AD assessment rate for the review period.⁸ Therefore, for an administrative review to be conducted, there must be a reviewable, suspended entry that Commerce can instruct CBP to liquidate at the calculated AD assessment rate for the review period.⁹ As noted above,

¹ See *Certain Magnesia Carbon Bricks from Mexico and the People’s Republic of China: Antidumping Duty Orders*, 75 FR 57257 (September 20, 2010).

² See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review and Join Annual Inquiry Service List*, 89 FR 71254 (September 3, 2024).

³ See Petitioner’s Letter, “Request for Administrative Review,” dated September 30, 2024.

⁴ See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 89 FR 83644, 83648 (October 17, 2024).

⁵ See Memorandum, “Release of Entry Data from U.S. Customs and Border Protection,” dated November 19, 2024.

⁶ See Memorandum, “Notice of Intent to Rescind Review,” dated July 8, 2025.

⁷ See, e.g., *Certain Carbon and Alloy Steel Cut-to-Length Plate from the Federal Republic of Germany: Rescission of Antidumping Administrative Review; 2020–2021*, 88 FR 4154 (January 24, 2023).

⁸ See 19 CFR 351.212(b)(1).

⁹ See 19 CFR 351.213(d)(3).

there were no entries of subject merchandise from the companies subject to this review during the POR. Accordingly, in the absence of suspended entries of subject merchandise during the POR, we are hereby rescinding this administrative review, in its entirety, in accordance with 19 CFR 351.213(d)(3).

Cash Deposit Requirements

As Commerce has proceeded to a final rescission of this administrative review, no cash deposit rates will change. Accordingly, the current cash deposit requirements shall remain in effect until further notice.

Assessment Rates

Commerce will instruct CBP to assess antidumping duties on all appropriate entries. Antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in the United States, in accordance with 19 CFR 351.212(c)(1)(i). Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of this rescission notice in the **Federal Register**.

Administrative Protective Order

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

Notification to Interested Parties

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(d)(4).

Dated: August 26, 2025.

Scot Fullerton,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2025–16558 Filed 8–27–25; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–533–889]

Quartz Surface Products From India: Final Results of the Expedited First Sunset Review of the Antidumping Duty Order

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

SUMMARY: The U.S. Department of Commerce (Commerce) finds that revocation of the antidumping duty (AD) order on quartz surface products from India would be likely to lead to continuation or recurrence of dumping, at the levels indicated in the “Final Results of Sunset Review” section of this notice.

DATES: Applicable August 28, 2025.

FOR FURTHER INFORMATION CONTACT: David DeFalco, Trade Agreements Policy and Negotiations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: 202–482–2178.

SUPPLEMENTARY INFORMATION:

Background

On June 22, 2020, Commerce published the *Order* in the **Federal Register**.¹ On May 1, 2025, Commerce published the initiation notice of the first sunset review of the *Order*, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).² On May 13, 2025, Commerce received a timely and complete notice of intent to participate in the sunset review from Domestic Interested Parties³ within the deadline specified in the 19 CFR 351.218(d)(1)(i).⁴ The Domestic Interested Parties claimed interested party status within the meaning of section 771(9)(C) of the Act as manufacturers, producers or wholesalers in the United States of the domestic like product.⁵ On May 22, 2025, Commerce notified the U.S. International Trade Commission (ITC) that it had received a notice of intent to

participate from the Domestic Interested Parties.⁶

On June 2, 2025, pursuant to 19 CFR 351.218(d)(3)(i), domestic interested parties filed a timely and adequate substantive response.⁷ Commerce did not receive a substantive response from any respondent interested party. On June 20, 2025, Commerce notified the ITC that it did not receive substantive response from any respondent interested parties.⁸ As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), Commerce is conducting an expedited (120-day) sunset review of the *Order*.

Scope of the Orders

The product covered by these *Order* is quartz surface products from India. For the full description of the scope of the *Order*, see the Issues and Decisions Memorandum.⁹

Analysis of Comments Received

A complete discussion of all issues raised in this sunset review, including the likelihood of continuation or recurrence of dumping in the event of revocation of the *Order* and the magnitude of the margins likely to prevail if the *Order* were to be revoked, is provided in the accompanying Issues and Decision Memorandum.¹⁰ A list of the topics discussed in the Issues and Decision Memorandum is attached in the appendix to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance’s Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be directly accessed at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Final Results of Sunset Review

Pursuant to sections 751(c)(1), 752(c)(1) and (3) of the Act, Commerce determines that revocation of the *Order* would be likely to lead to continuation

⁶ See Commerce’s Letter, “Sunset Reviews Initiated on February 3, 2025,” dated May 22, 2025.

⁷ See Domestic Interested Parties’ Letter, “First Five-Year (“Sunset”) Review of the Antidumping Duty Order on Quartz Surface Products from India: Domestic Interested Parties’ Substantive Response,” dated June 2, 2025 (*Substantive Response*).

⁸ See Commerce’s Letter, “Sunset Reviews Initiated on May 1, 2025,” dated June 20, 2025.

⁹ See Memorandum, “Issues and Decision Memorandum for the Final Results of the Expedited First Sunset Review of the Antidumping Duty Order on Quartz Surface Products from India,” dated concurrently with, and hereby adopted by, this notice.

¹⁰ *Id.*

¹ See *Quartz Surface Products from India and Turkey: Antidumping Duty Orders*, 85 FR 37422 (June 22, 2020) (*Order*).

² See *Initiation of Five-Year (Sunset) Reviews*, 90 FR 18642 (May 1, 2025).

³ The Domestic Interested Parties are Cambria Company LLC; Dal-Tile LLC; and Guidoni USA.

⁴ See Domestic Interested Parties’ Letter, “Notice of Intent to Participate in the First Five-Year Review of the Antidumping Duty Order on Quartz Surface Products from India,” dated May 13, 2025.

⁵ *Id.* at 2.

or recurrence of dumping, and that the magnitude of the dumping margins likely to prevail would be weighted-average dumping margins up to 5.15 percent.

Notification Regarding Administrative Protective Orders

This notice also serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely notification of the return or destruction of APO materials, or conversion to judicial protective, orders is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

Notification to Interested Parties

We are issuing and publishing these final results in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act, and 19 CFR 351.218 and 19 CFR 351.221(c)(5)(ii).

Dated: August 22, 2025.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the *Order*
- IV. History of the *Order*
- V. Legal Framework
- VI. Discussion of the Issues
 1. Likelihood of Continuation or Recurrence of Dumping
 2. Magnitude of the Margins of Dumping Likely to Prevail
- VII. Final Results of Sunset Review
- VIII. Recommendation

[FR Doc. 2025–16477 Filed 8–27–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF133]

North Pacific Fishery Management Council; Public Meeting

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

ACTION: Notice of web conference.

SUMMARY: The North Pacific Fishery Management Council (Council) Partial

Coverage Fishery Monitoring Advisory Committee (PCFMAC) and Fishery Monitoring Advisory Committee (FMAC) will meet jointly on September 10, 2025.

DATES: The meeting will be held on Wednesday, September 10, 2025, from 8 a.m. to 4 p.m. Alaska time.

ADDRESSES: Join the meeting online through the link at <https://meetings.npfmc.org/Meeting/Details/3098>.

Council address: North Pacific Fishery Management Council, 1007 W 3rd Ave., Anchorage, Suite 400, Alaska 99501–2252; telephone (907) 271–2809. Instructions for attending the meeting are given under **SUPPLEMENTARY INFORMATION** below.

FOR FURTHER INFORMATION CONTACT: Sara Cleaver, Council staff; email: sara.cleaver@noaa.gov. For technical support please contact Council administrative staff, email: npfmc.admin@noaa.gov, phone: (907) 271–2809.

SUPPLEMENTARY INFORMATION:

Agenda

Wednesday, September 10, 2025

The September 2025 PCFMAC/FMAC agenda will include (a) updates since the last PCFMAC meeting; (b) review of the draft 2026 Annual Deployment Plan; (c) review of NFWF (National Fish and Wildlife Foundation) EM (electronic monitoring) proposals, and (d) other business. The agenda is subject to change, and the latest version will be posted at <https://meetings.npfmc.org/Meeting/Details/3098> prior to the meeting, along with meeting materials.

Connection Information

You can attend the meeting online using a computer, tablet, or smartphone; or by phone only. Connection information will be posted online at: <https://meetings.npfmc.org/Meeting/Details/3098>.

Public Comment

Public comment letters will be accepted and should be submitted electronically to posted at <https://meetings.npfmc.org/Meeting/Details/3098>.

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

Dated: August 25, 2025.

Rey Israel Marquez,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2025–16431 Filed 8–27–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF008]

Permanent Advisory Committee To Advise the U.S. Commissioners to the Western and Central Pacific Fisheries Commission; Meeting Announcement

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

ACTION: Notice of public meeting.

SUMMARY: NMFS announces a public meeting of the Permanent Advisory Committee (PAC) to advise the U.S. Commissioners to the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC) from October 6, 2025 through October 8, 2025. Meeting topics are provided under the **SUPPLEMENTARY INFORMATION** section of this notice.

DATES: The meeting of the PAC will be held, via web conference, from October 6 through October 8, 2025, from 10 a.m. to 1 p.m. Hawaii Standard Time (HST) each day or until business is concluded. Members of the public may submit written comments on meeting topics or materials, at least 2 weeks before the meeting (submission by September 22, 2025), if wanting the comment to be part of meeting materials and to be reviewed by PAC members and U.S. Commissioners ahead of the meeting; public comment is also accepted during the meeting. An Executive Session, closed to the public, may be called during the PAC meeting if confidential subject matter arises or is requested by the PAC. Confidential matters can include U.S. negotiating positions, strategy, litigation, and internal operational issues related to international meetings. A placeholder for an Executive Session is placed on the agenda to accommodate this possibility.

ADDRESSES: The public meeting will be conducted via web conference. For details on how to call in to the web conference or to submit comments, please contact Katrina Poremba, NMFS Pacific Islands Regional Office; telephone: 808–725–5096; email: pir.wcpfc@noaa.gov. Documents to be considered by the PAC will be sent out via email in advance of the conference call. Please submit contact information to Katrina Poremba (telephone: 808–725–5096; email: pir.wcpfc@noaa.gov) at least 10 days in advance of the

meeting, by September 26, 2025, to receive documents via email. This meeting may be audio recorded for the purpose of generating notes of the meeting. As public comments will be made publicly available, participants and public commenters are urged not to provide personally identifiable information (PII) at this meeting. Participation in the meeting by web conference, or by telephone, constitutes consent to the audio recording.

FOR FURTHER INFORMATION CONTACT:

Katrina Poremba, NMFS Pacific Islands Regional Office; 1845 Wasp Blvd., Bldg. 176, Honolulu, HI 96818; telephone: 808-725-5096; email: pir.wcpfc@noaa.gov.

SUPPLEMENTARY INFORMATION:

In accordance with the Western and Central Pacific Fisheries Convention Implementation Act (16 U.S.C. 6901 *et seq.*), the PAC has been formed to advise the U.S. Commissioners to the WCPFC. The PAC is composed of: (i) no less than 15 nor more than 20 individuals appointed by the Secretary of Commerce in consultation with the U.S. Commissioners to the WCPFC; (ii) the chair of the Western Pacific Fishery Management Council's Advisory Committee (or the chair's designee); and (iii) officials from the fisheries management authorities of American Samoa, Guam, and the Northern Mariana Islands (or their designees). The PAC supports the work of the U.S. National Section to the WCPFC in an advisory capacity. The U.S. National Section is made up of the U.S. Commissioners, the Department of State, and the U.S. head of delegation.

NMFS Pacific Islands Regional Office provides administrative and technical support to the PAC in cooperation with the Department of State. More information on the WCPFC, established under the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean, can be found on the WCPFC website: <http://www.wcpfc.int>.

Meeting Topics

The purpose of the October 6 through October 8, 2025 meeting is to discuss U.S. objectives leading up to WCPFC22 and its Subsidiary Body Meetings. There will also be an opportunity for the U.S. Participating Territories (American Samoa, Guam, and CNMI) to present their priority issues to the U.S. Commissioners.

Special Accommodations

The web conference is accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Katrina Poremba at 808-725-5096 by September 29, 2025.

Authority: 16 U.S.C. 6902 *et seq.*

Dated: August 25, 2025.

Kelly Denit,

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

[FR Doc. 2025-16456 Filed 8-27-25; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XF103]

Marine Mammals and Endangered Species

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

ACTION: Notice; issuance of a permit.

SUMMARY: Notice is hereby given that a permit has been issued under the Marine Mammal Protection Act (MMPA).

ADDRESSES: The permits and related documents are available for review upon written request via email to NMFS.Pr1Comments@noaa.gov.

FOR FURTHER INFORMATION CONTACT: Shasta McClenahan, Ph.D.; at (301) 427-8401.

SUPPLEMENTARY INFORMATION: The requested permit has been issued under the MMPA of 1972, as amended (16 U.S.C. 1361 *et seq.*), and the regulations governing the taking and importing of marine mammals (50 CFR part 216). A notice was published in the **Federal Register** on the date listed below that a request for a permit had been submitted. To locate the **Federal Register** notice that announced our receipt of the application and a complete description of the activities, go to <https://www.federalregister.gov> and search for the file number provided in table 1 below.

TABLE 1—ISSUED PERMIT

File No.	Version No.	RTID	Applicant	Previous Federal Register notice	Issuance date
28919	N/A	0648-XE903	Matthieu Haentjens, 707 Boyce Road, Friday Harbor, WA 98250.	90 FR 22246, May 27, 2025.	July 2, 2025.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), a final determination has been made that the activities proposed are categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Dated: August 25, 2025.

Shannon Bettridge,

Chief, Marine Mammal and Sea Turtle Conservation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2025-16455 Filed 8-27-25; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XF125]

New England 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 New England Fishery Management Council (Council) is scheduling a public meeting of its Habitat Joint Committee and Advisory Panel to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). This meeting will be held in-person with a webinar option. Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This webinar will be held on Thursday, September 11, 2025, at 9 a.m. Webinar registration URL information:

<https://nefmc-org.zoom.us/meeting/register/VsZQSYlsQ7aIyMThqjVJMg>.

ADDRESSES: This meeting will be held at Four Points by Sheraton, One Audubon Road, Wakefield, MA 01880; Phone (781) 245-9300.

Council address: New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Cate O'Keefe, Ph.D., Executive Director, New England Fishery Management Council; telephone: (978) 465-0492.

SUPPLEMENTARY INFORMATION:

Agenda

The Habitat Committee and Advisory Panel will meet jointly to review the draft 2025 Essential Fish Habitat (EFH) Framework including EFH designation alternatives and identify a preferred alternative for Council consideration at the September 23-25 meeting. They will receive a demonstration of the New England Sensitive Habitat Viewer Story Map, developed by the NOAA's Greater Atlantic Regional Fisheries Office Habitat and Ecosystem Services Division. The group will also discuss the ongoing 3-year review of the Stellwagen and Georges Bank Dedicated Habitat Research Areas. They plan to receive updates on ocean planning activities and consider potential next steps for Council work. They will also receive an update on the Offshore Wind Regional Fund Administrator Compensation Process. Also on the agenda is discussion on EFH-related work that could be completed following completion of the 2025 framework, including next steps identified during the EFH Technical Review. Other business will be discussed, if necessary.

Although non-emergency issues not contained on the agenda may come before this Council for discussion, those issues may not be the subject of formal action during this meeting. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency. The public also should be aware that the meeting will be recorded. Consistent with 16 U.S.C. 1852, a copy of the recording is available upon request.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Cate

O'Keefe, Ph.D., Executive Director, at (978) 465-0492, at least 5 days prior to the meeting date.

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

Dated: August 26, 2025.

Rey Israel Marquez,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2025-16507 Filed 8-27-25; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF ENERGY

Energy Information Administration

Agency Information Collection Proposed Extension

AGENCY: U.S. Energy Information Administration (EIA), Department of Energy (DOE).

ACTION: Notice and request for comments.

SUMMARY: DOE invites public comments on the proposed three-year extension, with changes, to the Form GC-859 *Nuclear Fuel Data Survey*, OMB Control Number 1901-0287, as required under the Paperwork Reduction Act of 1995. Form GC-859 *Nuclear Fuel Data Survey* collects data on spent nuclear fuel from all utilities that operate commercial nuclear reactors and from all others that possess irradiated fuel from commercial nuclear reactors.

DATES: DOE must receive all comments on this proposed information collection no later than October 27, 2025. If you anticipate any difficulties in submitting comments by the deadline, contact the person listed in **ADDRESSES** section of this notice as soon as possible.

ADDRESSES: You may submit comments, identified by OMB control number 1901-0287, by email at GC859-FRN-Comments@pnnl.gov. Include the OMB control number listed in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: If you need additional information, contact Kenneth Pick, EIA Clearance Officer, at (202) 586-5562. The current and proposed Form GC-859 and instructions are available on EIA's website at <https://www.eia.gov/survey/gc-859>.

SUPPLEMENTARY INFORMATION: This information collection request contains:

(1) *OMB No.:* 1901-0287;

(2) *Information Collection Request*

Title: Nuclear Fuel Data Survey;

(3) *Type of Request:* Three-year extension with changes;

(4) *Purpose:* The Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101 *et seq.*) required that the DOE enter into

Standard Contracts with all generators or owners of spent nuclear fuel and high-level radioactive waste of domestic origin. Form GC-859 (formerly Form RW-859) originated from an appendix to this Standard Contract.

Form GC-859 *Nuclear Fuel Data Survey* collects information on nuclear fuel use and spent fuel discharges from all utilities that operate commercial nuclear reactors and from all others that possess irradiated fuel from commercial nuclear reactors. The data collection provides stakeholders with detailed information concerning the spent nuclear fuel generated by the respondents (commercial utility generators of spent nuclear fuel and other owners of spent nuclear fuel within the U.S.).

Data collected from the survey are utilized by personnel from DOE Office of Nuclear Energy (NE), DOE Office of Environmental Management (EM), and the national laboratories to meet their research objectives of developing a range of options and supporting analyses that facilitate informed choices about how best to manage spent nuclear fuel (SNF);

(4a) *Proposed Changes to Information Collection:*

- Clarified instructions, definitions, and tables based on the feedback received from the last survey collection. This lessens the burden on respondents by avoiding unnecessary clarifications.

- Section B.2: Reactor License Data. Section B.2 is being discontinued because the license status and other data is publicly available on the Nuclear Regulatory Commission's website. Section B.2 now indicates "Discontinued" to preserve the subsection numbering in Section B.

- Section C.1.1: Data on Discharged Fuel Assemblies and Non-Fuel Components Integral to the Assembly—Addition of an optional data field for Assembly-Average Initial Enrichment. The form currently includes a data field only for Maximum Planar-Average Initial Enrichment. Assembly-Average Initial Enrichment is critical for evaluating decay heat and dose rates, while Maximum Planar-Average Initial Enrichment accounts for axial and radial variations in enrichment, essential for criticality safety assessments. Having data for both enrichment values available reduces conservatism and uncertainty in assessing the transportability of transportation packages, providing DOE with the information necessary for effective planning of future spent nuclear fuel transport and storage while maintaining compliance with thermal, radiological, and criticality safety

requirements. Furthermore, Assembly-Average Initial Enrichment is considered non-conservative from a critical safety perspective so obtaining this data would significantly benefit other planning, such as in scenarios involving disposal in addition to transport and storage.

- Reinstating Section C.2: Projected Assembly Discharges. DOE paused collection of projected assembly discharge data in Section C.2 starting with the survey covering the July 1, 2013–December 31, 2017, period. However, reinstating this section is now necessary to provide insight on planned changes in reactor operations, particularly power uprates and the introduction of high-assay low-enriched uranium fuel. These developments will directly impact spent fuel characteristics, including enrichment levels and burnup rates. By collecting data on projected assembly discharges, DOE can ensure that it has the necessary information to manage and plan spent fuel storage, disposal strategies, and infrastructure investments in light of these anticipated changes. Section C.2 includes improvements for clarity of data requested.

- Non-Fuel Components (NFC). The 3 NFC columns in Table C.1.1 will be removed (NFC, NFC Identifier, and Estimated Total Weight) and added to the D.3.3 (Assemblies in Dry Storage) table. The NFC stored in the pool is already captured in Section E: Non-Fuel Data and the text was modified in E.2: Non-Fuel Components—Integral to an Assembly. This change was made to simplify the reporting of non-fuel components in the spent fuel pool. For these components, DOE does not require tracking of their current location in the spent fuel pool, only the tentative amount of hardware delivered to DOE. This reduces the burden on respondents by not requiring them to track and report the location of hardware components in the pool.

- D.3.3: Assemblies in Dry Storage. An additional column for Damaged Fuel Canister (DFC) will be added to the D.3.3 table. This eases the burden on respondents because this change improves clarity by avoiding confusion between a single assembly canister in section C.3.1 and a DFC reported in D.3.3. Additionally, it enhances clarity during canister unloading, ensuring it is clear which assemblies are damaged and whether additional hardware is present in the cask. This information is also used to verify compliance with the Certificate of Compliance when accepting the cask for transportation.

- Appendix C: Reactor and Spent Fuel Storage Site Identification Codes.

Appendix C has been updated to remove numeric ID numbers for reactors or storage locations. These have been replaced with easily recognizable names, consistent with the choices in the web-application. Pools that no longer exist or that are no longer planned for storage have been removed from the list. Appendix C has been renamed to Reactor or Facility and Spent Fuel Storage Site. The form has been revised to remove references to numeric IDs, so the form now contains only user friendly, easily recognizable names.

- Appendix E: Fuel Assembly Type Codes. Appendix E has been modified to include codes submitted on the 2023 data collection that were not already on the list and to remove codes that are not in use, for the convenience of the respondents.

(5) *Annual Estimated Number of Respondents*: 126;

(6) *Annual Estimated Number of Total Responses*: 42;

(7) *Annual Estimated Number of Burden Hours*: 3,707;

(8) *Annual Estimated Reporting and Recordkeeping Cost Burden*: The information is maintained in the normal course of business. The cost of the burden hours is estimated to be \$352,128 (3,707 burden hours times \$94.99 per hour). DOE estimates that respondents will have no additional costs associated with the surveys other than the burden hours and the maintenance of the information during the normal course of business.

Comments are invited on whether or not: (a) The proposed collection of information is necessary for the proper performance of agency functions, including whether the information will have a practical utility; (b) DOE's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used, is accurate; (c) DOE can improve the quality, utility, and clarity of the information it will collect; and (d) DOE can minimize the burden of the collection of information on respondents, such as automated collection techniques or other forms of information technology.

Statutory Authority: Section 13(b) of the Federal Energy Administration Act of 1974, Public Law 93–275, codified as 15 U.S.C. 772(b) and the DOE Organization Act of 1977, Public Law 95–91, codified at 42 U.S.C. 7101 *et seq.* The Nuclear Waste Policy Act of 1982 codified at 42 U.S.C. 10222 *et seq.*

Signed in Washington, DC, on August 25, 2025.

Samson A. Adeshiyan,

Director, Office of Survey Methods and Research, U.S. Energy Information Administration.

[FR Doc. 2025–16436 Filed 8–27–25; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Energy Information Administration

Agency Information Collection Proposed Extension

AGENCY: U.S. Energy Information Administration (EIA), Department of Energy (DOE).

ACTION: Notice and request for comments.

SUMMARY: EIA invites public comment on the proposed three-year extension, with changes, to the Electric Power Surveys (EPS), as required under the Paperwork Reduction Act of 1995. EPS consists of ten surveys, including annual, monthly and one daily survey. These surveys collect data from entities involved in the production, transmission, delivery, and sale of electricity, and in maintaining the reliable operation of the power system. The data collected are the primary source of information on the nation's electric power system.

DATES: EIA must receive all comments on this proposed information collection no later than October 27, 2025. If you anticipate any difficulties in submitting your comments by the deadline, contact the person listed in the **ADDRESSES** section of this notice as soon as possible.

ADDRESSES: You may submit comments, identified by OMB control number 1905–0129, by email at EIA-FRNcomments@eia.gov. Include the OMB control number above in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: Kenneth Pick, EIA Clearance Officer, at (202) 586–5562. The forms and instructions are available at <https://www.eia.gov/survey/>.

SUPPLEMENTARY INFORMATION: This information collection request contains:

- (1) *OMB No.*: 1905–0129;
- (2) *Information Collection Request Title*: Electric Power Surveys (EPS);
- (3) *Type of Request*: Three-year extension with changes;
- (4) *Purpose*: EIA's EPS consists of the following ten surveys:

Form EIA–860 *Annual Electric Generator Report* collects data on existing and planned electric generation

plants, and associated equipment including generators, boilers, cooling systems, and environmental control systems. Data are collected from all existing units and from planned units scheduled for initial commercial operation within ten years of the specified reporting period (depending on the type of power plant).

Form EIA-860M *Monthly Update to the Annual Electric Generator Report* collects data on the status of proposed new generators scheduled to begin commercial operation within the future 12-month period; and existing generators that have proposed modifications that are scheduled for completion within one month. The information is needed to ensure a complete and accurate inventory of the nation's generating fleet, for such purposes as reliability and environmental analysis.

Form EIA-861 *Annual Electric Power Industry Report* collects annual information on the retail sale, distribution, transmission, and generation of electric energy in the United States and its territories. The data includes related activities such as energy efficiency and demand response programs. In combination with Form EIA-861S short form and the monthly Form EIA-861M, this annual survey provides coverage of sales to ultimate customers of electric power and related activities.

Form EIA-861S *Annual Electric Power Industry Report (Short Form)* collects a limited set of information annually from small companies involved in the retail sale of electricity. A complete set of annual data are collected from large companies on Form EIA-861. The small utilities that currently report on Form EIA-861S are required to complete Form EIA-861 once every eight years to provide updated information for the statistical estimation of uncollected data.

Form EIA-861M *Monthly Electric Power Industry Report* collects monthly information from a sample of electric utilities, energy service providers, and distribution companies that sell or deliver electric power to end users. Data included on this form includes sales and revenue for end-use sectors—residential, commercial, industrial, and transportation. This survey is the monthly complement to the annual data collection from the universe of respondents that report on Form EIA-861 and Form EIA-861S.

Form EIA-923A *Annual Power Plant Operations Report* collects annual information from electric power plants in the United States but not reporting on the EIA-923M. This data includes

electric power generation, energy source consumption, end of reporting period fossil fuel stocks, as well as the quality and cost of fossil fuel receipts.

Form EIA-923M *Monthly Power Plant Operations Report* collects monthly information from electric power plants in the United States on electric power generation, energy source consumption, end of reporting period fossil fuel stocks, as well as the quality and cost of fossil fuel receipts.

Form EIA-923S *Supplemental Power Plant Operations Report* collects information from a subset of EIA-923M electric power plants in the United States on non-utility source and disposition of electricity and environmental data.

Form EIA-930 *Balancing Authority Operations Report* collects hourly electric power operating data from the 63 Balancing Authorities (BAs) in the contiguous United States, including demand, forecast demand, net generation, and interchange data.

Form EIA-930A *Balancing Authority Generator Inventory Report* collects an inventory of electric generating units from the 63 Balancing Authorities (BAs) in the contiguous United States on an annual basis.

Pretesting Interviews: EIA can conduct 100 pretesting interviews each year for testing purposes. These methodologies test or evaluate new terminology, unclear questions in surveys, unclear instructions, or questions that may be added to the Electric Power Surveys. This will help improve ongoing surveys and reduce errors due to respondent confusion.

(4a) *Proposed Changes to the Information Collection:*

EIA proposes to discontinue Form EIA-63B, Photovoltaic Module Shipments Report. EIA has determined that the value of the data collected by the survey no longer exceeds the burden of collecting and publishing it.

EIA is proposing to make changes to the frame size for the EIA-860A, EIA-860M, EIA-923A, and EIA-923M to ensure that all new generating units are accounted for. These frame size changes and resulting increases in the estimates for the number of respondents, number of total responses, and number of burden hours are reflected in the below annual estimates values.

(5) *Annual Estimated Number of Respondents:* 29,989.

Form EIA-860A (without schedule 6) is estimated to have 6,700 respondents;

Form EIA-860A (with schedule 6) is estimated to have 811 respondents;

Form EIA-860M is estimated to have 508 respondents;

Form EIA-861A is estimated to have 1,735 respondents;

Form EIA-861S is estimated to have 1,692 respondents;

Form EIA-861M is estimated to have 650 respondents;

Form EIA-923A is estimated to have 11,142 respondents;

Form EIA-923S is estimated to have 2,946 respondents;

Form EIA-923M is estimated to have 3,579 respondents;

Form EIA-930 is estimated to have 63 respondents;

Form EIA-930A is estimated to have 63 respondents;

Pretesting has 100 respondents;

(6) *Annual Estimated Number of Total Responses:* 101,177;

(7) *Annual Estimated Number of Burden Hours:* 251,092;

(8) *Annual Estimated Reporting and Recordkeeping Cost Burden:* EIA estimates that there are no capital and start-up costs associated with this data collection. The information is maintained during the normal course of business. The cost of the burden hours is estimated to be \$23,851,229.08 (251,092 burden hours times \$94.99 per hour). Other than the cost of burden hours, EIA estimates that there are no additional costs for generating, maintaining, and providing this information.

Comments are invited on whether or not: (a) The proposed collection of information is necessary for the proper performance of agency functions, including whether the information will have a practical utility; (b) EIA's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used, is accurate; (c) EIA can improve the quality, utility, and clarity of the information it will collect; and (d) EIA can minimize the burden of the collection of information on respondents, such as automated collection techniques or other forms of information technology.

Statutory Authority: 15 U.S.C. 772(b) and 42 U.S.C. 7101 *et seq.*

Signed in Washington, DC, on August 25, 2025.

Samson A. Adeshiyan,

Director, Office of Statistical Methods & Research, U.S. Energy Information Administration.

[FR Doc. 2025-16450 Filed 8-27-25; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY**Federal Energy Regulatory
Commission****[Project No. 1894–233]****Dominion Energy South Carolina, Inc.;
Notice of Intent To Prepare an
Environmental Assessment**

On June 24, 2025, Dominion Energy South Carolina, Inc. filed a temporary variance request for its seasonal turbine venting period for the Parr Hydroelectric Project No. 1894. The project is located on the Broad River in Newberry and Fairfield counties, South Carolina. The project occupies federal lands.

The licensee requests Commission approval to extend the seasonal turbine venting period specified in the project's Turbine Venting Plan (Plan) through October 31, 2025. The Plan requires the licensee to provide turbine venting annually between June 15 and August 31 to increase dissolved oxygen levels downstream of Parr Shoals Dam. Article 401(b) of the project license requires the licensee to obtain Commission approval for extensions exceeding 30 days.

This notice identifies Commission staff's intention to prepare an environmental assessment (EA) under the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) for the project.¹ Commission staff plans to issue an EA by September 30, 2025. Revisions to the schedule may be made as appropriate.

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 to access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or OPP@ferc.gov.

Any questions regarding this notice may be directed to Joy Kurtz at 202–502–6760 or joy.kurtz@ferc.gov.

Dated: August 25, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025–16561 Filed 8–27–25; 8:45 am]

BILLING CODE 6717–01–P

¹ The unique identification number for documents relating to this environmental review is EAXX–019–20–000–1755601134.

DEPARTMENT OF ENERGY**Federal Energy Regulatory
Commission****[Project No. 190–106]****Moon Lake Electric Association, Inc.;
Notice of Intent To Prepare an
Environmental Assessment**

On December 31, 2024, Moon Lake Electric Association, Inc. (licensee) filed an application to surrender its license for the Uintah Hydroelectric Project No. 190. The project is located on the Uinta River, Pole Creek, and Big Springs, near the town of Neola, Duchesne County, Utah. The project occupies lands of the Uintah and Ouray Indian Reservation of the Ute Indian Tribe and the U.S. Forest Service's Ashley National Forest.

The licensee proposes to remove certain project features while leaving others in place. The retained project features will then be transferred to the Ute Indian Tribe. Project features to be removed include the scour protection weir which traverses the Uinta River; the elevated pipeline that supplies water to the main canal; the Pole Creek diversion structure; the substation; and two operator houses. Features to be retained include: the main canal heading structure and main canal, the Big Springs diversion structure (and access road); the project forebay, the powerhouse; and garage. The transmission line that provides electricity to legacy cabins and the nearby Ute Fish Hatchery will be retained under the licensee's proposal. On February 27, 2025, the Commission issued a public notice for the proposed surrender, accepted the application for filing, and solicited comments, motions to intervene, and protests. Several filings were made in response to the Commission's notice.

This notice identifies Commission staff's intention to prepare an environmental assessment (EA) under the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) for the project.¹ Commission staff plans to issue an EA by October 20, 2025. Revisions to the schedule may be made as appropriate. The EA will be issued for a 30-day comment period. All comments filed on the EA will be reviewed by staff and considered in the Commission's final decision on the proceeding.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help

¹ The unique identification number for documents relating to this environmental review is EAXX–019–20–000–1753089690.

members of the public, including landowners, community organizations, Tribal members, and others to access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or OPP@ferc.gov.

Any questions regarding this notice may be directed to Diana Shannon at 202–502–6136 or diana.shannon@ferc.gov.

Dated: August 25, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025–16559 Filed 8–27–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY**Federal Energy Regulatory
Commission****[Project No. 1971–134]****Idaho Power Company; Notice of
Effectiveness of Withdrawal of As-Built
Exhibit F Drawings**

On July 17, 2025, Idaho Power Company (licensee) filed as-built Exhibit F drawings to reflect the re-built Oxbow fish hatchery¹ for the Hells Canyon Project No. 1971.² On August 7, 2025, the licensee filed a notice of withdrawal of the request. The project is located on the Snake River in Adams and Washington counties, Idaho, and in Baker, Wallowa, and Malheur counties, Oregon. The project occupies federal lands administered by the U.S. Forest Service and the U.S. Bureau of Land Management.

No motion in opposition to the notice of withdrawal has been filed, and the Commission has taken no action to disallow the withdrawal. Pursuant to Rule 216(b) of the Commission's Rules of Practice and Procedure,³ the withdrawal of the application became effective on August 22, 2025, and this proceeding is hereby terminated.

Dated: August 25, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025–16562 Filed 8–27–25; 8:45 am]

BILLING CODE 6717–01–P

¹ See *Idaho Power Company*, 182 FERC ¶ 62,051 (2023).

² *Idaho Power Company*, 14 FPC 55 (1955). The license expired on July 31, 2005, and is operating on annual licenses. The licensee filed a relicensing application on July 29, 2003, which is currently pending with the Commission under a separate proceeding.

³ 18 CFR 385.216(b) (2024).

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Project No. 6411–004]

Valley Falls Associates; Albany Engineering Corporation; Notice of Transfer of Exemption

1. On January 15, 2025, pursuant to 18 CFR 4.106(i), Albany Engineering Corporation, on behalf of Valley Falls Associates, the transferee for the 2,500-kilowatt James Thompson Hydroelectric Project No. 6411, filed a letter notifying the Federal Energy Regulatory Commission (Commission) that the exemption was transferred from Valley Falls Associates to Albany Engineering Corporation. The James Thompson Hydroelectric Project No. 6411 was originally issued an exemption on March 5, 1984.¹ The project is located on the Hoosic River in the Towns of Pittstown and Schaghticoke, Rensselaer County, New York. The transfer of an exemption does not require Commission approval.

2. Albany Engineering Corporation is now the exemptee of the James Thompson Hydroelectric Project No. 6411. All correspondence regarding the project should be directed to Wendy Jo Carey, Albany Engineering Corporation, 5 Washington Square, Albany, NY 12205, Email: wendy@albanyengineering.com.

Dated: August 25, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025–16564 Filed 8–27–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission****Combined Notice of Filings #1**

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG25–504–000.
Applicants: Montpelier Solar, LLC.
Description: Montpelier Solar, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.
Filed Date: 8/25/25.
Accession Number: 20250825–5049.
Comment Date: 5 p.m. ET 9/15/25.
Docket Numbers: EG25–505–000.

Applicants: Outpost Solar LLC.
Description: Outpost Solar LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 8/25/25.
Accession Number: 20250825–5083.
Comment Date: 5 p.m. ET 9/15/25.
Docket Numbers: EG25–506–000.

Applicants: Frye Solar LLC.
Description: Frye Solar LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 8/25/25.
Accession Number: 20250825–5106.
Comment Date: 5 p.m. ET 9/15/25.
Docket Numbers: EG25–507–000.

Applicants: First State Generation, LLC.
Description: First State Generation, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 8/25/25.
Accession Number: 20250825–5148.
Comment Date: 5 p.m. ET 9/15/25.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER14–1400–004.
Applicants: Seneca Generation, LLC.

Description: Compliance filing: Informational Filing Regarding Upstream Transfer of Ownership to be effective N/A.

Filed Date: 8/22/25.
Accession Number: 20250822–5194.
Comment Date: 5 p.m. ET 9/12/25.
Docket Numbers: ER18–1738–002.
Applicants: Bath County Energy, LLC.

Description: Compliance filing: Informational Filing Regarding Upstream Transfer of Ownership to be effective N/A.

Filed Date: 8/22/25.
Accession Number: 20250822–5188.
Comment Date: 5 p.m. ET 9/12/25.
Docket Numbers: ER20–1424–005.
Applicants: Yards Creek Energy, LLC.

Description: Compliance filing: Yards Creek Energy, LLC submits tariff filing per 35: Informational Filing Regarding Upstream Transfer of Ownership to be effective N/A.

Filed Date: 8/22/25.
Accession Number: 20250822–5195.
Comment Date: 5 p.m. ET 9/12/25.
Docket Numbers: ER20–1776–005.
Applicants: Yards Creek Energy, LLC.

Description: Compliance filing: Informational Filing Regarding Upstream Transfer of Ownership to be effective N/A.

Filed Date: 8/22/25.
Accession Number: 20250822–5197.
Comment Date: 5 p.m. ET 9/12/25.
Docket Numbers: ER24–2026–001.
Applicants: Southwest Power Pool, Inc.

Description: Compliance filing: Second Order No. 2023 Compliance Filing to be effective 6/26/2025.

Filed Date: 8/25/25.
Accession Number: 20250825–5099.
Comment Date: 5 p.m. ET 9/15/25.
Docket Numbers: ER25–2852–001.
Applicants: Edgemcom Energy USA, Inc.

Description: Tariff Amendment: Edgemcom Energy USA, Inc. submits tariff filing per 35.17(b): Edgemcom Energy USA, Inc. Market-Based Rate Tariff Filing to be effective 11/1/2025.

Filed Date: 8/25/25.
Accession Number: 20250825–5093.
Comment Date: 5 p.m. ET 9/15/25.
Docket Numbers: ER25–3266–000.
Applicants: SAGE Development Authority.

Description: Request for Prospective Tariff Waiver, et al. of SAGE Development Authority.

Filed Date: 8/22/25.
Accession Number: 20250822–5107.
Comment Date: 5 p.m. ET 9/5/25.
Docket Numbers: ER25–3270–000.
Applicants: Corby Energy Storage, LLC.

Description: § 205(d) Rate Filing: Corby Energy Storage MBR Application to be effective 10/27/2025.

Filed Date: 8/22/25.
Accession Number: 20250822–5181.
Comment Date: 5 p.m. ET 9/12/25.
Docket Numbers: ER25–3271–000.
Applicants: Desert Sands Energy Storage I, LLC.

Description: § 205(d) Rate Filing: Desert Sands Energy Storage I MBR Application to be effective 10/27/2025.

Filed Date: 8/22/25.
Accession Number: 20250822–5189.
Comment Date: 5 p.m. ET 9/12/25.
Docket Numbers: ER25–3272–000.
Applicants: Desert Sands Energy Storage II, LLC.

Description: § 205(d) Rate Filing: Desert Sands Energy Storage II MBR Application to be effective 10/27/2025.

Filed Date: 8/22/25.
Accession Number: 20250822–5191.
Comment Date: 5 p.m. ET 9/12/25.
Docket Numbers: ER25–3273–000.
Applicants: Desert Sands Energy Center, LLC.

Description: § 205(d) Rate Filing: Desert Sands Energy Center MBR Application to be effective 10/27/2025.

Filed Date: 8/22/25.
Accession Number: 20250822–5196.
Comment Date: 5 p.m. ET 9/12/25.
Docket Numbers: ER25–3274–000.
Applicants: Grace Orchard Solar III, LLC.

Description: § 205(d) Rate Filing: Grace Orchard Solar III MBR Application to be effective 10/27/2025.

¹ James Thompson and Co., Inc., 26 FERC ¶ 62,193 (1984) (Order Granting Exemption from Licensing of a Small Hydroelectric Project of 5 Megawatts or Less).

Filed Date: 8/22/25.
Accession Number: 20250822–5200.
Comment Date: 5 p.m. ET 9/12/25.
Docket Numbers: ER25–3275–000.
Applicants: Grace Orchard Solar Interconnection, LLC.

Description: § 205(d) Rate Filing: Grace Orchard Solar Interconnection MBR Application to be effective 10/27/2025.

Filed Date: 8/22/25.
Accession Number: 20250822–5202.
Comment Date: 5 p.m. ET 9/12/25.
Docket Numbers: ER25–3276–000.
Applicants: Roadhouse Energy Storage, LLC.

Description: § 205(d) Rate Filing: Roadhouse Energy Storage MBR Application to be effective 10/27/2025.

Filed Date: 8/22/25.
Accession Number: 20250822–5204.
Comment Date: 5 p.m. ET 9/12/25.
Docket Numbers: ER25–3277–000.
Applicants: Yellow Pine Solar III, LLC.

Description: § 205(d) Rate Filing: Yellow Pine Solar III MBR Application to be effective 10/27/2025.

Filed Date: 8/22/25.
Accession Number: 20250822–5205.
Comment Date: 5 p.m. ET 9/12/25.
Docket Numbers: ER25–3278–000.
Applicants: Yellow Pine Solar Interconnect II, LLC.

Description: § 205(d) Rate Filing: Yellow Pine Solar Interconnect II MBR Application to be effective 10/27/2025.

Filed Date: 8/25/25.
Accession Number: 20250825–5000.
Comment Date: 5 p.m. ET 9/15/25.
Docket Numbers: ER25–3280–000.
Applicants: American Transmission Systems, Incorporated.

Description: § 205(d) Rate Filing: ATSI submits an Amended IA—SA No. 3992 to be effective 10/25/2025.

Filed Date: 8/25/25.
Accession Number: 20250825–5051.
Comment Date: 5 p.m. ET 9/15/25.
Docket Numbers: ER25–3281–000.
Applicants: Consolidated Edison Company of New York, Inc.

Description: § 205(d) Rate Filing: 100 RY 1 Revised RDM for SC 1 to be effective 8/25/2025.

Filed Date: 8/25/25.
Accession Number: 20250825–5059.
Comment Date: 5 p.m. ET 9/15/25.
Docket Numbers: ER25–3282–000.
Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: Revisions to Clarify Language Regarding the TCR Process to be effective 10/25/2025.

Filed Date: 8/25/25.
Accession Number: 20250825–5072.

Comment Date: 5 p.m. ET 9/15/25.
Docket Numbers: ER25–3283–000.
Applicants: Bath County Energy, LLC, Seneca Generation, LLC, Yards Creek Energy, LLC.

Description: Request for Limited Waiver of the 90-day prior notice requirement set forth in Schedule 2 to the PJM OATT of REV Reactive Companies.

Filed Date: 8/22/25.
Accession Number: 20250822–5216.
Comment Date: 5 p.m. ET 9/12/25.
Docket Numbers: ER25–3284–000.
Applicants: First State Generation, LLC.

Description: Initial Rate Filing: Market-Based Rate Application and Request for Waivers and Blanket Approvals to be effective 10/25/2025.

Filed Date: 8/25/25.
Accession Number: 20250825–5113.
Comment Date: 5 p.m. ET 9/15/25.
Docket Numbers: ER25–3285–000.
Applicants: AEP Ohio Transmission Company, Inc.

Description: § 205(d) Rate Filing: AOHTCo-Great Bend Solar (Granny Run 69) Interim Maintenance Services Agreement to be effective 8/4/2025.

Filed Date: 8/25/25.
Accession Number: 20250825–5134.
Comment Date: 5 p.m. ET 9/15/25.
Docket Numbers: ER25–3286–000.
Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Amendment to WMPA, Service Agreement No. 2839; Queue No. W1–121 to be effective 10/25/2025.

Filed Date: 8/25/25.
Accession Number: 20250825–5156.
Comment Date: 5 p.m. ET 9/15/25.

The filings are accessible in the Commission's eLibrary system (<https://elibrary.ferc.gov/idmws/search/fercgensearch.asp>) by querying the docket number.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

The Commission's Office of Public Participation (OPP) supports meaningful

public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or OPP@ferc.gov.

Dated: August 25, 2025.

Carlos D. Clay,
Deputy Secretary.

[FR Doc. 2025–16487 Filed 8–27–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 10934–035]

Sugar River Hydro II, LLC; Notice of Intent To Prepare an Environmental Assessment

On June 22, 2023, and supplemented on January 24, 2024, and June 20, 2025, Sugar River Hydro II, LLC, licensee, filed an application for surrender of its license for the Sugar River II Hydroelectric Project No. 10934. The project is located on the Sugar River in Sullivan County, New Hampshire. The project does not occupy federal lands.

To surrender the project, the licensee proposes to disconnect all generator leads, remove all transformers and other project electrical equipment, remove all hydraulic and governor fluids and reservoirs, remove project related operating equipment and monitors, such as impoundment sensors, from the dam, and secure the powerhouse.

Additionally, the licensee plans to close the penstock at its intake, and intends to work with the U.S. Fish and Wildlife Service and the New Hampshire Department of Environmental Services Dam Bureau to develop the formal penstock closure plan. The dam and its gates would remain in place, including the emergency backup system with a dedicated generator. The licensee does not anticipate any new ground disturbance activity while securing the powerhouse, and closing the penstock intake.

On July 2, 2025, the Commission issued a public notice for the surrender application. The public comment period closed on August 1, 2025. On July 31, 2025, the Connecticut River Conservancy filed comments to express

their support for the surrender of the license.

This notice identifies Commission staff's intention to prepare an environmental assessment (EA) under the National Environmental Policy Act (42 U.S.C. 4321 *et seq*) for the project.¹ Commission staff plans to issue an EA by March 2, 2026. Revisions to the schedule may be made as appropriate. The EA will be issued for a 30-day comment period. All comments filed on the EA will be reviewed by staff and considered in the Commission's final decision on the proceeding.

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Any questions regarding this notice may be directed to Aneela Mousam, (202) 502-8357 or aneela.mousam@ferc.gov.

Dated: August 25, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025-16565 Filed 8-27-25; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 1256-089]

Loup River Public Power District; Notice of Intent To Prepare an Environmental Assessment

On October 9, 2024, Loup River Public Power District (licensee) filed an application to amend its license for the Loup River Hydroelectric Project No. 1256. The project is located on the Loup River in Nance and Platte counties, Nebraska. The project does not occupy federal lands.

The licensee proposes to amend its minimum flow and operating requirements pursuant to Articles 404 and 405 of the license. On April 2, 2025, the Commission issued a public notice for the proposed amendment of license, accepted the application for filing, and

solicited comments, motions to intervene, and protests. No comments were filed in response to the Commission's notice.

This notice identifies Commission staff's intention to prepare an environmental assessment (EA) under the National Environmental Policy Act (42 U.S.C. 4321 *et seq*) for the project.¹ Commission staff plans to issue an EA by November 17, 2025. Revisions to the schedule may be made as appropriate. The EA will be issued for a 30-day comment period. All comments filed on the EA will be reviewed by staff and considered in the Commission's final decision on the proceeding.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members, and others to access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or OPP@ferc.gov.

Any questions regarding this notice may be directed to Diana Shannon at 202-502-6136 or diana.shannon@ferc.gov.

Dated: August 25, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025-16560 Filed 8-27-25; 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 and Accounting Request filings:

Filings Instituting Proceedings

Docket Numbers: AC25-126-000.

Applicants: Howard Midstream Energy Partners, LLC.

Description: Howard Midstream Energy Partners, LLC, et al. submit Request for approval of proposed journal entries to use FERC Account No. 705, Prior Period Adjustment, etc.

Filed Date: 8/22/25.

Accession Number: 20250822-5215.

Comment Date: 5 p.m. ET 9/12/25.

Docket Numbers: RP25-1081-000.

Applicants: MRP Elgin LLC, Dairyland Power Cooperative.

Description: Joint Petition for Limited Waiver of Capacity Release Regulations, et al. of MRP Elgin LLC, et al.

Filed Date: 8/22/25.

Accession Number: 20250822-5155.

Comment Date: 5 p.m. ET 9/3/25.

Docket Numbers: RP25-1082-000.

Applicants: Equitrans, L.P.

Description: § 4(d) Rate Filing: Remove Reference to Extension of Time for NAESB 4.0 to be effective 9/25/2025.

Filed Date: 8/25/25.

Accession Number: 20250825-5031.

Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: RP25-1083-000.

Applicants: Mountain Valley Pipeline, LLC.

Description: § 4(d) Rate Filing: Remove Reference to Extension of Time for NAESB 4.0 to be effective 9/25/2025.

Filed Date: 8/25/25.

Accession Number: 20250825-5034.

Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: RP25-1084-000.

Applicants: Rager Mountain Storage Company LLC.

Description: § 4(d) Rate Filing: Remove Reference to Extension of Time for NAESB 4.0 to be effective 9/25/2025.

Filed Date: 8/25/25.

Accession Number: 20250825-5045.

Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: RP25-1085-000.

Applicants: Rover Pipeline LLC.

Description: § 4(d) Rate Filing: Housekeeping Filing on 8-25-25 to be effective 9/25/2025.

Filed Date: 8/25/25.

Accession Number: 20250825-5062.

Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: RP25-1086-000.

Applicants: Rover Pipeline LLC.

Description: § 4(d) Rate Filing: Vol 1—A Housekeeping Filing on 8-25-25 to be effective 9/25/2025.

Filed Date: 8/25/25.

Accession Number: 20250825-5063.

Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: RP25-1087-000.

Applicants: ETC Tiger Pipeline, LLC.

Description: § 4(d) Rate Filing: Housekeeping Filing on 8-25-25 to be effective 9/25/2025.

Filed Date: 8/25/25.

Accession Number: 20250825-5064.

Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: RP25-1088-000.

Applicants: Garden Banks Gas Pipeline, LLC.

Description: § 4(d) Rate Filing: GB—Modification to Non-Conforming Agreement—Remove ENI to be effective 9/22/2025.

Filed Date: 8/25/25.

¹ The unique identification number for documents relating to this environmental review is EAXX-019-20-000-1756114888.

¹ The unique identification number for documents relating to this environmental review is EAXX-019-20-000-1753110756.

Accession Number: 20250825–5095.
Comment Date: 5 p.m. ET 9/8/25.

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.

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Dated: August 25, 2025.

Carlos D. Clay,
Deputy Secretary.

[FR Doc. 2025–16491 Filed 8–27–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2426–239]

California Department of Water Resources; Notice of Application for a Variance Accepted for Filing and Soliciting Comments, Motions To Intervene, and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Application Type:* Application for temporary variance from flow requirements.

b. *Project No.:* 2426–239.

c. *Date Filed:* June 30, 2025.

d. *Applicant:* California Department of Water Resources (DWR).

e. *Name of Project:* South SWP Hydropower Hydroelectric Project.

f. *Location:* The project is located on the State Water Project in San Bernardino and Los Angeles counties, California.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a–825r.

h. *Applicant Contact:* Mr. Jeremiah McNeil, Acting Manager, California Department of Water Resources, P.O. Box 942836, Sacramento, California 94236, (916) 699–8414, Jeremiah.McNeil@water.ca.gov.

i. *FERC Contact:* Jason Krebill, (202) 502–8268, jason.krebill@ferc.gov.

j. *Cooperating Agencies:* With this notice, the Commission is inviting federal, state, local, and Tribal agencies with jurisdiction and/or special expertise with respect to environmental issues affected by the proposal, that wish to cooperate in the preparation of any environmental document, if applicable, to follow the instructions for filing such requests described in paragraph l below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of any environmental document cannot also intervene. See 94 FERC ¶ 61,076 (2001).

k. *Water Quality Certification:* A water quality certificate under section 401 of the Clean Water Act is required for this proposal from the California State Water Resources Control Board. The applicant must file no later than 60 days following the date of issuance of this notice either: (1) a copy of the request for water quality certification submitted to the California State Water Resources Control Board; or (2) a copy of the water quality certification or evidence of waiver of water quality certification.

l. *Deadline for filing comments, motions to intervene, and protests:* September 24, 2025, 5:00 p.m. Eastern Time.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be

addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852. The first page of any filing should include the docket number P–XXX–XXX. Comments emailed to Commission staff are not considered part of the Commission record.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

m. *Description of Request:* DWR is seeking a temporary variance to Article 52 of the license to temporarily increase the limit of water deliveries from Pyramid Lake to Lake Piru via middle Piru Creek from 3,150 Acre-Feet (AF) per year to a maximum of 25,000 AF per year during the November 1 through end-of-February time period beginning in Water Year (WY) 2025–2026 and extending through WY 2029–2030.

n. *Locations of the Application:* This filing may be viewed on the Commission's website at <http://www.ferc.gov> using the “eLibrary” link. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1–866–208–3676 or email FERCOnlineSupport@ferc.gov, for TTY, call (202) 502–8659. Agencies may obtain copies of the application directly from the applicant.

o. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

p. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214, respectively. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those

who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

q. *Filing and Service of Documents:* Any filing must (1) bear in all capital letters the title "COMMENTS", "PROTEST", or "MOTION TO INTERVENE" as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person commenting, protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. Any filing made by an intervenor must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

r. The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members, and others access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or OPP@ferc.gov.

Dated: August 25, 2025.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2025-16563 Filed 8-27-25; 8:45 am]

BILLING CODE 6717-01-P

ENVIRONMENTAL PROTECTION AGENCY

[Petitions IV-2024-32; FRL-12853-01-R4]

Clean Air Act Operating Permit Program; Order on Petition for Objection to State Operating Permit for Tennessee Valley Authority, Shawnee Fossil Plant (McCracken County, Kentucky)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final order on petition.

SUMMARY: The Environmental Protection Agency (EPA) Administrator signed an order dated July 10, 2025, denying a

petition dated December 20, 2024, from Kentucky Resources Council, National Parks Conservation Association, Sierra Club, and Kentucky Conservation Committee (Petitioners). The petition requested that EPA object to a Clean Air Act (CAA) title V operating permit proposed by the Kentucky Division for Air Quality (KDAQ) to Tennessee Valley Authority, Shawnee Fossil Plant (Shawnee Plant) for its facility located in McCracken County, Kentucky.

FOR FURTHER INFORMATION CONTACT: Art Hofmeister, Air Permits Section, EPA Region 4, (404) 562-9115, hofmeister.art@epa.gov. The final order and petition are available at: <https://www.epa.gov/title-v-operating-permits/title-v-petition-database>.

SUPPLEMENTARY INFORMATION: EPA received a petition from Petitioners dated December 20, 2024, requesting that EPA object to the issuance of operating permit no. V-23-006, proposed by KDAQ to Shawnee Plant in McCracken County, Kentucky. On July 10, 2025, the EPA Administrator issued an order denying the petition. The order itself explains the basis for EPA's decision. Sections 307(b) and 505(b)(2) of the CAA provide that a petitioner may request review of those portions of an order that deny issues in a petition. Any petition for review shall be filed in the United States Court of Appeals for the appropriate circuit no later than October 27, 2025.

Dated: August 20, 2025.

Kevin McOmber,

Regional Administrator, Region 4.

[FR Doc. 2025-16475 Filed 8-27-25; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2025-0758; FRL-12948-01]

Ortho-Phthalaldehyde; Receipt of Application for Emergency Exemption, Solicitation of Public Comment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA is announcing a specific exemption request from the National Aeronautics and Space Administration (NASA) to use the pesticide ortho-phthalaldehyde (OPA, CAS No. 643-79-8) to treat the coolant fluid of the internal active thermal control system (IATCS) of the International Space Station (ISS) to control aerobic/microaerophilic bacteria in the aqueous coolant. The applicant proposes the use of a new chemical which has not been

registered by EPA. Therefore, in accordance with the Code of Federal Regulations, EPA is soliciting public comment before making the decision whether to grant the exemption.

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2025-0758, is available online at <https://www.regulations.gov>. Additional information about dockets generally, is available at <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT: Charles Smith, Director, Registration Division (7505T), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; main telephone number: (202) 566-2875; email address: RDfRNotices@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Executive Summary

A. Does this action apply to me?

You may be potentially affected by this action if you are a pesticide manufacturer involved with the International Space Station. The following North American Industrial Classification System (NAICS) code is not intended to be exhaustive but rather provides a guide to help readers determine whether this document applies to them. One potentially affected entity may include Pesticide manufacturing (NAICS code 32532). Other types of entities not listed could also be affected.

If you have any questions regarding the applicability of this proposed action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. What is EPA's authority for taking this action?

Under section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136p), at the discretion of the EPA Administrator, a Federal or State agency may be exempted from any provision of FIFRA if the EPA Administrator determines that emergency conditions exist which require the exemption. EPA implementing regulations are set forth in 40 CFR part 166.

C. What action is the Agency taking?

EPA is announcing receipt of a request submitted to EPA under FIFRA section 18. This notice does not constitute a decision by EPA on the application itself. The regulations governing FIFRA section 18 require publication of a notice of receipt of an application for a specific exemption

proposing use of a new chemical (*i.e.*, an active ingredient) which has not been registered by EPA.

II. Summary of the Request Received

NASA has requested that EPA issue a specific exemption for the use of OPA in the coolant of the internal active thermal control system (IATCS) of the ISS to control aerobic/microaerophilic bacteria in the aqueous coolant. Information in accordance with 40 CFR part 166 (<https://www.ecfr.gov/current/title-40/part-166>) was submitted as part of this request.

As part of this request, the applicant asserts that it has considered the registered biocide alternatives and concluded that OPA is the most effective biocide that meets the requisite criteria including: The need for safe, non-intrusive implementation and operation in a functioning system; the ability to control existing planktonic and biofilm-residing microorganisms; a negligible impact on system wetted materials of construction; and a negligible reactivity with existing coolant additives. Without the use of OPA, the ISS would not have an adequate long-term solution for controlling these microorganisms in the IATCS coolant.

The OPA is incorporated into a porous resin material contained in a stainless-steel canister. The canister containing the OPA-incorporated resin is inserted into a coolant system loop, using flexible hose and quick disconnects, and is placed in line for 8 hours to deliver the OPA into the fluid. As the coolant fluid flows through the canister, the OPA elutes from the resin material into the coolant fluid. The total volume of the circulatory loops of the IATCS is 829 liters. The maximum concentration would be 350 milligrams (mg) of OPA per liter of coolant fluid. A total of 290, 150 mg would be needed for the entire system. The OPA is incorporated into the resin at 210 mg of OPA per cm³ resin, resulting in potential total use of 1,382 cm³ of the OPA-containing resin. The level of OPA in the coolant is monitored periodically, and because OPA degrades over time, the concentration decreases to a level that is no longer effective in about 1 to 2 years. At this point, replenishment with new OPA-containing canisters is required.

EPA has authorized similar emergency exemptions for this use since 2011. With the decision to extend the mission of the ISS to 2030, the need for this use is expected to continue for the duration of the program.

This notice provides an opportunity for public comment on the application.

The Agency will review and consider all comments received during the comment in determining whether to issue the specific exemption requested by NASA.

Authority: 7 U.S.C. 136 *et seq.*

Dated: August 26, 2025.

Charles Smith,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 2025–16549 Filed 8–27–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OGC–2025–0754; FRL–12893–02–OGC]

Proposed Consent Decree, Clean Air Act Citizen Suit

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed consent decree; request for public comment.

SUMMARY: In accordance with the Clean Air Act, as amended (CAA or the Act), notice is given of a proposed consent decree in *Center for Biological Diversity and Center for Environmental Health v. Lee Zeldin*, No. 4:25–cv–03143–HSG (N.D. Cal.). On April 8, 2025, Plaintiffs the Center for Biological Diversity and the Center for Environmental Health filed a complaint in the United States District Court for the Northern District of California, alleging that the Environmental Protection Agency (EPA) failed to perform its mandatory duties in accordance with the Act to determine whether the Mariposa County, California, and Phoenix-Mesa, Arizona non-attainment areas attained the 2015 ozone national ambient air quality standards (NAAQS) by the Moderate attainment date. The EPA is providing notice of this proposed consent decree, which would resolve all claims in the case by establishing deadlines for the EPA to take final action as specified in the decree.

DATES: Written comments on the proposed consent decree must be received by September 29, 2025.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–HQ–OGC–2025–0754, online at <https://www.regulations.gov> (the EPA's preferred method). Follow the online instructions for submitting comments.

Instructions: All submissions received must include the Docket ID number for this action. Comments received may be posted without change to <https://www.regulations.gov>, including any personal information provided. For detailed instructions on sending

comments and additional information on the rulemaking process, see the “Additional Information about Commenting on the Proposed Consent Decree” heading under the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT:

Karen Bianco, Office of General Counsel, U.S. Environmental Protection Agency; telephone: (202) 564–3298; email address: bianco.karen@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Obtaining a Copy of the Proposed Consent Decree

The official public docket for this action (identified by Docket ID No. EPA–HQ–OGC–2025–0754) contains a copy of the proposed consent decree. The official public docket is available for public viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave., NW, Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744 and the telephone number for the OEI Docket is (202) 566–1752.

The electronic version of the public docket for this action contains a copy of the proposed consent decree and is available through <https://www.regulations.gov>. You may use <https://www.regulations.gov> to submit or view public comments, access the index listing of the contents of the official public docket, and access those documents in the public docket that are available electronically. Once in the system, key in the appropriate docket identification number then select “search.”

II. Additional Information about the Proposed Consent Decree

The proposed consent decree would establish deadlines of October 31, 2025, and February 3, 2026, for the EPA to sign notices of final rule that fulfill the EPA's obligations under CAA section 181(b)(2)(A), 42 U.S.C. 7511(b)(2)(A), with respect to the Mariposa County, California, and Phoenix-Mesa, Arizona 2015 ozone Moderate nonattainment areas, respectively. The proposed consent decree would also require the EPA to send notice of each action to the Office of the Federal Register for review and publication in the **Federal Register** no later than 20 business days after signature.

In accordance with section 113(g) of the CAA, for a period of thirty (30) days

following the date of publication of this document, the EPA will accept written comments relating to the proposed consent decree. The EPA or the Department of Justice may withdraw or withhold consent to the proposed consent decree if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act.

III. Additional Information About Commenting on the Proposed Consent Decree

Submit your comments, identified by Docket ID No. EPA-HQ-OGC-2025-0754 via <https://www.regulations.gov>. Once submitted, comments cannot be edited or removed from this docket. The EPA may publish any comment received to its public docket. Do not submit to the EPA's docket at <https://www.regulations.gov> any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>. For additional information about submitting information identified as CBI, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this document. Note that written comments containing CBI and submitted by mail may be delayed and deliveries or couriers will be received by scheduled appointment only.

If you submit an electronic comment, the EPA recommends that you include your name, mailing address, and an email address or other contact information in the body of your comment. This ensures that you can be identified as the submitter of the comment and allows the EPA to contact you in case the EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. Any identifying or contact information provided in the body of a comment will be included as part of the comment that

is placed in the official public docket and made available in the EPA's electronic public docket. If the EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, the EPA may not be able to consider your comment.

Use of the <https://www.regulations.gov> website to submit comments to the EPA electronically is the EPA's preferred method for receiving comments. The electronic public docket system is an "anonymous access" system, which means the EPA will not know your identity, email address, or other contact information unless you provide it in the body of your comment.

Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." The EPA is not required to consider these late comments.

Gautam Srinivasan,
Associate General Counsel.

[FR Doc. 2025-16474 Filed 8-27-25; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OGC-2025-1346; FRL-12947-01-OGC]

Proposed Consent Decree, Clean Air Act Citizen Suit

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed consent decree; request for public comment.

SUMMARY: In accordance with the Clean Air Act, as amended (CAA or the Act), notice is given of a proposed consent decree in *Commonwealth of Kentucky v. U.S. Environmental Protection Agency*, No. 3:24-CV-600-CHB (W.D. Ky.). On October 16, 2024, Plaintiffs the Commonwealth of Kentucky, Energy and Environment Cabinet (KY EEC); Rebecca Goodman, Secretary of the KY EEC; and the Louisville Metro Air Pollution Control District filed a complaint in the United States District Court for the Western District of Kentucky, Louisville Division. Plaintiffs allege that the Environmental Protection Agency (EPA or the Agency) failed to perform certain non-discretionary duties in accordance with the Act to timely approve or deny a request to redesignate the Kentucky portion of the Louisville, Kentucky-Indiana, 2015 8-hour ozone nonattainment area (the Area) to attainment for the 2015 8-hour ozone National Ambient Air Quality Standards

(NAAQS or standards). The proposed consent decree would establish deadlines for EPA to approve or deny the request to redesignate.

DATES: Written comments on the proposed consent decree must be received by September 29, 2025.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-HQ-OGC-2025-1346, online at <https://www.regulations.gov> (EPA's preferred method). Follow the online instructions for submitting comments.

Instructions: All submissions received must include the Docket ID number for this action. Comments received may be posted without change to <https://www.regulations.gov>, including any personal information provided. For detailed instructions on sending comments and additional information on the rulemaking process, see the "Additional Information about Commenting on the Proposed Consent Decree" heading under the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Karen Bianco, Air and Radiation Law Office, Office of General Counsel, U.S. Environmental Protection Agency; telephone (202) 564-3298; email address bianco.karen@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Obtaining a Copy of the Proposed Consent Decree

The official public docket for this action (identified by Docket ID No. EPA-HQ-OGC-2025-1346) contains a copy of the proposed consent decree. The official public docket is available for public viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave. NW, Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744 and the telephone number for the OEI Docket is (202) 566-1752.

The electronic version of the public docket for this action contains a copy of the proposed consent decree and is available through <https://www.regulations.gov>. You may use <https://www.regulations.gov> to submit or view public comments, access the index listing of the contents of the official public docket, and access those documents in the public docket that are available electronically. Once in the system, key in the appropriate docket identification number then select "search."

II. Additional Information About the Proposed Consent Decree

On September 6, 2022, the Commonwealth of Kentucky submitted a request for EPA to redesignate the Area to attainment for the 2015 8-hour ozone NAAQS and to approve a State Implementation Plan revision containing a maintenance plan for the Area. The proposed consent decree would establish deadlines for EPA to approve or deny the request to redesignate the Area to attainment for the 2015 8-hour ozone NAAQS.

The proposed consent decree would require the appropriate EPA official to sign a final rule to approve or deny Kentucky's request by no later than December 8, 2025. EPA would be required to provide Plaintiffs with notice and a copy of the final rule within three business days after the official's signature. The proposed consent decree would also require EPA to transmit the final rule to the Office of the Federal Register for review and publication in the **Federal Register** within fifteen business days after the official's signature. Finally, the proposed consent decree would require EPA to provide Plaintiffs with notice of the transmittal of the final rule to the Office of the Federal Register within five business days.

In accordance with section 113(g) of the CAA, for a period of thirty (30) days following the date of publication of this document, the Agency will accept written comments relating to the proposed consent decree. EPA or the Department of Justice may withdraw or withhold consent to the proposed consent decree if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act.

III. Additional Information About Commenting on the Proposed Consent Decree

Submit your comments, identified by Docket ID No. EPA-HQ-OGC-2025-1346, via <https://www.regulations.gov>. Once submitted, comments cannot be edited or removed from this docket. EPA may publish any comment received to its public docket. Do not submit to EPA's docket at <https://www.regulations.gov> any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include

discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (i.e., on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>. For additional information about submitting information identified as CBI, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this document. Note that written comments containing CBI and submitted by mail may be delayed and deliveries or couriers will be received by scheduled appointment only.

If you submit an electronic comment, EPA recommends that you include your name, mailing address, and an email address or other contact information in the body of your comment. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. Any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Use of the <https://www.regulations.gov> website to submit comments to EPA electronically is EPA's preferred method for receiving comments. The electronic public docket system is an "anonymous access" system, which means EPA will not know your identity, email address, or other contact information unless you provide it in the body of your comment.

Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

Gautam Srinivasan,
Associate General Counsel.

[FR Doc. 2025-16481 Filed 8-27-25; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OA-2025-0172; FRL-12735-01-OA]

Agency Information Collection Activities; Proposed Information Collection Request; Comment Request; Focus Groups as Used by EPA for Economics Projects (Renewal)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) is planning to submit an information collection request (ICR), Focus Groups as Used by EPA for Economics Projects (Renewal), (EPA ICR Number 2205.23, OMB Control Number 2090-0028) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act. Before doing so, EPA is soliciting public comments on specific aspects of the proposed information collection as described below. This is a proposed renewal of the ICR, which is currently approved through October 10, 2025. This notice allows for 60 days for public comments.

DATES: Comments must be submitted on or before October 27, 2025.

ADDRESSES: Submit your comments, referencing Docket ID Number HQ-OA-2025-0172, to EPA online using www.regulations.gov (our preferred method), by email, or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW, Washington, DC 20460. EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

FOR FURTHER INFORMATION CONTACT: Chris Moore, Office of Policy (MC1809T), Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460; telephone number: 202-566-2348; email address: moore.chris@epa.gov.

SUPPLEMENTARY INFORMATION: This is a proposed renewal of the ICR, which is currently approved through October 10, 2025. 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.

This notice allows 60 days for public comments. Supporting documents, which explain in detail the information that the EPA will be collecting, are available in the public docket for this ICR. The docket can be viewed online at www.regulations.gov or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave. NW, Washington, DC. The telephone number for the Docket Center is 202-566-1744. For additional information about EPA's public docket, visit <http://www.epa.gov/dockets>.

Pursuant to section 3506(c)(2)(A) of the PRA, EPA is soliciting comments and information to enable it to: (i) 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; (ii) 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; (iii) enhance the quality, utility, and clarity of the information to be collected; and (iv) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate forms of information technology. EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval. At that time, EPA will issue another **Federal Register** notice to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB.

Abstract: EPA is seeking renewal of a generic information collection request (ICR) for the conduct of focus groups and protocol interviews (hereafter jointly referred to as focus groups) related to economics projects. Over the next three years, the Agency anticipates engaging in survey development and other efforts associated with a variety of economics projects including those related to drinking water quality, firm compliance responses and impacts, health risk impacts, to name a few. Focus groups are an important source of information and part of any survey development process, allowing researchers to directly gauge how firms and households understand and engage with specific issues and provide a means for explicitly testing draft survey materials. Through these focus groups, the Agency will be able to gain a more in-depth understanding how firms and the public understand and approach to specific issues and will provide

valuable information regarding the quality of draft survey instruments.

The information collected in the focus groups will be used primarily to develop and improve economics-related surveys. To the extent that these surveys are ultimately approved and successfully administered, they will serve to expand the Agency's understanding of benefits and costs of a variety of actions and could provide the means to quantitatively assess the effects of others. Participation in the focus groups will be voluntary and the identity of the participants will be kept confidential.

Form Numbers: None.

Respondents/affected entities: Individuals.

Respondent's obligation to respond: Voluntary.

Estimated number of respondents: 432 (total).

Frequency of response: Once.

Total estimated burden: 288 hours (per year). Burden is defined at 5 CFR 1320.03(b).

Total estimated cost: \$0 (per year), which includes \$0 annualized capital or operation & maintenance costs.

Changes in the Estimates: The request for TBD total burden hours represents a decrease of 1,314 (=2,178-864) hours in the total estimated burden currently identified in the OMB Inventory of Approved ICR Burdens. Burden estimates derived for this (and the previous) renewal are based on projected use estimates for this generic ICR provided by the various program offices at EPA. These projections are based on anticipated, new and continuing projects over the coming three years. A decrease in burden over the previous ICR conveys simply that EPA anticipates less need for the conduct of focus groups under this ICR than in the past.

Alex Marten,

Acting Office Director, National Center for Environmental Economics, Office of Policy.

[FR Doc. 2025-16478 Filed 8-27-25; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2024-0536; FRL-12960-01-OMS]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Labeling Requirements for Certain Minimum Risk Pesticides Under FIFRA Section 25(b) (Renewal)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) has submitted an information collection request (ICR), Labeling Requirements for Certain Minimum Risk Pesticides Under FIFRA Section 25(b) (EPA ICR Number 2475.05 and OMB Control Number 2070-0187) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act. This is a proposed extension of the ICR, which is approved through August 31, 2025. Public comments were previously requested via the **Federal Register** on December 13, 2024 during a 60-day comment period. This notice allows for an additional 30 days for public comments.

DATES: Comments may be submitted on or before September 29, 2025.

ADDRESSES: Submit your comments, referencing Docket ID Number: EPA-HQ-OPP-2024-0536 to EPA online using [regulations.gov](http://www.regulations.gov) (our preferred method), by email to docket.epa.gov or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW, Washington, DC 20460.

EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

Submit written comments and recommendations to OMB for the proposed information collection within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function.

FOR FURTHER INFORMATION CONTACT:

Carolyn Siu, Office of Program Support (Mail Code 7602M), Office of Chemical

Safety and Pollution Prevention, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460; telephone number: (202) 566-1205; email address: siu.carolyn@epa.gov.

SUPPLEMENTARY INFORMATION: This is a proposed extension of the ICR, which is currently approved through August 30, 2025. An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

Public comments were previously requested via the **Federal Register** on December 13, 2024, during a 60-day comment period (89 FR 101009). This notice allows for an additional 30 days for public comments. Supporting documents, which explain in detail the information that the EPA will be collecting, are available in the public docket for this ICR. The docket can be viewed online at www.regulations.gov or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave. NW, Washington, DC. The telephone number for the Docket Center is 202-566-1744. For additional information about EPA's public docket, visit <http://www.epa.gov/dockets>.

Abstract: In accordance with the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), this information collection request documents the PRA burden for the labeling requirements for certain minimum risk pesticide products exempt from Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) registration under 40 CFR 152.25(f). These requirements were updated in the final rule entitled: Pesticides; Revisions to Minimum Risk Exemption (80 FR 80653, December 28, 2015). Under 40 CFR 152.25(f), EPA has exempted from the requirement of FIFRA registration certain pesticide products if they are composed of specified ingredients and labeled accordingly. EPA created the exemption for minimum risk pesticides to eliminate the need for industry or business to expend significant resources to apply for and maintain regulated products that are deemed to be of minimum risk to human health and the environment. In addition, exempting such products freed Agency resources to focus on evaluating formulations whose toxicity was less well characterized, or was of higher toxicity. The labeling requirements are the key component of the minimum risk exemption since this is the only information that enforcement authorities have to assess whether or not the product meets the exemption requirements. While EPA does not

review these products, and therefore a Federal label review is not conducted, to maintain exemption status, an exempt product's label must meet certain criteria.

The ICR, which is available in the docket along with other related materials, provides a detailed explanation of the collection activities and the burden estimate that is only briefly summarized here:

Form number(s): None.

Respondents/affected entities: Entities potentially affected by this ICR include engaged in activities related to the registration of pesticide products including manufacturers, distributors, retailers, and users of minimum risk pesticides.

Respondent's obligation to respond: Required to obtain or retain a benefit (FIFRA sections 3 and 25; 40 CFR 152.25(f)).

Estimated number of respondents: 234 (total).

Frequency of response: Once.

Total estimated burden: 752 hours (per year). Burden is defined at 5 CFR 1320.3(b).

Total estimated cost: \$109,361 (per year), which includes \$0 annualized capital or operation & maintenance costs.

Changes in the estimates: There is an increase of 273 annual hours in the total estimated respondent burden compared with the ICR currently approved by OMB. This increase is due to EPA's estimation of new products entering the market, which has increased from 87 to 137 per year, and updated wage rates. These changes are an adjustment.

Courtney Kerwin,

Director, Information Engagement Division.

[FR Doc. 2025-16473 Filed 8-27-25; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-0798; FR ID 310338]

Information Collection Being Reviewed by the Federal Communications Commission Under Delegated Authority

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or 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 October 27, 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 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 No.: 3060-0795.

Title: Associate WTB & PSHSB Call Sign & Antenna Registration Number With Licensee's FRN.

Form No.: FCC Form 606.

Type of Review: Extension of a currently approved collection.

Respondents: Individuals or households; business or other for-profit entities; not-for-profit institutions; state, local or tribal government.

Number of Respondents: 5,000 respondents; 5,000 responses.

Estimated Time per Response: (15 minutes) 0.25 hours.

Frequency of Response: On occasion reporting requirement.

Total Annual Burden: 1,250 hours.

Total Annual Cost: No cost.

Obligation to Respond: Required to obtain or retain benefits.

Needs and Uses: The Commission will submit this information collection to the OMB after this 60-day comment period as an extension (no change in reporting and/or third-party disclosure

requirements) to obtain the full three-year clearance from them.

Licensees use FCC Form 606 to associate their FCC Registration Number (FRN) with their Wireless Telecommunications Bureau and Public Safety Homeland Security Bureau call signs and antenna structure registration numbers. The form must be submitted before filing any subsequent applications associated with the existing license or antenna structure registration that is not associated with an FRN. The information collected in the FCC Form 606 is used to populate the Universal Licensing System (ULS) with the FRNs of licensees and antenna structure registration owners who interact with ULS.

Federal Communications Commission.

Katura Jackson,

Federal Register Liaison Officer.

[FR Doc. 2025–16496 Filed 8–27–25; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–1203; FR ID 310297]

Information Collection Being Reviewed by the Federal Communications Commission

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection burden on small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. No person shall be subject to any penalty for failing to comply with

a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written PRA comments should be submitted on or before October 27, 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 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 No.: 3060–1203.

Title: Section 79.107 User Interfaces Provided by Digital Apparatus; Section 79.108 Video Programming Guides and Menus Provided by Navigation Devices; Section 79.110 Complaint Procedures for User Interfaces, Menus and Guides, and Activating Accessibility Features on Digital Apparatus and Navigation Devices.

Form No.: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Individuals or households; Business or other for-profit entities; Not for profit institutions; State, Local or Tribal government.

Number of Respondents and Responses: 5,599 respondents and 546,277 responses.

Estimated Time per Response: 0.0167 hours to 10 hours.

Frequency of Response: On occasion reporting requirement; Third party disclosure requirement; Recordkeeping requirement.

Obligation to Respond: Voluntary. The statutory authority for this information collection is contained in the Twenty-First Century Communications and Video Accessibility Act of 2010 (CVAA), Public Law 111–260, 124 Stat. 2751, and sections 4(i), 4(j), 303(r), 303(u), 303(aa), 303(bb), and 716(g) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 154(j), 303(r), 303(u), 303(aa), 303(bb), and 617(g).

Total Annual Burden: 39,350 hours.

Annual Cost Burden: \$74,100.

Needs and Uses: The Commission will use the information submitted by a digital apparatus manufacturer or other party to determine whether it is achievable for digital apparatus to be fabricated so that control of appropriate built-in apparatus functions are accessible to and usable by individuals

who are blind or visually impaired or whether it is achievable to comply with the information, documentation, and training requirements. The Commission will use the information submitted by an Multichannel Video Programming Distributor (MVPD) or navigation device manufacturer or other party to determine whether it is achievable for on-screen text menus and guides provided by navigation devices for the display or selection of multichannel video programming to be audibly accessible in real time upon request by individuals who are blind or visually impaired or whether it is achievable to comply with the information, documentation, and training requirements. Consumers will use the information provided by manufacturers of digital apparatus on the full functionalities of digital apparatus, such as instructions and product information, as well as information provided by manufacturers and MVPDs in accordance with the information, documentation, and training requirements, in order to have accessible information and support on how to use the device. Consumers will use the information provided by manufacturers and MVPDs notifying consumers of the availability of accessible digital apparatus and navigation devices to determine which devices accessible and whether they wish to request an accessible device. MVPDs and manufacturers of navigation devices will use the information provided by consumers who are blind or visually impaired consumers when requesting accessible navigation devices to fulfill such requests. MVPDs will use information provided by customers who are blind or visually impaired as reasonable proof of disability as a condition to providing equipment and/or services at a price that is lower than that offered to the general public. Consumers will use the contact information of covered entities to file written complaints regarding the accessibility requirements for digital apparatus and navigation devices. Finally, the Commission will use information received pursuant to the complaint procedures for violations of sections 79.107–79.109 to enforce the Commission's digital apparatus and navigation device accessibility requirements. The Commission will forward complaints, as appropriate, to the named manufacturer or provider for its response, as well as to any other entity that the Commission determines may be involved, and it may request additional information from relevant parties.

Federal Communications Commission.

Katura Jackson,

Federal Register Liaison Officer.

[FR Doc. 2025–16500 Filed 8–27–25; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at <https://www.federalreserve.gov/foia/request.htm>. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)).

Comments received are subject to public disclosure. In general, comments received will be made available without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would not be appropriate for public disclosure.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington DC 20551–0001, not later than September 29, 2025.

A. Federal Reserve Bank of Atlanta (Erien O. Terry, Assistant Vice President) 1000 Peachtree Street NE, Atlanta, Georgia 30309. Comments can also be sent electronically to Applications.Comments@atl.frb.org:

1. *Steel Newco Inc., Peachtree Corners, Georgia*; to acquire Synovus Financial Corp., and thereby indirectly acquire Synovus Bank, both of Columbus, Georgia, as well as Pinnacle Financial Partners, Inc., and Pinnacle Bank, both of Nashville, Tennessee.

B. Federal Reserve Bank of Kansas City (Jeffrey Imgarten, Assistant Vice President) 1 Memorial Drive, Kansas City, Missouri 64198–0001. Comments can also be sent electronically to KCApplicationComments@kc.frb.org:

1. *HPB Holdings, Inc., Okeene, Oklahoma*; to acquire Community Bank, Alva, Oklahoma.

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,

Associate Secretary of the Board.

[FR Doc. 2025–16544 Filed 8–27–25; 8:45 am]

BILLING CODE P

GENERAL SERVICES ADMINISTRATION

[OMB Control No. 3090–0330; Docket No. 2025–0001; Sequence No. 19]

Information Collection; Federal Audit Clearinghouse (FAC)

AGENCY: Technology Transformation Services (TTS), General Services Administration (GSA).

ACTION: Notice; request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act (PRA), the GSA is proposing a revision to an existing information collection request (ICR) for the Data Collection Form (SF–SAC) and associated FAC webform. The revisions add an optional resubmission pathway and optional structured fields within audit findings (questioned costs, criteria, condition, cause, effect, recommendation, response), as well as new Yes/No webform fields for auditor disclosures of known fraud, likely fraud, summary schedule of prior audit findings, and significant instances of abuse, consistent with 2 CFR 200.516(b)(5)–(7).

DATES: Submit comments on or before October 27, 2025.

ADDRESSES: Submit comments identified by Information Collection 3090–0330; Federal Audit Clearinghouse (FAC) to: <http://www.regulations.gov>. Submit comments via the Federal eRulemaking portal by searching for “Information Collection 3090–0330; Federal Audit Clearinghouse”. Select the link “Submit a Comment” that corresponds with “Information Collection 3090–0330; Federal Audit Clearinghouse”. Follow

the instructions provided at the “Submit a Comment” screen. Please include your name, company name (if any), and “Information Collection 3090–0330; Federal Audit Clearinghouse” on your attached document. If your comment cannot be submitted using <https://www.regulations.gov>, call or email the points of contact in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

Instructions: Please submit comments only and cite Information Collection 3090–0330; Federal Audit Clearinghouse, in all correspondence related to this collection. Comments received generally will be posted without change to <http://www.regulations.gov>, including any personal and/or business confidential information provided. To confirm receipt of your comment(s), please check www.regulations.gov, approximately two-to-three days after submission to verify posting.

FOR FURTHER INFORMATION CONTACT:

Lynn Houston, Technology and Transformation Services Division, Federal Acquisition Service, GSA, at 845–594–1761 or lynn.houston@gsa.gov.

SUPPLEMENTARY INFORMATION:

A. Purpose

The SF–SAC form is used to collect information required under the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR part 200, subpart F). Auditees that expend \$750,000 or more in Federal awards in a fiscal year must submit the SF–SAC along with their Single Audit reporting package to the FAC.

This proposed revision includes:

1. An optional resubmission pathway, with fields for resubmission type, reason, and report ID.

2. Optional structured fields within each audit finding to capture questioned costs (known and likely), criteria, condition, cause, effect, recommendation, and response. These elements are typically included in narrative text; this change allows, but does not require, auditors to enter them in separate fields for improved clarity and data usability.

3. New Yes/No fields in the FAC webform to capture audit-level disclosures of known fraud, likely fraud, whether a summary schedule of prior audit findings is included, and whether significant instances of abuse are disclosed, consistent with 2 CFR 200.516(b)(5)–(7).

B. Annual Reporting Burden

Respondents: 90,000 (45,000 auditees and 45,000 auditors).

Responses per Respondent: 1.
Total Annual Responses: 90,000
 (45,000 auditees and 45,000 auditors).
Hours per Response: 100 hours for
 each of the 450 large respondents and
 21 hours for each of the 89,550 small
 respondents.
Total Burden Hours: 1,925,550.

C. Public Comments

Public comments are invited on whether the proposed collection of information is necessary for the proper performance of GSA's functions, including whether the information will have practical utility; the accuracy of GSA's estimate of the burden, including the validity of the methodology and assumptions; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the collection on respondents, including through the use of automated techniques or other information technology. All comments received will be reviewed and considered.

Obtaining Copies of Proposals:
 Requesters may obtain a copy of the information collection documents from the Regulatory Secretariat Division by calling 202-501-4755 or emailing GSARegSec@gsa.gov. Please cite OMB Control No. 3090-0330, Federal Audit Clearinghouse, in all correspondence.

Patrick Dale,

Management & Program Analyst, Office of Acquisition Policy, General Services Administration.

[FR Doc. 2025-16557 Filed 8-27-25; 8:45 am]

BILLING CODE 6820-AB-P

GENERAL SERVICES ADMINISTRATION

[OMB Control No. 3090-0274; Docket No. 2025-0001; Sequence No. 6]

Submission for OMB Review; Art-in-Architecture Program Center for Fine Arts; GSA Form 7437

AGENCY: Public Buildings Service, 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 a revision of an information collection requirement regarding the Art-in-Architecture (AIA) Program Center for Fine Arts, GSA Form 7437.

DATES: Submit comments on or before September 29, 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. Jennifer Gibson, Office of Architecture and Engineering, Center for Fine Arts (PAOD), 1800 F Street NW, Washington, DC 20405, at telephone 202-253-3020 or via email at jennifer.gibson@gsa.gov.

SUPPLEMENTARY INFORMATION:

A. Purpose

The AIA Program actively seeks to commission works from American artists for public buildings. The GSA Form 7437, Art in Architecture Program National Artist Registry, will be used to collect information from artists across the country to participate and to be considered for commissions.

The AIA Program is the result of a policy decision made in January 1963 by GSA Administrator Bernard L. Boudin, who served on the Ad Hoc Committee on Federal Office Space in 1961-1962.

The program has been modified over the years, most recently in 2022, to align with Executive Order (E.O.) 14029 issued on May 14, 2021 "Revocation of Certain Presidential Actions and Technical Amendment," and to support E.O. 13985 issued January 2021, titled "Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. E.O. 14029 revoked E.O. 13934 issued July 3, 2020, "Building and Rebuilding Monuments to American Heroes." E.O. 14189 of January 29, 2025 "Celebrating America's 250th Birthday," revoked E.O. 14129 and reinstates E.O. 13934. As mandated by E.O. 13934, the AIA program must prioritize the commissioning of artworks that portray historically significant Americans or events of American historical significance, or that illustrate the ideals upon which the Nation was founded. Priority is to be given to public-facing monuments to former Presidents of the United States, and to individuals and events relating to the discovery of America, the founding of the United States, and the abolition of slavery. Such works of art are to be designed to be appreciated by the general public and by those who use and interact with Federal buildings. When an artwork commissioned by GSA is meant to depict a historically significant American, the artwork is required to be a lifelike or realistic

representation of that person, not an abstract or modernist representation.

With the implementation of the 2025 policy, the AIA program seeks to commission works from the American artists that "portray historically significant Americans or events of American historical significance or illustrate the ideals upon which our nation was founded." In support of the AIA program's goal to commission the most talented contemporary American artists to create works for the nation's important new civic buildings, it is necessary to identify those artists. The National Artist Registry (Registry) offers the opportunity for artists across the country to participate and to be considered for commissions.

In accordance with E.O. 14168 "Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government," and E.O. 14148 "Initial Rescissions of Harmful Executive Orders and Actions," issued on January 20, 2025, the optional demographic and gender information on form GSA 7437 will no longer be collected.

B. Annual Reporting Burden

Respondents: 300.

Responses per Respondent: 1.

Total Responses: 300.

Hours per Response: 0.25.

Total Burden Hours: 75.

C. Public Comments

A 60-day notice was published in the **Federal Register** at 90 FR 15006 on April 7, 2025. A comment was received, however, it did not change the estimate of the burden.

Comment: The respondent indicated a suggestion that funding should be allocated towards areas beyond AIA.

Response: This comment is outside the scope of the information collection.

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. 3090-0274, Art-in-Architecture Program Center for Fine Arts, GSA Form 7437.

Patrick Dale,

Management & Program Analyst, Office of Acquisition Policy, General Services Administration.

[FR Doc. 2025-16556 Filed 8-27-25; 8:45 am]

BILLING CODE 6820-34-P

GENERAL SERVICES ADMINISTRATION

[OMB Control No. 3090–0321; Docket No. 2025–0001; Sequence No. 14]

Submission for OMB Review; Improving Customer Experience— Implementation of Section 280 of OMB Circular A–11

AGENCY: General Services Administration (GSA).

ACTION: Notice; request for comment.

SUMMARY: GSA has, under OMB review, the following proposed Information Collection Request “Improving Customer Experience (OMB Circular A–11, Section 280 Implementation)” for approval under the Paperwork Reduction Act (PRA).

DATES: Submit comments on or before September 29, 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: Requests for additional information should be directed to Nicole Bynum, Regulatory Program Specialist, at 202–501–4755, or email to GSARegSec@gsa.gov.

SUPPLEMENTARY INFORMATION:

A. *Purpose:* Under the Government Service Delivery Improvement (GSDI) Act¹ and the 21st Century Integrated Digital Experience Act,² along with OMB guidance, agencies are obligated to continually improve the services they provide the public and to collect qualitative and quantitative data from the public to do so.

The General Services Administration (hereafter “the Agency”) has developed a survey collection tool (<https://touchpoints.digital.gov/>) that Federal agencies may use to collect this customer feedback. The purpose of this request is to facilitate federal agencies’ ability to collect feedback from the public using this GSA Touchpoints survey tool, or any subsequent GSA survey tool that uses a different name. Collecting feedback from the public will allow agencies to continue to improve federal services, thereby facilitating compliance with statutory requirements and general principles of good governance.

An agency using the Touchpoints survey tool will only submit collections if they meet the following criteria.

- The collections are voluntary;
- The collections are low-burden for respondents (based on considerations of total burden hours or burden-hours per respondent) and are low-cost for both the respondents and the Federal Government;
- The collections are non-controversial, meaning they do not raise issues that warrant public comment;
- Any collection is targeted to the solicitation of opinions from respondents who have experience with the program or may have experience with the program in the near future;
- Personally identifiable information (PII) is collected only to the extent necessary and the agency will comply with applicable legal and policy requirements to ensure its protection;
- Information gathered is intended to be used for general service improvement and program management purposes;
- The agency will follow the procedures specified in any relevant OMB guidance for the required reporting to OMB of data from surveys;
- Outside of the reporting mentioned in the bullet immediately above, if the agency intends to release journey maps, user personas, reports, or other data-related summaries stemming from this collection, the agency must include appropriate caveats around those summaries, noting that conclusions should not be generalized beyond the sample, considering the sample size and response rates. The agency must submit the data summary itself (e.g., the report) and the caveat language mentioned above to OMB before it releases them outside the agency. OMB will engage in a passback process with the agency.

Affected Public: Individuals and Households, Businesses and Organizations, State, Local or Tribal Government.

B. *Annual Reporting Burden:* Below is an estimate of the aggregate burden hours for this collection.

Average Expected Annual Number of Activities: Approximately 50 customer feedback surveys.

Average Number of Respondents per Activity: Range varies greatly depending on Federal Service.

Annual Responses: Approximately 40,000,000.

Average Minutes per Response: 3 minutes.

Burden Hours: 2,000,000.

C. *Public Comments:* A 30-day notice was published in the **Federal Register** at 90 FR on. 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. 3090–0321 Improving Customer Experience—Implementation of Section 280 of OMB Circular A–11.

Patrick Dale,

Management & Program Analyst, Office of Acquisition Policy, General Services Administration.

[FR Doc. 2025–16555 Filed 8–27–25; 8:45 am]

BILLING CODE 6820–34–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–10277 and CMS–10416]

Agency Information Collection Activities: Submission for OMB Review; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS’ intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, and to allow a second opportunity for public comment on the notice. Interested persons are invited to send comments regarding the burden estimate or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency’s functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments on the collection(s) of information must be received by the OMB desk officer by September 29, 2025.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent

¹ 5 U.S.C. 321–24.

² 44 U.S.C. 3501 note.

within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, please access the CMS PRA website by copying and pasting the following web address into your web browser: <https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing>.

FOR FURTHER INFORMATION CONTACT:

William Parham at (410) 786–4669.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. The term “collection of information” is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires federal agencies to publish a 30-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice that summarizes the following proposed collection(s) of information for public comment:

1. Type of Information Collection Request: Reinstatement with change of a previously approved collection; **Title of Information Collection:** Medicare and Medicaid Programs: Conditions of Participation for Hospices; **Use:** Under the Medicare program, eligible beneficiaries may receive covered services in a hospice, provided that certain requirements are met by the hospice. Hospice care means a comprehensive set of services identified and coordinated by an interdisciplinary group to provide for the physical, psychosocial, spiritual and emotional needs of a terminally ill patient and/or family members, as delineated in a specific patient plan of care.

The information collection requirements (ICRs) described herein are needed to implement the Medicare Conditions of Participation (CoPs) for Medicare-participating hospices. The

CoPs help assure an adequate level of patient health and safety in participating hospices and help ensure that Medicare hospice eligibility requirements are being met. CMS originally published the Hospice Conditions of Participation on June 5, 2008 (hereinafter “2008 Final Rule”). The regulations containing the information collection requirements are located at 42 CFR part 418 of the Code of Federal Regulations, Subparts B, C and D.

This is a reinstatement of the information collection request that expired on March 31, 2024. The previous iteration of this OMB Control Number: 0938–1067 (approved March 23, 2021) had an annual burden of 3,639,215 hours and annual costs of \$273,001,454. For this requested reinstatement, with changes, the total annual burden hours for industry is 4,032,329 hours and the annual burden costs are \$350,449,922. The 10.8% increase in hours is primarily due to the increase in the number of hospices since the last iteration.

Since the last reinstatement was approved in March 2021, CMS revised one of the hospice CoPs at 42 CFR 418.76 in the proposed rule, *Medicare Program: FY 2022 Hospice Wage Index and Payment Rate Update, Hospice Conditions of Participation Updates, Hospice and Home Health Quality Reporting Program Requirements* published on April 14, 2021 (86 FR 19700). As CMS addressed in the final rule (CMS–1754–F) published on August 4, 2021 (86 FR 42528), the comments received supported the proposed revisions and did not require any changes to the original burden estimates in this PRA package. This reinstatement incorporates the policy changes made to Section 418.76 through this rule and updates the associated burden estimates based on the original assumptions.

In November 2021, CMS required hospices to develop policies and procedures as a CoP to ensure all staff were fully vaccinated and the burden requirements were detailed in OMB Control Number: 0938–0266. However, CMS removed this requirement and related burden for hospices (and other facilities) in June 2023. **Form Number:** CMS–10277 (OMB control number: 0938–1067); **Frequency:** Yearly; **Affected Public:** Private sector (Business or other for-profit and Not-for-profit institutions); **Number of Respondents:** 7,356; **Total Annual Responses:** 9,209,893; **Total Annual Hours:** 4,032,329. (For policy questions regarding this collection contact Claudia Molinar at 410–786–8445.)

2. Type of Information Collection Request: Revision of a currently approved collection; **Title of Information Collection:** Blueprint for Approval of State-based Exchange; **Use:** The Patient Protection and Affordable Care Act (ACA) and its implementing regulations provide states with flexibility in the design and operation of Exchanges to ensure states are implementing Exchanges that best meet the needs of their consumers. States can choose to establish and operate a State-based Exchange (SBE) or a State-based Exchange on the Federal Platform (SBE–FP). To ensure a state can operate a successful and compliant SBE or SBE–FP, it is critical that states provide CMS with a complete and thorough Exchange Blueprint Application, Declaration of Intent Letter, and attest to demonstrate operational readiness. The information collected from states will be used by CMS, IRS, SSA and reviewed by other Federal agencies to determine if a state can implement a complete and fully operational Exchange. **Form Number:** CMS–10416 (OMB control number: 0938–1172); **Frequency:** Annually; **Affected Public:** State, Local, or Tribal governments; **Number of Respondents:** 2; **Total Annual Responses:** 21; **Total Annual Hours:** 106. (For policy questions regarding this collection contact Tiffany Y. Animashaun at Tiffany.Animashaun@cms.hhs.gov.)

William N. Parham, III

Director, Division of Information Collections and Regulatory Impacts, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2025–16488 Filed 8–27–25; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2022–N–2396]

Chemistry, Manufacturing, and Controls Development and Readiness Pilot Program; Program Announcement

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing year four of the Chemistry, Manufacturing, and Controls (CMC) Development and Readiness Pilot (CDRP). This program facilitates the expedited CMC development of products under an investigational new drug application (IND) based on the anticipated clinical benefit of earlier

patient access to the products. FDA has implemented this pilot program to assist with CMC readiness for products regulated by both the Center for Biologics Evaluation and Research (CBER) and the Center for Drug Evaluation and Research (CDER) that have accelerated clinical development timelines. To accelerate CMC development and facilitate CMC readiness, the pilot features increased communication between FDA and sponsors and explores the use of science- and risk-based regulatory approaches, as applicable. This notice outlines the eligibility criteria and process for submitting a request to participate in the pilot.

DATES: Starting October 1, 2025, FDA will accept requests to participate in year four of the CDRP program. See the “Participation” section of this document for eligibility criteria, instructions on how to submit a request to participate, and selection criteria and process.

FOR FURTHER INFORMATION CONTACT:

Tanya Clayton, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 75, Rm. 4506, Silver Spring, MD 20993–0002, 301–796–0871; or Phillip Kurs, Center for Biologics Evaluation and Research, Food and Drug Administration, 240–402–7911.

For general questions about the CDRP Program for CBER: industry.biologics@fda.hhs.gov.

For general questions about the CDRP Program for CDER: cdcr-opq-opro-crad-inquiries@fda.hhs.gov.

SUPPLEMENTARY INFORMATION:

I. Background

Development programs for CBER- and CDER-regulated drugs and biologics intended to diagnose, treat, or prevent a serious disease or condition where there is an unmet medical need may have accelerated clinical development timelines. Yet, marketing applications for products in expedited development programs still need to meet FDA’s approval standards, including manufacturing facility compliance with current good manufacturing practice (CGMP). Products with accelerated clinical development activities may face challenges in expediting CMC development activities to align with the accelerated clinical timelines. Successfully expediting CMC readiness may require additional interactions with FDA during product development and, if applicable, warrant the use of science- and risk-based regulatory approaches to streamline CMC development activities

so that clinical benefits of earlier patient access to these products can be realized.

As described in the FDA Prescription Drug User Fee Act (PDUFA) VII Commitment Letter for fiscal years (FYs) 2023 Through 2027 (Ref. 1), FDA implemented the CDRP program to facilitate CMC readiness for selected CBER- and CDER-regulated products with accelerated clinical development timelines in FY 2023. To accelerate CMC development and facilitate CMC readiness, the pilot features increased communication between FDA and sponsors and explores the use of science- and risk-based regulatory approaches, such as those described in the FDA guidance for industry entitled “Expedited Programs for Serious Conditions—Drugs and Biologics” (May 2014) (Ref. 2), as applicable.

FDA (CBER and CDER) is continuing to administer the CDRP to facilitate the CMC development of selected products under INDs which have expedited clinical development timeframes, based on the anticipated clinical benefits of earlier patient access to the products. For sponsors participating in the pilot, FDA will provide product-specific CMC advice during product development, including two additional CMC-focused Type B meetings, as well as additional CMC-focused discussions. To support these interactions, once a sponsor is admitted to the pilot, FDA will expand the IND quality assessment team so as to ensure it has representation from the full complement of relevant disciplines. The increased communication between FDA review staff and sponsors is intended to ensure a mutual understanding of approaches to completing CMC activities, including what information should be provided at the appropriate timepoint (*i.e.*, at the time of new drug application (NDA) or biologics license application (BLA) submission, prior to the end of the review cycle, or post-approval) to ensure CMC readiness for a marketing application.

II. Participation

FDA will accept requests to participate in the CDRP program continuously throughout the fiscal year. FDA will select no more than nine proposals per fiscal year, with approximately two-thirds being CBER-regulated products and one-third CDER-regulated products. FDA will renew the CDRP program each fiscal year and announce the opening of the pilot program in the **Federal Register** for the remainder of this PDUFA VII period (until the end of FY 2027). However, once enrolled in the pilot a participating firm will continue to be enrolled in the

program until their marketing application is filed. Sponsors who are interested in participating in the pilot program should submit a request to participate in the pilot as an amendment to their IND. The cover letter should state “Request to Participate in the CMC Development and Readiness Pilot.”

To promote innovation and understanding in this area, FDA will hold a public workshop on September 10, 2025 and issue a strategy document focused on CMC aspects of expedited development incorporating lessons from the CDRP. At the workshop, sponsors may be asked to present lessons learned from the pilot. FDA may also present summary lessons and case studies. Generally, FDA does not anticipate that the case studies will need to include information, such as the sponsor’s name, that can identify a unique product or product-specific manufacturing process information. Case studies will focus on FDA-sponsor interactions and problem solving, and address scientific and technical issues only in general terms. However, as described in the FDA PDUFA VII Commitment Letter for FYs 2023 Through 2027, to be eligible for the pilot, the sponsor must reach agreement with FDA on the information that could be publicly disclosed. FDA will notify a sponsor in advance when it plans to include some aspect of their experience in the program in a public discussion (*e.g.*, a slide presentation, a white paper).

A. Eligibility Criteria

The following eligibility criteria apply for consideration for participation in the pilot program:

1. Joint CBER and CDER Eligibility Criteria

- An active commercial IND (see the definition of commercial IND at <https://www.fda.gov/drugs/cder-small-business-industry-assistance-sbia/research-investigational-new-drug-applications-what-you-need-know>).
- IND has been submitted in, or converted to, Electronic Common Technical Document (eCTD) format, unless the IND is of a type granted a waiver from eCTD format as per FDA’s guidance for industry entitled “Providing Regulatory Submissions in Electronic Format—Certain Human Pharmaceutical Product Applications and Related Submissions Using the eCTD Specifications” (September 2024) (Ref. 3).
- INDs for combination products (21 CFR 3.2(e)) are eligible; products that require significant cross-Center interactions (*e.g.*, complex combination

products) may be less likely to be selected for the pilot.

- In general, there should be enough time remaining before submission of the marketing application to allow the pilot to have an impact on CMC readiness.

- CMC-related information is provided to demonstrate a commitment to pursue a CMC development plan that aligns with the expedited clinical development program (see “CMC Development Plan” in section II.B of this document for details).

Due to the differences in product complexity between CBER- and CDER-regulated products, the following eligibility and selection criteria differ between the Centers.

2. CBER-Specific Eligibility Criteria

- IND is an existing, CBER-regulated IND intended for submission as an application for licensure of a biological product under section 351(a) of the Public Health Service Act (PHS Act) (42 U.S.C. 262(a)) for cellular therapies, gene therapies, and other products regulated by the Office of Therapeutic Products/CBER or vaccines regulated by the Office of Vaccines Research and Review/CBER.

- IND has a Breakthrough Therapy (BT) or Regenerative Medicine Advance Therapy (RMAT) designation.

3. CDER-Specific Eligibility Criteria

- IND is an existing, CDER-regulated IND for a product intended for submission as an application for: (1) approval of a new drug submitted under section 505(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(b)), or (2) licensure of a biological product under section 351(a) of the PHS Act.

- IND has an expedited clinical timeframe warranted based on anticipated clinical benefits of earlier patient access. This would include INDs with BT or Fast Track designations as well as other INDs that meet this criterion, with eligibility to be determined by FDA.

B. What To Submit in a Request To Participate in the Pilot

To participate in the CDRP, sponsors should submit a written request as an amendment to the IND. In addition to providing a point of contact and noting any expedited program designations the IND has received to date, the request should include the following information.

CMC Development Plan

To focus pilot resources where they will be most useful and have an impact on the timeliness with which CMC

readiness is achieved, prospective applicants to the pilot program should include in their Request to Participate a brief description of their CMC development plan, with a prospective timeline for CMC development that would align with when the clinical development program is expected to be complete:

- The plan should list the remaining CMC tasks and activities anticipated to be necessary, with estimated timeframes. This part of the plan should cover the following CMC-related areas:

- Currently available product characterization and preliminary identification of critical quality attributes.

- Summary of the current drug substance and drug product manufacturing process and control strategy (including assays, noting any that are still under development).

- A brief description of the proposed commercial scale manufacturing and control strategy, including any necessary microbial control strategy—focusing on important differences from clinical scale.

- Identification of potential commercial manufacturing facilities, including any contract facilities, or, at least, the type (in house, contract manufacturing organization) of facilities anticipated.

- Plans for ensuring product availability at approval.

- Drug substance and drug product stability assessment plan.

- Strategy for process validation (see FDA’s guidance for industry entitled “Process Validation: General Principles and Practices” (Ref. 4)).

- Given the expedited clinical timeframe, mapping out a plan for manufacturing readiness within the same overall timespan may reveal potential challenges in accomplishing CMC readiness. The plan should highlight any anticipated CMC challenges—whether related to the bullets above or otherwise. This will facilitate FDA engagement and collaboration. Participants in the pilot should plan to discuss these challenges with FDA during the pilot. For CDER-regulated products, see MAPP 5015.13, “Quality Assessment for Products in Expedited Programs” (Ref. 5).

- The CMC Development Plan should include proposed timing (*i.e.*, month and year) for the first CMC-specific Type B meeting afforded by the pilot.

C. Selection Criteria and Process

FDA intends to select CBER and CDER INDs based on the criteria outlined below. Requests will be acknowledged and reviewed when

received. FDA intends to issue a Proceed to Disclosure Agreement letter, if selected into the pilot, or deny letter within 90 days of receipt.

In selecting INDs for the pilot program, FDA intends to consider factors such as: (1) anticipated clinical benefits of facilitating earlier patient access to the product, (2) novelty of the product, (3) complexity of the product or its manufacturing process, including technology, and (4) anticipated CMC challenges. Overall, FDA intends to seek balance and diversity in product types and therapeutic indications to obtain a variety of relevant experience and learnings from the pilot.

D. FDA-Sponsor Interactions During the Pilot

During this CDRP program, sponsors will have the ability to discuss their product development strategies and goals with FDA review staff during the two dedicated Type B meetings, as well as in additional CMC-focused discussions. Besides additional interactions and collaboration with FDA, for those INDs in the pilot, FDA will assemble a team to support the CMC development and readiness of the IND, *e.g.*, participating in the meetings and other discussions under the pilot.

In preparation for a meeting, sponsors should submit written questions along with a background information package clearly marked as a “PDUFA VII CDRP meeting” as part of the cover letter to enable FDA review staff to address the questions. The briefing package should be submitted to the corresponding IND. Meetings associated with the pilot should be requested by sponsors. For additional information on meetings and other communications between the sponsors and FDA, see the FDA draft guidance for industry entitled “Formal Meetings Between the FDA and Sponsors or Applicants of PDUFA Products” (September 2023) (Ref. 6), CDER MAPP 6025.6: “Good Review Practice: Management of Breakthrough Therapy-Designated Drugs and Biologics” (Rev. 1) (February 2024) (Ref. 7), CBER “SOPP 8101.1: Regulatory Meetings With Sponsors and Applicants for Drugs and Biological Products” (March 2023) (Ref. 8), and CBER “SOPP 8212: Breakthrough Therapy Products—Designation and Management” (August 2023) (Ref. 9).

III. Paperwork Reduction Act of 1995

Collections of information from fewer than 10 respondents within any 12-month period are not subject to the Paperwork Reduction Act of 1995 (PRA) (5 CFR 1320.3(c)(4)). To the extent this information collection involves 10 or

more respondents within any 12-month period, the collections of information are subject to the PRA. These collections of information are subject to review by the Office of Management and Budget (OMB) under the PRA (44 U.S.C. 3501–3521). The collections of information for NDAs, formal meetings with sponsors and applicants for PDUFA products, and the PDUFA VII Commitment Letter have been approved under OMB control number 0910–0001. The collections of information for INDs have been approved under OMB control number 0910–0014. The collections of information for BLAs have been approved under OMB control number 0910–0338. The collections of information pertaining to CGMP requirements have been approved under OMB control number 0910–0139. The collections of information pertaining to expedited programs for serious conditions for drugs and biologics and breakthrough therapy-designation for drugs and biologics have been approved under OMB control number 0910–0765.

IV. References

The following references are on display at the Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240–402–7500, and are available for viewing by interested persons between 9 a.m. and 4 p.m., Monday through Friday; they are also available electronically at <https://www.regulations.gov>. Although FDA verified the website addresses in this document, please note that websites are subject to change over time.

1. “PDUFA Reauthorization Performance Goals and Procedures Fiscal Years 2023 Through 2027” at <https://www.fda.gov/media/151712/download>.

2. FDA guidance for industry “Expedited Programs for Serious Conditions—Drugs and Biologics” (May 2014): <https://www.fda.gov/media/86377/download>.

3. FDA guidance for industry “Providing Regulatory Submissions in Electronic Format—Certain Human Pharmaceutical Product Applications and Related Submissions Using the eCTD Specifications” (Rev. 8) (September 2024): <https://www.fda.gov/media/135373/download>.

4. FDA guidance for industry “Process Validation: General Principles and Practices” (Rev. 1) (January 2011): <https://www.fda.gov/files/drugs/published/Process-Validation—General-Principles-and-Practices.pdf>.

5. CDER MAPP 5015.13: “Quality Assessment for Products in Expedited Programs” (December 2022): <https://www.fda.gov/media/162786/download?attachment>.

6. FDA draft guidance for industry “Formal Meetings Between the FDA and Sponsors or Applicants of PDUFA Products” (Rev. 1)

(September 2023): <https://www.fda.gov/media/172311/download>.

7. CDER MAPP 6025.6: “Good Review Practice: Management of Breakthrough Therapy-Designated Drugs and Biologics” (Rev. 1) (February 2024): <https://www.fda.gov/media/89155/download>.

8. CBER “SOPP 8101.1: Regulatory Meetings With Sponsors and Applicants for Drugs and Biological Products” (July 2024): <https://www.fda.gov/media/84040/download>.

9. CBER “SOPP 8212: Breakthrough Therapy Products—Designation and Management” (August 2023): <https://www.fda.gov/media/98351/download>.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–16513 Filed 8–27–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2025–N–2368]

Patient-Focused Drug Development: Workshop #2 To Discuss Methodologic and Other Challenges Related to Patient Experience Data; Public Workshop; Request for Comments

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of public workshop; request for comments

SUMMARY: The Food and Drug Administration (FDA, the Agency, or we) is announcing the following public workshop entitled “Patient-Focused Drug Development: Workshop #2 to Discuss Methodologic and Other Challenges Related to Patient Experience Data.” The purpose of the public workshop is to discuss methodological challenges related to patient experience data, and other areas of greatest interest or concern to public stakeholders.

DATES: The public workshop will be held virtually on September 18, 2025, from 12:30 p.m. to 5 p.m. Eastern Time, and September 19, 2025, from 12:30 p.m. to 4 p.m. Eastern Time. Either electronic or written comments on this public workshop must be submitted by November 18, 2025. See the **SUPPLEMENTARY INFORMATION** section for registration date and information.

ADDRESSES: The public workshop will be held virtually using the Zoom platform. The link for the public workshop will be sent to registrants upon registration.

You may submit comments 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 November 18, 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–2368 for “Patient-Focused Drug Development: Workshop #2 to Discuss Methodologic and Other Challenges Related to Patient Experience Data.” 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.” The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on <https://www.regulations.gov>. Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as “confidential.” Any information marked as “confidential” will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA’s posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: <https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf>.

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to <https://www.regulations.gov> and insert the docket number, found in brackets in the heading of this document, into the “Search” box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240–402–7500.

FOR FURTHER INFORMATION CONTACT: Ethan Gabbour, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6306, Silver Spring, MD 20993, 301–796–8112, Ethan.Gabbour@fda.hhs.gov.

SUPPLEMENTARY INFORMATION:

I. Background

Under the seventh iteration of the Prescription Drug User Fee Act, incorporated as part of the FDA User Fee Reauthorization Act of 2022, FDA committed to facilitate the advancement and use of systematic approaches to collect and utilize robust and meaningful patient and caregiver input

that can more consistently inform drug development and, as appropriate, regulatory decision making. This included issuing a Request for Information (RFI) available at <https://www.federalregister.gov/documents/2023/05/02/2023-09265/methodological-challenges-related-to-patient-experience-data-request-for-information-and-comments> to elicit public input on methodologic challenges related to patient experience data, and other areas of greatest interest or concern to public stakeholders.¹ The RFI was published on May 2, 2023, and the public comment period was open until July 3, 2023. A summary of the comments was published on December 12, 2023, and is available at <https://www.regulations.gov> by entering the following docket number: FDA–2023–N–1506. The input received in response to the RFI helped inform the topics for the first public workshop in this series, *Patient-Focused Drug Development: Workshop to Discuss Methodologic and Other Challenges Related to Patient Experience Data*, held on December 13, 2024. The discussions from the first workshop helped to inform the topics for this second workshop. These workshops, together with the input received in response to the RFI, will help FDA identify priorities for future work.

II. Topics for Discussion at the Public Workshop

The purpose of this virtual public workshop is to highlight and discuss methodological issues related to patient experience data, including the submission and evaluation of patient experience data in the context of the benefit-risk assessment and product labeling, as well as other areas of greatest interest or concern to stakeholders. This workshop will build upon the previous workshop and will feature presentations and panel discussions with experts on selected methodologies and the challenges and opportunities they present. In addition, this workshop will present a draft version of an updated evidence dossier template to facilitate the submission of

¹ The Federal Food, Drug, and Cosmetic Act, as amended by the 21st Century Cures Act (Pub. L. 114–255) and the FDA Reauthorization Act of 2017 (Pub. L. 115–52), defines patient experience data as data that are collected by any persons (including patients, family members and caregivers of patients, patient advocacy organizations, disease research foundations, researchers and drug manufacturers) and are intended to provide information about patients’ experiences with a disease or condition, including the impact (including physical and psychosocial impacts) of such disease or condition or a related therapy or clinical investigation and patient preferences with respect to treatment of the disease or condition.

evidence to FDA to support a Clinical Outcome Assessment.

III. Participating in the Public Workshop

Registration: To register for the public workshop, please visit the following website: https://fda.zoomgov.com/webinar/register/WN_8FiAlJfjrS3W2WpC_8K0Zww#/registration. Please provide complete contact information for each attendee, including name, organization, email, and affiliation.

Registration is free. Persons interested in attending this public workshop must register to receive a link to the meeting. Registrants will receive a confirmation email after they register.

If you need special accommodations due to a disability, please contact Ethan.Gabbour@fda.hhs.gov no later than September 11, 2025. Please note, closed captioning will be available automatically.

Transcript: Please be advised that as soon as a transcript of the public workshop is available, it will be accessible at <https://www.regulations.gov>. It may also be viewed at the Dockets Management Staff (see **ADDRESSES**).

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–16514 Filed 8–27–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2025–N–3082]

Issuance of Priority Review Voucher; Rare Pediatric Disease Product; MODESYO (dordaviprone)

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the issuance of a priority review voucher to the sponsor of a rare pediatric disease product application. The Federal Food, Drug, and Cosmetic Act (FD&C Act) authorizes FDA to award priority review vouchers to sponsors of approved rare pediatric disease product applications that meet certain criteria. FDA is required to publish notice of the award of the priority review voucher. FDA has determined that MODESYO (dordaviprone), approved August 6, 2025, manufactured by Chimerix, Inc.,

meets the criteria for a priority review voucher.

FOR FURTHER INFORMATION CONTACT:

Quyen Tran, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Silver Spring, MD 20993-0002, 301-796-2771.

SUPPLEMENTARY INFORMATION: FDA is announcing the issuance of a priority review voucher to the sponsor of an approved rare pediatric disease product application. Under section 529 of the FD&C Act (21 U.S.C. 360ff), FDA will award priority review vouchers to sponsors of approved rare pediatric disease product applications that meet certain criteria. FDA has determined MODESYO (dordaviprone) manufactured by Chimerix, Inc., meets the criteria for a priority review voucher. MODESYO (dordaviprone) capsules are indicated for the treatment of adult and pediatric patients 1 year of age and older with diffuse midline glioma harboring an H3 K27M mutation with progressive disease following prior therapy.

For further information about the Rare Pediatric Disease Priority Review Voucher Program and for a link to the full text of section 529 of the FD&C Act, go to <https://www.fda.gov/ForIndustry/DevelopingProductsforRareDiseases/Conditions/RarePediatricDiseasePriorityVoucherProgram/default.htm>. For further information about MODESYO (dordaviprone), go to the “Drugs@FDA” website at <https://www.accessdata.fda.gov/scripts/cder/daf/>.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025-16515 Filed 8-27-25; 8:45 am]

BILLING CODE 4164-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Submission to OMB for Review and Approval; Public Comment Request; Nurse Corps Scholarship Program, OMB No. 0915-0301—Revision

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, HRSA submitted an Information Collection Request (ICR) to the Office of Management and Budget (OMB) for review and approval. Comments submitted during the first public review of this ICR will be provided to OMB. OMB will accept further comments from the public during the review and approval period. OMB may act on HRSA's ICR only after the 30-day comment period for this notice has closed.

DATES: Comments on this ICR should be received no later than September 29, 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 Review—Open for Public Comments” or by using the search function.

FOR FURTHER INFORMATION CONTACT: To request a copy of the clearance requests submitted to OMB for review, email Samantha Miller, the HRSA Information Collection Clearance Officer, at paperwork@hrsa.gov or call (301) 443-3983.

SUPPLEMENTARY INFORMATION:

Information Collection Request Title: Nurse Corps Scholarship Program, OMB No. 0915-0301—Revision.

Abstract: The Nurse Corps Scholarship Program (Nurse Corps SP), administered by HRSA, provides scholarships to nursing students in exchange for a minimum 2-year full-time service commitment (or part-time equivalent), at an eligible health care facility with a critical shortage of nurses (*i.e.*, Critical Shortage Facility [CSF]). The scholarship consists of payment of tuition, fees, other reasonable educational costs, and a monthly support stipend. Program recipients are required to fulfill Nurse Corps SP service commitments at CSFs located in the 50 states, the District of Columbia, Guam, the Commonwealth of Puerto Rico, the Northern Mariana Islands, the U.S. Virgin Islands, American Samoa, the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.

A 60-day notice published in the **Federal Register** on June 11, 2025, vol.

90, No. 111; pp. 24635–36. There were no public comments.

Need and Proposed Use of the Information: The Nurse Corps SP collects data to determine an applicant's eligibility for the program, monitor a participant's continued enrollment in a school of nursing, monitor the participant's compliance with the Nurse Corps SP service obligation, and prepare annual reports to Congress. The following information will be collected: (1) from the applicants to determine their eligibility—an application form consisting of personal (such as proof of citizenship, references, and personal essay), financial (such as the Student Aid Index), and educational information (including verification of acceptance and good standing, tuition costs, and transcripts); (2) from the schools, on a quarterly basis—general applicant and nursing school data such as full name, location, tuition/fees, and enrollment status; (3) from the schools, on an annual basis—data concerning tuition/fees and overall student enrollment status; and (4) from the participants and their employing CSF on a biannual basis—data concerning the participant's employment status, work schedule, and leave usage.

There will be minor changes to this information collection, including replacing “gender” with “sex” and a discontinuation of the collection of resumes within the application as they are not used to determine eligibility.

Likely Respondents: Nurse Corps SP applicants, participants who are in school, graduates, educational institutions, and CSFs.

Burden Statement: Burden in this context means the time expended by persons to generate, maintain, retain, disclose, or provide the information requested. This includes the time needed to review instructions; to develop, acquire, install, and utilize technology and systems for the purpose of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information; to search data sources; to complete and review the collection of information; and to transmit or otherwise disclose the information. The total annual burden hours estimated for this ICR are summarized in the table below.

TOTAL ESTIMATED ANNUALIZED BURDEN HOURS

Form name	Number of respondents	Number of responses per respondent	Total responses	Average burden per response (in hours)	Total burden hours
Nurse Corps Scholarship Program Application	3,300	1	3,300	2.00	6,600
School Enrollment Verification Form	600	2	1,200	0.33	396
Confirmation of Interest Form	200	1	200	0.20	40
Data Collection Worksheet Form	600	1	600	1.00	600
Graduation Close Out Form	200	1	200	0.17	34
Employment Verification Form	500	2	1,000	0.42	420
In-Service Verification Form	1,000	2	2,000	0.12	240
Verification of Acceptance Form	3,300	2	6,600	0.33	2,178
Authorization to Release Information Form	3,300	1	3,300	0.20	660
Total	13,000	.....	18,400	.....	11,168

Maria G. Button,

Director, Executive Secretariat.

[FR Doc. 2025–16458 Filed 8–27–25; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Topics in Health Services Research: Big Data, Health Information Technology and Clinical Informatics.

Date: October 21–22, 2025.

Time: 9:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Debasmita Patra, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1006E, Bethesda, MD 20892, 301–827–5187, debasmita.patra@nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR Panel: Biobehavioral Medicine, Physical Activity,

Alzheimer's Disease and Related Dementias Interventions and Health Outcomes.

Date: October 28–29, 2025.

Time: 9:30 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Lindsey Lee Page, Ph.D., Scientific Review Officer, The Center for Scientific Review, The National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, lindsey.page@nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR Panel: Cancer Prevention, Control and Treatment Research.

Date: October 28–29, 2025.

Time: 9:30 a.m. to 5:30 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Erica Charlot Spears, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, 301–480–3211, spearsec@csr.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR–22–180: Maximizing Investigators' Research Award (MIRA).

Date: October 28–29, 2025.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Ezgi Kunttas-Tatli, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, 301–594–7047, ezgi.kunttas-tatli@nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Career Development.

Date: October 29–30, 2025.

Time: 9:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Tushar Baran Deb, Ph.D., Scientific Review Officer, Resources and Training Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W624, Rockville, MD 20850, 240–276–6132, tushar.deb@nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Program Project: Cancer Research.

Date: October 30–31, 2025.

Time: 9:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Majed M. Hamawy, Ph.D., Scientific Review Officer, Research Programs Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W120, Bethesda, MD 20892, 240–276–6457, mh101v@nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Special Topics in Instrumentation and Systems Development (ISD).

Date: October 30–31, 2025.

Time: 9:30 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Yoon-Young Jang, Ph.D., MD, Scientific Review Officer, National Institute of Biomedical Imaging and Bioengineering, National Institutes of Health, 6707 Democracy Blvd., Room 204, Bethesda, MD 20892, 301–451–3397, yoonyoung.jang@nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships Panel: Neurodevelopment, Oxidative Stress and Synaptic Plasticity.

Date: October 30–31, 2025.

Time: 9:30 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Baila Sara Hall, Ph.D., Scientific Review Officer, Office of Scientific Review, Division of Extramural Activities, NCCIH/NIH, 6707 Democracy Blvd., Suite 401, Bethesda, MD 20892, 301-443-9285, baila.hall@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: August 25, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025-16485 Filed 8-27-25; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG-2025-0293]

Notice of Availability of Navigation and Vessel Inspection Circular 01-16 Change 3—Equivalency Determination for Chart and Publication Carriage Requirements

AGENCY: Coast Guard, DHS.

ACTION: Notice of availability.

SUMMARY: The Coast Guard announces the availability of Navigation and Vessel Inspection Circular (NVIC) 01-16 Change 3. NVIC 01-16 Change 3 clarifies equivalencies for Electronic Navigational Charts (ENC), electronic publications, and ENC-derived paper nautical charts offering alternative compliance options to the current carriage requirements found in existing regulations. NVIC 01-16 Change 3 also provides procedures for conducting inspections for vessels electing to comply with one or more equivalencies as contained in Change 3.

DATES: The NVIC 01-16 Change 3 was issued August 18, 2025.

ADDRESSES: To view the document mentioned in this notice, search the docket number USCG-2025-0293 using the Federal Document Management System at <https://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: For information about this document call or email Mr. Brian Mottel, U.S. Coast Guard, Office of Navigation Systems; telephone 206-267-4657, email David.B.Mottel2@uscg.mil.

SUPPLEMENTARY INFORMATION: NVIC 01-16 Change 3 replaces Change 2 (signed May 21, 2020) and clarifies equivalencies for ENCs, electronic publications, and ENC-derived paper charts using Electronic Chart Systems (ECS). These equivalencies provide alternative compliance options to existing carriage requirements in Titles 33 of the Code of Federal Regulations (CFR) and 46 CFR. Change 3 also outlines inspection procedures for vessels using these equivalencies.

Vessels may use printed charts produced with data from government hydrographic authorities such as the National Oceanic and Atmospheric Administration, U.S. Army Corps of Engineers, river authorities, or foreign governments. See Enclosure (1) of NVIC 01-16 Change 3 for more information.

Vessels may use ENCs that conform to the International Hydrographic Organization's ENC standard and are issued by or authorized by a government hydrographic office. Additionally, ENCs must be displayed on an ECS conforming to Radio Technical Commission for Maritime Services (RTCM) 10900 series standard. See Enclosure (1) of NVIC 01-16 Change 3 for more information.

Publications and rules required by 33 CFR and 46 CFR can be kept in electronic format provided the information is provided by the originating agency. See Enclosure (1) of NVIC 01-16 Change 3, table 2 for more information.

Public Availability of NVIC 01-16 Change 3

NVIC 01-16 Change 3 is available in the docket and on the following Coast Guard website: <https://www.dco.uscg.mil/Our-Organization/NVIC/>. For instructions on locating the docket, see the **ADDRESSES** portion of this **Federal Register** document.

This notice is issued under authority of 5 U.S.C. 552(a).

Dated: August 23, 2025.

W.R. Arguin,

Rear Admiral, U.S. Coast Guard, Assistant Commandant for Prevention Policy.

[FR Doc. 2025-16480 Filed 8-27-25; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[OMB Control Number 1651-0050]

Agency Information Collection Activities; Revision; Importation Bond

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 30-Day notice and request for comments.

SUMMARY: The Department of Homeland Security, U.S. Customs and Border Protection (CBP) 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 (PRA). The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies.

DATES: Comments are encouraged and must be submitted (no later than September 29, 2025) to be assured of consideration.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Please submit written comments and/or suggestions in English. 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: Requests for additional PRA information should be directed to Seth Renkema, Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, 90 K Street NE, 10th Floor, Washington, DC 20229-1177, Telephone number 202-325-0056 or via email CBP_PRA@cbp.dhs.gov. Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center at 877-227-5511, (TTY) 1-800-877-8339, or **CBP website** at <https://www.cbp.gov/>.

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.). This proposed information

collection was previously published in the **Federal Register** (89 FR 104556) on December 23, 2024, allowing for a 60-day comment period. This notice allows for an additional 30 days for public comments. This process is conducted in accordance with 5 CFR 1320.8. Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (1) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

Overview of This Information Collection

Title: Importation Bond.

OMB Number: 1651-0050.

Form Number: 301 & 5297.

Current Actions: Revision.

Type of Review: Revision.

Affected Public: Businesses.

Abstract: In accordance with the eBond test notices, beginning in 2015, CBP allows sureties or their authorized filer who have been approved as eBond test participants to submit certain bonds to CBP via an electronic system in ACE (eBond). The electronic transmission of the bond includes a sub-set of information required on the CBP Form 301.

CBP is proposing a rulemaking that would only allow sureties or their authorized filer to submit bonds to CBP and they would be required to use an electronic data interchange, except in certain prescribed instances.¹ CBP is proposing that all bonds, riders, terminations, and changes to power of attorney must be transmitted electronically to CBP via eBond by

sureties or their authorized filer.² Ebond is an electronic system for filing customs bonds and is part of CBP's ACE.

Type of Information Collection: 5297 Power of Attorney.

Estimated Number of Respondents: 500.

Estimated Number of Annual Responses per Respondent: 1.

Estimated Number of Total Annual Responses: 500.

Estimated Time per Response: 15 minutes.

Estimated Total Annual Burden Hours: 125.

Type of Information Collection: 301 Customs Bond.

Estimated Number of Respondents: 609,392.

Estimated Number of Annual Responses per Respondent: 1.

Estimated Number of Total Annual Responses: 609,392.

Estimated Time per Response: 15 minutes.

Estimated Total Annual Burden Hours: 152,348.

Dated: August 26, 2025.

Seth D. Renkema,

Branch Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection.

[FR Doc. 2025-16546 Filed 8-27-25; 8:45 am]

BILLING CODE 9111-14-P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[OMB Control Number 1651-0029]

Agency Information Collection Activities; Extension; Application for FTZ Activity Permit (CBP Form 214 and 216)

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 60-Day notice and request for comments.

SUMMARY: The Department of Homeland Security, U.S. Customs and Border Protection (CBP) 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 (PRA). The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies.

DATES: Comments are encouraged and must be submitted (no later than

October 27, 2025) to be assured of consideration.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice must include the OMB Control Number 1651-0029 in the subject line and the agency name. Please submit written comments and/or suggestions in English. Please use the following method to submit comments:

Email. Submit comments to: CBP_PRA@cbp.dhs.gov.

FOR FURTHER INFORMATION CONTACT:

Requests for additional PRA information should be directed to Seth Renkema, Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, 90 K Street NE, 10th Floor, Washington, DC 20229-1177, Telephone number 202-325-0056 or via email CBP_PRA@cbp.dhs.gov. Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center at 877-227-5511, (TTY) 1-800-877-8339, or CBP website at <https://www.cbp.gov/>.

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). This process is conducted in accordance with 5 CFR 1320.8. Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (1) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

¹ Exemptions allowing for or requiring the use of emailed bonds are listed in the forthcoming proposed 19 CFR 113.11(c).

² Ebond is an electronic system for filing customs bonds and is part of CBP's ACE.

Overview of This Information Collection

Title: Application for Foreign-Trade Zone Admission and/or Status Designation, and Application for Foreign-Trade Zone Activity Permit.

OMB Number: 1651–0029.

Form Number: N/A.

Current Actions: Extension without change.

Type of Review: Extension (without change).

Affected Public: Businesses.

Abstract: Foreign trade zones (FTZs) are geographical enclaves located within the geographical limits of the United States, but for tariff purposes are considered to be outside of the United States. Imported merchandise may be brought into FTZs for storage, manipulation, manufacture, or other processing and subsequent removal for exportation, consumption in the United States, or destruction. A company bringing goods into an FTZ has a choice of zone status (privileged/non-privileged foreign, domestic, or zone-restricted), which affects the way such goods are treated by Customs and Border Protection (CBP) and treated for tariff purposes upon entry into the customs territory of the United States.

CBP Forms 214, 214A, 214B, and 214C, which make up the Application for Foreign-Trade Zone Admission and/or Status Designation, are used by companies that bring merchandise, except in certain circumstances including, but not limited to, domestic status merchandise, into an FTZ to register the admission of such merchandise into FTZs and to apply for the appropriate zone status. Form 214A is not filled out separately by respondents; it is simply a copy of Form 214 that CBP gives to the Census Bureau. Form 214B is a continuation sheet for Form 214 that respondents use when they need more room to add line items to the form. Form 214C is a continuation sheet for Form 214A that respondents use when they need more room to add line items to the form.

CBP Form 216, Foreign-Trade Zone Activity Permit, is used by companies to request approval to manipulate, manufacture, exhibit, or destroy merchandise in an FTZ.

These FTZ forms are authorized by 19 U.S.C. 81 and provided for by 19 CFR 146.22, 146.32, 146.35, 146.36, 146.37, 146.39, 146.40, 146.41, 146.44, 146.52, 146.53, and 146.66. These forms are accessible at: <http://www.cbp.gov/newsroom/publications/forms>.

This collection of information applies to the importing and trade community who are familiar with import procedures and with CBP regulations.

Type of Information Collection: Form 214.

Estimated Number of Respondents: 6,749.

Estimated Number of Annual Responses per Respondent: 25.

Estimated Number of Total Annual Responses: 168,725.

Estimated Time per Response: 15 minutes.

Estimated Total Annual Burden Hours: 42,181.

Type of Information Collection: Form 216.

Estimated Number of Respondents: 2,500.

Estimated Number of Annual Responses per Respondent: 10.

Estimated Number of Total Annual Responses: 25,000.

Estimated Time per Response: 10 minutes.

Estimated Total Annual Burden Hours: 4,167.

Dated: August 26, 2025.

Seth D. Renkema,

Branch Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection.

[FR Doc. 2025–16498 Filed 8–27–25; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[OMB Control Number 1651–0096]

Agency Information Collection Activities; Extension; Transfer of Cargo to a Container Station

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 60-Day notice and request for comments.

SUMMARY: The Department of Homeland Security, U.S. Customs and Border Protection (CBP) 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 (PRA). The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies.

DATES: Comments are encouraged and must be submitted (no later than October 27, 2025) to be assured of consideration.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice must include the OMB Control Number 1651–0096 in the subject line and the agency name.

Please submit written comments and/or suggestions in English. Please use the following method to submit comments:

Email. Submit comments to: CBP_PRA@cbp.dhs.gov.

FOR FURTHER INFORMATION CONTACT:

Requests for additional PRA information should be directed to Seth Renkema, Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, 90 K Street NE, 10th Floor, Washington, DC 20229–1177, Telephone number 202–325–0056 or via email CBP_PRA@cbp.dhs.gov. Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center at 877–227–5511, (TTY) 1–800–877–8339, or *CBP website at* <https://www.cbp.gov/>.

SUPPLEMENTARY INFORMATION: CBP

invites the general public and other Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). This process is conducted in accordance with 5 CFR 1320.8. Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (1) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

Overview of This Information Collection

Title: Transfer of Cargo to a Container Station.

OMB Number: 1651–0096.

Form Number: N/A.

Current Actions: Extension without change.

Type of Review: Extension (without change).

Affected Public: Businesses.

Abstract: Before the filing of an entry of merchandise for the purpose of breaking bulk and redelivering cargo, containerized cargo may be moved from the place of unloading or may be received directly at the container station from a bonded carrier after transportation in-bond. This also applies to loose cargo as part of containerized cargo. In accordance with 19 CFR 19.42, the container station operator may make a request for the transfer of a container to the station by submitting to CBP an abstract of the manifest for the transferred containers including the bill of lading number, marks, numbers, description of the contents, and consignee.

This information is submitted by members of the trade community who are familiar with CBP regulations.

Type of Information Collection:

Transfer of Cargo to Container Station.
Estimated Number of Respondents: 14,327.

Estimated Number of Annual Responses per Respondent: 25.

Estimated Number of Total Annual Responses: 358,175.

Estimated Time per Response: 7 minutes.

Estimated Total Annual Burden Hours: 41,548.

Dated: August 26, 2025.

Seth D. Renkema,

Branch Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection.

[FR Doc. 2025-16499 Filed 8-27-25; 8:45 am]

BILLING CODE 9111-14-P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[OMB Control Number 1651-0032]

Agency Information Collection Activities; Extension; Importers of Merchandise Subject to Actual Use Provisions

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 60-Day notice and request for comments.

SUMMARY: The Department of Homeland Security, U.S. Customs and Border Protection (CBP) 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 (PRA). The

information collection is published in the **Federal Register** to obtain comments from the public and affected agencies.

DATES: Comments are encouraged and must be submitted (no later than October 27, 2025) to be assured of consideration.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice must include the OMB Control Number 1651-0032 in the subject line and the agency name. Please submit written comments and/or suggestions in English. Please use the following method to submit comments:

Email. Submit comments to: CBP_PRA@cbp.dhs.gov.

FOR FURTHER INFORMATION CONTACT:

Requests for additional PRA information should be directed to Seth Renkema, Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, 90 K Street NE, 10th Floor, Washington, DC 20229-1177, Telephone number 202-325-0056 or via email CBP_PRA@cbp.dhs.gov. Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center at 877-227-5511, (TTY) 1-800-877-8339, or CBP website at <https://www.cbp.gov/>.

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). This process is conducted in accordance with 5 CFR 1320.8. Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (1) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses. The

comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

Overview of This Information Collection

Title: Importers of Merchandise Subject to Actual Use Provisions.

OMB Number: 1651-0032.

Form Number: N/A.

Current Actions: Extension without change.

Type of Review: Extension (without change).

Affected Public: Businesses.

Abstract: In accordance with 19 CFR 10.137, importers of goods subject to the actual use provisions of the Harmonized Tariff Schedule of the United States (HTSUS) are required to maintain detailed records to establish that these goods were actually used as contemplated by the law, and to support the importer's claim for a free or reduced rate of duty. The importer shall maintain records of use or disposition for a period of three years from the date of liquidation of the entry, and the records shall be available at all times for examination and inspection by CBP.

The collection of information is supplemental to importer information about goods subject to the actual use provisions of the Harmonized Tariff Schedule of the United States (HTSUS) and pursuant to section 10.137 of title 19 of the Code of Federal Regulations (CFR) (19 CFR 10.137).

Importers of goods subject to 19 CFR 10.137-10.139 Rate of Duty Dependent Upon Actual Use Provisions are required to show the imported item/merchandise:

1. Is not on an exclusion list;
2. Complies with provisions of the law; and
3. Meets the required actual use provisions laid out in law.

This information is collected from members of the trade community who are familiar with CBP regulations.

Type of Information Collection: Importers Subject to Actual Use Provision Recordkeeping.

Estimated Number of Respondents: 12,000.

Estimated Number of Annual Responses per Respondent: 1.

Estimated Number of Total Annual Responses: 12,000.

Estimated Time per Response: 65 minutes.

Estimated Total Annual Burden Hours: 13,000.

Dated: August 26, 2025.

Seth D. Renkema,

*Branch Chief, Economic Impact Analysis
Branch, U.S. Customs and Border Protection.*

[FR Doc. 2025–16501 Filed 8–27–25; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

CBP Immigration Fees Required by HR–1 for Fiscal Year 2025

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: General notice.

SUMMARY: This notice advises the public that, pursuant to HR–1, U.S. Customs and Border Protection (CBP) will require aliens to pay a new fee to apply for a CBP Form I–94 Arrival/Departure Record, and to enroll in the Electronic Visa Update System. Additionally,

pursuant to HR–1, the Electronic System for Travel Authorization (ESTA) fee for authorizations has increased. This notice advises the public of the HR–1 applicable fees for Fiscal Year (FY) 2025.

DATES: CBP will begin assessing the new HR–1 fees described in this notice on September 30, 2025.

FOR FURTHER INFORMATION CONTACT: Melanie Mataxas, Director, Electronic Systems Travel Authorization, Office of Field Operations, U.S. Customs and Border Protection, at 202–325–1372 or at melanie.d.mataxas@cbp.dhs.gov.

SUPPLEMENTARY INFORMATION:

I. Background and Legal Authority

On July 4, 2025, the President signed into law the One Big Beautiful Bill Act, Public Law 119–21, 139 Stat. 72 (“HR–1”). HR–1 was a comprehensive legislative package that changed many laws and added new laws that touch many areas of the United States Government.¹ Among those changes, the

law established new immigration enforcement fees and increased existing fees for certain immigration-related actions. The statute establishes minimum fees for Fiscal Year (FY) 2025 and requires annual increases to the fees based on the Consumer Price Index for All Urban Consumers.²

This notice states the FY 2025 rates for three fees specified in HR–1 that are generally administered by U.S. Customs and Border Protection (CBP).³ Specifically, this notice states the fees applicable for the application of CBP Form I–94 Arrival/Departure Record, for travel authorizations via the Electronic System for Travel Authorization (ESTA), and for enrollment in the Electronic Visa Update System (EVUS). See Public Law 119–21 secs. 100008, 100014, 100015. The funds collected from these fees will be distributed to the appropriate agency or the U.S. Treasury as mandated by statute.⁴ The following table provides a summary of the FY 2025 fees described in this notice and required by HR–1.

FY 2025 FEES, AS REQUIRED BY HR–1

HR–1, Public Law 119–21 (139 Stat. 72) section	Action	Current fee	FY 2025 HR–1 fee	Total FY 2025 fee
100008	Application for CBP Form I–94 at land border ports of entry.	\$6	\$24 ⁵ (added to existing fee)	\$30
100014	ESTA authorization	21	\$40 (replaces existing fee)	40
100015	EVUS enrollment	N/A	\$30	30

II. FY 2025 Immigration Fees Required by HR–1

A. CBP Form I–94 Arrival/Departure Record

CBP issues an electronic CBP Form I–94 Arrival/Departure Record to all arriving aliens who are legally required to submit that form (unless otherwise exempted). See 8 CFR 1.4, 235.1(h). CBP Form I–94 serves as evidence of the terms of the alien’s admission or parole and is generally issued at the time the alien is admitted or paroled at a U.S. port of entry. See 8 CFR 235.1(h). Aliens arriving at a land border port of entry must apply for a CBP Form I–94.

Pursuant to HR–1, the Secretary of Homeland Security must require the payment of a fee for any alien who submits an application for a Form I–94

Arrival/Departure Record. See Public Law 119–21 sec. 100008. For FY 2025, the statute sets a minimum fee of \$24. See Public Law 119–21 sec. 100008(b)(1). Accordingly, for FY 2025, the minimum HR–1 fee to apply for a CBP Form I–94 is \$24.

The \$24 fee is in addition to any other fee applicable by law. See Public Law 119–21 sec. 100008(a). Currently, CBP imposes a \$6 fee for aliens who are required to be issued, or request to be issued, CBP Form I–94 and who intend to arrive at a land border port of entry. See 8 CFR 103.7(d)(4), 235.1(h)(1) and 286.9(b)(1). Accordingly, the total fee to apply for a CBP Form I–94 at a land border port of entry for FY 2025 is \$30, consisting of the \$6 land border fee and the HR–1 \$24 fee. CBP will not assess a fee for aliens arriving at an air or sea

port of entry because such aliens are not required to submit an application for a CBP Form I–94.

B. Electronic System for Travel Authorization (ESTA)

ESTA is the online system through which aliens intending to enter the United States under the Visa Waiver Program (VWP) must obtain an electronic travel authorization in advance of travel to the United States.⁶ Each alien intending to travel by air, sea, or land to the United States under the VWP must receive a travel authorization via ESTA prior to travel. See sec. 217 of the Immigration and Nationality Act (INA) (8 U.S.C. 1187) and 8 CFR part 217. Prior to the enactment of HR–1, CBP required a fee of \$21 for an ESTA.

¹ See HR–1, Title X, Subtitle A, Part I, sections 100001 through 100018.

² See Public Law 119–21 secs. 100008(b)(2), 100014(3), 100015(b)(2).

³ The Secretary of Homeland Security has delegated the authority to enforce and administer the immigration laws to the Commissioner of U.S. Customs and Border Protection (CBP). See DHS,

Delegation No. 07010.3, Delegation of Authority to the Commissioner of U.S. Customs and Border Protection, No. 07010.3, ILB.11 (Rev. No. 03.2, Incorporating Change 2) (Dec. 11, 2024).

⁴ See 8 U.S.C. 1187(h)(3)(B)(ii); 8 U.S.C. 1356; Public Law 119–21 secs. 100008(c), 100015(c).

⁵ As described above in section II.B, the total fee for aliens who apply for a CBP Form I–94 (*i.e.*,

aliens arriving at a land border port of entry) will be \$30, consisting of the \$6 fee required by 8 CFR 103.7(d)(4), 235.1(h)(1) and 286.9(b)(1), and the \$24 fee required by HR–1.

⁶ For additional information on the Visa Waiver Program, see 8 U.S.C. 1187 and 8 CFR part 217.

Section 100014 of Public Law 119–21 amended section 217(h)(3)(B) of the INA (8 U.S.C. 1187(h)(3)(B)) to increase the fee for the use of ESTA to \$40. The minimum ESTA fee for FY 2025 is now \$40.⁷

C. Electronic Visa Update System (EVUS)

EVUS is an online system currently used by nationals of the People's Republic of China (PRC) holding a 10-year B1/B2, B1 or B2 (visitor) visa to provide required information to the Department of Homeland Security (DHS) prior to travel to the United States. See 8 CFR part 215, subpart B.⁸ PRC nationals with an approved U.S.-issued visa of a designated category must enroll in EVUS and provide or update personal and travel information to receive a determination of travel eligibility. See 8 CFR 214.24.

Pursuant to HR–1, the Secretary of Homeland Security must require the payment of a fee by any alien enrolling in EVUS. Public Law 119–21 sec. 100015. The alien must pay the fee at the time of enrollment. *Id.* For FY 2025, the statute sets a minimum fee of \$30. See Public Law 119–21 sec. 100015(b)(1). This \$30 fee is in addition to any other fee applicable by law. See Public Law 119–21 sec. 100015(a).

III. Signing Authority

Rodney S. Scott, Commissioner, having reviewed and approved this document, has delegated the authority to electronically sign this document to the Director (or Acting Director, if applicable) of the Regulations and Disclosure Law Division for CBP, for purposes of publication in the **Federal Register**.

Robert F. Altneu,

Director, Regulations and Disclosure Law Division, Regulations and Rulings, Office of Trade, U.S. Customs and Border Protection.
[FR Doc. 2025–16453 Filed 8–27–25; 8:45 am]

BILLING CODE 9111–14–P

⁷ The ESTA fee is now the sum of three amounts: (1) \$17 per travel authorization fee, pre-existing in (B)(i)(I); (2) an amount not less than \$10, set now in (B)(i)(II); and (3) the new \$13 per travel authorization fee in (B)(i)(III), for a total minimum of \$40. See INA section 217(h)(3)(B), as amended by sec. 100014, Public Law 119–21.

⁸ In a **Federal Register** notice published on Oct. 20, 2016 (81 FR 72600), DHS identified the PRC as an EVUS country and designated B–1, B–2, and B–1/B–2 visas issued without restriction for the maximum validity period and contained in a passport issued by the PRC as designated visa categories for purposes of EVUS.

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[OMB Control Number 1651–0090]

Agency Information Collection Activities; Extension; Commercial Invoice

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 30-Day notice and request for comments.

SUMMARY: The Department of Homeland Security, U.S. Customs and Border Protection (CBP) 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 (PRA). The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies.

DATES: Comments are encouraged and must be submitted (no later than September 29, 2025) to be assured of consideration.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Please submit written comments and/or suggestions in English. 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: Requests for additional PRA information should be directed to Seth Renkema, Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, 90 K Street NE, 10th Floor, Washington, DC 20229–1177, Telephone number 202–325–0056 or via email CBP_PRA@cbp.dhs.gov. Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center at 877–227–5511, (TTY) 1–800–877–8339, or *CBP website at <https://www.cbp.gov/>*.

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501

et seq.). This proposed information collection was previously published in the **Federal Register** (90 FR 25063) on June 13, 2025, allowing for a 60-day comment period. This notice allows for an additional 30 days for public comments. This process is conducted in accordance with 5 CFR 1320.8. Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (1) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

Overview of This Information Collection

Title: Commercial Invoice.

OMB Number: 1651–0090.

Form Number: N/A.

Current Actions: Extension with a change in burden hours, but no change to the information collected or method of collection.

Type of Review: Extension (with change).

Affected Public: Businesses.

Abstract: The collection of the commercial invoice is necessary for conducting adequate examination of merchandise and determination of the duties due on imported merchandise as required by 19 CFR 141.81, 141.82, 141.83, 141.84, 141.85, 141.86, 141.87, 141.88, 141.89 and 141.90 by 19 U.S.C. 1481 and 1484. The commercial invoice is provided to CBP by the importer. CBP Form 7501 (covered under OMB control number 1651–0022) is submitted as a supporting document for this collection. To facilitate trade, CBP did not develop a specific form for this information collection. Importers are allowed to use their existing invoices to comply with these regulations.

Type of Information Collection: Commercial Invoice.

Estimated Number of Respondents: 38,500.

Estimated Number of Annual Responses per Respondent: 1,208.

Estimated Number of Total Annual Responses: 46,508,000.

Estimated Time per Response: 4 minutes.

Estimated Total Annual Burden Hours: 3,100,533.

Dated: August 26, 2025.

Seth D. Renkema,

Branch Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection.

[FR Doc. 2025–16495 Filed 8–27–25; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[OMB Control Number 1651–0014]

Agency Information Collection Activities; Extension; Declaration for Free Entry of Unaccompanied Articles (CBP Form 3299)

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 60-Day notice and request for comments.

SUMMARY: The Department of Homeland Security, U.S. Customs and Border Protection (CBP) 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 (PRA). The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies.

DATES: Comments are encouraged and must be submitted (no later than August 28, 2025) to be assured of consideration.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice must include the OMB Control Number 1651–0014 in the subject line and the agency name. Please submit written comments and/or suggestions in English. Please use the following method to submit comments:

Email. Submit comments to: CBP_PRA@cbp.dhs.gov.

FOR FURTHER INFORMATION CONTACT: Requests for additional PRA information should be directed to Seth Renkema, Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, 90 K Street NE, 10th Floor, Washington, DC 20229–1177, Telephone number 202–325–0056 or via

email CBP_PRA@cbp.dhs.gov. Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center at 877–227–5511, (TTY) 1–800–877–8339, or CBP website at <https://www.cbp.gov/>.

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). This process is conducted in accordance with 5 CFR 1320.8. Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (1) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

Overview of This Information Collection

Title: Declaration for Free Entry of Unaccompanied Articles (CBP Form 3299).

OMB Number: 1651–0014.

Form Number: 3299.

Current Actions: Extension without change.

Type of Review: Extension (without change).

Affected Public: Businesses.

Abstract: 19 U.S.C. 1498 provides that when personal and household effects enter the United States but do not accompany the owner or importer on his/her arrival in the country, a declaration is made on CBP Form 3299, Declaration for Free Entry of Unaccompanied Articles. The information on this form is needed to support a claim for duty-free entry for

these effects. This form is provided for by 19 CFR 148.6, 148.52, 148.53 and 148.77. CBP Form 3299 is accessible at: https://www.cbp.gov/document/forms/form-3299-declaration-free-entry-unaccompanied-articles?language_content_entity=en.

Type of Information Collection: Form 3299.

Estimated Number of Respondents: 150,000.

Estimated Number of Annual Responses per Respondent: 1.

Estimated Number of Total Annual Responses: 150,000.

Estimated Time per Response: 45 minutes.

Estimated Total Annual Burden Hours: 112,500.

Dated: August 26, 2025.

Seth D. Renkema,

Branch Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection.

[FR Doc. 2025–16497 Filed 8–27–25; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[OMB Control Number 1651–0141]

Agency Information Collection Activities; Revision; Global Business Identifier (GBI)

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 30-Day notice and request for comments.

SUMMARY: The Department of Homeland Security, U.S. Customs and Border Protection (CBP) 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 (PRA). The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies.

DATES: Comments are encouraged and must be submitted (no later than September 29, 2025) to be assured of consideration.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Please submit written comments and/or suggestions in English. 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:

Requests for additional PRA information should be directed to Seth Renkema, Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, 90 K Street NE, 10th Floor, Washington, DC 20229-1177, Telephone number 202-325-0056 or via email CBP_PRA@cbp.dhs.gov. Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center at 877-227-5511, (TTY) 1-800-877-8339, or CBP website at <https://www.cbp.gov/>.

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). This proposed information collection was previously published in the **Federal Register** (90 FR 22503) on May 28, 2025, allowing for a 60-day comment period. This notice allows for an additional 30 days for public comments. This process is conducted in accordance with 5 CFR 1320.8. Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (1) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency’s estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

Overview of This Information Collection

Title: Global Business Identifier (GBI).
OMB Number: 1651-0141.
Form Number: N/A.

Current Actions: Revision.

Type of Review: Revision.

Affected Public: Business.

Abstract: In December 2022, U.S. Customs and Border Protection (CBP) launched a Global Business Identifier (GBI) Evaluative Proof of Concept (EPoC), now referred to as the GBI Test, which aims to determine a solution involving one or more identification numbers (identifiers) maintained by 3rd party organizations that will uniquely discern main legal entity and ownership; specific business and global locations; and supply chain roles and functions. While all GBI Test information is completely voluntary and optional, entry filers must signal their intent to participate in the GBI Test, by email as discussed in the **Federal Register** notice announcing the test and must obtain and submit (or indicate that they are in the process of obtaining) one or more of the GBI identifiers for parties including their shippers, manufacturers, sellers, exporter, distributor, or packager as part of their email. The identifiers provide additional information about trade entities and supply chain locations associated with U.S. imports and are provided to CBP for enrollment into the GBI Test and during the Entry process. CBP is actively working to expand the list of choices and identifiers over the duration of the GBI Test, while this approval will specify the currently available identifiers, CBP will submit non-substantive change requests to the Office of Information and Regulatory Affairs as new identifiers are added to the test so that the information collection request record can be an accurate reflection of available options.

An entry filer interested in becoming a GBI Test participant may provide the following applicant information via email to the GBI Inbox (gbi@cbp.dhs.gov): company/entity legal name, legal entity headquarters and/or manufacturing site address, business phone number (associated with provided address), company website, Manufacture/Shipper Identification Code (MID), Authorized Economic Operator (AEO) identification number, and information about supply chain entities for which they intend to transmit GBIs.

Once programming has been updated as per items listed in the proposed changes below, Automated Broker Interface (ABI) filers (including brokers and importers of record who are not self-filers), participating in the test, will be required to complete a GBI enrollment process, via ABI, prior to submitting the identifiers on an electronic entry (ACE Cargo Release). Filers are responsible for any associated

costs to obtain one or more of the identifiers and can submit identifiers for the following supply chain parties:

- Manufacturer/Producer Shipper Seller
- Exporter Distributer Packager
- [New data element] Intermediary
- [New data element] Source

In addition, a new optional data element consisting of a free text field will be made available for each of the optional parties; it will allow filers to input additional descriptions and information about the specific party type or the underlying entity.

By testing the identifiers, CBP will take its first step in determining whether to amend regulations to mandate the GBI solution. Furthermore, CBP will understand the utility of collecting and/or combining the identifiers’ data and will be able to make an informed decision on whether to mandate the use of the GBI solution as an alternative for the Manufacturer/Shipper Identification Code (MID).

Proposed Changes:

U.S. Customs and Border Protection (CBP), Office of Trade (OT) is submitting this PRA update for the changes proposed to enhance supply chain traceability and visibility in response to the growing complexity of global trade. Programming updates are also needed to reflect changes announced via **Federal Register** (89 FR 9859), published in February 2024, that clarifies the purpose and scope of the test which would include exploring opportunities to enhance supply chain traceability and visibility more broadly. That update also mentioned that the GBI Test would examine how CBP, Partner Government Agencies (PGAs), and the trade industry might leverage GBIs to comply with growing supply chain traceability requirements.

1. The first programming change involves a modification within the Global Business Identifiers (GBI) Enrollment database by allowing the trade to submit one or more of the unique GBI’s and Data Universal Numbering System (DUNS)) for a supply chain entity, as opposed to all three as previously approved and announced via the July 21, 2023, **Federal Register** (88 FR 47154). Originally, the system was programmed to only accept an enrollment when all three global identifiers (LEI, GLN and DUNS) were provided as announced in the December 2022 **Federal Register** (87 FR 74157). Without this programming change, if all three global identifiers are not provided at enrollment for a specific party, the system will continue to reject the enrollment transaction.

2. After GBI Enrollment is modified to accept one or more identifiers instead of

requiring them all, a related programming update will enable trade participants the ability to modify or change a previous enrollment, including updating or adding additional GBI numbers, which may include a variety of global identifier types (LEI, GLN, DUNS). This programming change would provide more flexibility and utility to GBI participants by enabling GBI numbers to be provided voluntarily when they are known and encourages participants to obtain other GBI numbers as well as keep supply chain information current because they can easily add, delete, and modify GBI numbers associated to an enrollment.

3. The GBI Test is also expanding the available GBI supply chain entity party types from the original six optional parties (Manufacturer, Shipper, Seller, Exporter, Distributor, Packager), to include two new parties: “Intermediary” and “Source,” along with optional free text fields for all the parties that will allow filers to voluntarily input additional descriptions and information about the specific party type or the underlying entity. These party types and the free text fields would be made available in the GBI Enrollment database as well as in ACE Cargo Release. Collectively, the updates aim to enhance upstream supply chain traceability and visibility while addressing the increasing complexity of global trade supply chains. All participation and data is voluntary.

4. As a demonstration of CBP’s intent to expand the choices of identifiers available to filers over the duration of the Test, CBP is also working to add new voluntary GBI identifiers, beginning with the Altana ID (ALTA) maintained by Altana Technologies USG Inc. (Altana), as announced on August 8, 2025 in the **Federal Register** (See, 90 FR 38479). At no cost to the government to access the underlying entity and product specific supply chain data associated with an ALTA, this identifier offers comprehensive insights across a product’s supply chain, thereby enhancing traceability for CBP which may translate to facilitation benefits and reduced industry costs. CBP has initiated programming requests to create an ALTA GBI field in ACE and to increase the current character limit in ACE allowed for GBI identifiers. The addition of the ALTA identifier alongside the current GBI identifiers will widen participants’ choices and allow CBP to continue to evaluate the breadth and veracity of entity and supply chain information embedded within different types of identifier solutions already being leveraged by

trade industry traceability stewards. It will also contribute to CBP’s ongoing exploration of how traced supply chain information may be ingested and operationalized for risk management and facilitation purposes. CBP proposes adding more participants as the test continues, and with approval from OMB, will add these to the collection through a non-substantive change to the collection.

CBP encourages the trade to comment specifically on whether there are other comparable identifiers that the trade already has, or that it would be advantageous for CBP to include.

Section 484 of the Tariff Act of 1930, as amended (19 U.S. Code 1484) and Part 141, Code of Federal Regulations, Title 19 (19 CFR part 141), pertain to the entry of merchandise and authorize CBP to require information that is necessary for CBP to determine whether merchandise may be released from CBP custody. Provisions of the U.S. Code and CBP regulations, in various parts and related to various types of merchandise, specify information that is required for entry. For reference, Part 163, Code of Federal Regulations, Title 19 (19 CFR part 163 Appendix A) refers to a wide variety of regulatory provisions for certain information that may be required by CBP.

Type of Information Collection:
Global Business Identifier (GBI).

Estimated Number of Respondents:
100.

Estimated Number of Annual Responses per Respondent: 1.

Estimated Number of Total Annual Responses: 100.

Estimated Time per Response: 10 minutes.

Estimated Total Annual Burden Hours: 17.

Dated: August 26, 2025.

Seth D. Renkema,

Branch Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection.

[FR Doc. 2025–16547 Filed 8–27–25; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

[Docket No. CISA–2024–0012]

Agency Information Collection Activities: Infrastructure Security Visualization Platform (IVP) Pre-Collection Questionnaire

AGENCY: Cybersecurity and Infrastructure Security Agency (CISA), Department of Homeland Security (DHS).

ACTION: 30-Day notice and request for comments; new information collection request, 1670–NEW.

SUMMARY: The Infrastructure Security Division (ISD) within Cybersecurity and Infrastructure Security Agency (CISA) will submit the following Information Collection Request (ICR) to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. CISA previously published this information collection request (ICR) in the **Federal Register** on May 21, 2024 for a 60-day public comment period. 0 comments were received by CISA. The purpose of this notice is to allow an additional 30 days for public comments.

DATES: Comments are encouraged and will be accepted until September 29, 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.

The Office of Management and Budget is particularly interested in comments which:

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 submissions of responses.

FOR FURTHER INFORMATION CONTACT: If additional information is required contact: Jonathan Moaikel; 202–251–5276; jonathan.moaikel@mail.cisa.dhs.gov.

SUPPLEMENTARY INFORMATION: CISA’s ISD supports the homeland security mission of critical infrastructure security. As part of this mission, CISA Protective Security Advisors (PSAs)

conduct various critical infrastructure security assessments for various stakeholders including facility owners and operators; federal, state, and local law enforcement officials; emergency response personnel; and others.

One type of assessment PSAs can perform is an Infrastructure Visualization Platform (IVP). IVPs integrate high-resolution, interactive visual data as well as additional assessment information. For a PSA to conduct an assessment, each stakeholder must complete an IVP Pre-Collection Questionnaire. The questionnaire requests information such as the purpose of the IVP assessment being requested, the security point of contact the team will be meeting with when they arrive at the facility, who will be escorting the team as they tour the facility, special considerations the collection team need to plan for prior to arriving at the facility, and priority areas know as Areas of Emphasis that the team should be focused on while conducting the IVP assessment collection. When the form is completed and submitted, the IVP team can better plan for the assessment by reviewing locations designated as Areas of Emphasis (AOEs) to ensure those areas receive an assessment, to know who appropriate points of contact are (stakeholder requesting and escort who will be with the team during the collect), and to address special considerations prior to showing up for the collect.

Analysis

Agency: Cybersecurity and Infrastructure Security Agency (CISA), Department of Homeland Security (DHS).

Title of Collection: Infrastructure Visualization Platform (IVP) Pre-Collection Questionnaire.

OMB Control Number: 1670-NEW.

Frequency: Annually.

Affected Public: State, local, Tribal, Territorial Governments and Private Sector Individuals.

Number of Respondents: 120.

Estimated Time per Respondent: 30 minutes.

Total Burden Hours: 60 hours.

Annualized Respondent Cost: \$2,527.00.

Total Annualized Respondent Out-of-Pocket Cost: \$0.

Total Annualized Government Cost: \$2,576.00.

Robert J. Costello,

Chief Information Officer, Department of Homeland Security, Cybersecurity and Infrastructure Security Agency.

[FR Doc. 2025-16489 Filed 8-27-25; 8:45 am]

BILLING CODE 9111-LF-P

DEPARTMENT OF HOMELAND SECURITY

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; SAFECOM Membership Questionnaire

AGENCY: Cybersecurity and Infrastructure Security Agency (CISA), Department of Homeland Security (DHS).

ACTION: 30-Day notice of information collection; request for comment; reinstatement, with change, of a previously approved collection for which approval has expired.

SUMMARY: The Emergency Communications Division (ECD) within Cybersecurity and Infrastructure Security Agency (CISA) submits the following information collection request (ICR) to the Office of Management and Budget (OMB) for review and clearance. CISA previously published this information collection request (ICR) in the **Federal Register** on May 26, 2025, for a 60-day public comment period. Zero comments were received by CISA. The purpose of this notice is to allow an additional 30 days for public comments. **DATES:** Comments are encouraged and will be accepted until September 29, 2025.

Submissions received after the deadline for receiving comments may not be considered.

ADDRESSES: You may submit comments, identified by docket number CISA-2025-0005, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Please follow the instructions for submitting comments.

- *Instructions:* All submissions received must include the words "Department of Homeland Security" and the docket number for this action. Comments received will be posted without alteration at <http://www.regulations.gov>, including any personal information provided.

Comments submitted in response to this notice may be made available to the public through relevant websites. For this reason, please do not include in your comments information of a confidential nature, such as sensitive personal information or proprietary information. If you send an email comment, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the internet. Please note that responses to this public comment request containing any routine notice about the

confidentiality of the communication will be treated as public comments that may be made available to the public notwithstanding the inclusion of the routine notice.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Ralph Barnett III, at (703) 705-6130, or email at SAFECOMGovernance@hq.dhs.gov.

SUPPLEMENTARY INFORMATION: On November 16, 2018, Congress passed Public Law 115-278, to amend the Homeland Security Act of 2002 (6 U.S.C. 101 *et seq.*), enacted and authorized the Cybersecurity and Infrastructure Security Agency (CISA) of the Department of Homeland Security (DHS). CISA enhances public safety interoperable communications at all levels of government to help partners across the country develop their emergency communications capabilities. Working with stakeholders across the country, CISA conducts extensive, nationwide outreach to support and promote the ability of emergency response providers and relevant government officials to continue to communicate in the event of a natural disaster, act of terrorism, or other man-made disaster. 6 U.S.C. 571(c)(2) mandates DHS through CISA to administer and manage the Department's authorities and responsibilities relating to the SAFECOM program, a state, local, tribal, and territorial stakeholder-driven public safety communications program. In an effort to resolve major communications issues identified during the September 11, 2001 terrorist attacks, SAFECOM was created as a Presidential E Government Initiative to improve interoperability, allowing emergency responders to communicate more effectively before, during, and after emergencies and disasters.

Through collaboration with emergency responders and elected officials across all levels of government, SAFECOM works to improve emergency response providers' inter-jurisdictional and interdisciplinary emergency communications interoperability across local, regional, tribal, State, territorial, international borders, and with Federal government entities. SAFECOM works with existing Federal communications programs and key emergency response stakeholders to address the need to develop better technologies and processes for the coordination of existing communications systems and future networks.

The SAFECOM Membership Questionnaire is an internal SAFECOM document disseminated only to active

SAFECOM Members. SAFECOM uses the Questionnaire to identify membership gaps, obtain updated information on SAFECOM's membership body (e.g., public safety communications experience, accolades, acquired skills/certifications, etc.), update SAFECOM marketing materials, and to assist SAFECOM when responding to General Accounting Office (GAO) inquiries.

The DHS/CISA/ECD will disseminate the SAFECOM Membership Questionnaire to active SAFECOM Members as a fillable PDF document. SAFECOM intends to use the Questionnaire to examine its Membership body, identify membership gaps, obtain updated information on SAFECOM's membership body (e.g., public safety communications experience, accolades, acquired skills/certifications, etc.), update SAFECOM marketing materials, and assist SAFECOM when responding to General Accounting Office (GAO) inquiries.

The Questionnaire will encompass eight interdependent sections of questions. The SAFECOM Internal Membership section requests each Member to provide their name, state of residence, and the number of hours per month he/she contributes to SAFECOM-led initiatives (e.g., conference calls and deliverable development). SAFECOM consists of public safety association representatives and at-large members. The Association Representative Information section pertains to public safety associations represented in SAFECOM. Association Representatives serving in SAFECOM are asked to provide the name of their Association, approximate Association size, Association contact, and addition Association point-of-contact (POC) information. At-large members are instructed to skip to the next section. Public Safety Service section will focus on questions related to each Member's public safety and first responder career. Members are asked to designate their current public safety status (i.e., active, retired, other), to identify their public safety discipline(s), to provide level of government for current employment (e.g., state, local, tribal, territorial, federal), to provide years of service, to list current agency and agency's contact information, to provide a brief description on their current role and responsibilities, to select the population range that best describes the population of their current organization's jurisdiction serviced, to indicate the number of public safety personnel employed at their current organization, to indicate the number of responses your current organization responds to

each year, and if current position entails collaborating with Tribal Nations. The Volunteer Experience section asks Members to provide details on their volunteer experience. The Public Safety Experience section asks Members to identify the public safety events he/she responded to throughout their career, and to identify the communications technology he/she has used. The Education section focuses on the education (e.g., which is an optional question), proficiencies, and professional certifications. The external Conference Attendance section focuses on Members' experience at public safety conferences as well as their interest in representing SAFECOM in the future at a conference. The final section focuses on Members' public safety usage.

This information collection request was previously approved by OMB on 07/21/2022 with an expiration date of 07/31/2025. This is a request for an extension to continue the same collection.

The Office of Management and Budget is particularly interested in comments which:

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 submissions of responses.

Analysis

Agency: Cybersecurity and Infrastructure Security Agency (CISA), Department of Homeland Security (DHS).

Title: SAFECOM Membership Questionnaire.

OMB Number: 1670-0046.

Frequency: Annually.

Affected Public: State, Local, Tribal, and Territorial Governments.

Number of Respondents: 36.

Estimated Time per Respondent: 0.25 hours.

SLTT Burden Hours: 9 hours.

Annualized SLTT Respondent Cost: \$847.82.

Affected Public: Private Sector.

Number of Respondents: 55.

Estimated Time per Respondent: 0.25 hours.

Total Burden Hours: 13.75 hours.

Annualized Private Sector

Respondent Cost: \$1,314.58.

Total Annualized Respondent Cost: \$2,162.39.

Total Annualized Government Cost: \$268.75.

Robert J. Costello,

Chief Information Officer, Department of Homeland Security, Cybersecurity and Infrastructure Security Agency.

[FR Doc. 2025-16490 Filed 8-27-25; 8:45 am]

BILLING CODE 9111-LF-P

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

[OMB Control Number 1006-0032; RR85800000, XXXR4524KK, RX.4888TINE.1320000]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Technical Service Center Summer Intern Program Application

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the Bureau of Reclamation, are proposing to renew an information collection with revisions.

DATES: Interested persons are invited to submit comments on or before September 29, 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. Please provide a copy of your comments to Jessica Torrey, Supervisory Civil Engineer, Denver Federal Center, PO Box 25007, MS 86-68540, Denver, CO 80225; or by email to jtorrey@usbr.gov. Please reference OMB Control Number 1006-0032 in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT:

Jessica Torrey by email at jtorrey@usbr.gov, or by telephone at (303) 445-2376. 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 www.reginfo.gov/public/do/PRAMain.

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995 (PRA, 44 U.S.C. 3501 *et seq.*) and 5 CFR 1320.8(d)(1), we provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

A **Federal Register** notice with a 60-day public comment period soliciting comments on this collection of information was published on April 9, 2025 (90 FR 15257). No comments were received.

As part of our continuing effort to reduce paperwork and respondent burdens, we are again soliciting comments from the public and other Federal agencies on the proposed ICR that is described below. We are especially interested in public comment addressing the following:

- (1) Whether or not the collection of information is necessary for the proper performance of the functions of the agency, including whether or not the information will have practical utility;
- (2) The accuracy of our estimate of the burden for this collection of information, including the validity of the methodology and assumptions used;
- (3) Ways to enhance the quality, utility, and clarity of the information to be collected; and
- (4) How might the agency minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of response.

Comments that you submit in response to this notice are a matter of public record. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal

identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Abstract: The principal purpose for collecting the requested information is to recruit eligible students to participate in Reclamation's Technical Service Center Summer Intern Program. General contact information will be collected along with information on academic standing and areas/fields of interest. Respondents are also asked to submit an interest letter and resume. Revisions to this collection will be made to include additional options for respondents' areas of interest and work location preferences.

Title of Collection: Technical Service Center Summer Intern Program Application.

OMB Control Number: 1006–0032.

Form Number: 7–3000.

Type of Review: Revision of a currently approved information collection.

Respondents/Affected Public: Students interested in internships at Reclamation.

Total Estimated Number of Annual Respondents: 200.

Total Estimated Number of Annual Responses: 200.

Estimated Completion Time per Response: 140 minutes.

Total Estimated Number of Annual Burden Hours: 467 hours.

Respondent's Obligation: Required to obtain or retain a benefit.

Frequency of Collection: Annually.

Total Estimated Annual Non-hour Burden Cost: \$0.

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Katie Bartojay,

Director, Technical Service Center.

[FR Doc. 2025–16542 Filed 8–27–25; 8:45 am]

BILLING CODE 4332–90–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1459]

Certain Child Car Seats; Notice of Institution of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on July 24, 2025, under section 337 of the Tariff Act of 1930, as amended, on behalf of Wonderland Switzerland AG of Switzerland; Iron Mountains, LLC of Morgantown, Pennsylvania; Nuna International B.V. of the Netherlands; Nuna Baby Essentials, Inc. of Morgantown, Pennsylvania; Joie International Co., Ltd. of Hong Kong; Joie Children's Products, Inc. of Morgantown, Pennsylvania; and Graco Children's Products Inc. of Atlanta, Georgia. Supplements to the complaint were filed on July 30, 2025 and August 13, 2025. The complaint, as supplemented, alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain child car seats by reason of the infringement of certain claims of U.S. Patent No. 7,625,043 ("the '043 patent") and U.S. Patent No. 10,457,168 ("the '168 patent"). The complaint, as supplemented, further alleges that an industry in the United States exists or is in the process of being established as required by the applicable Federal Statute. The complainants request that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205–2000. General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>.

FOR FURTHER INFORMATION CONTACT: Susan Orndoff, The Office of the Secretary, Docket Services Division, U.S. International Trade Commission, telephone (202) 205–1802.

SUPPLEMENTARY INFORMATION:

Authority: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C.

1337, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2025).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on August 25, 2025, *ordered that*—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain products identified in paragraph (2) by reason of infringement of one or more of claims 1 and 2 of the '043 patent and claims 17, 20, 25, and 28 of the '168 patent, and whether an industry in the United States exists or is in the process of being established as required by subsection (a)(2) of section 337;

(2) Pursuant to section 210.10(b)(1) of the Commission's Rules of Practice and Procedure, 19 CFR 210.10(b)(1), the plain language description of the accused products or category of accused products, which defines the scope of the investigation, is "adjustable child car seats that either have a detachable seat back or are rotatable on a support base";

(3) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) *The complainants are:*

Wonderland Switzerland AG, Beim Bahnhof 5 Steinhausen, ZUG, 6312, Switzerland
 Iron Mountains, LLC, 70 Thousand Oaks Blvd., Morgantown, PA 19543
 Nuna International B.V., Van der Valk Boumanweg 178-C, Leiderdorp, 2352 JD, NL
 Nuna Baby Essentials, Inc., 70 Thousand Oaks Blvd., Morgantown, PA 19543
 Joie International Co., Ltd., 31/F, Tower Two, Times Square, 1 Matheson Street, Causeway Bay, Hong Kong
 Joie Children's Products, Inc., 70 Thousand Oaks Blvd., Morgantown, PA 19543
 Graco Children's Products Inc., 5 Concourse Parkway, 8th Floor, Atlanta, GA 30328

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Dorel Juvenile Group, Inc., 25 Forbes Boulevard, Suite 4, Foxboro, MA 02035
 Dorel Industries Inc., 1255 Greene Avenue, Suite 300, Westmount QC, Canada H3Z 2A4

Guangdong Roadmate Group Co., Ltd., No. 16 Yongyi 6th Road, Henglan, Zhongshan, 528400 China
 Roadmate Trading (Hong Kong) Limited, 288 Des Voeux Rd C, Rm A 17/F, Sheung Wan, Hong Kong 999077
 Zhongshan Roadmate Juvenile Products Co., No. 1 Qingfeng Road, Henglan, Zhongshan, 528478 China

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

The Office of Unfair Import Investigations will not participate as a party in this investigation.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: August 25, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025-16449 Filed 8-27-25; 8:45 am]

BILLING CODE 7020-02-P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Underground Coal Mine Fire Protection

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Mine Safety and Health Administration (MSHA)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before September 29, 2025.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function.

FOR FURTHER INFORMATION CONTACT: Michael Howell by telephone at 202-693-6782, or by email at DOL_PRA_PUBLIC@dol.gov.

SUPPLEMENTARY INFORMATION:

Underground mine operators are required to submit to MSHA for approval, a plan for the instruction of miners in firefighting and evacuation procedures to be followed in event of an emergency. In addition, fire drills are to be conducted quarterly, equipment tested, and a record kept of the drills and testing results. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on May 29, 2025 (90 FR 22758).

Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of

law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. See 5 CFR 1320.5(a) and 1320.6.

Agency: DOL–MSHA.

Title of Collection: Underground Coal Mine Fire Protection.

OMB Control Number: 1219–0054.

Affected Public: Private Sector.

Number of Respondents: 148.

Number of Responses: 143,039.

Annual Burden Hours: 15,878 hours.

Total Estimated Annual Other Costs Burden: \$63.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Michael Howell,

Senior Paperwork Reduction Act Analyst.

[FR Doc. 2025–16472 Filed 8–27–25; 8:45 am]

BILLING CODE 4510–43–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Respirable Coal Mine Dust Sampling

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Mine Safety and Health Administration (MSHA)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before September 29, 2025.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

FOR FURTHER INFORMATION CONTACT: Michael Howell by telephone at 202–693–6782, or by email at DOL_PRA_PUBLIC@dol.gov.

SUPPLEMENTARY INFORMATION: Section 103(h) of the Federal Mine Safety and Health Act of 1977 (Mine Act), 30 U.S.C. 813(h), authorizes MSHA to collect information necessary to carry out its duty to protect the safety and health of miners. Further, Section 101(a) of the

Mine Act, 30 U.S.C. 811(a), authorizes the Secretary to develop, promulgate, and revise as may be appropriate, improved mandatory health or safety standards for the protection of life and prevention of injuries in coal or other mines. The existing standards provide that each coal mine operator sample bimonthly the designated occupations or work locations of the mine and submit these samples to MSHA for analysis to determine if the mine is complying with the applicable dust standards. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on May 29, 2025 (90 FR 22762).

Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency’s estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. See 5 CFR 1320.5(a) and 1320.6.

Agency: DOL–MSHA.

Title of Collection: Respirable Coal Mine Dust Sampling.

OMB Control Number: 1219–0011.

Affected Public: Private Sector.

Number of Respondents: 401.

Number of Responses: 989,403.

Annual Burden Hours: 69,765 hours.

Total Estimated Annual Other Costs Burden: \$ 29,813.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Michael Howell,

Senior Paperwork Reduction Act Analyst.

[FR Doc. 2025–16470 Filed 8–27–25; 8:45 am]

BILLING CODE 4510–43–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Gamma Radiation Surveys

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Mine Safety and Health Administration (MSHA)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before September 29, 2025.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

FOR FURTHER INFORMATION CONTACT: Michael Howell by telephone at 202–693–6782, or by email at DOL_PRA_PUBLIC@dol.gov.

SUPPLEMENTARY INFORMATION: Regulations 30 CFR 57.5047 require records be kept of cumulative individual gamma radiation exposure to ensure that annual exposure does not exceed 5 Rems. It is intended to protect the health of workers in mines with radioactive ores. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on May 29, 2025 (90 FR 22772).

Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency’s estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

This information collection is subject to the PRA. A Federal agency generally

cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. See 5 CFR 1320.5(a) and 1320.6.

Agency: DOL–MSHA.

Title of Collection: Gamma Radiation Surveys.

OMB Control Number: 1219–0039.

Affected Public: Private Sector.

Number of Respondents: 4.

Number of Responses: 4.

Annual Burden Hours: 8 hours.

Total Estimated Annual Other Costs

Burden: \$ 0.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Michael Howell,

Senior Paperwork Reduction Act Analyst.

[FR Doc. 2025–16471 Filed 8–27–25; 8:45 am]

BILLING CODE 4510–43–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice: 25–032]

Aerospace Safety Advisory Panel; Meeting

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, as amended, the National Aeronautics and Space Administration announces a forthcoming meeting of the Aerospace Safety Advisory Panel (ASAP). The ASAP will hold its Third Quarterly Meeting for 2025. This discussion is pursuant to carrying out its statutory duties for which the Panel reviews, identifies, evaluates, and advises on those program activities, systems, procedures, and management activities that can contribute to program risk. Priority is given to those programs that involve the safety of human flight.

DATES: Friday, September 19, 2025, 3:00 p.m. to 4:00 p.m., eastern time.

ADDRESSES: Public attendance will be virtual only. See dial-in information below under **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: Ms. Carol J. Hamilton, ASAP Executive Director, NASA Headquarters,

Washington, DC 20546, (202) 358–1857 or carol.j.hamilton@nasa.gov.

SUPPLEMENTARY INFORMATION: As noted above, this meeting is only available telephonically. Any interested person must use a touch-tone phone to participate in this meeting. Any interested person may call the USA toll free conference call number 888–566–6133; passcode 8343253 and then the # sign. At the beginning of the meeting, members of the public may make a verbal presentation to the Panel limited to the subject of safety in NASA, not to exceed 5 minutes in length. To do so, members of the public must contact Ms. Carol J. Hamilton at carol.j.hamilton@nasa.gov or at (202) 358–1857 at least 48 hours in advance. Any member of the public is permitted to file a written statement with the Panel via electronic submission to Ms. Hamilton at the email address previously noted. Written statements should be limited to the subject of safety in NASA.

The agenda for the meeting includes the following topics:

- Updates on the International Space Station Program
- Updates on the Commercial Crew Program
- Updates on the Moon to Mars Program

It is imperative that the meeting be held on this date to accommodate the scheduling priorities of the key participants.

Jamie M. Krauk,

Advisory Committee Management Officer,
National Aeronautics and Space Administration.

[FR Doc. 2025–16509 Filed 8–27–25; 8:45 am]

BILLING CODE 7510–13–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice: 25–030]

NASA Advisory Council; Charter Renewal; Charter Renewal

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of renewal of charter of the NASA Advisory Council (NAC).

SUMMARY: Pursuant to sections 14(b)(1) and 9(c) of the Federal Advisory Committee Act (Pub. L. 92–463), and after consultation with the Committee Management Secretariat, General Services Administration, the NASA Administrator has determined that the renewal of the charter of the NAC is in

the public interest in connection with the performance of duties imposed on NASA by law. The renewed charter is for a two-year period ending September 30, 2027.

FOR FURTHER INFORMATION CONTACT: Ms. Jamie M. Krauk, Designated Federal Officer, NASA Advisory Council, Office of International and Interagency Relations, NASA Headquarters, Washington, DC 20546; phone (202) 961–4004; email jamie.m.krauk@nasa.gov.

Jamie M. Krauk,

Advisory Committee Management Officer,
National Aeronautics and Space Administration.

[FR Doc. 2025–16460 Filed 8–27–25; 8:45 am]

BILLING CODE 7510–13–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice: 25–031]

International Space Station Advisory Committee; Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, as amended, the National Aeronautics and Space Administration announces a meeting of the International Space Station Advisory Committee. The purpose of the meeting is to review aspects related to the safety and operational readiness of the International Space Station.

DATES: Wednesday, September 17, 2025, 10:00 a.m.–10:30 a.m., eastern time.

ADDRESSES: Public attendance will be virtual only. See dial-in and Webinar information below under

SUPPLEMENTARY INFORMATION.

FOR FURTHER INFORMATION CONTACT:

Dennis McSweeney, Designated Federal Officer, ISS Advisory Committee, NASA Headquarters, Washington, DC 20546, via email at dennis.mcsweeney@nasa.gov or by telephone at (202) 358–2012.

SUPPLEMENTARY INFORMATION: As noted above, this meeting is virtual and will be open to the public via Webinar and telephonically. Webinar connectivity information is provided below. For audio, when you join the Webinar event, you may use your computer to join or call the U.S. toll conference number listed.

September 17, 2025, link: https://teams.microsoft.com/l/meetup-join/19%3ameeting_YzIzNzQ0NjltZ_WU0MS00MWMwLWFhMmEtNzc2MGY5NzYwNmFk%40thread.v2/0?context=%7b%22Tid%22%3a%227005d458-45be-48ae-8140-d43da96dd17b%22%2c%22Oid%22%3a%22453f1a86-a177-4251-b896-a3c23cc1a9a1%22%7d.

Meeting ID: 240 053 651 797 5, Passcode: qA9k4rT9, Call in number (audio only): +1 256-715-9946, Phone conference ID: 723 818 138 and then the # sign.

Any member of the public is permitted to file a written statement with the Panel via electronic submission to Mr. McSweeney at the email address previously noted with the subject line 'Comments for 09/17/25 ISSAC open meeting.' Written statements should be limited to the subject of safety and operational readiness of the International Space Station.

It is imperative that the meeting be held on this day to accommodate the scheduling priorities of the key participants.

Jamie M. Krauk,

*Advisory Committee Management Officer,
National Aeronautics and Space
Administration.*

[FR Doc. 2025-16502 Filed 8-27-25; 8:45 am]

BILLING CODE P

NATIONAL SCIENCE FOUNDATION

Astronomy and Astrophysics Advisory Committee; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation (NSF) announces the following meeting:

Name and Committee Code: Astronomy and Astrophysics Advisory Committee (13883) (Virtual).

Date and Time: September 26, 2025; 9 a.m.-5:30 p.m. eastern.

Place: NSF, 2415 Eisenhower Avenue, Alexandria, VA 22314 (Virtual).

This is a virtual meeting. Members and the public may attend this meeting virtually via Zoom. Attendance information for the meeting will be forthcoming on the AAAC website: <https://www.nsf.gov/mps/ast/aaac.jsp>.

Registration for the virtual meeting can be accessed via the following link: https://nsf.zoomgov.com/webinar/register/WN_Gccx65NbTciCkOI1v5cfHw.

Type of Meeting: Open.

Contact Person: Dr. Jacqueline Keane, Program Director, Division of

Astronomical Sciences, Suite W 9147, National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314; Telephone: 703-292-8123.

Purpose of Meeting: To hear presentations of current programming by representatives from NSF, NASA, DOE and other agencies relevant to astronomy and astrophysics; to discuss current and potential areas of cooperation between the agencies; to formulate recommendations for continued and new areas of cooperation and mechanisms for achieving them.

Agenda: To provide updates on Agency activities and to discuss the Committees draft annual report due 15 March 2026.

(Authority: 42 U.S.C. 1861, *et seq.*)

Dated: August 25, 2025.

Crystal Robinson,

Committee Management Officer.

[FR Doc. 2025-16459 Filed 8-27-25; 8:45 am]

BILLING CODE 7555-01-P

NUCLEAR REGULATORY COMMISSION

[NRC-2025-1006]

Environmental Assessment and Finding of No Significant Impact of Independent Spent Fuel Storage Facilities Decommissioning Funding Plans

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is publishing this notice regarding the issuance of a final environmental assessment (EA) and a finding of no significant impact (FONSI) for its review and approval of the initial and updated decommissioning funding plans (DFPs) submitted for the independent spent fuel storage installation (ISFSI) at Three Mile Island Nuclear Station, Unit 1 (TMI-1).

DATES: The EA and FONSI referenced in this document are available on August 28, 2025.

ADDRESSES: Please refer to Docket ID NRC-2025-1006 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2025-1006. Address questions about Docket IDs in *Regulations.gov* to Bridget Curran; telephone: 301-415-1003; email:

Bridget.Curran@nrc.gov. For technical questions, contact the individual(s) listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "Begin ADAMS Public Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, at 301-415-4737, or by email to PDR.Resource@nrc.gov. The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document.

- *NRC's PDR:* The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to PDR.Resource@nrc.gov or call 1-800-397-4209 or 301-415-4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Yen-Ju Chen, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-1018, email: Yen-Ju.Chen@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Introduction

The NRC is considering the approval of the initial and updated DFPs submitted by the TMI-1 ISFSI licensee, and the NRC staff has prepared a final EA and FONSI determination for the initial and updated TMI-1 ISFSI DFPs in accordance with the NRC regulations in part 51 of title 10 of the *Code of Federal Regulations* (10 CFR), "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions," which implement the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*).

The NRC requires its licensees to plan for the eventual decommissioning of their licensed facilities prior to license termination. On June 17, 2011, the NRC published a final rule in the **Federal Register** amending its decommissioning planning regulations (76 FR 35512). The final rule amended the NRC regulation, 10 CFR 72.30, "Financial assurance and recordkeeping for decommissioning," which concerns financial assurance and decommissioning for ISFSIs. This regulation requires each holder of, or

applicant for, a license under 10 CFR part 72 to submit a DFP for the NRC's review and approval. The purpose of the DFP is to demonstrate the licensee's financial assurance, *i.e.*, that funds will be available to decommission the ISFSI. The NRC staff will later publish its financial analyses of the DFP submittals which will be available for public inspection in ADAMS.

II. Discussion

The table in this notice includes the plant name, docket number, licensee, and ADAMS accession number for the final EA and FONSI determination for the TMI-1 ISFSI. The table also includes the ADAMS accession numbers for other relevant documents, including the initial and updated DFP submittals. For further details with

respect to these actions, see the NRC staff's final EA and FONSI determinations which are available for public inspection in ADAMS and at <https://www.regulations.gov> under Docket ID NRC-2025-1006. For additional direction on accessing information related to this document, see the **ADDRESSES** section of this document.

FINDING OF NO SIGNIFICANT IMPACT

Facility	Three Mile Island Nuclear Station, Unit 1 (TMI-1)
Docket No	72-77.
Licensees	Exelon Generation Company, LLC (EGC)—initial submittal. Constellation Energy Generation, LLC (CEG)—updated submittal.
Proposed Action	The NRC's review and approval of EGC's initial and CEG's updated decommissioning funding plans (DFPs) submitted in accordance with 10 CFR 72.30(c).
Environmental Impact of Proposed Action.	The NRC staff has determined that the proposed action, the review and approval of EGC's initial and CEG's updated DFPS, submitted in accordance with 10 CFR 72.30(c), will not authorize changes to licensed operations or maintenance activities, or result in changes in the types, characteristics, or quantities of radiological or non-radiological effluents released into the environment from the independent spent fuel storage installation (ISFSI), or result in the creation of solid waste. Moreover, the approval of the initial and updated DFPS will not authorize any construction activity, facility modification, or other land-disturbing activity. The NRC staff has concluded that the proposed action is a procedural and administrative action that will not have a significant impact on the environment.
Finding of No Significant Impact	The proposed action does not require changes to the ISFSI's licensed routine operations, maintenance activities, or monitoring programs, nor does it require new construction or land-disturbing activities. The scope of the proposed action concerns only the NRC's review and approval of EGC's initial and CEG's updated DFPS. The scope of the proposed action does not include, and will not result in, the review and approval of decontamination or decommissioning activities or license termination for the ISFSI or for other parts of TMI-1. Therefore, the NRC staff determined that approval of the initial and updated DFPS for the TMI-1 ISFSI will not significantly affect the quality of the human environment, and accordingly, the staff has concluded that a Finding of No Significant Impact (FONSI) is appropriate. The NRC staff further finds that preparation of an environmental impact statement is not required.
Available Documents	Federal Register notice. Final Rule "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions and Related Conforming Amendments," dated March 12, 1984 (49 FR 9381). Federal Register notice. Final Rule "Decommissioning Planning," dated June 17, 2011 (76 FR 35512). U.S. Nuclear Regulatory Commission. 2003/08/31-NUREG-1748, "Environmental Review Guidance for Licensing Actions Associated with NMSS Programs, Final Report." August 2003 (ADAMS Accession No. ML032540811). U.S. Nuclear Regulatory Commission. "Environmental Assessment for Final Rule: Decommissioning Planning" (10 CFR Parts 20, 30, 40, 50, 70, and 72; RIN 3150-A155). February 2009 (ADAMS Accession No. ML090500648). U.S. Nuclear Regulatory Commission. ESA Section 7 No Effect Determination for ISFSI DFP Reviews (Note to File), dated May 15, 2017 (ADAMS Accession No. ML17135A062). U.S. Nuclear Regulatory Commission. "Final Environmental Assessment and Finding of No Significant Impact for Exelon Generation Company, LLC, Initial Decommissioning Funding Plan Submitted in Accordance with 10 CFR 72.30(b) and Constellation Energy Generation, LLC, Updated Decommissioning Funding Plan Submitted in Accordance with 10 CFR 72.30(c), for Three Mile Island Unit 1 Independent Spent Fuel Storage Installation," dated August 11, 2025 (ML25071A052). U.S. Nuclear Regulatory Commission. "Analysis of Exelon Generation Company, LLC's 2021 Initial Decommissioning Funding Plan and Constellation Energy Generation, LLC's 2023 Updated Decommissioning Funding Plan for The Three Mile Island Unit 1 Independent Spent Fuel Storage Installation," dated August 19, 2025 (ML25059A120). U.S. Nuclear Regulatory Commission. "Review of the Draft Environmental Assessment and Finding of No Significant Impact for The Three Mile Island Unit 1 Independent Spent Fuel Storage Installation Decommissioning Funding Plan," dated March 17, 2025 (ML25042A627). Exelon Generation Company, LLC. Proposed Independent Spent Fuel Storage Installation (ISFSI) Decommissioning Funding Plan for Three Mile Island Nuclear Station, Unit 1, dated July 15, 2021 (ML21196A412). Constellation Energy Generation, LLC. Report on Status of Decommissioning Funding for Reactors and Independent Spent Fuel Storage Installations, dated March 23, 2023 (ML23082A312).

Dated: August 25, 2025.

For the Nuclear Regulatory Commission.

Haimanot Yilma,

*Acting Chief, Storage and Transportation
Licensing Branch, Division of Fuel
Management, Office of Nuclear Material
Safety and Safeguards.*

[FR Doc. 2025–16461 Filed 8–27–25; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 52–009; NRC–2025–0973]

Entergy Operations, Inc.; Grand Gulf Early Site Permit

AGENCY: Nuclear Regulatory
Commission.

ACTION: Exemption; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has issued an exemption in response to a May 2, 2025, request from Entergy Operations, Inc., to allow the submittal of a renewal application for ESP–002 no later than 45 days prior to the expiration of the existing permit and still place the permit in timely renewal under NRC regulations.

DATES: The exemption was issued on August 18, 2025.

ADDRESSES: Please refer to Docket ID NRC–2025–0973 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC–2025–0973. Address questions about Docket IDs in *Regulations.gov* to Bridget Curran; telephone: 301–415–1003; email: Bridget.Curran@nrc.gov. For technical questions, contact the individual(s) listed in the **FOR FURTHER INFORMATION** section of this document.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select “Begin ADAMS Public Search.” For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, at 301–415–4737, or by email to PDR.Resource@nrc.gov. The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document.

- *NRC's PDR:* The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to PDR.Resource@nrc.gov or call 1–800–397–4209 or 301–415–4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT:

Jordan Glisan, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, telephone: 301–415–3478, email: Jordan.Glisan@nrc.gov.

SUPPLEMENTARY INFORMATION: The text of the exemption is attached.

Dated: August 25, 2025.

For the Nuclear Regulatory Commission.

Jordan Glisan,

*Project Manager, Licensing and Regulatory
Infrastructure Branch, Division of New and
Renewed Licenses, Office of Nuclear Reactor
Regulation.*

Attachment—Exemption

NUCLEAR REGULATORY COMMISSION

**Docket No. 52–009; Entergy Operations, Inc.;
Grand Gulf Early Site Permit; Exemption**

I. Background

System Energy Resources Inc. (SERI), a subsidiary of the Entergy Corporation, is the holder of early site permit (ESP) ESP–002. Entergy Operations, Inc. (Entergy), also a subsidiary of Entergy Corporation, on behalf of SERI, is the requestor of this exemption. The ESP was issued for a site located approximately 25 miles south of the city of Vicksburg, Mississippi and adjacent to the existing Grand Gulf nuclear power station. The ESP approves the site for additional nuclear power plants, which may be modular and designed to operate collectively at no more than 8600 megawatts thermal, independent of a specific nuclear plant design or an application for a construction permit or combined license. The permit also provides, among other things, that the site is subject to all rules, regulations, and orders of the U.S. Nuclear Regulatory Commission (NRC, Commission) now or hereafter in effect. The Grand Gulf ESP became effective on April 5, 2007, and expires on April 5, 2027.

II. Request/Action

By letter dated May 2, 2025 (Agencywide Documents Access and Management System Accession No. ML25122A082), Entergy requested an exemption from 10 CFR 2.109, “Effect of timely renewal application,” section (c), and 10 CFR 52.29, “Application for renewal,” to allow the renewal application for ESP–002 to be submitted no later than 45 days prior to the expiration of the existing permit and still receive timely renewal protection under 10 CFR 2.109(c) and 10 CFR 52.29.

The regulation at 10 CFR 2.109(c) requires that the permit holder file a sufficient

application for renewal no less than 12 months before the expiration of the existing ESP. The regulation at 10 CFR 52.29 requires that the permit holder file a sufficient application for renewal no more than 36 months prior to the expiration of the permit in order to be in timely renewal. Specifically, 10 CFR 2.109(c) states “If the holder of an early site permit licensed under subpart A of Part 52 of this chapter files a sufficient application for renewal under § 52.29 of this chapter at least 12 months before the expiration of the existing early site permit, the existing permit will not be deemed to have expired until the application has been finally determined.” Additionally, 10 CFR 52.29(a) states, “Not less than 12, nor more than 36 months before the expiration date stated in the early site permit, or any later renewal period, the permit holder may apply for a renewal of the permit.” Lastly, 10 CFR 52.29(c) states, “An early site permit, either original or renewed, for which a timely application for renewal has been filed, remains in effect until the Commission has determined whether to renew the permit.”

III. Discussion

Exemptions from the requirements of Part 52 are governed by 10 CFR 52.7, which states that an exemption under that Part must meet the exemption requirements in 10 CFR 50.12. Pursuant to 10 CFR 50.12, the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of 10 CFR part 52 when (1) the exemptions are authorized by law, will not present an undue risk to public health or safety, and are consistent with the common defense and security; and (2) special circumstances are present, as defined in 10 CFR 50.12(a)(2). In its application, Entergy stated that two special circumstances apply to its request. The two special circumstances that Entergy included in its request are:

- (1) Application of the regulation would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule.
- (2) There is present any other material circumstance not considered when the regulation was adopted for which it would be in the public interest to grant an exemption.

A. The Exemption Is Authorized by Law

This exemption would allow Entergy to submit a sufficient renewal application for ESP–002 no later than 45 days prior to the expiration of its existing permit and the permit would still be in timely renewal under 10 CFR 2.109(c) and 10 CFR 52.29. The Administrative Procedure Act (APA), 5 U.S.C. 558(c), states:

When the licensee has made timely and sufficient application for a renewal or a new license in accordance with agency rules, a license with reference to an activity of a continuing nature does not expire until the application has been finally determined by the agency.

The APA does not require a specific time period within which an application for a renewal must be filed; the 12-month time period specified in 10 CFR 2.109(c) and 10 CFR 52.29 is specific to NRC regulations,

pursuant to the Atomic Energy Act of 1954 (AEA). Because the regulation at 10 CFR 52.7 allows the NRC to grant exemptions from its regulations and because the APA does not require a specific time period for timely renewal of the ESP, the NRC has determined that granting this exemption will not result in a violation of the AEA or the APA. Therefore, the exemption is authorized by law.

B. The Exemption Presents No Undue Risk to Public Health and Safety

The requested exemption to allow a 45-day time period, rather than the 12 months specified in 10 CFR 2.109(c) and 10 CFR 52.29(a), for Entergy to submit a sufficient renewal application and place the permit in timely renewal is a scheduling change. The action does not change the manner in which the permit maintains public health and safety because no additional changes are made as a result of the action. The NRC finds that a period of 45 days provides sufficient time for the NRC to begin to perform an acceptance review, and that review time beyond the expiration date of the permit does not pose an undue risk to public health and safety due to a lack of activity at the site. Based on the above, the NRC finds that the action does not cause undue risk to public health and safety.

C. The Exemption Is Consistent With the Common Defense and Security

The requested exemption to allow a 45-day time period, rather than the 12 months specified in 10 CFR 2.109(c) and 10 CFR 52.29, for Entergy to submit a sufficient renewal application and place the permit in timely renewal is a scheduling change. This exemption would not change the permit and therefore would not impact the security of the site. Therefore, the NRC finds that the action is consistent with the common defense and security because the scheduling change would have no impact on site security.

D. Special Circumstances

The purpose of 10 CFR 2.109(c), as it is applied to nuclear power reactors licensed by the NRC, is to implement the “timely renewal” provision of Section 9(b) of the APA, 5 U.S.C. 558(c), which states:

When the licensee has made timely and sufficient application for a renewal or a new license in accordance with agency rules, a license with reference to an activity of a continuing nature does not expire until the application has been finally determined by the agency.

The underlying purpose of this “timely renewal” provision in the APA is to protect a licensee who is engaged in an ongoing licensed activity and who has complied with agency rules in applying for a renewed or new license from facing license expiration as the result of delays in the administrative process.¹

Application of the 12-month period in 10 CFR 2.109(c) and 10 CFR 52.29 is not necessary to achieve the underlying purpose of the timely renewal provision in the regulation if Entergy files a sufficient renewal

application no later than 45 days prior to expiration of the permit. The NRC acknowledges that receipt of a renewal application for ESP-002 would result in an NRC review that would take place beyond the expiration date of the ESP. The NRC staff has determined this will not pose any issues to public health and safety or common defense and security or cause an undue hardship in the regulatory processes surrounding the ESP as a result of the additional time that the ESP is active because no construction or operation activities are taking place on site. Therefore, the NRC finds that the special circumstance requirement in 10 CFR 50.12(a)(2)(ii) has been met here.

E. Environmental Considerations

The NRC has determined that the issuance of the requested exemption meets the provisions of categorical exclusion specified in 10 CFR 51.22(c)(25). Under 10 CFR 51.22(c)(25), the granting of an exemption from the requirements of any regulation in Chapter 10 of the Code of Federal Regulations qualifies as a categorical exclusion if (i) there is no significant hazards consideration; (ii) there is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite; (iii) there is no significant increase in individual or cumulative public or occupational radiation exposure; (iv) there is no significant construction impact; (v) there is no significant increase in the potential for or consequences from radiological accidents; and (vi) the requirements from which an exemption is sought involves one of several matters, which includes scheduling requirements under 10 CFR 51.22(c)(25)(vi)(G). The basis for NRC's determination is provided below.

Requirements in 10 CFR 51.22(c)(25)(i)

The regulation at 10 CFR 51.22(c)(25)(i) requires an exemption to involve a no significant hazards consideration if it is to qualify for a categorical exclusion. The criteria for making a no significant hazards consideration determination are found in 10 CFR 50.92(c). Because there is no existing operating nuclear facility associated with ESP-002, and the exemption only affects the timeframe for submitting the ESP-002 renewal application, the exemption would not involve changes to accident analyses source term parameters, the possibility for new or different kinds of accidents, or associated margins of safety. Therefore, the NRC has determined that the granting of this exemption request involves no significant hazards consideration because allowing the submittal of the ESP renewal application less than 12 months before expiration of the existing permit while maintaining the protection of the timely renewal provision in 10 CFR 2.109(c) does not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. Therefore, the requirements of 10 CFR 51.22(c)(25)(i) are met.

Requirements in 10 CFR 51.22(c)(25)(ii) and (iii)

The regulation at 10 CFR 51.22(c)(25)(ii) requires the exemption to involve no significant change in the types or significant increase in the amounts of any effluents that may be released offsite. In addition, the regulation at 10 CFR 51.22(c)(25)(iii) requires the exemption to involve no significant increase in individual or cumulative public or occupational radiation exposure. The requested exemption constitutes a change to the schedule by which Entergy must submit its ESP renewal application while still maintaining timely renewal, which is administrative in nature. Therefore, the exemption does not involve any change in the types or significant increase in the amounts of effluents that may be released offsite and also does not contribute to any significant increase in individual or cumulative public or occupational radiation exposure. Therefore, the requirements of 10 CFR 51.22(c)(25)(ii) and (iii) are met.

Requirements in 10 CFR 51.22(c)(25)(iv)

The regulation at 10 CFR 51.22(c)(25)(iv) requires the exemption to involve no significant construction impact. The requested exemption is not associated with construction, and the exemption does not propose any changes or alterations to the site. Therefore, the requirements of 10 CFR 51.22(c)(25)(iv) are met because there is no significant construction impact.

Requirements in 10 CFR 51.22(c)(25)(v)

The regulation at 10 CFR 51.22(c)(25)(v) requires the exemption to involve no significant increase in the potential for or consequences from radiological accidents. The requested exemption constitutes a change to the schedule by which Entergy must submit its ESP renewal application while still maintaining timely renewal. This exemption is administrative in nature and does not impact the probability or consequences of accidents. Thus, there is no significant increase in the potential for, or consequences of, a radiological accident. Therefore, the requirements of 10 CFR 51.22(c)(25)(v) are met.

Requirements in 10 CFR 51.22(c)(25)(vi)

The regulations at 10 CFR 51.22(c)(25)(vi)(A–I) list the specific types of requirements from which an exemption may be sought. These include 10 CFR 51.22(c)(25)(vi)(G), which involves scheduling requirements. This exemption, which allows Entergy to submit the ESP renewal application no later than 45 days prior to expiration of the permit, involves scheduling requirements. Therefore, the requirement in 10 CFR 51.22(c)(25)(vi)(G) is met.

Based on the above, the NRC concludes that the proposed exemption meets the eligibility criteria for a categorical exclusion set forth in 10 CFR 51.22(c)(25). Therefore, pursuant to 10 CFR 51.22(b), no environmental assessment or environmental impact statement need be prepared in connection with the approval of this exemption request.

¹ *Kay v. FCC*, 525 F.3d 1277 (D.C. Cir. 2008) (citing *Miami MDS Co. v. FCC*, 14 F.3d 658, 659–60 (D.C. Cir. 1994)).

IV. Conclusions

Accordingly, the NRC has determined that, pursuant to 10 CFR 50.12 and 10 CFR 52.7, the requested exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security. Additionally, special circumstances, as defined in 10 CFR 50.12(a)(2), are present. Therefore, the NRC hereby grants Entergy a one-time exemption from 10 CFR 2.109(c) and 10 CFR 52.29 for the Grand Gulf Early Site Permit ESP-002 to allow the submittal of the Grand Gulf Early Site Permit ESP-002 renewal application no later than 45 days prior to expiration of the permit while still receiving the protections of timely renewal.

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 18th day of August 2025.

For the Nuclear Regulatory Commission.
/RA/

Michele Sampson,
Director,

*Division of New and Renewed Licenses,
Office of Nuclear Reactor Regulation.*

[FR Doc. 2025-16443 Filed 8-27-25; 8:45 am]

BILLING CODE 7590-01-P

OFFICE OF PERSONNEL MANAGEMENT

Submission for Review: 3206-0230, Life Insurance Election, Standard Form (SF) 2817

AGENCY: Office of Personnel
Management.

ACTION: 60-Day notice and request for
comments.

SUMMARY: Federal Employee Insurance
Operations (FEIO), Healthcare &
Insurance (HI), Office of Personnel
Management (OPM) offers the general
public and other Federal agencies the
opportunity to comment on the
reinstatement of an expired information
collection SF 2817—Life Insurance
Election.

DATES: Comments are encouraged and
will be accepted until October 27, 2025.

ADDRESSES: You may submit comments
using the Federal Rulemaking Portal:
<http://www.regulations.gov>. Follow the
instructions for submitting comments.

All submissions received must
include the OMB Control Number or
title for this document. The general
policy for comments and other
submissions from members of the public
is to make these submissions available
for public viewing at <http://www.regulations.gov> as they are
received without change, including any
personal identifiers or contact
information.

FOR FURTHER INFORMATION CONTACT: A
copy of this information collection

request with applicable supporting
documentation may be obtained by
contacting the Retirement Services
Publications Team, Office of Personnel
Management, 1900 E Street NW, Room
3316-BD, Washington, DC 20415,
Attention: Cyrus S. Benson, or via
electronic mail to
RSPublicationsTeam@opm.gov, by fax
at (202) 606-1995, or telephone at (202)
936-0401.

SUPPLEMENTARY INFORMATION: As
required by the Paperwork Reduction
Act of 1995 (44 U.S.C. chapter 35), OPM
is soliciting comments for this
collection (OMB No. 3206-0230). OPM
is particularly interested in comments
that:

1. Evaluate whether the proposed
collection of information is necessary
for the proper performance of functions
of the agency, including whether the
information will have practical utility;
2. Evaluate the accuracy of the
agency's estimate of the burden of the
proposed collection of information,
including the validity of the
methodology and assumptions used;
3. Enhance the quality, utility, and
clarity of the information to be
collected; and
4. Minimize the burden of the
collection of information on those who
are to respond, including through the
use of appropriate automated,
electronic, mechanical, or other
technological collection techniques or
other forms of information technology,
e.g., permitting electronic submissions
of responses.

Standard Form 2817 is used by
employees and federal assignees (those
who have acquired control of an
employee/annuitant's coverage through
an assignment or "transfer" of the
ownership of the life insurance) to elect
or make changes to a life insurance
election under the Federal Employees'
Group Life Insurance (FEGLI) Program.
Clearance of this form as used by active
employees is not required according to
the Paperwork Reduction Act.
Therefore, only the use of this form by
assignees, *i.e.* members of the public, is
subject to the Paperwork Reduction Act.

Analysis

Agency: Federal Employee Insurance
Operations, Healthcare & Insurance,
Office of Personnel Management.

Title: Life Insurance Election.

OMB Number: 3206-0230.

Frequency: On occasion.

Affected Public: Individuals or
Households.

Number of Respondents: 150.

Estimated Time per Respondent: 15
minutes.

Total Burden Hours: 38 hours.

Office of Personnel Management.

Alexys Stanley,

Federal Register Liaison.

[FR Doc. 2025-16457 Filed 8-27-25; 8:45 am]

BILLING CODE 6325-38-P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No.
35725; File No. 812-15827]

Third Point Private Capital LLC and Third Point Private Capital Partners

August 26, 2025.

AGENCY: Securities and Exchange
Commission ("Commission" or "SEC").

ACTION: Notice.

Notice of an application under
Section 6(c) of the Investment Company
Act of 1940 ("Act") for an exemption
from Sections 18(a)(2), 18(c), 18(i), and
61(a) of the Act.

Summary of Application: Applicants
request an order to permit certain
registered closed-end investment
companies that intend to elect to be
regulated as business development
companies to issue multiple classes of
shares with varying sales loads and
asset-based distribution and/or service
fees.

Applicants: Third Point Private Capital
LLC and Third Point Private Capital
Partners

Filing Dates: The application was filed
on June 4, 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 September 19, 2025,
and should be accompanied by proof of
service on 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: *Secretaries-Office@sec.gov*. Applicants: Robin Brem, Third Point LLC, 55 Hudson Yards, 51st Floor, New York, NY 10001; John J. Mahon, Proskauer Rose LLP, *JMahon@proskauer.com*.

FOR FURTHER INFORMATION CONTACT: Jacob D. Krawitz, Senior Special Counsel, or Kaitlin Bottock, Assistant Director, 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' application, dated June 4, 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>. 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. 2025-16537 Filed 8-27-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-103769; File No. SR-CboeBZX-2025-115]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Filing of a Proposed Rule Change To List and Trade Shares of the Canary Staked INJ ETF Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares

August 25, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"),¹ and Rule 19b-4 thereunder,² notice is hereby given that on August 11, 2025, Cboe BZX Exchange, Inc. (the "Exchange" or "BZX") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Cboe BZX Exchange, Inc. ("BZX" or the "Exchange") is filing with the Securities and Exchange Commission ("Commission" or "SEC") a proposed rule change to list and trade shares of the Canary Staked INJ ETF (the "Trust"),³ under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares.

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 IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes⁴ to list and trade the Shares under BZX Rule 14.11(e)(4),⁵ which governs the listing and trading of Commodity-Based Trust Shares on the Exchange.⁶ Canary Capital Group LLC is the sponsor of the Trust (the "Sponsor"). The Shares will be

³ The Trust was formed as a Delaware statutory trust on June 9, 2025. The Trust has no fixed termination date.

⁴ The Exchange initially filed this proposal on July 28, 2025 (SR-CboeBZX-2025-099). On August 1, 2025 [sic], the Exchange withdrew that filing and submitted SR-CboeBZX-2025-099 [sic]. On August 11, 2025, the Exchange withdrew SR-CboeBZX-2025-099 [sic] and submitted this filing.

⁵ The Commission approved BZX Rule 14.11(e)(4) in Securities Exchange Act Release No. 65225 (August 30, 2011), 76 FR 55148 (September 6, 2011) (SR-BATS-2011-018).

⁶ Any of the statements or representations regarding the index composition, the description of the portfolio or reference assets, limitations on portfolio holdings or reference assets, dissemination and availability of index, reference asset, and intraday indicative values, or the applicability of Exchange listing rules specified in this filing to list a series of Other Securities (collectively, "Continued Listing Representations") shall constitute continued listing requirements for the Shares listed on the Exchange.

registered with the Commission by means of the Trust's registration statement on Form S-1 (the "Registration Statement").⁷ According to the Registration Statement, the Trust is neither an investment company registered under the Investment Company Act of 1940, as amended,⁸ nor a commodity pool for purposes of the Commodity Exchange Act ("CEA"), and neither the Trust nor the Sponsor is subject to regulation as a commodity pool operator or a commodity trading adviser in connection with the Shares.

Since 2017, the Commission has approved or disapproved exchange filings to list and trade series of Trust Issued Receipts, including spot-based Commodity-Based Trust Shares, on the basis of whether the listing exchange has in place a comprehensive surveillance sharing agreement with a regulated market of significant size related to the underlying commodity to be held (the "Winklevoss Test").⁹ The Commission has also consistently recognized that this not the *exclusive* means by which an ETP listing exchange can meet this statutory obligation.¹⁰ A listing exchange could, alternatively, demonstrate that "other means to prevent fraudulent and manipulative acts and practices will be sufficient" to justify dispensing with a

⁷ See the Registration Statement on Form S-1, dated July 17, 2025, submitted by the Sponsor on behalf of the Trust. The descriptions of the Trust, the Shares, and the Pricing Benchmark (as defined below) contained herein are based, in part, on information in the Registration Statement. The Registration Statement is not yet effective, and the Shares will not trade on the Exchange until such time that the Registration Statement is effective.

⁸ 15 U.S.C. 80a-1.

⁹ See Securities Exchange Act Release Nos. 78262 (July 8, 2016), 81 FR 78262 (July 14, 2016) (the "Winklevoss Proposal"). The Winklevoss Proposal was the first exchange rule filing proposing to list and trade shares of an ETP that would hold spot bitcoin (a "Spot Bitcoin ETP"). It was subsequently disapproved by the Commission. See Securities Exchange Act Release No. 83723 (July 26, 2018), 83 FR 37579 (August 1, 2018) (the "Winklevoss Order"); 99306 (January 10, 2024), 89 FR 3008 (January 17, 2024) (Self-Regulatory Organizations; NYSE Arca, Inc.; The Nasdaq Stock Market LLC; Cboe BZX Exchange, Inc.; 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 "Spot Bitcoin ETP Approval Order"); 100224 (May 23, 2024), 89 FR 46937 (May 30, 2024) (Self-Regulatory Organizations; NYSE Arca, Inc.; The Nasdaq Stock Market LLC; Cboe BZX Exchange, Inc.; 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 "Spot ETH ETP Approval Order").

¹⁰ See Winklevoss Order, 83 FR at 37580; see Spot Bitcoin ETP Approval Order, 89 FR at 3009; see Spot ETH ETP Approval Order 89 FR at 46938.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

surveillance-sharing agreement with a regulated market of significant size.¹¹

The Commission recently issued orders granting approval for proposals to list bitcoin- and ether-based commodity trust shares and bitcoin-based, ether-based, and a combination of bitcoin- and ether-based trust issued receipts (these proposed funds are nearly identical to the Trust, but proposed to hold bitcoin and/or ether, respectively, instead of INJ) (“Spot Bitcoin ETPs” and “Spot ETH ETPs”). In both the Spot Bitcoin ETP Approval Order and Spot ETH ETP Approval Order, the Commission found that sufficient “other means” of preventing fraud and manipulation had been demonstrated that justified dispensing with a surveillance-sharing agreement of significant size. Specifically, the Commission found that while the Chicago Mercantile Exchange (“CME”) futures market for both bitcoin and ether were not of “significant size” related to the spot market, the Exchange demonstrated that other means could be reasonably expected to assist in surveilling for fraudulent and manipulative acts and practices in the specific context of the proposals.

As further discussed below, both the Exchange and the Sponsor believe that this proposal and the included analysis are sufficient to establish that the proposal is consistent with the Act itself

and, additionally, that there are sufficient “other means” of preventing fraud and manipulation that warrant dispensing of the surveillance-sharing agreement with a regulated market of significant size, as was done with both Spot Bitcoin ETPs and Spot ETH ETPs, and that this proposal should be approved.

Background

INJ is the native, proof-of-stake cryptographic token of the Injective Network, a decentralized blockchain platform designed to support a wide range of financial applications and decentralized exchange functionality. The Injective Network distinguishes itself through its custom implementation of the Tendermint-based Proof-of-Stake consensus framework, which enables robust security and efficient transaction processing. Unlike many other blockchain networks, the Injective Network features built-in financial primitives, including a native exchange module that powers shared liquidity across applications and enables on-chain orderbook management, trade execution, order matching, and settlement.

The Injective Network operates on a delegated proof-of-stake model, where validators stake INJ to secure the network, validate transactions, and participate in governance. Validators play a critical role in maintaining network integrity by operating nodes that commit new blocks to the Injective Blockchain. INJ token holders can delegate their tokens to validators without operating nodes themselves, earning a share of validator rewards distributed pro rata. The network employs a token-weighted voting system for governance, where one INJ equals one vote, and only staked INJ is eligible to participate in proposal voting.

Unlike other digital assets that maintain static supply mechanisms, the Injective Network employs a dynamic supply mechanism called the “Moving Change Rate Mechanism” that automatically adjusts INJ supply on a block-by-block basis. This system responds to the network’s targeted bonded-stake ratio, increasing or decreasing minting rates to maintain optimal staking participation. The initial supply began at 100,000,000 INJ at the token generation event on October 21, 2020, with tokens allocated across seed sales, private sales, team allocation, and ecosystem development.

The INJ token serves multiple functions within the Injective Network, including securing the network through staking, enabling governance

participation, and facilitating the payment of transaction fees. All transactions on the Injective Network require INJ to pay for gas fees, which cover the computational resources necessary for processing and validating transactions. Additionally, INJ distinguishes itself through engineered deflationary characteristics via an innovative Burn Auction system, where INJ is periodically removed from circulation through competitive bidding on baskets of tokens accumulated from protocol revenue.

The Injective Network supports advanced financial applications through its plug-and-play financial primitives, including the exchange module that enables shared liquidity environments and the auction module that orchestrates the deflationary burn mechanism. The network can handle complex financial operations including derivatives trading, spot trading, and cross-chain transactions. INJ can be transferred in direct peer-to-peer transactions through the direct sending of INJ over the Injective Network from one INJ address to another.

As noted above, this proposal is to list and trade shares of the Trust that would hold spot INJ and, as described below, cause the Trust to stake a portion of its INJ.

Section 6(b)(5) and the Applicable Standards

The Commission has approved numerous series of Trust Issued Receipts,¹² including Commodity-Based Trust Shares,¹³ to be listed on U.S. national securities exchanges. In order for any proposed rule change from an exchange to be approved, the Commission must determine that, among other things, the proposal is consistent with the requirements of Section 6(b)(5) of the Act, specifically including: (i) the requirement that a national securities exchange’s rules are designed to prevent fraudulent and manipulative acts and practices;¹⁴ and

¹² See Exchange Rule 14.11(f).

¹³ Commodity-Based Trust Shares, as described in Exchange Rule 14.11(e)(4), are a type of Trust Issued Receipt.

¹⁴ Much like bitcoin and ETH, the Exchange believes that INJ is resistant to price manipulation and that “other means to prevent fraudulent and manipulative acts and practices” exist to justify dispensing with the requisite surveillance sharing agreement. The geographically diverse and continuous nature of INJ trading render it difficult and prohibitively costly to manipulate the price of INJ. The fragmentation across platforms and the capital necessary to maintain a significant presence on each trading platform make manipulation of INJ prices through continuous trading activity challenging. To the extent that there are trading platforms engaged in or allowing wash trading or other activity intended to manipulate the price of

¹¹ The Exchange notes that that the Winklevoss Test was first applied in 2017 in the Winklevoss Order, which was the first disapproval order related to an exchange proposal to list and trade a Spot Bitcoin ETP. All prior approval orders issued by the Commission approving the listing and trading of series of Trust Issued Receipts included no specific analysis related to a “regulated market of significant size.” In the Winklevoss Order and the Commission’s prior orders approving the listing and trading of series of Trust Issued Receipts have noted that the spot commodities and currency markets for which it has previously approved spot ETPs are generally unregulated and that the Commission relied on the underlying futures market as the regulated market of significant size that formed the basis for approving the series of Currency and Commodity-Based Trust Shares, including gold, silver, platinum, palladium, copper, and other commodities and currencies. The Commission specifically noted in the Winklevoss Order that the approval order issued related to the first spot gold ETP “was based on an assumption that the currency market and the spot gold market were largely unregulated.” See Winklevoss Order at 37592. As such, the regulated market of significant size test does not require that the spot market be regulated in order for the Commission to approve this proposal, and precedent makes clear that an underlying market for a spot commodity or currency being a regulated market would actually be an exception to the norm. These largely unregulated currency and commodity markets do not provide the same protections as the markets that are subject to the Commission’s oversight, but the Commission has consistently looked to surveillance sharing agreements with the underlying futures market in order to determine whether such products were consistent with the Act.

(ii) the requirement that an exchange proposal be designed, in general, to protect investors and the public interest. The Exchange believes that this proposal is consistent with the requirements of Section 6(b)(5) of the Act and that this filing sufficiently demonstrates that potential policy concerns under the Act are sufficiently mitigated to the point that they are outweighed by quantifiable investor protection issues that would be resolved by approving this proposal.

More recently, the Commission has applied the Winklevoss Test while also recognizing that the “regulated market of significant size” standard is not the only means for satisfying Section 6(b)(5) of the Act. In the specifically providing that a listing exchange could demonstrate that “other means to prevent fraudulent and manipulative acts and practices” are sufficient to justify dispensing with the requisite surveillance-sharing agreement.¹⁵ While there is currently no futures market for INJ, in the Spot Bitcoin ETF Approval Order and Spot ETH ETF Approval Order the Commission determined that the CME bitcoin futures market and CME ETH futures market, respectively, were not of “significant size” related to the spot market. Instead, the Commission found that sufficient “other means” of preventing fraud and manipulation had been demonstrated that justified dispensing with a surveillance-sharing agreement of significant size. The Exchange and Sponsor believe that this proposal provides for other means of preventing

INJ on other markets, such pricing does not normally impact prices on other trading platforms because participants will generally ignore markets with quotes that they deem non-executable. Moreover, the linkage between INJ markets and the presence of arbitrageurs in those markets means that the manipulation of the price of INJ on any single venue would require manipulation of the global INJ price in order to be effective. Arbitrageurs must have funds distributed across multiple trading platforms in order to take advantage of temporary price dislocations, thereby making it unlikely that there will be strong concentration of funds on any particular trading platforms or OTC platform. Further, the speed and relatively inexpensive nature of transactions on the INJ Network allow arbitrageurs to quickly move capital between trading platforms where price dislocations may occur. As a result, the potential for manipulation on a trading platform would require overcoming the liquidity supply of such arbitrageurs who are effectively eliminating any cross-market pricing differences.

¹⁵ See Winklevoss Order at 37580. The Commission has also specifically noted that it “is not applying a ‘cannot be manipulated’ standard; instead, the Commission is examining whether the proposal meets the requirements of the Exchange Act and, pursuant to its Rules of Practice, places the burden on the listing exchange to demonstrate the validity of its contentions and to establish that the requirements of the Exchange Act have been met.” *Id.* at 37582.

fraud and manipulation justify dispensing with a surveillance-sharing agreement of significant size.

Over the past several years, U.S. investor exposure to INJ has grown into billions of dollars reaching a fully diluted market cap of greater than \$4.5 billion in March 2024 and a market cap greater than \$1.4 billion in July 2025. The Exchange believes that approving this proposal (and comparable proposals) provides the Commission with the opportunity to allow U.S. investors with access to INJ in a regulated and transparent exchange-traded vehicle that would act to limit risk to U.S. investors.

The policy concerns that the Exchange Act is designed to address are also otherwise mitigated by the fact that the size of the market for the underlying reference asset (\$1.4 billion fully diluted value in July 2025) and the nature of the INJ ecosystem reduces its susceptibility to manipulation. The geographically diverse and continuous nature of INJ trading makes it difficult and prohibitively costly to manipulate the price of INJ and, in many instances, the INJ market can be less susceptible to manipulation than the equity, fixed income, and commodity futures markets. There are a number of reasons this is the case, including that there is not inside information about revenue, earnings, corporate activities, or sources of supply; manipulation of the price on any single venue would require manipulation of the global INJ price in order to be effective; a substantial over-the-counter market provides liquidity and shock-absorbing capacity; INJ’s 24/7/365 nature provides constant arbitrage opportunities across all trading venues; and it is unlikely that any one actor could obtain a dominant market share.

Further, INJ is arguably less susceptible to manipulation than other commodities that underlie ETPs; there may be inside information relating to the supply of the physical commodity such as the discovery of new sources of supply or significant disruptions at mining facilities that supply the commodity that simply are inapplicable as it relates to certain cryptoassets, including INJ. Further, the Exchange believes that the fragmentation across INJ trading platforms and increased adoption of INJ, as displayed through increased user engagement and trading volumes, and the Injective Network makes manipulation of INJ prices through continuous trading activity more difficult. Moreover, the linkage between the INJ markets and the presence of arbitrageurs in those markets means that the manipulation of the price of INJ price on any single

venue would require manipulation of the global INJ price in order to be effective. Arbitrageurs must have funds distributed across multiple INJ trading platforms in order to take advantage of temporary price dislocations, thereby making it unlikely that there will be strong concentration of funds on any particular INJ trading platform. As a result, the potential for manipulation on a particular INJ trading platform would require overcoming the liquidity supply of such arbitrageurs who are effectively eliminating any cross-market pricing differences. For all of these reasons, INJ is not particularly susceptible to manipulation, especially as compared to other approved ETP reference assets.

Canary INJ ETF

CSC Delaware Trust Company is the trustee (“Trustee”). A third party will be the administrator (“Administrator”) and transfer agent (“Transfer Agent”) and will be responsible for the custody of the Trust’s cash and cash equivalents¹⁶ (the “Cash Custodian”). A third-party custodian (the “Custodian”) will be responsible for custody of the Trust’s INJ.

According to the Registration Statement, each Share will represent a fractional undivided beneficial interest in and ownership of the Trust. The Trust’s assets will only consist of INJ, cash, or cash and cash equivalents.

According to the Registration Statement, the Trust will be neither an investment company registered under the Investment Company Act of 1940, as amended,¹⁷ nor a commodity pool for purposes of the CEA, and neither the Trust nor the Sponsor is subject to regulation as a commodity pool operator or a commodity trading adviser in connection with the Shares.

The Sponsor may stake, or cause to be staked, all or a portion of the Trust’s INJ through one or more trusted staking providers (“Staking Providers”). 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, which may be treated as income to the Trust. The Trust will not acquire and will disclaim any incidental right (“IR”), or IR asset received, for example as a result of forks or airdrops, and such assets will not be taken into account for purposes of determining NAV.

When the Trust creates or redeems its Shares, it will do so in cash transactions or in-kind transactions in blocks of

¹⁶ Cash equivalents are short-term instruments with maturities of less than 3 months.

¹⁷ 15 U.S.C. 80a–1.

10,000 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, INJ to the Trust’s account with the Custodian, in exchange for Shares when they create Shares, and the Trust, through the Custodian, will deliver INJ 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.

Investment Objective

According to the Registration Statement and as further described below, the Trust’s investment objective is to seek to track the performance of INJ, as measured by the CoinDesk INJ USD CCIX 60 min NY Rate (“Pricing Benchmark”), adjusted for the Trust’s expenses and other liabilities. In seeking to achieve its investment objective, the Trust will hold INJ and will value its Shares daily as of 4:00 p.m. ET using the same methodology used to calculate the Pricing Benchmark. All of the Trust’s INJ will be held by the Custodian.

The Pricing Benchmark

As described in the Registration Statement, The Trust will use the Pricing Benchmark to calculate the Trust’s NAV. The Trust will determine the INJ Pricing Benchmark price and value its Shares daily based on the value of INJ as reflected by the Pricing Benchmark. The Pricing Benchmark will be calculated daily and aggregates the notional value of INJ trading across major INJ spot trading platforms, as determined by the provider.

Net Asset Value

NAV means the total assets of the Trust (which includes all INJ and cash and cash equivalents) less total liabilities of the Trust. The Administrator determines the NAV of the Trust on each day that the Exchange is open for regular trading, as promptly as practical after 4:00 p.m. ET based on the closing value of the Pricing

Benchmark. The NAV of the Trust is the aggregate value of the Trust’s assets less its estimated accrued but unpaid liabilities (which include accrued expenses). In determining the NAV, the Administrator values the INJ held by the Trust based on the closing value of the Pricing Benchmark as of 4:00 p.m. ET. The Administrator also determines the NAV per Share. The NAV for the Trust will be calculated by the Administrator once a day and will be disseminated daily to all market participants at the same time.

Availability of Information

In addition to the price transparency of the Pricing Benchmark, the Trust will provide information regarding the Trust’s INJ holdings as well as additional data regarding the Trust. The website for the Trust, which will be publicly accessible at no charge, will contain the following information: (a) the current NAV per Share daily and the prior business day’s NAV per Share and the reported BZX Official Closing Price;¹⁸ (b) the BZX Official Closing Price in relation to the NAV per Share as of the time the NAV is calculated and a calculation of the premium or discount of such price against such NAV per Share; (c) data in chart form displaying the frequency distribution of discounts and premiums of the BZX Official Closing Price against the NAV per Share, within appropriate ranges for each of the four previous calendar quarters (or for the life of the Trust, if shorter); (d) the prospectus; and (e) other applicable quantitative information. The aforementioned information will be published as of the close of business and available on the Sponsor’s website at <https://canary.capital>, or any successor thereto. The NAV for the Trust will be calculated by the Administrator once a day and will be disseminated daily to all market participants at the same time. Quotation and last-sale information regarding the Shares will be disseminated through the facilities of the Consolidated Tape Association (“CTA”). The Trust will also disseminate its holdings on a daily basis on its website.

The Intraday Indicative Value (“IIV”) will be updated during Regular Trading Hours to reflect changes in the value of the Trust’s INJ holdings during the trading day. The IIV disseminated during Regular Trading Hours should not be viewed as an actual real-time

update of the NAV, which will be calculated only once at the end of each trading day. The IIV may differ from the NAV because NAV is calculated, using the closing value of the Pricing Benchmark, once a day at 4 p.m. ET, whereas the IIV draws prices from the last trade on each constituent platform in an effort to produce a relevant, real-time price). The Trust will provide an IIV per Share updated every 15 seconds, as calculated by the Exchange or a third-party financial data provider during the Exchange’s Regular Trading Hours (9:30 a.m. to 4:00 p.m. E.T.). The IIV will be widely disseminated on a per Share basis every 15 seconds during the Exchange’s Regular Trading Hours through the facilities of the CTA and Consolidated Quotation System (CQS) high speed lines. In addition, the IIV will be available through on-line information services, such as Bloomberg and Reuters.

The price of INJ will be made available by one or more major market data vendors, updated at least every 15 seconds during Regular Trading Hours.

As noted above, the Pricing Benchmark is calculated every 15 seconds and information about the Pricing Benchmark and Pricing Benchmark value, including index data and key elements of how the Pricing Benchmark is calculated, will be publicly available at a website maintained by the provider of the Pricing Benchmark.

Quotation and last sale information for INJ is widely disseminated through a variety of major market data vendors, including Bloomberg and Reuters. Information relating to trading, including price and volume information, in INJ is available from major market data vendors and from the trading platforms on which INJ are traded. Depth of book information is also available from INJ trading platforms. The normal trading hours for INJ trading platforms are 24 hours per day, 365 days per year.

Information regarding market price and trading volume of the Shares will be continually available on a real-time basis throughout the day on brokers’ computer screens and other electronic services. Information regarding the previous day’s BZX Official Closing Price and trading volume information for the Shares will be published daily in the financial section of newspapers. Quotation and last-sale information regarding the Shares will be disseminated through the facilities of the CTA.

¹⁸ As defined in Rule 11.23(a)(3), the term “BZX Official Closing Price” shall mean the price disseminated to the consolidated tape as the market center closing trade.

The Custodian

The Custodian's services (i) allow INJ to be deposited from a public blockchain address to the Trust's INJ account; (ii) allow INJ to be withdrawn from the INJ account to a public blockchain address as instructed by the Trust; and (iii) allow INJ to be staked. The custody agreement requires the Custodian to hold the Trust's INJ in cold storage, unless required to facilitate withdrawals as a temporary measure. The Custodian will use segregated cold storage INJ addresses for the Trust which are separate from the INJ addresses that the Custodian uses for its other customers and which are directly verifiable via the INJ blockchain. The Custodian will safeguard the private keys to the INJ associated with the Trust's INJ account. The Custodian will at all times record and identify in its books and records that such INJ constitutes the property of the Trust. The Custodian will not withdraw the Trust's INJ from the Trust's account with the Custodian, or loan, hypothecate, pledge or otherwise encumber the Trust's INJ, without the Trust's instruction. If the custody agreement terminates, the Sponsor may appoint another custodian, and the Trust may enter into a custodian agreement with such custodian.

Creation and Redemption of Shares

When the Trust sells or INJ its Shares, it will do so in Creation Baskets that are based on the quantity of INJ 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 INJ 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 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 Trust's account with the Cash Custodian in exchange for Shares. Upon receipt of an approved cash creation order, the Sponsor, on behalf of the Trust, will submit to one or more previously onboarded trading partners an order to buy the amount of INJ represented by a Creation Basket. For in-kind creations, authorized participants or their designee will deliver, or facilitate the delivery of, INJ

to the Trust'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 INJ (as described below). With respect to a cash purchase order, as between the Trust and the Authorized Participant, the Authorized Participant is responsible for the dollar cost of the difference between the INJ price utilized in calculating NAV on trade date and the price at which the Trust acquires the INJ to the extent the price realized in buying the INJ is higher than the INJ price utilized in the NAV. To the extent the price realized in buying the INJ 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 INJ 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 INJ associated with a Creation Basket for the next business day by dividing the number of INJ held by the Trust, adjusted for the amount of INJ constituting estimated accrued but unpaid fees and expenses of the Trust, 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 Trust and will receive cash for the Shares delivered. With respect to a cash redemption order, between the Trust and the Authorized Participant, the Authorized Participant will be responsible for the dollar cost of the difference between the INJ price utilized in calculating the NAV on trade date and the price realized in selling the INJ to raise the cash needed for the cash redemption order to the extent the price realized in selling the INJ is lower than the INJ price utilized in the NAV. To the extent the price realized from selling the INJ 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 Trust and the authorized participant or

its designee will receive INJ for the Shares delivered. The Sponsor (including its delegates) will maintain ownership and control of the Trust's INJ in a manner consistent with good delivery requirements for spot commodity transactions.

Rule 14.11(e)(4)—Commodity-Based Trust Shares

The Shares will be subject to BZX Rule 14.11(e)(4), which sets forth the initial and continued listing criteria applicable to Commodity-Based Trust Shares. The Exchange represents that, for initial and continued listing, the Trust must be in compliance with Rule 10A-3 under the Act. A minimum of 100,000 Shares will be outstanding at the commencement of listing on the Exchange. The Exchange will obtain a representation that the NAV will be calculated daily and that the NAV and information about the assets of the Trust will be made available to all market participants at the same time. The Exchange notes that, as defined in Rule 14.11(e)(4)(C)(i), the Shares will be: (a) issued by a trust that holds (1) a specified commodity¹⁹ deposited with the trust, or (2) a specified commodity and, in addition to such specified commodity, cash; (b) 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) 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.

Upon termination of the Trust, the Shares will be removed from listing. The Trustee, CSC Delaware Trust Company, is a trust company having substantial capital and surplus and the experience and facilities for handling corporate trust business, as required under Rule 14.11(e)(4)(E)(iv)(a) and that no change will be made to the trustee without prior notice to and approval of the Exchange. The Exchange also notes that, pursuant to Rule 14.11(e)(4)(F), neither the Exchange nor any agent of the Exchange shall have any liability for damages, claims, losses or expenses caused by any errors, omissions or delays in calculating or disseminating any underlying commodity value, the current value of the underlying commodity required to be deposited to the Trust in connection with issuance of Commodity-Based Trust Shares; resulting from any negligent act or

¹⁹For purposes of Rule 14.11(e)(4), the term commodity takes on the definition of the term as provided in the Commodity Exchange Act.

omission by the Exchange, or any agent of the Exchange, or any act, condition or cause beyond the reasonable control of the Exchange, its agent, including, but not limited to, an act of God; fire; flood; extraordinary weather conditions; war; insurrection; riot; strike; accident; action of government; communications or power failure; equipment or software malfunction; or any error, omission or delay in the reports of transactions in an underlying commodity. Finally, as required in Rule 14.11(e)(4)(G), the Exchange notes that any registered market maker ("Market Maker") in the Shares must file with the Exchange in a manner prescribed by the Exchange and keep current a list identifying all accounts for trading in an underlying commodity, related commodity futures or options on commodity futures, or any other related commodity derivatives, which the registered Market Maker may have or over which it may exercise investment discretion. No registered Market Maker shall trade in an underlying commodity, related commodity futures or options on commodity futures, or any other related commodity derivatives, in an account in which a registered Market Maker, directly or indirectly, controls trading activities, or has a direct interest in the profits or losses thereof, which has not been reported to the Exchange as required by this Rule. In addition to the existing obligations under Exchange rules regarding the production of books and records (see, e.g., Rule 4.2), the registered Market Maker in Commodity-Based Trust Shares shall make available to the Exchange such books, records or other information pertaining to transactions by such entity or registered or non-registered employee affiliated with such entity for its or their own accounts for trading the underlying physical commodity, related commodity futures or options on commodity futures, or any other related commodity derivatives, as may be requested by the Exchange.

The Exchange is able to obtain information regarding trading in the Shares and the underlying INJ or any other INJ derivative through members acting as registered Market Makers, in connection with their proprietary or customer trades.

As a general matter, the Exchange has regulatory jurisdiction over its Members and their associated persons, which include any person or entity controlling a Member. To the extent the Exchange may be found to lack jurisdiction over a subsidiary or affiliate of a Member that does business only in commodities or futures contracts, the Exchange could obtain information regarding the

activities of such subsidiary or affiliate through surveillance sharing agreements with regulatory organizations of which such subsidiary or affiliate is a member.

Trading Halts

With respect to trading halts, the Exchange may consider all relevant factors in exercising its discretion to halt or suspend trading in the Shares. The Exchange will halt trading in the Shares under the conditions specified in BZX Rule 11.18. Trading may be halted because of market conditions or for reasons that, in the view of the Exchange, make trading in the Shares inadvisable. These may include: (1) the extent to which trading is not occurring in the INJ underlying the Shares; or (2) whether other unusual conditions or circumstances detrimental to the maintenance of a fair and orderly market are present. Trading in the Shares also will be subject to Rule 14.11(e)(4)(E)(ii), which sets forth circumstances under which trading in the Shares may be halted.

If the IIV or the value of the Pricing Benchmark is not being disseminated as required, the Exchange may halt trading during the day in which the interruption to the dissemination of the IIV or the value of the Pricing Benchmark occurs. If the interruption to the dissemination of the IIV or the value of the Pricing Benchmark persists past the trading day in which it occurred, the Exchange will halt trading no later than the beginning of the trading day following the interruption.

In addition, if the Exchange becomes aware that the NAV with respect to the Shares is not disseminated to all market participants at the same time, it will halt trading in the Shares until such time as the NAV is available to all market participants.

Trading Rules

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. BZX will allow trading in the Shares during all trading sessions on the Exchange. The Exchange has appropriate rules to facilitate transactions in the Shares during all trading sessions. As provided in BZX Rule 11.11(a) the minimum price variation for quoting and entry of orders in securities traded on the Exchange is \$0.01 where the price is greater than \$1.00 per share or \$0.0001 where the price is less than \$1.00 per share. The Shares of the Trust will conform to the initial and continued listing criteria set forth in BZX Rule 14.11(e)(4).

Surveillance

The Exchange represents that its surveillance procedures are adequate to properly monitor the trading of the Shares on the Exchange during all trading sessions and to deter and detect violations of Exchange rules and the applicable federal securities laws. Trading of the Shares through the Exchange will be subject to the Exchange's surveillance procedures for derivative products, including Commodity-Based Trust Shares. FINRA conducts certain cross-market surveillances on behalf of the Exchange pursuant to a regulatory services agreement. The Exchange is responsible for FINRA's performance under this regulatory services agreement.

The Exchange or FINRA, on behalf of the Exchange, or both, will communicate as needed regarding trading in the Shares or any other INJ derivative with other markets and other entities that are members of the ISG, and the Exchange, or FINRA, on behalf of the Exchange, or both, may obtain trading information regarding trading in the Shares or any other INJ derivative from such markets and other entities.²⁰ The Exchange may obtain information regarding trading in the Shares or any other INJ derivative via ISG, from other exchanges who are members or affiliates of the ISG, or with which the Exchange has entered into a comprehensive surveillance sharing agreement.

In addition, the Exchange also has a general policy prohibiting the distribution of material, non-public information by its employees.

The Sponsor has represented to the Exchange that it will advise the Exchange of any failure by the Trust or the Shares to comply with the continued listing requirements, and, pursuant to its obligations under Section 19(g)(1) of the Exchange Act, the Exchange will surveil for compliance with the continued listing requirements. If the Trust or the Shares are not in compliance with the applicable listing requirements, the Exchange will commence delisting procedures under Exchange Rule 14.12.

Information Circular

Prior to the commencement of trading, the Exchange will inform its members in an Information Circular of the special characteristics and risks associated with trading the Shares. Specifically, the Information Circular will discuss the following: (i) the procedures for the creation and redemption of Creation Baskets (and

²⁰ For a list of the current members and affiliate members of ISG, see www.isgportal.com.

that the Shares are not individually redeemable); (ii) BZX Rule 3.7, which imposes suitability obligations on Exchange members with respect to recommending transactions in the Shares to customers; (iii) how information regarding the IIV and the Trust's NAV are disseminated; (iv) the risks involved in trading the Shares outside of Regular Trading Hours²¹ when an updated IIV will not be calculated or publicly disseminated; (v) the requirement that members deliver a prospectus to investors purchasing newly issued Shares prior to or concurrently with the confirmation of a transaction; and (vi) trading information. The Information Circular will also reference the fact that there is no regulated source of last sale information regarding INJ, and that the Commission has no jurisdiction over the trading of INJ as a commodity.

In addition, the Information Circular will advise members, prior to the commencement of trading, of the prospectus delivery requirements applicable to the Shares. Members purchasing the Shares for resale to investors will deliver a prospectus to such investors. The Information Circular will also discuss any exemptive, no-action and interpretive relief granted by the Commission from any rules under the Act.

2. Statutory Basis

The Exchange believes that the proposal is consistent with Section 6(b) of the Act²² in general and Section 6(b)(5) of the Act²³ in particular in that it is 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 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 Commission has approved numerous series of Trust Issued Receipts,²⁴ including Commodity-Based Trust Shares,²⁵ to be listed on U.S. national securities exchanges. In order for any proposed rule change from an exchange to be approved, the Commission must determine that, among other things, the proposal is

consistent with the requirements of Section 6(b)(5) of the Act, specifically including: (i) the requirement that a national securities exchange's rules are designed to prevent fraudulent and manipulative acts and practices;²⁶ and (ii) the requirement that an exchange proposal be designed, in general, to protect investors and the public interest. The Exchange believes that this proposal is consistent with the requirements of Section 6(b)(5) of the Act and that this filing sufficiently demonstrates that potential policy concerns under the Act are sufficiently mitigated to the point that they are outweighed by quantifiable investor protection issues that would be resolved by approving this proposal.

More recently, the Commission has applied the Winklevoss Test while also recognizing that the "regulated market of significant size" standard is not the only means for satisfying Section 6(b)(5) of the Act. In the specifically providing that a listing exchange could demonstrate that "other means to prevent fraudulent and manipulative acts and practices" are sufficient to justify dispensing with the requisite surveillance-sharing agreement.²⁷ While

²⁶ Much like bitcoin and ETH, the Exchange believes that INJ is resistant to price manipulation and that "other means to prevent fraudulent and manipulative acts and practices" exist to justify dispensing with the requisite surveillance sharing agreement. The geographically diverse and continuous nature of INJ trading render it difficult and prohibitively costly to manipulate the price of INJ. The fragmentation across platforms and the capital necessary to maintain a significant presence on each trading platform make manipulation of INJ prices through continuous trading activity challenging. To the extent that there are trading platforms engaged in or allowing wash trading or other activity intended to manipulate the price of INJ on other markets, such pricing does not normally impact prices on other trading platforms because participants will generally ignore markets with quotes that they deem non-executable. Moreover, the linkage between INJ markets and the presence of arbitrageurs in those markets means that the manipulation of the price of INJ on any single venue would require manipulation of the global INJ price in order to be effective. Arbitrageurs must have funds distributed across multiple trading platforms in order to take advantage of temporary price dislocations, thereby making it unlikely that there will be strong concentration of funds on any particular trading platforms or OTC platform. Further, the speed and relatively inexpensive nature of transactions on the INJ Network allow arbitrageurs to quickly move capital between trading platforms where price dislocations may occur. As a result, the potential for manipulation on a trading platform would require overcoming the liquidity supply of such arbitrageurs who are effectively eliminating any cross-market pricing differences.

²⁷ See Winklevoss Order at 37580. The Commission has also specifically noted that it "is not applying a 'cannot be manipulated' standard; instead, the Commission is examining whether the proposal meets the requirements of the Exchange Act and, pursuant to its Rules of Practice, places the burden on the listing exchange to demonstrate the

there is currently no futures market for INJ, in the Spot Bitcoin ETF Approval Order and Spot ETH ETF Approval Order the Commission determined that the CME bitcoin futures market and CME ETH futures market, respectively, were not of "significant size" related to the spot market. Instead, the Commission found that sufficient "other means" of preventing fraud and manipulation had been demonstrated that justified dispensing with a surveillance-sharing agreement of significant size. The Exchange and Sponsor believe that this proposal provides for other means of preventing fraud and manipulation justify dispensing with a surveillance-sharing agreement of significant size.

The Exchange believes that the proposal is designed to protect investors and the public interest. Over the past several years, U.S. investor exposure to INJ has grown into billions of dollars with a fully diluted market cap of greater than \$4.5 billion in March 2024 and greater than \$1.4 billion in July 2025. The Exchange believes that approving this proposal (and comparable proposals) provides the Commission with the opportunity to allow U.S. investors with access to INJ in a regulated and transparent exchange-traded vehicle that would act to limit risk to U.S. investors.

The policy concerns that the Exchange Act is designed to address are also otherwise mitigated by the fact that the size of the market for the underlying reference asset (\$1.4 billion fully diluted value) and the nature of the INJ ecosystem reduces its susceptibility to manipulation. The geographically diverse and continuous nature of INJ trading makes it difficult and prohibitively costly to manipulate the price of INJ and, in many instances, the INJ market can be less susceptible to manipulation than the equity, fixed income, and commodity futures markets. There are a number of reasons this is the case, including that there is not inside information about revenue, earnings, corporate activities, or sources of supply; manipulation of the price on any single venue would require manipulation of the global INJ price in order to be effective; a substantial over-the-counter market provides liquidity and shock-absorbing capacity; INJ's 24/7/365 nature provides constant arbitrage opportunities across all trading venues; and it is unlikely that any one actor could obtain a dominant market share.

validity of its contentions and to establish that the requirements of the Exchange Act have been met." *Id.* at 37582.

²¹ Regular Trading Hours is the time between 9:30 a.m. and 4:00 p.m. Eastern Time.

²² 15 U.S.C. 78f.

²³ 15 U.S.C. 78f(b)(5).

²⁴ See Exchange Rule 14.11(f).

²⁵ Commodity-Based Trust Shares, as described in Exchange Rule 14.11(e)(4), are a type of Trust Issued Receipt.

Further, INJ is arguably less susceptible to manipulation than other commodities that underlie ETPs; there may be inside information relating to the supply of the physical commodity such as the discovery of new sources of supply or significant disruptions at mining facilities that supply the commodity that simply are inapplicable as it relates to certain cryptoassets, including INJ. Further, the Exchange believes that the fragmentation across INJ trading platforms and increased adoption of INJ, as displayed through increased user engagement and trading volumes, and the Injective Network make manipulation of INJ prices through continuous trading activity more difficult. Moreover, the linkage between the INJ markets and the presence of arbitrageurs in those markets means that the manipulation of the price of INJ price on any single venue would require manipulation of the global INJ price in order to be effective. Arbitrageurs must have funds distributed across multiple INJ trading platforms in order to take advantage of temporary price dislocations, thereby making it unlikely that there will be strong concentration of funds on any particular INJ trading platform. As a result, the potential for manipulation on a particular INJ trading platform would require overcoming the liquidity supply of such arbitrageurs who are effectively eliminating any cross-market pricing differences. For all of these reasons, INJ is not particularly susceptible to manipulation, especially as compared to other approved ETP reference assets.

Commodity-Based Trust Shares

The Exchange believes that the proposed rule change is designed to prevent fraudulent and manipulative acts and practices in that the Shares will be listed on the Exchange pursuant to the initial and continued listing criteria in Exchange Rule 14.11(e)(4). The Exchange believes that its surveillance procedures are adequate to properly monitor the trading of the Shares on the Exchange during all trading sessions and to deter and detect violations of Exchange rules and the applicable federal securities laws. Trading of the Shares through the Exchange will be subject to the Exchange's surveillance procedures for derivative products, including Commodity-Based Trust Shares. The issuer has represented to the Exchange that it will advise the Exchange of any failure by the Trust or the Shares to comply with the continued listing requirements, and, pursuant to its obligations under Section 19(g)(1) of the Exchange Act, the Exchange will surveil for compliance

with the continued listing requirements. If the Trust or the Shares are not in compliance with the applicable listing requirements, the Exchange will commence delisting procedures under Exchange Rule 14.12. The Exchange may obtain information regarding trading in the Shares and listed INJ derivatives via the ISG, from other exchanges who are members or affiliates of the ISG, or with which the Exchange has entered into a comprehensive surveillance sharing agreement.

Availability of Information

In addition to the price transparency of the Pricing Benchmark, the Trust will provide information regarding the Trust's INJ holdings as well as additional data regarding the Trust. The website for the Trust, which will be publicly accessible at no charge, will contain the following information: (a) the current NAV per Share daily and the prior business day's NAV per Share and the reported BZX Official Closing Price;²⁸ (b) the BZX Official Closing Price in relation to the NAV per Share as of the time the NAV is calculated and a calculation of the premium or discount of such price against such NAV per Share; (c) data in chart form displaying the frequency distribution of discounts and premiums of the BZX Official Closing Price against the NAV per Share, within appropriate ranges for each of the four previous calendar quarters (or for the life of the Trust, if shorter); (d) the prospectus; and (e) other applicable quantitative information. The aforementioned information will be published as of the close of business and available on the Sponsor's website at www.canary.capital, or any successor thereto. The NAV for the Trust will be calculated by the Administrator once a day and will be disseminated daily to all market participants at the same time. Quotation and last-sale information regarding the Shares will be disseminated through the facilities of the CTA. The Trust will also disseminate its holdings on a daily basis on its website.

The Intraday Indicative Value ("IIV") will be updated during Regular Trading Hours to reflect changes in the value of the Trust's INJ holdings during the trading day. The IIV may differ from the NAV because NAV is calculated, using the closing value of the Pricing Benchmark, once a day at 4:00 p.m. Eastern time whereas the IIV draws

prices from the last trade on each constituent platform to produce a relevant, real-time price. The IIV disseminated during Regular Trading Hours should not be viewed as an actual real-time update of the NAV, which will be calculated only once at the end of each trading day. The Trust will provide an IIV per Share updated every 15 seconds, as calculated by the Exchange or a third-party financial data provider during the Exchange's Regular Trading Hours (9:30 a.m. to 4:00 p.m. E.T.). The IIV will be widely disseminated on a per Share basis every 15 seconds during the Exchange's Regular Trading Hours through the facilities of the CTA and CQS high speed lines. In addition, the IIV will be available through on-line information services such as Bloomberg and Reuters.

The price of INJ will be made available by one or more major market data vendors, updated at least every 15 seconds during Regular Trading Hours.

As noted above, the Pricing Benchmark is calculated every 15 seconds and information about the Pricing Benchmark and Pricing Benchmark value, including index data and key elements of how the Pricing Benchmark is calculated, will be publicly available at a website maintained by the provider of the Pricing Benchmark.

Quotation and last sale information for INJ is widely disseminated through a variety of major market data vendors, including Bloomberg and Reuters. Information relating to trading, including price and volume information, in INJ is available from major market data vendors and from the trading platforms on which INJ are traded. Depth of book information is also available from INJ trading platforms. The normal trading hours for INJ trading platforms are 24 hours per day, 365 days per year.

Information regarding market price and trading volume of the Shares will be continually available on a real-time basis throughout the day on brokers' computer screens and other electronic services. Information regarding the previous day's BZX Official Closing Price and trading volume information for the Shares will be published daily in the financial section of newspapers. Quotation and last-sale information regarding the Shares will be disseminated through the facilities of the CTA.

In sum, the Exchange believes that this proposal is consistent with the requirements of Section 6(b)(5) of the Act, that on the whole the manipulation concerns previously articulated by the Commission are sufficiently mitigated to

²⁸ As defined in Rule 11.23(a)(3), the term "BZX Official Closing Price" shall mean the price disseminated to the consolidated tape as the market center closing trade.

the point that they are outweighed by investor protection issues that would be resolved by approving this proposal.

The Exchange believes that the proposal is, in particular, designed to protect investors and the public interest. The investor protection issues for U.S. investors has grown significantly over the last several years. As discussed throughout, this growth investor protection concerns need to be re-evaluated and rebalanced with the prevention of fraudulent and manipulative acts and practices concerns that previous disapproval orders have relied upon.

For the above reasons, the Exchange believes that the proposed rule change is consistent with the requirements of Section 6(b)(5) of the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purpose of the Act. The Exchange notes that the proposed rule change, rather will facilitate the listing and trading of an additional exchange-traded product that will enhance competition among both market participants and listing venues, to the benefit of investors and the marketplace.

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

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the Exchange consents, the Commission will:

A. by order approve or disapprove such proposed rule change, or

B. institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act.

Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include file number SR-CboeBZX-2025-115 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-2025-115. 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-2025-115 and should be submitted on or before September 18, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²⁹

Vanessa A. Countryman,
Secretary.

[FR Doc. 2025-16441 Filed 8-27-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235-0131]

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Extension: Rule 17a-7

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549-2736.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 ("PRA") (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission

("Commission") is submitting to the Office of Management and Budget ("OMB") this request for extension of the proposed collection of information provided for in Rule 17a-7 under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*).

Rule 17a-7 requires a non-resident broker-dealer (generally, a broker-dealer with its principal place of business in a place not subject to the jurisdiction of the United States) registered or applying for registration pursuant to Section 15 of the Exchange Act to maintain—in the United States—complete and current copies of books and records required to be maintained under any rule adopted under the Exchange Act and furnish to the Commission a written notice specifying the address where the copies are located. Alternatively, Rule 17a-7 provides that non-resident broker-dealers may file with the Commission a written undertaking to furnish the requisite books and records to the Commission upon demand within 14 days of the demand.

The Commission estimates that there are approximately 53 non-resident broker-dealers. Based on the Commission's experience, the Commission estimates that the average amount of time necessary to comply with Rule 17a-7 is one hour per year per respondent. Accordingly, the Commission estimates that the total industry-wide reporting burden is approximately 53 hours per year. Assuming an average cost per hour of approximately \$344 for a compliance manager, the total internal cost of compliance for the respondents is approximately \$18,232 per year.¹

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

Written comments are invited on: (a) whether this proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (b) the accuracy of the Commission's estimate of the burden imposed by the proposed collection of information, including the validity of the methodology and the assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the

¹ \$344 per hour for a compliance manager is from SIFMA's *Management & Professional Earnings in the Securities Industry 2013*, modified by Commission staff for an 1800-hour work-year, multiplied by 5.35 to account for bonuses, firm size, employee benefits, and overhead, and adjusted for inflation.

²⁹ 17 CFR 200.30-3(a)(12).

burden of the collection of information on respondents, including through the use of automated, electronic collection techniques or other forms of information technology.

The public may view and comment on this information collection request at: https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202505-3235-008 or email comment to MBX.OMB.OIRA.SEC_desk_officer@omb.eop.gov within 30 days of the day after publication of this notice, by September 29, 2025.

Dated: August 26, 2025.

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2025–16550 Filed 8–27–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103772; File No. SR–CboeBZX–2025–069]

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 Staked TRX ETF Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares

August 25, 2025.

I. Introduction

On May 12, 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 Staked TRX 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 May 29, 2025.³

On July 9, 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

proceedings under Section 19(b)(2)(B) of the Act⁶ 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 TRX,⁸ as measured by the CoinDesk TRX 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 TRX 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 TRX, 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 TRX 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–2025–069 and Grounds for Disapproval Under Consideration

The Commission is instituting proceedings pursuant to Section 19(b)(2)(B) of the Act¹⁴ 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 TRX, 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

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, Pub. L. 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

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b–4.

³ See Securities Exchange Act Release No. 103108 (May 22, 2025), 90 FR 22778 (“Notice”). The Commission has received no comments on the proposed rule change.

⁴ 15 U.S.C. 78s(b)(2).

⁵ See Securities Exchange Act Release No. 103405, 90 FR 31360 (July 14, 2025). The

Commission designated Aug. 27, 2025, as the date by which the Commission shall 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 Notice, *supra* note 3.

⁸ The Exchange states that TRX is the native cryptographic token of the Tron Network, a permissionless and decentralized blockchain platform launched in 2017. See *id.* at 22779.

⁹ See *id.* at 22781. 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 TRX. See *id.* at 22778, 22780.

¹⁰ See *id.* at 22781.

¹¹ See *id.* at 22780.

¹² See *id.* at 22781.

¹³ See *id.*

¹⁴ 15 U.S.C. 78s(b)(2)(B).

Interested persons are invited to submit written data, views, and arguments regarding whether the proposed rule change should be approved or disapproved by September 18, 2025. Any person who wishes to file a rebuttal to any other person's submission must file that rebuttal by October 2, 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-2025-069 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-2025-069. 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-2025-069 and should be submitted on or before September 18, 2025. Rebuttal comments should be submitted by October 2, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁸

Vanessa A. Countryman,
Secretary.

[FR Doc. 2025-16447 Filed 8-27-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-103773; File No. SR-CboeBZX-2025-081]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change, as Modified by Amendment No. 2, To List and Trade Shares of the Canary PENGU ETF Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares

August 25, 2025.

On June 25, 2025, Cboe BZX Exchange, Inc. ("Exchange" or "BZX") 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 Canary PENGU ETF under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares. On July 7, 2025, the Exchange filed Amendment No. 1 to the proposed rule change, which replaced and superseded the original filing in its entirety. On July 8, 2025, the Exchange filed Amendment No. 2 to the proposed rule 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 July 14, 2025.³

Section 19(b)(2) of the Act⁴ 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 28, 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, as modified by Amendment

No. 2, 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 October 12, 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, as modified by Amendment No. 2 (File No. SR-CboeBZX-2025-081).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁶

Vanessa A. Countryman,
Secretary.

[FR Doc. 2025-16448 Filed 8-27-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-103774; File No. SR-NYSEARCA-2025-12]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Designation of a Longer Period for Commission Action on Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change, as Modified by Amendment No. 2, To List and Trade Shares of the Grayscale Cardano Trust (ADA) Under NYSE Arca Rule 8.201-E (Commodity-Based Trust Shares)

August 25, 2025.

On February 10, 2025, NYSE Arca, Inc. ("Exchange" or "NYSE Arca") filed with the Securities and Exchange Commission ("Commission"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder,² a proposed rule change to list and trade shares of the Grayscale Cardano Trust (ADA) under NYSE Arca Rule 8.201-E (Commodity-Based Trust Shares). On February 20, 2025, the Exchange filed Amendment No. 2 to the proposed rule change, which replaced and superseded the original filing in its entirety.³ The proposed rule change, as modified by Amendment No. 2, was published for comment in the **Federal Register** on February 28, 2025.⁴

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 On February 19, 2025, the Exchange filed Amendment No. 1 to the proposed rule change and on February 20, 2025, the Exchange withdrew Amendment No. 1.

⁴ See Securities Exchange Act Release No. 102475 (Feb. 24, 2025), 90 FR 10964. Comments received on the proposed rule change are available at:

proposal by a self-regulatory organization. See Securities Exchange Act 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).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ See Securities Exchange Act Release No. 103408 (July 9, 2025), 90 FR 31542. The Commission has received no comment letters on the proposed rule change.

⁴ 15 U.S.C. 78s(b)(2).

On March 11, 2025, pursuant to Section 19(b)(2) of the Exchange Act,⁵ 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.⁶ On May 28, 2025, the Commission initiated proceedings under Section 19(b)(2)(B) of the Act⁷ to determine whether to approve or disapprove the proposed rule change, as modified by Amendment No. 2.⁸

Section 19(b)(2) of the Act⁹ provides that, after initiating proceedings, the Commission shall issue an order approving or disapproving the proposed rule change not later than 180 days after the date of publication of notice of filing of the proposed rule change. The Commission may extend the period for issuing an order approving or disapproving the proposed rule change, however, by not more than 60 days if the Commission determines that a longer period is appropriate and publishes the reasons for such determination. The proposed rule change was published for comment in the **Federal Register** on February 28, 2025.¹⁰ The 180th day after publication of the proposed rule change is August 27, 2025. The Commission is extending the time period for approving or disapproving the proposed rule change for an additional 60 days.

The Commission finds it appropriate to designate a longer period within which to issue an order approving or disapproving the proposed rule change so that it has sufficient time to consider the proposed rule change and the issues raised therein. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,¹¹ designates October 26, 2025, as the date by which the Commission shall either approve or disapprove the proposed rule change, as modified by Amendment No. 2 (File No. SR-NYSEARCA-2025-12).

<https://www.sec.gov/comments/sr-nysearca-2025-12/srnysearca202512.htm>.

⁵ 15 U.S.C. 78s(b)(2).

⁶ See Securities Exchange Act Release No. 102591, 90 FR 12387 (Mar. 17, 2025) (designating May 29, 2025, as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove the proposed rule change, as modified by Amendment No. 2).

⁷ 15 U.S.C. 78s(b)(2)(B).

⁸ See Securities Exchange Act Release No. 103138, 90 FR 23589 (June 3, 2025).

⁹ 15 U.S.C. 78s(b)(2).

¹⁰ See *supra* note 4 and accompanying text.

¹¹ 15 U.S.C. 78s(b)(2).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹²

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025-16442 Filed 8-27-25; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 35723; File No. 812-15808]

Main Street Capital Corporation, et al.

August 25, 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 and closed-end management investment companies to co-invest in portfolio companies with each other and with certain affiliated investment entities.

APPLICANTS: Main Street Capital Corporation, MSC Income Fund, Inc., MSC Adviser I, LLC, Main Street CA Lending, LLC, Main Street Capital III, LP, Main Street Equity Interests, Inc., Main Street Mezzanine Fund, LP, MSCC Funding I, LLC, MSC California Holdings LP, MSC Equity Holding, LLC, MSC Equity Holding II, Inc., MSIF Funding, LLC, MS Private Loan Fund I, LP and MS Private Loan Fund II, LP.

FILING DATES: The application was filed on May 21, 2025, and amended on August 14, 2025.

HEARING OR NOTIFICATION OF HEARING:

An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing on any application by emailing the SEC’s Secretary at Secretaries-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 September 19, 2025, and should be accompanied by proof of

service on 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 Secretaries-Office@sec.gov.

ADDRESSES:

The Commission: Secretaries-Office@sec.gov. Applicants: Jason B. Beauvais, Main Street Capital Corporation, JBeauvais@mainstreetcapital.com; and Eversheds Sutherland (US) LLP, Steven B. Boehm, Esq., stevenboehm@eversheds-sutherland.us and Anne G. Oberndorf, Esq., anneoberndorf@eversheds-sutherland.us.

FOR FURTHER INFORMATION CONTACT:

Laura Solomon, Senior Counsel, or Thomas Ahmadifar, Branch Chief, at (202) 551-6825 (Division of Investment Management, Chief Counsel’s Office).

SUPPLEMENTARY INFORMATION:

For Applicants’ representations, legal analysis, and conditions, please refer to Applicants’ first amended and restated application, filed August 14, 2025, which may be obtained via the Commission’s website by searching for the file number at the top of this document, or for an Applicant using the Company name search field, on the SEC’s EDGAR system.

The SEC’s EDGAR system may be searched at <https://www.sec.gov/edgar/searchedgar/companysearch>. 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.

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025-16433 Filed 8-27-25; 8:45 am]

BILLING CODE 8011-01-P

¹² 17 CFR 200.30-3(a)(57).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103771; File No. SR–CboeBZX–2025–019]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Designation of a Longer Period for Commission Action on Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change To List and Trade Shares of the WisdomTree XRP Fund Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares

August 25, 2025.

On February 6, 2025, Cboe BZX Exchange, Inc. (“BZX”) 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 WisdomTree XRP Fund under BZX Rule 14.11(e)(4). The proposed rule change was published for comment in the **Federal Register** on February 26, 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 27, 2025, the Commission initiated proceedings under Section 19(b)(2)(B) of the Act ⁶ to determine whether to approve or disapprove the proposed rule change. ⁷

Section 19(b)(2) of the Act ⁸ provides that, after initiating proceedings, the Commission shall issue an order approving or disapproving the proposed rule change not later than 180 days after the date of publication of notice of filing of the proposed rule change. The Commission may extend the period for issuing an order approving or disapproving the proposed rule change,

however, by not more than 60 days if the Commission determines that a longer period is appropriate and publishes the reasons for such determination. The proposed rule change was published for comment in the **Federal Register** on February 26, 2025. ⁹ The 180th day after publication of the proposed rule change is August 25, 2025. The Commission is extending the time period for approving or disapproving the proposed rule change for an additional 60 days.

The Commission finds that it is appropriate to designate a longer period within which to issue an order approving or disapproving the proposed rule change so that it has sufficient time to consider the proposed rule change, and the issues raised therein. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act, ¹⁰ designates October 24, 2025, as the date by which the Commission shall either approve or disapprove the proposed rule change (File No. SR–CboeBZX–2025–019).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority. ¹¹

Vanessa A. Countryman,
Secretary.

[FR Doc. 2025–16444 Filed 8–27–25; 8:45 am]

BILLING CODE 8011–01–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21228 and #21229; INDIANA Disaster Number IN–20013]

Presidential Declaration Amendment of a Major Disaster for Public Assistance Only for the State of Indiana

AGENCY: U.S. Small Business Administration.

ACTION: Amendment 2.

SUMMARY: This is an amendment of the Presidential declaration of a major disaster for Public Assistance Only for the State of Indiana (FEMA–4882–DR), dated July 22, 2025.

Incident: Severe Storms, Tornadoes, Straight-line Winds and Flooding.

DATES: Issued on August 21, 2025.

Incident Period: March 30, 2025 through April 9, 2025.

Physical Loan Application Deadline Date: September 22, 2025.

Economic Injury (EIDL) Loan Application Deadline Date: April 22, 2026.

⁹ See *supra* note 3 and accompanying text.

¹⁰ 15 U.S.C. 78s(b)(2).

¹¹ 17 CFR 200.30–3(a)(57).

ADDRESSES: Visit the MySBA Loan Portal at <https://lending.sba.gov> to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Sharon Henderson, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: The notice of the President’s major disaster declaration for Private Non-Profit organizations in the State of Indiana, dated July 22, 2025, is hereby amended to include the following areas as adversely affected by the disaster.

Primary Counties: Clay.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

(Authority: 13 CFR 1234.3(b).)

James Stallings,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2025–16445 Filed 8–27–25; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

Information on SBA Secondary Market Program

AGENCY: U.S. Small Business Administration.

ACTION: Update to Secondary Market Program.

SUMMARY: The purpose of this Notice is to inform the public that the Small Business Administration (SBA) is maintaining the 89.0% minimum maturity ratio for both SBA Standard Pools and Weighted-Average Coupon (WAC) Pools. The minimum maturity ratio covers the estimated cost of the timely payment guaranty for newly formed SBA 7(a) loan pools. This update will be incorporated, as needed, into the SBA Secondary Market Program Guide and all other appropriate SBA Secondary Market documents.

DATES: The update will apply to SBA 7(a) loan pools with an issue date on or after October 1, 2025.

ADDRESSES: Address comments concerning this Notice to Scott Schaefer, Secondary Market Group, Office of Financial Assistance, U.S. Small Business Administration, 409 3rd Street SW, Washington, DC 20416; or email to scott.schaefer@sba.gov.

FOR FURTHER INFORMATION CONTACT: Scott Schaefer, Secondary Market Group, Office of Financial Assistance at (202) 205–9984; or email to

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b–4.

³ See Securities Exchange Act Release No. 102445 (Feb. 19, 2025), 90 FR 10769. Comments received on the proposed rule change are available at: <https://www.sec.gov/comments/sr-cboebzx-2025-019/sr-cboebzx2025019.htm>.

⁴ 15 U.S.C. 78s(b)(2).

⁵ See Securities Exchange Act Release No. 102592, 90 FR 12410 (Mar. 17, 2025). The Commission designated May 27, 2025, as the date by which the Commission shall 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. 103124, 90 FR 23396 (June 2, 2025).

⁸ 15 U.S.C. 78s(b)(2).

scott.schaefer@sba.gov. If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

SUPPLEMENTARY INFORMATION: The Secondary Market Improvements Act of 1984, 15 U.S.C. 634(f) through (h), authorized SBA to guarantee the timely payment of principal and interest on Pool Certificates. A Pool Certificate represents a fractional undivided interest in a “Pool,” which is an aggregation of SBA guaranteed portions of loans made by SBA Lenders under section 7(a) of the Small Business Act, 15 U.S.C. 636(a). In order to support the timely payment guaranty requirement, SBA established the Master Reserve Fund (MRF), which serves as a mechanism to cover the cost of SBA’s timely payment guaranty. Borrower payments on the guaranteed portions of pooled loans, as well as SBA guaranty payments on defaulted pooled loans, are deposited into the MRF. Funds are held in the MRF until distributions are made to investors (Registered Holders) of Pool Certificates. The interest earned on the borrower’s payments and the SBA guaranty payments deposited into the MRF supports the timely payments made to Registered Holders.

From time to time, SBA provides guidance to SBA Pool Assemblers on the required loan and pool characteristics necessary to form a Pool. These characteristics include, among other things, the minimum number of guaranteed portions of loans required to form a Pool, the allowable difference between the highest and lowest gross and net note rates of the guaranteed portions of loans in a Pool, and the minimum maturity ratio of the guaranteed portions of loans in a Pool. The minimum maturity ratio is equal to the ratio of the shortest and the longest remaining term to maturity of the guaranteed portions of loans in a Pool.

Based on SBA’s expectations as to the performance of future Pools, SBA Pool Assemblers must maintain the current 89.0% minimum maturity ratio. Therefore, effective October 1, 2025, all guaranteed portions of loans in Standard Pools and WAC Pools presented for settlement with SBA’s Fiscal Transfer Agent will be required to have a minimum maturity ratio of at least 89.0%.

SBA will continue to monitor loan and pool characteristics and will provide notification of additional changes as necessary. It is important to note that there is no change to SBA’s obligation to honor its guaranty of the amounts owed to Registered Holders of Pool Certificates and that such guaranty

continues to be backed by the full faith and credit of the United States.

This program change will be incorporated as necessary into SBA’s Secondary Market Guide and all other appropriate SBA Secondary Market documents. As indicated above, this change will be effective for Standard Pools and WAC Pools with an issue date on or after October 1, 2025.

Daniel Pische,

Director, Office of Financial Assistance.

[FR Doc. 2025–16446 Filed 8–27–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF STATE

[Public Notice: 12808]

Notice of Determinations; Culturally Significant Object Being Imported for Exhibition—Determinations: “Jenny Saville: The Anatomy of Painting” Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that a certain object being imported from abroad pursuant to an agreement with its foreign owner or custodian for temporary display in the exhibition “Jenny Saville: The Anatomy of Painting” at The Modern Art Museum of Fort Worth, in Fort Worth, Texas, and at possible additional exhibitions or venues yet to be determined, is of cultural significance, and, further, that its temporary exhibition or display within the United States as aforementioned is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT:

Reed Liriano, Program Coordinator, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, 2200 C Street NW (SA–5), Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000, and Delegation of

Authority No. 523 of December 22, 2021.

Stefanie E. Williams,

Deputy Assistant Secretary for Professional and Cultural Exchanges, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2025–16437 Filed 8–27–25; 8:45 am]

BILLING CODE 4710–05–P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36873]

Union Pacific Corporation and Union Pacific Railroad Company—Control—Norfolk Southern Corporation and Norfolk Southern Railway Company

AGENCY: Surface Transportation Board.

ACTION: Decision No. 3 in Docket No. FD 36873; notice of receipt of prefiling notification.

SUMMARY: Union Pacific Corporation (UPC) and Union Pacific Railroad Company (UP) (collectively, Union Pacific) and Norfolk Southern Corporation (NSC) and Norfolk Southern Railway Company (NS) (collectively, Norfolk Southern) (Union Pacific and Norfolk Southern collectively, Applicants) have notified the Surface Transportation Board (Board) of their intent to file an application seeking authority for the acquisition of control by UPC, through its wholly owned subsidiary Ruby Merger Sub 1 Corporation, of NSC and, through it, NS, and for the resulting common control by UPC of UP and NS. Applicants have indicated that 2023 will be the base year for their impact analysis and that they anticipate filing their application on or before January 29, 2026.

ADDRESSES: Any filing submitted in this proceeding, referring to Docket No. 36873, must be filed with the Board either via e-filing on the Board’s website or in writing addressed to: Surface Transportation Board, 395 E Street SW, Washington, DC 20423–0001. In addition, one copy of each filing must be sent (and may be sent by email only, if service by email is acceptable to the recipient) to each of the following: (1) Secretary of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590; (2) Attorney General of the United States, c/o Assistant Attorney General, Antitrust Division, Room 3109, Department of Justice, Washington, DC 20530; (3) UP’s representative, Michael L. Rosenthal, Covington & Burling LLP, One CityCenter, 850 Tenth Street NW, Washington, DC 20001; (4) NS’s representative, Raymond A. Atkins,

Sidley Austin LLP, 1501 K Street NW, Washington, DC 20005; (5) any other person designated as a Party of Record on the service list; and, as noted below, (6) the administrative law judge assigned in this proceeding.

FOR FURTHER INFORMATION CONTACT: Nathaniel Bawcombe at (202) 915-3555. If you require an accommodation under the Americans with Disabilities Act, please call (202) 245-0245.

SUPPLEMENTARY INFORMATION: Applicants state that UPC and NSC entered into an Agreement and Plan of Merger dated July 28, 2025, under which UPC, through its wholly owned subsidiary, Ruby Merger Sub 1 Corporation, would acquire all outstanding shares of NSC for consideration consisting of shares of UPC common stock and cash. (Notice of Intent 3.) Specifically, Applicants state that upon receipt of approval by the shareholders of UPC and NSC, a decision by the Board approving the proposed transaction, and the satisfaction of other customary closing conditions, Ruby Merger Sub 1 Corporation would merge with and into NSC, and NSC would become a directly and wholly owned subsidiary of UPC. (*Id.*) NSC would then be merged with and into Ruby Merger Sub 2 LLC, another wholly owned subsidiary of UPC. (*Id.*)

Applicants indicate that they will use 2023 as the base year for the impact analysis in the application and that they anticipate filing their application on or before January 29, 2026.¹ (*Id.* at 2.)

Major Transaction Status. The Board finds that this is a major transaction under 49 CFR 1180.2(a), as it is a control transaction involving two or more Class I railroads. UPC presently controls UP, a Class I railroad, and proposes to acquire common control of NS, also a Class I railroad.

Protective Order. By motion filed July 30, 2025, Applicants requested a protective order to protect confidential, highly confidential, and proprietary information to be submitted in connection with the control application. By decision served August 5, 2025 (Decision No. 1), Applicants' motion for a protective order was granted.

Proposed Procedural Schedule. Also on July 30, 2025, Applicants filed a petition to establish a procedural schedule. The Board will solicit comments on the proposed procedural schedule in a subsequent decision.

Administrative Law Judge. The Board has signed a Memorandum of Understanding with the U.S. Department of Health and Human Services Office of Medicare Hearings and Appeals to employ the services of administrative law judges (ALJs) on a case-by-case basis to perform discrete, Board-assigned functions such as adjudicating discovery disputes in cases pending before the Board. The Board hereby assigns and authorizes Administrative Law Judge Jenifer Soulikias to entertain and rule upon discovery matters and to resolve initially all disputes concerning discovery in this proceeding. Parties are directed to send copies of all their filings and documents in this proceeding to Judge Soulikias at alj.soulikias.inbox@stb.gov.

Board Staff Liaison. The Board staff liaison assigned to this matter, Nathaniel Bawcombe, will provide informal opinions and interpretations, which are not binding on the Board, regarding the format of or information to be included in the application. 49 CFR 1180.4(c)(6)(iii).

Waiver of First-Class Service Requirement. The Board will waive the requirement that Applicants shall serve a conformed copy of an application by first-class mail upon all persons requesting a copy under 49 CFR 1180.4(c)(5)(v). All such persons may access the application on the Board's website. Applicants must comply with mailing requirements for those entities specifically identified in 49 CFR 1180.4(c)(5)(i)-(iv).

Statement of Additional Information. As provided for in 49 CFR 1180.4(c)(2)(v), and pursuant to the Board's authority in 49 U.S.C. 1321(b), the Board will require, in advance of the application, that Applicants file the following additional information by September 29, 2025:

Timetables, Station Lists, and Track Charts

- Operating timetables (including special instructions and/or operating rule books), station lists or station books, and track charts or "track profiles" (including schematics that provide the number, length, and ownership status (*i.e.*, whether railroad-owned or privately-owned)) of the tracks on the entire UP system and the entire NS system.

- These documents must be in machine-readable format to the extent available (including all necessary documentation). If current versions of any of the requested documents are not available, the most recent versions available should be submitted.

Geospatial Information System (GIS) Maps

- GIS maps for the entire UP system and the entire NS system. These maps may include information used in the carriers' Positive Train Control (PTC) systems such as the track database file maintained in accordance with the Interoperable Train Control GIS.

- The maps must include, at minimum:
 - Track centerline points;
 - Operating division;
 - Operating subdivision;
 - Integer mileposts;
 - Crossings, including grade crossings;
 - Switches (turnout leg, switch orientation);
 - Permanent speed restrictions;
 - And the joint facilities layer for all geolocated joint facilities.

- For lines that do not have PTC installed, GIS maps that contain analogous information to the extent it is maintained in the normal course of business.

- All requested GIS documents must be in machine-readable format (*e.g.*, kml, kmz, shapefile, GeoJSON) to the extent available (including all necessary documentation). If current versions of any of the requested data are not available, the most recent versions available should be submitted.

Joint Facilities

- A list of joint facilities and joint use arrangements (including but not limited to tracks, trackage rights agreements, haulage agreements, yards, terminals, joint or common ownership agreements, and lease agreements) on the entire UP system and the entire NS system.

- For each joint facility listed, Applicants must specify the joint facility type (*e.g.*, joint ownership, landlord-tenant, etc.) and the involved carrier(s).

- To the extent that these facilities are geolocated on a GIS map, provide a GIS layer in the manner and format requested above.

- Applicants must also address whether any such joint use arrangements by their terms would no longer be operative following the proposed change in control.

Interchange Commitments

- A list of interchange commitments—agreements that limit or may limit interchange with a third-party connecting carrier, whether by outright prohibition, per-car penalty, adjustment in financial terms, positive economic inducement, or other means—involving UP or NS.

¹ If Applicants anticipate filing their application earlier than January 29, 2026, they should amend their filing date pursuant to 49 CFR 1180.4(b)(3). Such an amendment would not change the three-to-six-month window in which the application can be filed.

• The list must specify the location of the interchange(s) and the involved carrier(s).

Any additional information required to support the application may be requested by the Board at a later date.

To support the Board's efficient processing of the additional information, the Board is providing technical procedures in the Appendix to this decision. These procedures shall apply to all evidentiary submissions filed in this proceeding.

It is ordered:

1. The Board hereby ratifies the loan of Administrative Law Judge Soulikias to the office of administrative law judge in the Surface Transportation Board, under terms and conditions prescribed in 5 U.S.C. 3344 and 5 CFR 930.208, and the Board today approves her appointment as the Board's own action under the Constitution. This proceeding is assigned to Judge Soulikias for the handling of all discovery matters and initial resolution of all discovery disputes.

2. In addition to filing pleadings with the Board and serving copies on the Secretary of Transportation, the Attorney General of the United States, Applicants' representatives, and other parties of record, parties must send a copy of all filings and documents, including submissions already filed with the Board, to Judge Soulikias at alj.soulikias.inbox@stb.gov.

3. Judge Soulikias will be added to the service list in this proceeding and a copy of this decision will be served upon her.

4. A copy of this decision will be served on the U.S. Office of Personnel Management (OPM), at Human Resource Solutions, Administrative Law Judge Program, 1900 E Street NW, Suite 2469, Washington, DC 20415-9400 and electronically at lenor.thompson-watkins@opm.gov. Judge Soulikias shall send a copy of the notice or order that constitutes the final disposition of her assignment of this case to OPM at the above address.

5. The requirement that Applicants shall serve a conformed copy of an application by first-class mail upon all persons requesting a copy under 49 CFR 1180.4(c)(5)(v) is waived.

6. Applicants must submit the additional information described above by September 29, 2025.

7. This decision is effective on its service date.

Decided: August 26, 2025.

By the Board, Board Members Fuchs, Hedlund, Primus, and Schultz.

Tammy Lowery,
Clearance Clerk.

Appendix

1. All documents and evidence referenced in a filing must be specifically cited and included in the electronic workpapers.

2. All data and claims referenced in a filing should have citations to the relevant spreadsheet or document. These citations should be as specific as possible (e.g., to the relevant record, or variable (i.e., column) within a record, spreadsheet cell, or page number in which the data or claim is found).

3. Each filing's analytical workpapers should be able to stand on their own, and not merely reference evidence from prior rounds of evidence (e.g., referenced documents or spreadsheets from prior evidence should all be included in the workpaper submission).

4. No narrative information/argument should be included in the exhibits or the workpapers. All narrative information/argument should be consolidated and confined to the narrative.

5. Within each spreadsheet, provide a clear description of what that spreadsheet represents and a clear description of the rows and columns. For example, the top row should be headers with labels. Each row under that is a single record. Each column is a single variable. Do not leave cells empty: have a method for noting "No Answer," "Null," or "Missing" values so these cells are not mistaken as zeros or otherwise misinterpreted.

6. Raw data should be accompanied by a data dictionary with: (i) a list of field names and a definition for each field contained in the data set; (ii) the meaning of each encoded value (e.g., P = Platform, RR3 = Class III Railroad, etc.) that appears as a field value in the data set; (iii) the primary key in the data set or table that defines a unique observation, and (iv) the data encoding type used in each column (e.g., UTF-8, ASCII, ANSI, or some other standard).

7. Spreadsheets which contain raw or tabular data sets (i.e., data that is presented in the record format outlined in requirement six above) should only display the data and associated headers. No analyses, aggregation tables, or similarly constructed analytical or visual aids should be included on the same spreadsheet tab (they can be included on separate tabs within a workbook) as the relational data. All spreadsheets should be submitted in their native format (e.g., spreadsheets should not be submitted solely in PDF format, they should be submitted in .csv, .xlsx, or similar).

8. A workpaper index describing the contents of each file and the direction of data flowing between files should be included (e.g., provide a clear description of how workpapers are linked, either in a separate document or in summary tabs within the spreadsheets). In addition to the workpaper index, the source of any evidence (e.g., the sources for traffic volumes, annual frequency, etc.) used in calculations should be noted in the spreadsheet in which the calculation is made.

9. Include an explanation for any metric calculated for use and cited in the narrative or an analytical work paper. The explanation can be written in the narrative or analysis itself, in a footnote, or by some other clear method of notation. The explanation should include the name of the relevant data file(s) and the names of variables used in the calculation and outline the mathematical formulae used to calculate the metric. This requirement pertains only to source narrative or work papers where the calculation originates. References to calculations made in other work papers or analysis should cite the subject work paper.

10. In subsequent evidentiary rounds, when using another party's calculation or workpaper as a starting point, corrections or modifications to values, methodologies, or calculations should be clearly indicated and explained. Changes to numbers submitted in prior rounds of evidence must be clearly explained and supported, and include any formula used to calculate those changes. File names of modified files should use the original filename and be appended with appropriate modification designation (e.g., ". . . _STB.csv, STB.xlsx") or placed in a separate folder directory.

11. To the maximum extent practicable, links between spreadsheets should be used. If links are not practicable, hard-coded numbers may be used, but parties must include references to the relevant source document or method of calculation. In derivative (non-base) spreadsheets, numbers derived by formula and subsequently hard-coded should be clearly and consistently designated as hard-coded.

12. Use consistent corporate names, financial quarters, and conversion factors across workpapers and the narrative.

13. Avoid using colors and comments which may not migrate into new files. Instead, add another column with the information that needs to be conveyed. If there is a compelling need to employ color coding within workpapers, color coding should be consistent and fully explained with a color-coding key and follow Section 508 guidelines.²

14. Submissions may include a password protected filing (e.g., a protected ZIP archive transmitted via Secure File Transfer Protocol), but no files contained within the filing should be restricted or password protected. All files and data should be fully accessible and modifiable by anyone authorized to view the evidence of the case.

15. Indicate the version number of any software, packages, or software add-ons used to generate the evidence (e.g., "R version 4.5.1 (2025-06-13)—'Great Square Root'" Copyright (C) 2025 The R Foundation for Statistical Computing Platform: x86_64-w64-mingw32/x64 (64-bit)" or "dplyr 1.1.4" or a .yaml file containing the exact Python build and all package dependencies like "numpy==2.32". These R and Python dependency files can be created using widely adopted package management tools like "conda," "venv," RStudio, etc. Similarly, parties should indicate the build

² See <https://www.section508.gov/create/spreadsheets/>.

specification for any server engine used (e.g., SQL Server 2022 build number 16.0.4210.1).

16. Any raw tabular data or database tables used for traffic analysis should be provided, including a step-by-step guide (to include visual snapshots that capture manual steps) used to load those data into a database format (e.g., SQL code, R code, Python code) and any subsequent steps taken to summarize, manipulate, or otherwise restructure those data for analysis.

17. Maps and illustrations (e.g., track charts, timetables, schematics, ZTS diagrams, flow charts, system maps, density maps, etc.) included in the narrative or as exhibits should be accompanied by the stand-alone file format used to render the image. For example, maps rendered using GIS software should be accompanied by ESRI shapefiles and/or geodatabases used to render the file image. Maps and illustrations in the narrative should also be provided as a stand-alone image file.

18. Use machine-readable and open-source formats, when practicable, to help support downstream interoperability between information systems and the dissemination of information to the public, as appropriate, without the need for costly retrofitting. Python and SQL are the preferred software packages for data analysis.³ Electronic databases placed in evidence or offered as support for spreadsheet calculations must be compatible with the Microsoft Open Database Connectivity and Java Database Connectivity standards. All databases must be supported with adequate documentation on data attributes and SQL queries.

19. As a best practice, all empirical work should be submitted in enough detail so that Board staff can identify the methodology used to conduct the analysis and can review the results of the analysis.

[FR Doc. 2025–16524 Filed 8–27–25; 8:45 am]

BILLING CODE 4915–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on Request To Release Airport Property at the Robertson Airport, Plainville, Connecticut

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of request to release airport property.

SUMMARY: The FAA proposes to rule and invites public comments on the release of 0.9 acres of land at Robertson Airport, Plainville, Connecticut. The FAA is providing notice of a release of Federal obligations for 0.9 acres of landside airport property which also encompasses 0.4 acres for slope

easements and a drainage right of way at Robertson Airport, Plainville, Connecticut, for the purpose of a planned extension of a multi-use public recreation trail.

DATES: Comments must be received on or before September 30, 2025.

ADDRESSES: Comments on this application may be mailed or delivered to the FAA at the following address: Lisa J. Lesperance, Federal Aviation Administration, Airports Division, 1200 District Ave., Room 3000, Burlington, MA 01803.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to: Michael T. Paulhus, Town Manager, Town of Plainville, One Central Square, Plainville, CT 06062–1955.

FOR FURTHER INFORMATION CONTACT: Ms. Lisa J. Lesperance, Lead Community Planner, Federal Aviation Administration New England Region Airports Division, 1200 District Avenue, Burlington, Massachusetts 01803. Telephone: 781–238–7616, lisa.lesperance@faa.gov.

SUPPLEMENTARY INFORMATION: The FAA invites public comment on the request to release of all FAA obligations for 0.9 acres of landside airport property at Robertson Airport (4B8) under the provisions of 49 U.S.C. 47107(h)(2). The Town Manager has requested from the FAA the release of airport property be released for sale. The FAA determined the request to release and sell property at Robertson Airport (4B8) meets the procedural requirements of the Federal Aviation Administration and the release and sale of the property does not and will not impact future aviation needs at the airport. The FAA may approve the request, in whole or in part, no sooner than thirty days after the publication of this Notice.

The following is a brief overview of the request: Robertson Field Airport (4B8) is proposing a release of Federal obligations for 0.9 acres of landside airport property, which also encompasses 0.4 acres for slope easements and a drainage right of way, for the purpose of a planned extension of a multi-use public recreation trail. The sale of the subject property will result in the release of land and surface rights at Robertson Airport (4B8) from the conditions of the AIP Grant Agreement Grant Assurances. In accordance with 49 U.S.C. 47107(c)(2)(B)(i) and (iii), the airport will receive fair market value, and the property will be used for recreational purposes.

This release does not constitute a commitment by the FAA to financially

assist in the disposal of the subject airport properties nor a determination of eligibility for grant-in-aid funding from the FAA.

Issued in Burlington, Massachusetts on August 26, 2025.

Julie Seltsam-Wilps,
Deputy Director, ANE–600.

[FR Doc. 2025–16476 Filed 8–27–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent of Waiver With Respect to Land; Greene County/Lewis A. Jackson Regional Airport, Xenia, OH (GDK)

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice.

SUMMARY: The FAA is considering a proposal to change 4.044 acres of airport land from aeronautical use to non-aeronautical use and to authorize the sale of airport property located at Greene County/Lewis A. Jackson Regional Airport. The aforementioned land is not needed for aeronautical use. The future use of the property is for a municipal fire station. The land is located in the southwest part of the airport adjacent to N. Valley Road. There are no impacts to the airport by allowing the Greene County Regional Airport Authority to dispose of the property.

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

ADDRESSES: All requisite and supporting documentation will be made available for review by appointment at the FAA Detroit Airports District Office, Alex Erskine, Program Manager, 11677 South Wayne Road, Romulus, MI 48174, Telephone: (734) 229–2900/Fax: (734) 229–2950, and Allie Barrett, Manager, Greene County—Lewis A. Jackson Regional Airport, 140 N. Valley Rd., Xenia, OH 45385, (937) 376–8107.

Written comments on the Sponsor's request may be submitted using any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>, and follow the instructions for sending your comments electronically.

- *Mail:* Alex Erskine, Program Manager, Federal Aviation Administration, Detroit Airports District Office, 11677 South Wayne Road, Romulus, MI 48174.

- *Hand Delivery:* Deliver to mail address above between 8 a.m. and 5

³ If using these programs will cause undue burden to parties submitting evidence, data analysis may also be submitted in Excel, R, or other statistical and analytical tools.

p.m. Monday through Friday, excluding Federal holidays.

- Fax: (734) 229-2950.

FOR FURTHER INFORMATION CONTACT: Alex Erskine, Program Manager, 11677 South Wayne Road, Romulus, MI 48174, Telephone: (734) 229-2900/Fax: (734) 229-2950.

SUPPLEMENTARY INFORMATION: In accordance with section 47107(h) of Title 49, United States Code, this notice is required to be published in the **Federal Register** 30 days before modifying the land-use assurance that requires the property to be used for an aeronautical purpose.

The vacant land consists of a portion of one (1) acquired parcel. This parcel was acquired under Airport Improvement Program grant 3-39-0091-01. The future use of the property is for a municipal fire station.

The disposition of proceeds from the sale of the airport property will be in accordance with section 47107(c)(2)(b) of Title 49, United States Code.

This notice announces that the FAA is considering the release of the subject airport property at the Greene County-Lewis A. Jackson Regional Airport, Xenia, Ohio from federal land covenants, subject to a reservation for continuing right of flight as well as restrictions on the released property as required in FAA Order 5190.6B section 22.16. Approval does not constitute a commitment by the FAA to financially assist in the disposal of the subject airport property nor a determination of eligibility for grant-in-aid funding from the FAA.

Legal Description

BEING 4.044 ACRES OUT OF A 12.834-ACRE TRACT AS RECORDED IN DEED BOOK 231, PAGE 731 OF THE GREENE COUNTY DEED RECORDS, SITUATE IN VIRGINIA MILITARY SURVEY #577, BEAVERCREEK TOWNSHIP, GREENE COUNTY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Commencing for reference at the southwest corner of an original 166.455-acre tract of land owned by Greene County Regional Airport Authority as conveyed in Official Record 3567, Page 158 and also the southwest corner of Virginia Military Survey 577;

thence, North 26°-36'-17" West, 1356.24 feet, along the west line of said original 166.455-acre tract to a point;

thence, North 25°-46'-42" West, 619.87 feet, along the west line of said original 166.455-acre tract to a point at the southwest corner of a tract of land owned by Valley Springs Farm Company as described in Official Record 632, Page 619;

thence, North 64°-14'-56" East, 3404.16 feet, along the south line of said Valley Springs Farm Company tract to an iron pin with cap set;

thence, South 25°-27'-25" East, 80.71 feet, along the east line of said 166.455-acre Greene County Regional Airport Authority tract to a point and being the principal place of beginning of the tract herein conveyed;

thence, North 63°-43'-10" East, 521.31 feet, along the southeast line of said 166.455-acre Greene County Regional Airport Authority tract to a point on the west right-of-way line of N. Valley Road;

thence, on a curve to the left with a radius of 1250.00 feet, an arc distance of 297.92 feet, a delta angle of 13°-39'-21", and a chord bearing South 13°-20'-50" East, 297.22 feet, to an iron pin with cap set;

thence, South 20°-10'-30" East, 80.93 feet, to an iron pin with cap set on a new division line;

thence, South 64°-06'-40" West, 451.47 feet, to an iron pin with cap set on the east line of a 41.322-acre tract of land owned by Greene County Regional Airport Authority as described in Instrument #2020012798;

thence, North 25°-27'-25" West, 367.10 feet, along the west line of said 41.322-acre Greene County Regional Airport Authority tract and its extension to the principal place of beginning.

Containing 4.044 acres more or less and all being subject to any legal highways and easements of record.

Issued in Romulus, Michigan on August 26, 2025.

John L. Mayfield, Jr.

Manager, Detroit Airports District Office, FAA, Great Lakes Region.

[FR Doc. 2025-16508 Filed 8-27-25; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Release and Closure of the Lake Texoma State Airport (F31) at Lake Texoma State Park, Kingston, Oklahoma

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of airport release and permanent closure.

SUMMARY: The FAA approved the release and closure of Lake Texoma State Park Airport at Lake Texoma State Park in Kingston, Oklahoma on July 1, 2025. The FAA received written notice from the Oklahoma Department of Tourism and the Oklahoma Department of Aerospace and Aeronautics (co-

sponsors) on July 1, 2024, requesting the airport be removed from the National Plan of Integrated Airport Systems for the purpose of abandoning and closing Lake Texoma State Park Airport. The FAA hereby publishes notice of full release and permanent closure of Lake Texoma State Park Airport.

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

ADDRESSES: Comments on this application may be mailed or delivered to the FAA at the following address: Mr. Denson Stasher, Manager, Federal Aviation Administration, Southwest Region, Airports Division, Arkansas/Oklahoma Airports District Office, ASW-630, Fort Worth, Texas 76177.

The permanent closure of the airport is effective as of September 30, 2025.

FOR FURTHER INFORMATION CONTACT: Mr. Olufemi Adeoye, Assistant Manager, Federal Aviation Administration, Arkansas/Oklahoma Airports District Office, 10101 Hillwood Parkway, Fort Worth, Texas 76177, Telephone: (817) 222-5986, Email: olufemi.o.adeoye@faa.gov, Fax: (817) 222-5987.

SUPPLEMENTARY INFORMATION: The FAA received written notice from the Oklahoma Department of Tourism and the Oklahoma Department of Aerospace and Aeronautics (co-sponsors) requesting the permanent closure of Lake Texoma State Park Airport.

The following is a brief overview of the request: The FAA categorized Lake Texoma State Park Airport (F31) as an unclassified, general aviation airport. The airport was not acquired through any federal grants, surplus property conveyances or use of airport revenue. There are five federally obligated airports within a 30-mile radius of F31. The closure will not impact the national system of airports. Any person may inspect the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

Ignacio Flores,

Director, Office of Airports Southwest Region.

[FR Doc. 2025-16454 Filed 8-27-25; 8:45 am]

BILLING CODE P

DEPARTMENT OF TRANSPORTATION**Federal Motor Carrier Safety Administration****[Docket No. FMCSA–2025–0065]****Agency Information Collection Activities; New Information Collection: Crash Causal Factors Program: Heavy-Duty Truck Study Data Collection**

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the FMCSA announces its plan to submit the information collection request (ICR) described below to the Office of Management and Budget (OMB) for its review and approval and invites public comment. This ICR relates to the planned information collection (IC) titled: “Crash Causal Factors Program: Heavy-Duty Truck Study Data Collection.” This IC supports the data collection phase of the Heavy-Duty Truck Study, which was mandated by Congress in Section 23006 of the Infrastructure and Investment and Jobs Act (IIJA). This IC will collect data from the State jurisdictions that were identified as part of a nationally representative study sample of fatal crashes involving heavy-duty trucks (Class 7 and 8 trucks).

DATES: Comments on this notice must be received on or before October 27, 2025.

ADDRESSES: You may submit comments identified by Docket Number FMCSA–2025–0065 using any of the following methods:

- **Federal eRulemaking Portal:** Go to <https://www.regulations.gov/docket/FMCSA-2025-0065/document>. Follow the online instructions for submitting comments.
- **Mail:** Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Ground Floor, Washington, DC 20590–0001.
- **Hand Delivery or Courier:** Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Ground Floor, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366–9317 or (202) 366–9826 before visiting Dockets Operations.
- **Fax:** (202) 493–2251.

FOR FURTHER INFORMATION CONTACT: Jenny Guarino, Chief, Crash Data

Analytics Division, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590; (202) 366–4143; jenny.guarino@dot.gov.

SUPPLEMENTARY INFORMATION:**Public Participation and Request for Comments****Submitting Comments**

If you submit a comment, please include the docket number for this notice (FMCSA–2025–0065), indicate the specific section of this document to which your comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to <https://www.regulations.gov/docket/FMCSA-2025-0065/document>, click on this notice, click “Comment,” and type your comment into the text box on the following screen.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing.

FMCSA will consider all comments and material received during the comment period.

Confidential Business Information (CBI)

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to the notice contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to the notice, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission that constitutes CBI as “PROPIN” to indicate it contains proprietary information. FMCSA will treat such marked submissions as confidential under the Freedom of Information Act, and they will not be placed in the public docket of the notice. Submissions containing CBI should be sent to Brian Dahlin, Chief, Regulatory Evaluation Division, Office of Policy, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590–0001 or via email at brian.g.dahlin@dot.gov.

dot.gov. At this time, you need not send a duplicate hardcopy of your electronic CBI submissions to FMCSA headquarters. Any comments FMCSA receives not specifically designated as CBI will be placed in the public docket for this notice.

Viewing Comments and Documents

To view any documents mentioned as being available in the docket, go to <https://www.regulations.gov/docket/FMCSA-2025-0065/document> and choose the document to review. To view comments, click this notice, then click “Browse Comments.” If you do not have access to the internet, you may view the docket online by visiting Dockets Operations on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366–9317 or (202) 366–9826 before visiting Dockets Operations.

Privacy

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts these comments, including any personal information the commenter provides, to www.regulations.gov as described in the system of records notice DOT/ALL 14 (Federal Docket Management System (FDMS)), which can be reviewed at <https://www.transportation.gov/individuals/privacy/privacy-act-system-records-notices>. The comments are posted without edits and are searchable by the name of the submitter.

Background

On December 27, 2020, the Consolidated Appropriations Act, 2021 (Pub. L. 116–260), was signed into law, appropriating \$30 million to FMCSA to “carry out [a] study of the cause[s] of large truck crashes.” On November 14, 2021, the President signed into law IIJA (Pub. L. 117–58) which contains requirements for a larger study under Section 23006, “Study of Commercial Motor Vehicle Crash Causation.” The requirements under Section 23006 define the scope of the study to include all *commercial motor vehicles* (CMVs) as defined in 49 U.S.C. 31132.

Section 23006(b)(1) of IIJA requires the Secretary of Transportation (the Secretary) to “carry out a comprehensive study to determine the causes of, and contributing factors to, crashes that involve a commercial motor vehicle.” Section 23006(b)(2) further requires the Secretary to:

A. Identify data requirements, data collection procedures, reports, and any other measures that can be used to improve the ability of States and the Secretary to evaluate future crashes involving CMVs;

B. Monitor crash trends and identify causes and contributing factors; and

C. Develop effective safety improvement policies and programs.

To meet the requirements of Section 23006, FMCSA established the Crash Causal Factors Program (CCFP). Through CCFP, FMCSA is pursuing a nuanced understanding of crashes involving CMVs so that policymakers, law enforcement agencies, regulators, and other interested parties can implement effective crash prevention strategies and programs.

This IC will collect data aimed at identifying key driver, vehicle, motor carrier, and environmental factors that may contribute to fatal crashes involving heavy-duty trucks.¹ FMCSA developed research questions to provide a framework for data collection and analysis in support of this IC. The research questions were informed by insights gained from the Large Truck Crash Causation Study (LTCCS)² and input provided by FMCSA and its CCFP Steering Committee, other DOT Agencies, including the Bureau of Transportation Statistics (BTS), the Federal Highway Administration, and the National Highway Traffic Safety Administration, and industry stakeholders including American Trucking Associations, the Commercial Vehicle Safety Alliance, and the Owner-Operator Independent Drivers Association.

Data will be collected from 30 State jurisdictions that were identified as key sampling locations for a nationally representative study sample of 2,000 fatal crashes involving heavy-duty trucks. To ensure the IC collects at least 2,000 fatal crashes, FMCSA is targeting 3,333 fatal crashes. This number is based on a safety margin, or multiplier, of 1.667 that takes into account historical crash data and findings from the surveys conducted under the IC titled “Crash Causal Factors Program: Knowledge of Systems and Processes” (OMB Control No. 2126–0079). This target of 3,333 fatal crashes is the basis for the maximum conceivable burden

and the detailed burden estimates below.

FMCSA selected sample States based on three study criteria: (1) their investigative capability; (2) their frequency of State-investigated crashes based on historical data; and (3) their location and how it would contribute to the geographic diversity of the sample. In addition to collecting data from sample States, this IC will accept data from States that are not part of the study sample but would like to participate. These States are referred to as non-sample jurisdictions. To provide an estimate for the fatal crash submissions by non-sample jurisdictions, FMCSA totaled the historical number of fatal crashes involving heavy-duty trucks that they typically investigate in a year (2,082)³ and took 36 percent of that for an estimate of 750 crashes over the course of the 2-year data collection period. If States are willing and able, this IC will also include data collection on a convenience sample of serious injury crashes. Data will be collected over the course of 2 years, with a target start date of early 2026. Collection and receipt of data may continue beyond the 2-year period based on State-specific agreements and the renewal of this ICR.

After the data collection phase is complete, the data will be analyzed to identify crash trends and inform the development of effective, targeted safety policies and programs to help prevent crashes. The CCFP is part of DOT and FMCSA’s heightened effort to address the rising number of fatal crashes and reduce roadway fatalities.

How Data Will Be Collected

FMCSA will collect data for this IC using FMCSA’s SafeSpect system, which Federal and State Motor Carrier Safety Assistance Program (MCSAP) inspectors, investigators, and analysts currently use to upload motor carrier and CMV inspection and investigation data, as well as a subset of crash data for FMCSA-reportable crashes. FMCSA is developing a new CCFP Reporting Module in SafeSpect to capture the detailed crash data necessary to support the Heavy-Duty Truck Study. This will include an electronic Heavy-Duty Truck Study Initial Incident Form, complete police crash report (PCR) data, and detailed post-crash investigation and reconstruction data. The extent of automated information collection will vary by data type and by State, as each State has its own processes for collecting and storing PCR, post-crash

investigation, and reconstruction data. Details about data collection by source are provided below.

Heavy-Duty Truck Study Initial Incident Form. The SafeSpect CCFP Reporting Module will include an electronic Heavy-Duty Truck Study Initial Incident Form, which State MCSAP CMV Inspectors will complete 24 to 48 hours after a qualifying crash occurs.

PCR Data. The SafeSpect CCFP Reporting Module will ingest PCR data for qualifying crashes from States’ existing crash repositories (*i.e.*, the system will ingest PCR data that has already been collected and stored by the States). The extent of automation for this process will be dependent on each State’s system design and preferences. FMCSA is working to automate the process as much as possible (*e.g.*, via an application programming interface) to reduce the technical burden on participating States. There may be some instances where manual inputs are required. In these cases, a single resource—a dedicated State CMV Data Analyst—will upload, append, or update PCR data as needed.

Post-Crash Investigation Data. The SafeSpect CCFP Reporting Module will ingest post-crash investigation data for qualifying crashes. Detailed processes are to be determined. Post-crash investigators may have the ability to enter post-crash investigation data directly in SafeSpect. Alternatively, SafeSpect may be able to ingest portable document format versions of completed post-crash investigation forms. Where needed, a dedicated State CMV Data Analyst will upload, append, or update post-crash investigation data.

Reconstruction Data. The SafeSpect CCFP Reporting Module will also ingest reconstruction data for qualifying crashes, which will include detailed reports, diagrams, photographs, and other data generated by post-crash investigation and reconstruction teams. A dedicated State CMV Data Analyst will review, code, and upload this data electronically to the SafeSpect CCFP Reporting Module.

Other data will be collected through confidential interviews with individuals and companies involved in the crash. These interviews will be conducted by BTS and protected under BTS’s confidentiality statute and the Confidential Information Protection and Statistical Efficiency Act (Pub. L. 107–347, Title V, 116 Stat. 2962). More information on this partnership is available in [insert name of BTS ICR, OMB Control No. 2138–XXXX].

¹ Heavy-duty trucks are Class 7 and 8 trucks, which have a gross vehicle weight rating of 26,001 pounds or more. Examples of heavy-duty trucks include truck-tractor semi-trailers, furniture trucks, garbage trucks, and cement trucks.

² The LTCCS is available at <https://www.fmcsa.dot.gov/research-and-analysis/research/large-truck-crash-causation-study>.

³ Fatality Analysis Reporting System (FARS). Accessible through <https://ai.fmcsa.dot.gov/CrashStatistics/rptSummary.aspx>, 2020–2021.

Impact of Less Frequent Collection of Information

Inability to collect data for this study would jeopardize the Agency's goals of gaining a nuanced understanding of the causal factors contributing to crashes involving heavy-duty trucks today and building a foundation for ongoing data collection and analysis.

Results of Data Collection

FMCSA intends to collect data over the course of two years with a target start date of early 2026. Collection and receipt of data may continue beyond the 2-year study period based on State-specific agreements and the renewal of this ICR.

At the conclusion of the study, a final report and supporting database with aggregate, anonymized results will be published. The Agency intends to release partial data findings and analysis prior to releasing the final report.

Title: Crash Causal Factors Program: Heavy-Duty Truck Study Data Collection.

OMB Control Number: 2126-00XX.

Type of Request: New ICR.

Responses: For the purpose of this study, "response" is defined in two ways: (1) collecting data to form an individual crash record, and (2) completing training to support data collection. Respondents include CMV Data Analysts/Designated Personnel, MCSAP CMV Inspectors, and Post-Crash Investigators/Reconstructionists from sample and non-sample jurisdictions that are participating in the study by taking training and collecting data on fatal crashes involving heavy-duty trucks.

Estimated Number of Responses:

Data Collection Responses

Sample jurisdictions: 9,999 responses (1 CMV Data Analyst/Personnel + 1 MCSAP CMV Inspector + 1 Post-Crash Investigator/Reconstructionist per fatal crash $\times$ up to 3,333 sample fatal crashes involving heavy-duty trucks).

Non-sample jurisdictions: 2,250 responses (1 CMV Data Analyst/Personnel + 1 MCSAP CMV Inspector + 1 Post-Crash Investigator/Reconstructionist per fatal crash $\times$ non-sample of 750 fatal crashes involving heavy-duty trucks).

Training Responses

Four trainings will be available to support data collection for the Heavy-Duty Truck Study: (1) the *ANSI D.16 Manual on Classification of Motor Vehicle Traffic Crashes* and Fatality Analysis Reporting System (FARS)

Awareness Training; (2) the CCFP Data Coding and Entry Training; (3) the MCSAP CMV Inspector Webinar Training; and (4) the Post-Crash Investigation Training. The first two trainings will be geared toward the CMV Data Analysts/Designated Personnel, the third training will be for MCSAP CMV Inspectors, and the fourth training will be for Post-Crash Investigators/Reconstructionists.

Sample jurisdictions: 420 training participants, or responses. FMCSA estimates that all 30 sample jurisdictions will participate in the trainings for the CMV Data Analyst and will send one representative for each training (30 participants $\times$ 2 trainings = 60). The Agency estimates that all 30 sample jurisdictions will send 10 MCSAP CMV Inspectors to attend the MCSAP CMV Inspector Webinar Training (30 sample jurisdictions $\times$ 10 participants per State = 300). The Agency estimates that 12 sample jurisdictions will need the training for the Post-Crash Investigator/Reconstructionist and will send five representatives for the training (60 participants $\times$ 1 training = 60).

Non-sample jurisdictions: 65 training participants, or responses. The Agency estimates that up to five of the non-sample jurisdictions will participate in each of the trainings and each jurisdiction will designate one representative to attend the trainings for the CMV Data Analyst (5 non-sample jurisdictions $\times$ 1 representative $\times$ 2 trainings = 10), one representative to attend the Post-Crash Investigation Training (5 non-sample jurisdictions $\times$ 1 representative $\times$ 1 training = 5), and 10 representatives to attend the MCSAP CMV Inspector Webinar Training (5 non-sample jurisdictions $\times$ 10 representatives $\times$ 1 training = 50).

Estimated Time per Response

Data Collection Time

It will take the CMV Data Analyst/Designated Personnel, MCSAP CMV Inspector, and Post-Crash Investigator/Reconstructionist a total of 14 hours to collect data for a single fatal crash. This breaks down into an estimate of 4 hours for the CMV Data Analyst/Designated Personnel, 2 hours for the MCSAP CMV Inspector, and 8 hours for the Post-Crash Investigator/Reconstructionist. This estimate is the same for sample and non-sample jurisdictions.

Training Time

As mentioned above, the Agency will provide four trainings to support study data collection. They will only be offered once prior to the 2-year data

collection period. In total, the trainings will amount to 91 hours. The estimates for each individual training are provided below.

(1) ANSI D16 and FARS Awareness Training, 22 hours.

(2) CCFP Data Coding and Entry Training, 28 hours.

(3) MCSAP CMV Inspector Webinar Training, 1 hour.

(4) Post-Crash Investigation Training, 40 hours.

Expiration Date: N/A. This is a new ICR.

Frequency of Response: To ensure the IC collects at least 2,000 crashes, FMCSA is targeting 3,333 crashes over the 2-year data collection period. The IC aims to collect an annual sample of at least 1,000 (and up to 1,666.5) fatal crashes involving heavy-duty trucks per year for 2 years, for a minimum of 2,000 fatal crashes and a maximum of 3,333 fatal crashes.

Estimated Total Burden for Two-Year Period

Data Collection Hours

Sample Jurisdictions

- *CMV Data Analyst/Designated Personnel:* 4 hours per fatal crash $\times$ maximum of 3,333 fatal crashes = 13,332 hours.

- *MCSAP CMV Inspector:* 2 hours per fatal crash $\times$ maximum of 3,333 fatal crashes = 6,666 hours.

- *Post-Crash Investigator/Reconstructionist:* 8 hours per fatal crash $\times$ maximum of 3,333 fatal crashes = 26,664 hours.

Sample Jurisdiction Data Collection Total: 46,662 hours.

Non-Sample Jurisdictions

- *CMV Data Analyst/Designated Personnel:* 4 hours per fatal crash $\times$ maximum of 750 non-sample crashes = 3,000 hours.

- *MCSAP CMV Inspector:* 2 hours per fatal crash $\times$ maximum of 750 non-sample crashes = 1,500 hours.

- *Post-Crash Investigator/Reconstructionist:* 8 hours per fatal crash $\times$ maximum of 750 non-sample crashes = 6,000 hours.

Non-Sample Jurisdiction Annual Data Collection Total: 10,500 hours.

Training Hours

Sample Jurisdictions

- *CMV Data Analyst/Designated Personnel:*

- 30 participants $\times$ 22 hours for the ANSI and FARS Awareness Training = 660 hours.

- 30 participants $\times$ 28 hours for the CCFP Data Coding and Entry Training = 840 hours.

- *MCSAP CMV Inspector:*
 - 300 participants × 1 hour MCSAP CMV Inspector Webinar Training = 300 hours.

- *Post-Crash Investigator/Reconstructionist:*

- 60 participants × 40 hours Post-Crash Investigator/Reconstructionist Training = 2,400 hours.

Sample Jurisdiction Training Total: 4,200 hours.

Non-Sample Jurisdictions

- *CMV Data Analyst/Designated Personnel:*

- 5 participants × 22 hours for the ANSI and FARS Awareness Training = 110 hours.

- 5 participants × 28 hours for the CCFP Data Coding and Entry Training = 140 hours.

- *MCSAP CMV Inspector:*

- 50 participants × 1 hour for the MCSAP CMV Inspector Webinar Training = 50 hours.

- *Post-Crash Investigator/Reconstructionist:*

- 5 participants × 40 hours Post-Crash Investigator/Reconstructionist Training = 200 hours.

Non-Sample Jurisdiction Training Total: 500 Hours.

Public Comments Invited: You are asked to comment on any aspect of this IC, including: (1) whether the proposed collection is necessary for the performance of FMCSA's functions; (2) the accuracy of the estimated burden; (3) ways for FMCSA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized without reducing the quality of the collected information. The Agency will summarize or include your comments in the request for OMB's clearance of this IC.

Issued under the authority of 49 CFR 1.87.

Nicole Michel,

Acting Associate Administrator, Office of Research and Registration.

[FR Doc. 2025-16494 Filed 8-27-25; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA-2009-0023]

Notice of Petition for Extension of Waiver of Compliance

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: This document provides the public notice that Hoosier Valley

Railroad Museum (HVRM) petitioned FRA for an extension of relief from certain regulations concerning an "engineer for an hour" program.

DATES: FRA must receive comments on the petition by September 29, 2025. FRA will consider comments received after that date to the extent practicable.

ADDRESSES:

Comments: Comments related to this docket may be submitted by going to <https://www.regulations.gov> and following the online instructions for submitting comments.

Instructions: All submissions must include the agency name and docket number. All comments received will be posted without change to <https://www.regulations.gov>; this includes any personal information. Please see the Privacy Act heading in the **SUPPLEMENTARY INFORMATION** section of this document for Privacy Act information related to any submitted comments or materials.

Docket: For access to the docket to read background documents or comments received, go to <https://www.regulations.gov> and follow the online instructions for accessing the docket.

FOR FURTHER INFORMATION CONTACT: Kurt Erickson, Railroad Safety Specialist, FRA Operating Practices Division, telephone: 443-257-8218, email: kurt.erickson@dot.gov.

SUPPLEMENTARY INFORMATION: Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that by letter dated June 15, 2025 HVRM petitioned FRA for an extension of a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 240 (Qualification and Certification of Locomotive Engineers). FRA assigned the petition Docket Number FRA-2009-0023.

HVRM requests extended relief from 49 CFR 240.201(d), *Implementation*, to continue operating its "engineer for an hour" program on tracks owned by Chesapeake & Indiana Railroad.¹ The program, as HVRM has previously explained, allows non-certified individuals to operate a locomotive under controlled circumstances, supervision, and certain restrictions. In support of its request, HVRM states that the trains used in the program are

¹ FRA assumes that HVRM requests extended relief from 49 CFR 240.201(d), as it was the relief granted previously in this docket. The regulation was not specified in the June 15, 2025 petition.

operated at limited track speed under yard or restricted speed limits.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at www.regulations.gov.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

Communications received by September 29, 2025 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

Privacy Act

Anyone can search the electronic form of any written communications and comments received into any of FRA's dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <https://www.transportation.gov/privacy>. See also <https://www.regulations.gov/privacy-notice> for the privacy notice of www.regulations.gov.

Issued in Washington, DC.

John Karl Alexy,

Associate Administrator for Railroad Safety, Chief Safety Officer.

[FR Doc. 2025-16504 Filed 8-27-25; 8:45 am]

BILLING CODE 4910-06-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA-2025-0260]

Notice of Petition for Special Approval of Alternative Standard

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: This document provides the public notice that the American Public

Transportation Association (APTA) petitioned FRA for relief from certain regulations concerning brake equipment maintenance requirements of multiple unit (MU) locomotives.

DATES: FRA must receive comments on the petition by September 29, 2025. FRA will consider comments received after that date to the extent practicable.

ADDRESSES:

Comments: Comments related to this docket may be submitted by going to <https://www.regulations.gov> and following the online instructions for submitting comments.

Instructions: All submissions must include the agency name and docket number. All comments received will be posted without change to <https://www.regulations.gov>; this includes any personal information. Please see the Privacy Act heading in the **SUPPLEMENTARY INFORMATION** section of this document for Privacy Act information related to any submitted comments or materials.

Docket: For access to the docket to read background documents or comments received, go to <https://www.regulations.gov> and follow the online instructions for accessing the docket.

FOR FURTHER INFORMATION CONTACT:

Harry Weisinger, Railroad Safety Specialist, FRA Motive Power & Equipment Division, telephone: 202-493-0036, email: harold.weisinger@dot.gov.

SUPPLEMENTARY INFORMATION: Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that by letter dated June 16, 2025, APTA petitioned FRA for a special approval of an alternative standard to certain provisions of the Federal railroad safety regulations contained at 49 CFR part 238 (Passenger Equipment Safety Standards). FRA assigned the petition Docket No. FRA-2025-0260.

Specifically, APTA requests approval of an alternative standard to § 238.309(b)(4), *Periodic brake equipment maintenance*, for electro-pneumatic type brake systems on Stadler GTW and FLIRT MUs. The regulation states that brake systems on MUs have maintenance intervals of 736 days (about 2 years) for cleaning, repairing, and testing brake components. APTA petitions to increase the maintenance interval to at least 1,840 days (about 5 years).¹ In support

of its petition, APTA states that the MUs are 100 percent equipped with air dryers.

With this petition, APTA intends to begin an age exploration program, in which a test committee (including the original equipment manufacturer and FRA representatives), would test the brake components of GTW and FLIRT MUs. Testing of 2 vehicles per type would be conducted every half year up to 5 years of service,² as a representational percentage of the 21 GTW and 20 FLIRT cars that are in revenue service on six railroads.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at www.regulations.gov.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

Communications received by September 29, 2025 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

Privacy Act

Anyone can search the electronic form of any written communications and comments received into any of FRA's dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <https://www.transportation.gov/privacy>. See also <https://www.regulations.gov/privacy-notice> for the privacy notice of [regulations.gov](https://www.regulations.gov).

_____ maintenance interval requested in the petition, as warranted.

² See previous note regarding the potential consideration of a program with a duration beyond 5 years.

Issued in Washington, DC.

John Karl Alexy,

Associate Administrator for Railroad Safety, Chief Safety Officer.

[FR Doc. 2025-16505 Filed 8-27-25; 8:45 am]

BILLING CODE 4910-06-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD-2025-0095]

Request for Comments on the Renewal of a Previously Approved Information Collection: Application for Waiver of the Coastwise Trade Laws for Small Passenger Vessels

AGENCY: Maritime Administration (MARAD), U.S. Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: MARAD invites public comments on its intention to request Office of Management and Budget (OMB) approval to renew an information collection in accordance with the Paperwork Reduction Act of 1995. The proposed collection OMB 2133-0529 (Application for Waiver of the Coastwise Trade Laws for Small Passenger Vessels) is used to identify the effect of potential foreign-built small passenger vessel coastwise operations on U.S. vessel builders and coastwise trade businesses. Since the last renewal there was an increase in the total respondents, responses, burden hours and cost to respondents. MARAD is required to publish this notice in the **Federal Register** to obtain comments from the public and affected agencies.

ADDRESSES: Written comments and recommendations for the proposed information collections 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: Patricia Hagerty, (202) 366-0903, Office of Cargo and Commercial Sealift, Maritime Administration, 1200 New Jersey Avenue SE, Washington, DC 20590, Email: smallvessels@dot.gov.

SUPPLEMENTARY INFORMATION:

Title: Application for Waiver of the Coastwise Trade Laws for Small Passenger Vessels.

OMB Control Number: 2133-0529.

Type of Request: Extension With Change of a Currently Approved Collection.

¹ FRA may consider APTA's petition as a request to conduct an age exploration program that may demonstrate a potential cleaning, repairing, and testing interval beyond the 1,840-day minimum

Abstract: Owners of foreign-built small passenger vessels must request an eligibility determination from the Maritime Administration (MARAD) to engage in coastwise trade.

Respondents: Owners and prospective owners, vessel agents, brokers, and charterers of U.S. built vessels; vessels that were not U.S. built and is at least 3 years old; or if U.S. rebuilt, was rebuilt in the U.S. or outside of the United States at least 3 years before a coastwise endorsement under 46 U.S.C. 12121(b) would take effect.

Affected Public: U.S. vessel builders and owners of U.S. passenger vessels.

Estimated Number of Respondents: 200.

Estimated Number of Responses: 200.

Estimated Hours per Response: 1.

Annual Estimated Total Annual Burden Hours: 200.

Frequency of Response: Annually.

A 60-day **Federal Register** Notice soliciting comments on this information collection was published on June 9, 2025, in the **Federal Register** 90 FR 24312 indicating comments should be submitted on or before August 8, 2025. The posting received two public comments in reference to this collection renewal. One comment was non-substantive and unrelated to the program. The other comment from the Passenger Vessel Association was substantive and will be further evaluated and provided a more detailed response.

(Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1.49.)

By Order of the Maritime Administration.
T. Mitchell Hudson, Jr.,
Secretary, Maritime Administration.

[FR Doc. 2025–16439 Filed 8–27–25; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2025–0466]

Request for Comments on the Renewal of a Previously Approved Collection: Maritime Administration Annual Service Obligation Compliance Report

AGENCY: Maritime Administration (MARAD), U.S. Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: MARAD invites public comments on its intention to request Office of Management and Budget (OMB) approval to renew an information collection in accordance

with the Paperwork Reduction Act of 1995. The proposed collection OMB 2133–0509 (Maritime Administration Annual Service Obligation Compliance Report) is used to determine if a graduate of the U.S. Merchant Marine Academy (USMMA) or a State Maritime Academy (SMA) Student Incentive Payment (SIP) program, is complying with the terms of the service obligation. There are no changes since the last renewal. MARAD is required to publish this notice in the **Federal Register** to obtain comments from the public and affected agencies.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

FOR FURTHER INFORMATION CONTACT: Danielle Bennett, 202–366–7618, Office of Maritime Labor and Training, W23–458, Maritime Administration, U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room, Washington, DC 20590, Email: Maritime.Graduate@dot.gov.

SUPPLEMENTARY INFORMATION:

Title: Maritime Administration Annual Service Obligation Compliance Report.

OMB Control Number: 2133–0509.

Type of Request: Extension of a previously approved collection.

Abstract: 46 U.S.C. 51306 and 46 U.S.C. 51509 imposes a service obligation on every USMMA and SMA SIP program graduate. This mandatory service obligation is for the Federal financial assistance the graduate received as a student. The obligation consists of: (1) maintaining U.S. Coast Guard merchant mariner credentials and officer endorsements (unlimited license) as an officer in the merchant marine of the United States for at least six years following graduation from an academy; (2) serving as a commissioned officer in the U.S. Naval Reserve, the U.S. Coast Guard Reserve, or any other reserve unit of an armed force of the United States for at least eight years following graduation from an academy; and (3) serving as a merchant marine officer on U.S.-flag vessels as an employee in a U.S. maritime-related industry ashore, or as a commissioned officer on active duty in an armed force of the United States, National Oceanic and Atmospheric Administration (NOAA) Corps, United States Public Health Service (USPHS) Corps or other

MARAD approved service; and (4) report annually on their compliance with the service obligation after graduation.

Respondents: USMMA and SMA SIP program graduates.

Affected Public: Individuals or households.

Estimated Number of Respondents: 2,100.

Estimated Number of Responses: 2,100.

Estimated Hours per Response: 20 Minutes.

Annual Estimated Total Annual Burden Hours: 700.

Frequency of Response: Annually.

A 60-day **Federal Register** Notice soliciting comments on this information collection was published on June 6, 2025 (90 FR 24192).

(Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1.49.)

By Order of the Maritime Administration.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2025–16465 Filed 8–27–25; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

Agency Information Collection Activities: Information Collection Renewal; Submission for OMB Review; Municipal Securities Dealers and Government Securities Brokers and Dealers—Registration and Withdrawal

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, “Municipal Securities Dealers and Government Securities Brokers and Dealers—Registration and Withdrawal.” The OCC also is giving notice that it has sent the collection to OMB for review.

DATES: Comments must be received by September 29, 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: 1557-0184, 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 "1557-0184" 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 "1557-0184" or "Municipal Securities Dealers and Government Securities Brokers and Dealers—Registration and Withdrawal." 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: Municipal Securities Dealers and Government Securities Brokers and Dealers—Registration and Withdrawal.

OMB Control No.: 1557-0184.

Form Numbers: MSD, MSDW,¹ MSD-4, MSD-5, G-FIN, G-FINW, GFIN-4 and GFIN-5.²

Type of Review: Regular.

Affected Public: Businesses or other for-profit; individuals.

Description: This information collection is required to satisfy the requirements of section 15B and section 15C of the Securities Exchange Act of 1934, which require, in part, any national bank or Federal savings association that acts as a government securities broker/dealer or a municipal securities dealer to file the appropriate form with the OCC to inform the agency of its broker/dealer activities. The OCC uses this information to determine which national banks and Federal savings associations are acting as government securities broker/dealers and municipal securities dealers and to monitor entry into and exit from these activities by institutions and registered persons. The OCC also uses the information in planning national bank and Federal savings association examinations.

¹ The Securities and Exchange Commission (SEC) maintains collections for the MSD and MSDW under OMB Control Nos. 3235-0083 and 3235-0087; however, there is a requirement that these be filed with the OCC, which is covered by OMB Control No. 1557-0184.

² The Department of the Treasury maintains collections for the G-FIN-4 and G-FIN-5 under OMB Control No. 1530-0064; however, there is a requirement that the forms be filed with the OCC, which is covered by OMB Control No. 1557-0184.

Estimated Frequency of Response: On occasion.

Estimated Number of Respondents: 13 (4 government securities dealers and 9 municipal and government securities dealers).

Estimated Total Annual Responses: 612 responses.

Estimated Total Annual Burden: 509.5 hours.

Comments: On June 23, 2025, the OCC published a 60-day notice for this information collection, (90 FR 26678). 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.

Carl Kaminski,

Assistant Director, Office of the Comptroller of the Currency.

[FR Doc. 2025-16510 Filed 8-27-25; 8:45 am]

BILLING CODE 4810-33-P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900-0116]

Agency Information Collection Activity Under OMB Review: Notice to Department of Veterans Affairs of Veteran or Beneficiary Incarcerated in Penal Institution

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995, this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its

expected cost and burden, and it includes the actual data collection instrument.

DATES: Comments and recommendations for the proposed information collection should be sent by September 29, 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. 2900–0116.”

FOR FURTHER INFORMATION CONTACT: VA PRA information: Dorothy Glasgow, 202–461–1084, VAPRA@va.gov.

SUPPLEMENTARY INFORMATION:

Title: Notice to Department of Veterans Affairs of Veteran or Beneficiary Incarcerated in Penal Institution (VA Form 21–4193).
OMB Control Number: 2900–0116.
<https://www.reginfo.gov/public/do/PRASearch>.

Type of Review: Revision of a currently approved collection.

Abstract: VA Form 21–4193 is used to gather the necessary information to determine whether VA benefits should be reduced or terminated based on incarceration of the beneficiary. Without this collection of information, VA would be unable to accurately adjust the rates of incarcerated beneficiaries and overpayments would result. No changes have been made to this form. The respondent burden has increased due to the estimated number of receivables averaged over the past year.

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 27758, June 27, 2025.

Affected Public: Individuals or Households.

Estimated Annual Burden: 2,488 hours.

Estimated Average Burden per Respondent: 15 minutes.

Frequency of Response: One time.

Estimated Number of Respondents: 9,953 per year.

Authority: 44 U.S.C. 3501 *et seq.*

Shunda Willis,

Acting, VA PRA Clearance Officer, (Alt.) Office of Enterprise and Integration/Data Governance Analytics, Department of Veterans Affairs.

[FR Doc. 2025–16536 Filed 8–27–25; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0495]

Agency Information Collection Activity Under OMB Review: Marital Status Questionnaire

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995, this notice announces that the Veterans Benefits Administration, 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 September 29, 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. 2900–0495.”

FOR FURTHER INFORMATION CONTACT: VA PRA information: Dorothy Glasgow, 202–461–1084, VAPRA@va.gov.

SUPPLEMENTARY INFORMATION:

Title: Marital Status Questionnaire (VA Form 21P–0537).

OMB Control Number: 2900–0495
<https://www.reginfo.gov/public/do/PRASearch>.

Type of Review: Extension without change of a currently approved collection.

Abstract: The VA Form 21P–0537, Marital Status Questionnaire, is used to confirm the marital status of a surviving spouse in receipt of Dependency and Indemnity Compensation (DIC) benefits. If a surviving spouse remarries, he or she is no longer entitled to DIC unless the marriage begins after age 55 or has been terminated. This is an extension. The respondent burden has remained the same.

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 27071, June 25, 2025.

Affected Public: Individuals or Households.

Estimated Annual Burden: 230.

Estimated Average Burden per

Respondent: 5 minutes.

Frequency of Response: One time.

Estimated Number of Respondents: 2,756.

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. 2025–16463 Filed 8–27–25; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0853]

Agency Information Collection Activity Under OMB Review: Application for Approval of a Program in a Foreign Country

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995, this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden, and it includes the actual data collection instrument.

DATES: Comments and recommendations for the proposed information collection should be sent by September 29, 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. 2900–0853.”

FOR FURTHER INFORMATION CONTACT: VA PRA information: Dorothy Glasgow, 202–461–1084, VAPRA@va.gov.

SUPPLEMENTARY INFORMATION:

Title: Application for Approval of a Program in a Foreign Country (VA Form 22–0976).

OMB Control Number: 2900–0853,
<https://www.reginfo.gov/public/do/PRASearch>.

Type of Review: Revision of a currently approved collection.

Abstract: The VA will use the information collected to determine if a program in a foreign country is approvable under CFR 21.4260. In order for a review and decision to be made, the VA needs supporting information from a foreign educational institution. After completing the form, foreign institutions will continue to download the VA Form 22–0976 from the GI Bill website and submit it via email to federal.approvals@va.gov.

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 27071, June 25, 2025.

Affected Public: Educational Institutions.

Estimated Annual Burden: 137 hours.

Estimated Average Burden per Respondent: 20 minutes.

Frequency of Response: Annually.

Estimated Number of Respondents: 412.

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. 2025–16464 Filed 8–27–25; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0021]

Agency Information Collection Activity Under OMB Review: VA Loan Electronic Reporting Interface (VALERI) System and Title Requirements for Conveyance of Real Property to the Secretary

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995, this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The

PRA submission describes the nature of the information collection and its expected cost and burden, and it includes the actual data collection instrument.

DATES: Comments and recommendations for the proposed information collection should be sent by September 29, 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. 2900–0021.”

FOR FURTHER INFORMATION CONTACT: VA PRA information: Dorothy Glasgow, 202–461–1084, vacopaperworkreduact@va.gov.

SUPPLEMENTARY INFORMATION:

Title: VA Loan Electronic Reporting Interface (VALERI) System and Title Requirements for Conveyance of Real Property to the Secretary.

OMB Control Number: 2900–0021
<https://www.reginfo.gov/public/do/PRASearch>.

Type of Review: Extension without change of a currently approved collection.

Abstract: VA uses the information collection in cases where loss mitigation efforts are unsuccessful and a VA-guaranteed loan goes into foreclosure. Statutory requirements for conveyance of properties to the Secretary are found in chapter 37 of title 38, United States Code. The implementing regulations are found in part 36 of title 38, Code of Federal Regulations (CFR). In 38 CFR 36.4323, titled “Election to convey security”, VA explains that each conveyance or transfer of real property to the Secretary pursuant to this section shall be acceptable if:

The holder thereby covenants or warrants against the acts of the holder and those claiming under the holder (*e.g.*, by special warranty deed); and
It vests in the Secretary or will entitle the Secretary to such title as is or would be acceptable to prudent lending institutions, informed buyers, title companies, and attorneys, generally, in the community in which the property is situated.

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 27070, June 25, 2025.

Affected Public: Individuals or Households.

Estimated Annual Burden: 3,027 hours.

Estimated Average Burden per Respondent: 11 minutes.

Frequency of Response: Annually.

Estimated Number of Respondents: 16,509.

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. 2025–16469 Filed 8–27–25; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0002]

Agency Information Collection Activity Under OMB Review: Application for Veterans Pension

AGENCY: Veterans Benefits Administration (VBA), Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995, this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden, and it includes the actual data collection instrument.

DATES: Comments and recommendations for the proposed information collection should be sent by September 29, 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. 2900–0002.”

FOR FURTHER INFORMATION CONTACT: VA PRA information: Dorothy Glasgow, 202–461–1084, VAPRA@va.gov.

SUPPLEMENTARY INFORMATION:

Title: 21P–527EZ Application for Veterans Pension.

OMB Control Number: 2900–0002
<https://www.reginfo.gov/public/do/PRASearch>.

Type of Review: Revision of a currently approved collection.

Abstract: The VA Form 21P-527EZ, Application for Pension, is the prescribed form for veterans applying for pension benefits.

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 27072, June 25, 2025.

Affected Public: Individuals or Households.

Estimated Annual Burden: 19,000 hours.

Estimated Average Burden per Respondent: 30 minutes.

Frequency of Response: One time.

Estimated Number of Respondents: 38,000 per year.

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. 2025-16462 Filed 8-27-25; 8:45 am]

BILLING CODE 8320-01-P

DEPARTMENT OF VETERANS AFFAIRS

National Research Advisory Council, Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under the Federal Advisory Committee Act, 5 U.S.C. Ch. 10, that the National Research Advisory Council (NRAC) will hold a meeting on Monday, September 15, 2025, at the Rocky Mountain Regional Medical Center at 1700 North Wheeling Street, Aurora, Colorado 80045. A virtual attendance option is available via Microsoft Teams. The teleconference number is 1-872-701-0185, Phone Conference ID: 198 255 794# or the meeting link is: https://teams.microsoft.com/l/meetup-join/19%3ameeting_MzFjYjUzNDgtNjY2NC00NDNiLWI3OTYtODkxMzMwNzg0NWVkb7ab251ab3bf%22%2c%22Oid%22%3a%22bbe000de-64c3-4465-99a0-83e8fddd9836%22%7d.

The purpose of NRAC is to advise the Secretary on research conducted by the Veterans Health Administration, including policies and programs targeting the high priority of Veterans' health care needs.

The meeting will be held at 11:00 a.m. and end at approximately 4:30 p.m. Mountain Standard Time. This meeting

is open to the public and will include time reserved for public comments at the end of the meeting. The public comment period will be 30 minutes. Individual stakeholders will be given 3 to 5 minutes to express their comments.

On September 15, 2025, the agenda will include a summary of the previous meeting, final actions regarding NRAC's recommendation to the Secretary regarding 18 U.S.C. 208, conflict of interest; presentations from the NRAC subcommittees; and public comments.

Members of the public may submit written statements for review by the NRAC in advance of the meeting. Public comments may be received no later than *close of business September 2, 2025*, for inclusion in the official meeting record. Please send statements to Amanda Garcia, Designated Federal Officer, Office of Research and Development (14RD), Department of Veterans Affairs, 811 Vermont Avenue NW, Washington, DC 20420, at 202-304-3540, or Amanda.Garcia@va.gov. Any member of the public seeking additional information should contact Amanda Garcia at the above phone number or email address noted above.

Dated: August 26, 2025.

LaTonya L. Small,

Federal Advisory Committee Management Officer.

[FR Doc. 2025-16551 Filed 8-27-25; 8:45 am]

BILLING CODE 8320-01-P



FEDERAL REGISTER

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Part II

Department of Homeland Security

8 CFR Parts 214, 248, and 274a

Establishing a Fixed Time Period of Admission and an Extension of Stay Procedure for Nonimmigrant Academic Students, Exchange Visitors, and Representatives of Foreign Information Media; Proposed Rule

DEPARTMENT OF HOMELAND SECURITY

8 CFR Parts 214, 248, and 274a

[DHS Docket No. ICEB–2025–0001]

RIN 1653–AA95

Establishing a Fixed Time Period of Admission and an Extension of Stay Procedure for Nonimmigrant Academic Students, Exchange Visitors, and Representatives of Foreign Information Media

AGENCY: U.S. Immigration and Customs Enforcement (ICE), U.S. Department of Homeland Security (DHS).

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: Unlike most nonimmigrant classifications, which are admitted for a fixed time period, aliens in the F (academic student), J (exchange visitor), and most I (representatives of foreign information media) classifications, with limited exceptions, are currently admitted into the United States for the period of time that they are complying with the terms and conditions of their nonimmigrant classification (“duration of status”). The U.S. Department of Homeland Security (DHS) proposes to amend its regulations by changing the admission period in the F, J, and I classifications from duration of status to an admission for a fixed time period.

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

Information collection comment period: Comments on the information collection described in the *Paperwork Reduction Act* section below must be received by October 27, 2025.

ADDRESSES: You may submit comments on the entirety of this rule, which must be identified by Docket No. ICEB–2025–0001, through the following method:

- **Federal eRulemaking Portal:** <https://www.regulations.gov>. Follow the website instructions to submit comments.

Comments on the information collection may be submitted to the same docket as the NPRM or as described in the “submitting comments” section below. In addition, all comments on the information collection must include the OMB Control Number in the body of the comments.

Comments submitted in a manner other than the Federal eRulemaking Portal, including emails or letters sent to the Department of Homeland Security (the Department or DHS), will not be considered comments, and will not receive a response from DHS. Please note that DHS cannot accept any hand

delivered or couriered comments, nor any comments contained on any form of digital media storage devices, such as CDs, DVDs, and USB drives. If you cannot submit your material using <https://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

FOR FURTHER INFORMATION CONTACT: Office of Regulatory Affairs and Policy, U.S. Immigration and Customs Enforcement, Department of Homeland Security, 500 12th Street SW, Washington, DC 20536. Telephone 202–732–6960 (not a toll-free number) (for questions only—no comments will be accepted at this phone number).

I. Public Participation

DHS encourages all interested parties to participate in this rulemaking by submitting data, views, comments, and arguments on all aspects of this notice of proposed rulemaking. Comments providing the most assistance to DHS will reference a specific portion of this rule, explain the reason for any recommended change and include the data, information, or authority that supports the recommended change. See the **ADDRESSES** section above for information on where to submit comments.

A. Submitting Comments

All comments must be submitted in English, or an English translation must be provided. If you submit comments, you must include the DHS docket number for this rulemaking (ICEB–2025–0001), indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. Include data, information, or the authority that supports the comment. Your comments must be submitted online by 11:59 p.m. of the last day of the comment period.

Instructions: To submit your comments online, go to <https://www.regulations.gov> and insert “ICEB–2025–0001” in the “Search” box. Click on the rule that appears in the “Search Results.” Click on the “Comment” box under the name of the rule and input your comments in the text box provided. When you are satisfied with your comments, follow the prompts, and then click “Submit Comment.” **Collection of information.** You must submit comments on the collection of information discussed in this notice of proposed rulemaking to either DHS’s docket or the Office of Management and Budget’s (OMB) Office of Information and Regulatory Affairs (OIRA). OIRA will have access to and view the

comments submitted in the docket. OIRA submissions can also be sent using any of the following alternative methods:

- **Email (alternative):** dhsdeskofficer@omb.eop.gov (include the docket number and “Attention: Desk Officer for U.S. Immigration and Customs Enforcement, DHS” in the subject line of the email).
- **Fax:** 202–395–6566.
- **Mail:** Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street NW, Washington, DC 20503; Attention: Desk Officer, U.S. Immigration and Customs Enforcement, DHS.

DHS will post your comments to the federal e-Rulemaking 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 public comment submission. DHS may withhold from public viewing information provided in comments that it determines is offensive. For more information, please read the “Privacy & Security Notice” via the link in the footer of <https://www.regulations.gov>. DHS will consider all comments and materials received during the comment period and may change this rule based on your comments.

B. Viewing Comments and Documents

To view comments, as well as documents referenced in this preamble as being available in the docket, go to <https://www.regulations.gov> and insert “ICEB–2025–0001” in the “Search” box. Next, click on the name of the rule, and then click “Browse Posted Comments.” Individuals without internet access can request alternate arrangements for viewing comments and documents related to this rulemaking (see the **FOR FURTHER INFORMATION CONTACT** section of this document). You may also sign up for email alerts on the online docket so that you will be notified when comments are posted, or a final rule is published.

SUPPLEMENTARY INFORMATION:

II. Acronyms and Abbreviations

CBP	U.S. Customs and Border Protection
CFR	Code of Federal Regulations
DOJ	U.S. Department of Justice
DHS	U.S. Department of Homeland Security
D/S	Duration of Status
DOS	U.S. Department of State
DSO	Designated School Official
EAD	Employment Authorization Document

ED U.S. Department of Education
 EOS Extension of Stay
 GAO U.S. Government Accountability Office
 ICE U.S. Immigration and Customs Enforcement
 IIRIRA Illegal Immigration Reform and Immigrant Responsibility Act of 1996
 INA Immigration and Nationality Act
 INS Immigration and Naturalization Service
 NPRM Notice of Proposed Rulemaking
 OPT Optional Practical Training
 POE Port of Entry
 PRC People's Republic of China
 RFE Request for Evidence
 RO Responsible Officer
 SAR Special Administrative Region
 SEVIS Student and Exchange Visitor Information System
 SEVP Student and Exchange Visitor Program
 SSR Special Student Relief
 STEM Science Technology Engineering and Mathematics
 U.S.C. United States Code
 USCIS U.S. Citizenship and Immigration Services

III. Executive Summary

A. Purpose of the Proposed Regulatory Action

Studying and participating in exchange visitor and academic programs in the United States offers aliens access to world-renowned, individualized instructional and educational programs. Similarly, the United States allows foreign news and media members access to the United States as part of their foreign employment. Millions of aliens have come to the United States on a temporary basis in the F (academic student),¹ J (exchange visitor),² and I (representatives of foreign information media)³ classifications.⁴ Unlike aliens in most nonimmigrant classifications who are admitted until a specific departure date, F, J, and I (except for some I aliens from the People's Republic of China (PRC)) nonimmigrants are admitted into the United States for an unspecified period of time to engage in activities authorized under their respective nonimmigrant classifications. This unspecified period of time is referred to as “duration of status” (D/S). D/S for F academic students is generally the time during which a student is pursuing a full course of study at an educational institution approved by DHS, or engaging in authorized practical

training following completion of studies, plus authorized time to depart the country.⁵ D/S for J exchange visitors is the time during which an exchange visitor is participating in an authorized program, plus authorized time to depart the country.⁶ D/S for I representatives of foreign information media is the duration of his or her foreign employment duties in the United States.⁷ For dependents of principal F, J, or I nonimmigrants, D/S generally corresponds with the principal's period of admission so long as the dependents are also complying with the requirements for their particular classifications.⁸ Since D/S was first introduced in 1978 for F nonimmigrants and 1985 for J and I nonimmigrants,⁹ the number of F, J, and I nonimmigrants admitted each year into the United States has significantly increased.¹⁰ In 2023 alone, there were over 1.6 million admissions in F status, a dramatic rise from when the legacy Immigration and Naturalization Service (INS) first shifted to D/S admission in 1979.¹¹ For example, in the 1980–81 school year, there were approximately 260,000 admissions in F status.¹² Similar growth

in the J nonimmigrant population has also occurred over the past decades. In 2023, there were over 500,000 admissions in J status, up over 250 percent from the 141,213 J admissions into the United States in 1985.¹³ Finally, there were 32,470 admissions for I nonimmigrant foreign media representatives in the United States in 2023, nearly double from the 16,753 admissions into the U.S. in 1985.¹⁴

The significant increase in the volume of F academic students, J exchange visitors, and I foreign information media representatives poses a challenge to the Department's ability to monitor and oversee these nonimmigrants while they are in the United States. During the length of their stay for D/S, a period of admission without a specified end date, these nonimmigrants are not required to have direct interaction with DHS, except for a few limited instances, such as when applying for employment authorization for optional practical training (OPT) or for reinstatement if they have failed to maintain status. Admission for D/S, in general, does not afford immigration officers enough predetermined opportunities to directly verify that aliens granted such nonimmigrant statuses are engaging only in those activities their respective classifications authorize while they are in the United States. In turn, this has undermined DHS's ability to effectively enforce compliance with the statutory inadmissibility grounds related to unlawful presence and has created incentives for fraud and abuse.

For F and J visa holders, the Immigration and Nationality Act (INA) specifically states that aliens must have a residence in a foreign country which they have no intention of abandoning and seek to enter the United States temporarily.¹⁵ Yet, DHS has many examples of students and exchange visitors staying for decades in their student or exchange visitor status.¹⁶ The events of 9/11 highlighted the potential for abuse of the student visa.

nonimmigrant students in F status were admitted into the United States in the 1980–81 school year. See U.S. Gov't Accountability Off., Controls Over Foreign Students in U.S. Postsecondary Institutions Are Still Ineffective; Proposed Legislation and Regulations May Correct Problems (Mar. 10, 1983), available at <https://www.gao.gov/assets/hrd-83-27.pdf> (last visited Mar. 20, 2024).

¹³ See DHS FY23, Quarter 4, tbl.4B, *supra* note 11, sum of J1 481,280 and J2 62,000.

¹⁴ *Id.*

¹⁵ See INA sec. 101(a)(15)(F) and (J); 8 U.S.C. 1101(a)(15)(F) and (J).

¹⁶ DHS has identified over 2,100 aliens who first entered as F–1 students between 2000 and 2010 and remain in active F–1 status as of Apr. 6, 2025. See Student Exchange Visitor Program analysis of data in the Student Exchange Visitor Information System and valid as of Apr. 6, 2025.

⁵ Statutory and regulatory requirements restrict the duration of study for an alien who is admitted in F–1 status to attend a public high school to an aggregate of 12 months of study at any public high school(s). See INA section 214(m), 8 U.S.C. 1184(m); see also 8 CFR 214.2(f)(5)(i).

⁶ See 8 CFR 214.2(j)(1)(ii) (explaining the initial admission period) and (j)(1)(iv) (explaining that extensions of stay can be obtained with a new Form DS–2019); see also 22 CFR 62.43 (permitting responsible officers to extend J nonimmigrant's program beyond the original DS–2019 end date according to length permitted for the specific program category).

⁷ See 8 CFR 214.2(i).

⁸ See 8 CFR 214.2(f)(3), (f)(5)(vi)(D) (discussing F–2 period of authorized admission); 214.2(j)(1)(ii), (j)(1)(iv) (discussing J–2 authorized period of admission); INA 101(a)(15)(I), 8 U.S.C. 1101(a)(15)(I); 22 CFR 41.52(c).

⁹ See 43 FR 54618 (Nov. 22, 1978) and 50 FR 42006 (Oct. 17, 1985).

¹⁰ In 1985, when D/S was introduced for I and J nonimmigrants, there were 16,753 admissions in I status, 141,213 admissions in J status, and 251,234 admissions in F–1 status. See U.S. Department of Justice (DOJ), Immigration and Naturalization Service, 1997 Statistical Yearbook of the Immigration and Naturalization Service, available at https://ohss.dhs.gov/sites/default/files/2023-12/Yearbook_Immigration_Statistics_1997.pdf (last visited March 20, 2025).

¹¹ In fiscal year (FY) 2023, there were 1,625,740 admissions in F–1 status and 61,910 in F–2 status. See DHS Off. of Homeland Sec. Stat., Legal Immig. and Adjustment of Status Report Fiscal Year 2023, Quarter 4, tbl.4B, available at https://ohss.dhs.gov/sites/default/files/2024-06/2024_0507_ohss_legal-immigration-adjustment-of-status-fy-2023q4.xlsx (last visited Apr. 3, 2025).

¹² In the 1980–81 school year, 312,000 nonimmigrant students were admitted into the United States. Approximately 83 percent of the nonimmigrant students admitted into the United States during the 1980–81 school year were in F status. Therefore, approximately 258,960

¹ See Immigration and Nationality Act (INA) 101(a)(15)(F), 8 U.S.C. 1101(a)(15)(F).

² See INA 101(a)(15)(J), 8 U.S.C. 1101(a)(15)(J).

³ See INA 101(a)(15)(I), 8 U.S.C. 1101(a)(15)(I).

⁴ See Office of Homeland Security Statistics, Yearbook of Immigration Statistics—Yearbook 2023, Table 25, Nonimmigrant Admissions by Class of Admission: Fiscal Years 2014 to 2023 at <https://ohss.dhs.gov/topics/immigration/yearbook-immigration-statistics/yearbook-2023> (last visited Mar. 31, 2025).

In the wake of 9/11, a Homeland Security Presidential Directive titled, *Combating Terrorism Through Immigration Policies* directed, among other things, that a program be developed to track the status of foreign students. It also mandated that the government develop guidelines that may include control mechanisms such as limited duration of student status.¹⁷ The 9/11 Commission reiterated the need to track foreign students and place tighter controls on student visas.¹⁸ From these mandates and the statutory authorities described below, the Student and Exchange Visitor Program (SEVP) was created, and the electronic Student and Exchange Visitor Information System (SEVIS) was implemented. SEVIS is a DHS computer system that stores and processes information on foreign students and exchange visitors in the U.S.

SEVIS ensures government agencies have essential data related to nonimmigrant students and exchange visitors to preserve national security. SEVIS also implements Section 641 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), Public Law 104–208 (codified at 8 U.S.C. 1372), which requires DHS to collect current information from nonimmigrant students and exchange visitors continually during their stay in the United States. In addition, section 416 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), Public Law 107–56 (amending IIRIRA sec. 641), mandated full implementation and expansion of SEVIS.

Given these mandates and concerns, DHS believes that the admission of F, J, and I nonimmigrants for D/S is not appropriate. With this notice of proposed rulemaking (NPRM), DHS proposes to replace the D/S framework for F, J, and I nonimmigrants with an admission period with a specific date upon which an authorized stay ends. Nonimmigrants who would like to stay in the United States beyond their fixed date of admission would need to apply directly to DHS for an extension of stay (EOS).¹⁹ DHS anticipates that many F, J,

and I nonimmigrants would be able to complete their activities within their period of admission. However, those who could not, generally would be able to request an extension to their period of admission from an immigration officer. DHS believes that this process would help to mitigate risks posed by aliens who seek to exploit these programs and live in the United States on a non-temporary basis in contradiction with the underlying statutory language that applies to their nonimmigrant status.

Replacing admissions for D/S with admissions for a fixed time period of authorized stay is consistent with most other nonimmigrant classifications,²⁰ would provide additional protections and oversight of these nonimmigrant classifications and would allow DHS to better evaluate whether these nonimmigrants are maintaining status while temporarily in the United States. DHS does not believe such a requirement would place an undue burden on F, J, and I nonimmigrants. Rather, providing F, J, and I nonimmigrants a fixed time period of authorized stay that would require them to apply to extend their stay, change their nonimmigrant status, or otherwise obtain authorization to remain in the United States (e.g., a grant of asylum or adjustment of status) by the end of this specific admission period is consistent with requirements applicable to most other nonimmigrant classifications and consistent with the practices for F–1 students prior to 1979.²¹

These changes would ensure that DHS has an effective mechanism to

periodically and directly assess whether these nonimmigrants are complying with the conditions of their classifications and U.S. immigration laws, and to obtain timely and accurate information about the activities these aliens have engaged in and plan to engage in during their temporary stay in the United States. If immigration officers discover a nonimmigrant in one of these classifications has overstayed or otherwise violated his or her status, the proposed changes may result in the alien beginning to accrue unlawful presence for purposes of unlawful presence-related statutory grounds of inadmissibility under section 212(a)(9)(B)(i) and (C)(i) of the INA. DHS believes this greater oversight would deter F, J, or I nonimmigrants from engaging in fraud and abuse and strengthen the integrity of these nonimmigrant classifications.

DHS believes that the provisions of each new regulatory amendment function independently of other provisions. However, to protect DHS's goals for proposing this rule, DHS proposes to add regulatory text stating that the provisions be severable so that, if necessary, the regulations may continue to function even if a particular provision is rendered inoperable.

B. Summary of the Proposed Regulatory Provisions

DHS proposes the following substantive changes:

- Amend 8 CFR 214.1, Requirements for admission, extension, and maintenance of status, by:
 - Striking all references to D/S for F, J, and I nonimmigrants;
 - Describing requirements for F and J nonimmigrants seeking admission, including after travel abroad and those approved for OPT and academic training;
 - Updating the cross reference and clarifying the standards for admission in the automatic extension visa validity provisions that cover F and J nonimmigrants applying at a port of entry (POE) after an absence not exceeding 30 days solely in a contiguous territory or adjacent islands;
 - Outlining the process for EOS applications for F, J, and I nonimmigrants;
 - Specifying the effect of departure while an F or J nonimmigrant's application for an EOS in F or J nonimmigrant status and/or employment authorization (and an associated employment authorization document (EAD)) is pending;
 - Providing procedures specific to the transition from D/S to admission for

¹⁷ See Homeland Sec. Presidential Directive 2, *Combating Terrorism Through Immig. Policies* (Oct. 29, 2001) (HSPD–2), <https://georgewbush-whitehouse.archives.gov/news/releases/2001/10/text/20011030-2.html> (last visited May 1, 2025).

¹⁸ Kean, T.H. & Hamilton, L.H., 2004. The 9/11 Commission report: final report of the National Commission on Terrorist Attacks upon the United States, New York: Norton, pgs. 81, 187.

¹⁹ See generally 8 CFR 214.1(c) (setting forth the general EOS requirements applicable to most other nonimmigrants).

²⁰ For example, see 8 CFR 214.2(a)(1) (setting forth a period of admission for the A–3 nonimmigrant classification); (b)(1) (period of admission for aliens admitted under the B nonimmigrant classification); (c)(3) (period of admission for aliens in transit through the United States); (e)(19) (periods of admission for most E nonimmigrants); (g)(1) (period of admission for the G–5 nonimmigrant classification); (h)(5)(viii) (9)(iii) and (13) (various periods of admission and maximum periods of stay for the H–1B, H–2A, H–2B, and H–3 nonimmigrant classification); (k)(8) (period of admission for the K–3 and K–4 nonimmigrant classification); (l)(11)–(12) (periods of admission and maximum periods of stay for the L nonimmigrant classification); (m)(5), (10) (period of stay for the M nonimmigrant classification); (n)(3) (period of admission for certain parents and children eligible for admission as special immigrants under section 101(a)(27)(I)); (o)(6)(iii) and (10) (period of admission for the O nonimmigrant classification); (p)(8)(iii) and (12) (period of admission for the P nonimmigrant classification); (q)(2) (period of admission for the Q nonimmigrant classification); (r)(6) (period of admission for the R nonimmigrant classification); (s)(1)(ii) (period of admission for the NATO–7 nonimmigrant classification); (t)(5)(ii) (period of admission for the S nonimmigrant classification); and (w)(13) and (16) (period of admission for the CW–1 nonimmigrant classification).

²¹ See 38 FR 35425 (Dec. 28, 1973).

a fixed time period of authorized stay for F, J, and I nonimmigrants; and

- Replacing references to specific form names and numbers with general language, to account for future changes to form names and numbers.

- Amend 8 CFR 214.2, Special requirements for admission, extension, and maintenance of status, by:

- Setting the authorized admission and extension periods for F and J nonimmigrants up to the program length, not to exceed a 4-year period;

- For F–1 students changing educational objectives or transferring to an SEVP-certified school, requiring that the student complete his or her first academic year of a program of study at the school that initially issued his or her Form I–20 or successor form, unless an exception is authorized by SEVP;

- Prohibiting F–1 students at the graduate education level from changing programs at any point during a program of study.

- Outlining procedures and requirements for F–1 nonimmigrants who change educational objectives while in F–1 status;

- Requiring any nonimmigrant who has completed a program at one educational level to only be allowed to begin another program at a higher educational level while in F–1 status and prohibiting a change to the same or a lower educational level while in F–1 status;

- Decreasing from 60 to 30 days the allowed period for F–1 nonimmigrants to prepare to depart from the United States after completion of a course of study or authorized period of post-completion practical training;

- Providing for collection of biometric information in conjunction with an EOS application for F, J, and I nonimmigrants as may be required by 8 CFR 103.16;

- Limiting language training students to an aggregate 24-month period of stay, including breaks and an annual vacation;

- Providing that a delay in completing one's program by the program end date specified on the Form I–20, which includes but is not limited to delays caused by academic probation or suspension or a student's repeated inability or unwillingness to complete his or her course of study, generally is an unacceptable reason for program extensions for F nonimmigrants;

- Allowing F nonimmigrants whose timely filed EOS applications remain pending after their admission period has expired to receive an auto-extension of their current authorization for on-campus and off-campus employment based on severe economic hardship

resulting from emergent circumstances under existing 8 CFR 214.2(f)(5)(v). The length of the auto-extension of employment authorization would be up to 240 days or the end date of the **Federal Register** notice announcing the suspension of certain regulatory requirements, whichever is earlier;

- Replacing D/S for I nonimmigrants with admission for a fixed time period until they complete the activities or assignments consistent with the I classification, not to exceed 240 days (with the exception of some I aliens from the People's Republic of China), with an EOS available for I nonimmigrants who can meet specified EOS requirements;

- Codifying the definition of a foreign media organization for I nonimmigrant status, consistent with long-standing U.S. Citizenship and Immigration Services (USCIS) and U.S. Department of State (DOS) practice;

- Updating the evidence an alien must submit to demonstrate eligibility for the I nonimmigrant classification;

- Clarifying that J–1 nonimmigrants who are employment authorized with a specific employer incident to status, continue to be authorized for such employment for up to 240 days under the existing regulatory provision at 8 CFR 274a.12(b)(20), if their status expires while their timely filed EOS application is pending, whereas J–2 dependents, who must apply for employment authorization as evidenced by an EAD, do not have the benefit of continued work authorization once the EAD expires;

- Clarifying that I nonimmigrants are authorized to continue working in the United States for their foreign employer, under 8 CFR 274a.12(b)(20), while their timely filed EOS application is pending for up to 240 days;²²

- Striking all references to “duration of status” and/or “duration of employment” for the F, J, and I nonimmigrant classifications; and

- Including a severability clause. In the event that any provision of this rule is not implemented for whatever reason, DHS proposes that the remaining provisions be implemented in accordance with the stated purposes of this rule.

- Amend 8 CFR 248.1, Eligibility, by:

- Establishing requirements to determine the period of stay for F or J nonimmigrants whose change of status application was approved before the

Final Rule's effective date and who depart the United States, then seek admission after the Final Rule's effective date; and

- Codifying the long-standing policy under which DHS deems abandoned an application to change to another nonimmigrant status, including F or J status, if the alien who timely filed the application departs the United States while the application is pending.

- Amend 8 CFR 274a.12, Classes of aliens authorized to accept employment, by updating the employment authorization provisions to incorporate the revisions in 8 CFR 214.2.

C. Summary of the Costs and Benefits

Currently, aliens in the F (academic student), J (exchange visitor), and most I (representatives of foreign information media) nonimmigrant classifications are admitted to the United States under the D/S framework. However, this framework poses a challenge to DHS' ability to efficiently monitor and oversee these nonimmigrants to assess whether these nonimmigrants are complying with the terms and conditions of their status and whether they present national security concerns. To address these vulnerabilities, DHS proposes to replace D/S with an admission for a fixed time period for F, J, and I nonimmigrants. Admitting aliens in the F, J, and I classifications for a fixed period of time would require all F, J, and I nonimmigrants who wish to remain in the United States beyond their specific authorized admission period to apply for authorization to extend their stay with USCIS if in the United States, thus requiring periodic assessments by DHS in order for the alien to remain in the United States for a longer period. This change would impose incremental costs on F, J, and I nonimmigrants as well as schools and exchange visitor program sponsors, but would in turn protect the integrity of the F, J, and I programs by having immigration officers evaluate and assess the appropriate length of stay for these nonimmigrants.

Over a 10-year period of analysis, DHS estimates the proposed rule would have annualized costs ranging from \$390.3 million to \$392.4 million (using 3 and 7 percent discount rates, respectively) when considering both U.S. and non-U.S. parties. When considering U.S. parties only, annualized costs range from \$86.3 million to \$88.1 million (using 3 and 7 percent discount rates, respectively).

²² This time period is limited to up to 90 days for I nonimmigrants with a passport from the People's Republic of China but does not include those with a Hong Kong Special Administrative Region passport or a Macau Special Administrative Region passport.

IV. Background and Purpose

A. Legal Authority

The authority of the Secretary of Homeland Security (the Secretary) to implement the regulatory amendments in this rule can be found in various provisions of the immigration laws. Section 102 of the Homeland Security Act of 2002, Public Law 107–296, 116 Stat. 2135, 6 U.S.C. 112, and section 103(a)(1) and (3) of the INA, 8 U.S.C. 1103(a)(1), (3), charge the Secretary with the administration and enforcement of the immigration and naturalization laws of the United States. Section 214(a) of the INA, 8 U.S.C. 1184(a), gives the Secretary the authority to prescribe, by regulation, the time and conditions of admission of any alien as a nonimmigrant, including F, J, and I nonimmigrant aliens. *See also* 6 U.S.C. 271(a)(3), (b) (describing certain USCIS functions and authorities, including USCIS' authority to establish national immigration services policies and priorities and adjudicate benefits applications) and 6 U.S.C. 252(a)(4) (describing the authority of DHS's U.S. Immigration and Customs Enforcement (ICE) to collect information relating to foreign students and exchange program participants and to use such information to carry out its enforcement functions).

Section 248 of the INA, 8 U.S.C. 1258, permits DHS to allow certain nonimmigrants to change their status from one nonimmigrant status to another nonimmigrant status, with certain exceptions, as long as they continue to maintain their current nonimmigrant status and are not inadmissible under section 212(a)(9)(B)(i) of the INA, 8 U.S.C. 1182(a)(9)(B)(i), relating to unlawful presence. Similar to extensions of stay, change of status adjudications are discretionary determinations.²³ Also, section 274A of the INA, 8 U.S.C. 1324a, governs the employment of aliens who are authorized to be employed in the United States by statute or in the discretion of the Secretary.

Finally, the INA establishes who may be admitted as F, J, or I nonimmigrants. Specifically, section 101(a)(15)(F)(i) of the INA, 8 U.S.C. 1101(a)(15)(F)(i), established the F nonimmigrant classification for, among others, bona fide students qualified to pursue a full course of study who wish to enter the United States temporarily, who have no intention of abandoning their residence in a foreign country, and solely for the purpose of pursuing a full course of study at an academic or language

training school certified by SEVP, as well as for the spouse and unmarried children under the age of 21 of such aliens.²⁴ *See also* INA 214(m), 8 U.S.C. 1184(m) (limiting the admission of nonimmigrants for certain aliens who intend to study at public elementary and secondary schools).

Section 101(a)(15)(J) of the INA, 8 U.S.C. 1101(a)(15)(J), established the J nonimmigrant classification for aliens who wish to come to the United States temporarily and have no intention of abandoning their residence in a foreign country, to participate in exchange visitor programs designated by the DOS, as well as for the spouses and unmarried children under the age of 21 of such aliens in certain J–1 categories.

Section 101(a)(15)(I) of the INA, 8 U.S.C. 1101(a)(15)(I), established, upon a basis of reciprocity, the I nonimmigrant classification for bona fide representatives of foreign information media (such as press, radio, film, print) seeking to enter the United States to engage in such vocation, as well as for the spouses and children of such aliens.

Within DHS, SEVP is administered by ICE. SEVP is authorized to administer the program to collect information related to nonimmigrant students and exchange visitors under various statutory authorities. Section 641 of IIRIRA authorizes the creation of a program to collect current and ongoing information provided by schools and exchange visitor programs regarding F and J nonimmigrants during the course of their stays in the United States, using electronic reporting technology where practicable. Consistent with this statutory authority, DHS manages these programs pursuant to Homeland Security Presidential Directive–2 (HSPD–2), Combating Terrorism Through Immigration Policies (Oct. 29, 2001), as amended, (<https://www.gpo.gov/fdsys/pkg/CPRT-110HPRT39618/pdf/CPRT-110HPRT39618.pdf>), and section 502 of the Enhanced Border Security and Visa Entry Reform Act of 2002, Public Law 107–173, 116 Stat. 543, 563 (May 14, 2002) (EBSVERA) (codified at 8 U.S.C. 1762). HSPD–2 requires the Secretary of Homeland Security to conduct periodic, ongoing reviews of institutions certified to accept F nonimmigrants, and to include checks for compliance with recordkeeping and reporting requirements. Section 502 of EBSVERA directs the Secretary to review the compliance with recordkeeping and reporting requirements under 8 U.S.C.

1101(a)(15)(F) and 1372 of all schools approved for attendance by F students within 2 years of enactment, and every 2 years thereafter.

B. Background

i. F Classification

Section 101(a)(15)(F)(i) of the INA, 8 U.S.C. 1101(a)(15)(F)(i), permits aliens who are bona fide students to temporarily be admitted to the United States solely for the purpose for pursuing a full course of study at an established college, university, seminary, conservatory, academic high school, elementary school, or other academic language training program. Principal applicants are categorized as F–1 nonimmigrant aliens and their spouses and children who may accompany or follow to join as F–2 dependents.²⁵

From 1973 to 1979, F students were admitted for one year and could be granted an EOS in increments of up to 12 months if they established that they were maintaining status.²⁶ However, on July 26, 1978, given the large number of nonimmigrant students in the United States at the time and the need to continually process their EOS applications, legacy INS proposed amending the regulations to permit F–1 aliens to be admitted for the duration of their status as students.²⁷ Legacy INS explained the changes would facilitate the admission of nonimmigrant students, provide dollar and manpower savings to the Government, and permit more efficient use of resources.²⁸ On November 22, 1978, a final rule was published to amend the regulations at 8 CFR 214 to allow INS to admit F–1 students for a D/S period as students.²⁹ That rule became effective on January 1, 1979.

Subsequently, between January 23, 1981, and October 29, 1991, the INS amended the regulations addressing admission periods for F–1 students four more times.³⁰ On January 23, 1981, a

²⁵ *See* INA 101(a)(15)(F)(i)–(ii), 8 U.S.C. 1101(a)(15)(F)(i)–(ii); 8 CFR 214.2(f)(3).

²⁶ *See* 38 FR 35425, 35426 (Dec. 28, 1973) (“The period of admission of a non-immigrant student shall not exceed one-year.”).

²⁷ *See* 43 FR 32306 (July 26, 1978).

²⁸ *See* 43 FR 32306, 32306–07 (July 26, 1978).

²⁹ *See* 43 FR 54618, 54620 (Nov. 22, 1978) (“The period of admission of a nonimmigrant student shall be for the duration of Status in the United States as a student if the information on his/her form I–20 indicates that he/she will remain in the United States as a student for more than 1 year If the information on form I–20 indicates the student will remain in the United States for 1 year or less, he/she shall be admitted for the time necessary to complete his/her period of study.”).

³⁰ *See* 46 FR 7267 (Jan. 23, 1981), 48 FR 14575 (Apr. 5, 1983); 52 FR 13223 (Apr. 22, 1987); 56 FR 55608 (Oct. 29, 1991).

²³ *See* INA 248(a), 8 U.S.C. 1258(a); 8 CFR 248.1(a).

²⁴ *See* INA 101(a)(15)(F), 8 U.S.C. 1101(a)(15)(F).

rule changed admission for F–1 nonimmigrants to a fixed period of admission, *i.e.*, the time necessary to complete the course of study, with the opportunity for an EOS on a case-by-case basis.³¹ Legacy INS explained this was necessary because admitting nonimmigrants students for D/S resulted in questionable control over foreign students and contributed to problems in record keeping.³²

On April 5, 1983, D/S was reinstituted with, among other changes, the implementation of new notification procedures for transfers between schools, improved reporting requirements for Designated School Officials (DSOs),³³ a limit for enrollment in one educational level, and a requirement for F–1 students to apply for an EOS and, if applicable, a school transfer to pursue another educational program at the same level of educational attainment.³⁴

On April 22, 1987, a final rule outlined medical and academic reasons that would allow F–1 students to drop below a full-time course of study while remaining in D/S status, and clarified when an EOS or reinstatement must be requested.³⁵

Finally, in 1991, the regulations were revised to implement Section 221(a) of the Immigration Act of 1990 (IMMACT 90), Public Law 101–649, 104 Stat. 4978, which established a three-year off-campus program for F–1 students,³⁶ and clarified the procedures for F–1 students seeking EOS and employment authorization utilizing the Form I–20.³⁷ The rule also gave DSOs the authority to grant program extensions (essentially an EOS) for F–1 students with a compelling academic or medical reason that prevented them from completing their educational program by a program end date and then to notify INS of the extension.³⁸ Since then, and pursuant to

the 1991 final rule, DHS has relied on DSOs to report on student status, issue program extensions, and transfer students between programs and schools. Information from these nonimmigrant students is now tracked in SEVIS, to ensure government agencies have essential data related to nonimmigrant students to preserve national security. This is consistent with the requirements in IIRIRA, the USA PATRIOT Act, Public Law 107–56, and the recommendations of the 9/11 Commission Report. Changes to D/S were proposed for F students in 2020, but the proposal was withdrawn in 2021.³⁹

ii. J Classification

The J nonimmigrant classification was created in 1961 by the Mutual Educational and Cultural Exchange Act of 1961, also known as the Fulbright-Hays Act of 1961, Public Law 87–256, 75 Stat. 527 (22 U.S.C. 2451, *et seq.*), to increase mutual understanding between the people of the United States and the people of other countries by means of educational and cultural exchanges. It authorizes aliens to participate in a variety of exchange visitor programs in the United States. The Exchange Visitor Program regulations cover the following program categories: professors and research scholars, short-term scholars, trainees and interns, college and university students, teachers, secondary school students, specialists, alien physicians, international visitors, government visitors, camp counselors, au pairs, and summer work travel.⁴⁰

Prior to 1985, J exchange visitors were granted an initial admission for the period of their program up to one year.⁴¹ In 1985, the regulations were amended to allow J exchange visitors to be admitted for the duration of their program plus 30 days.⁴² This change from being admitted for a fixed period to D/S was implemented as part of a continuing effort to reduce reporting requirements for the public as well as the paperwork burden associated with processing extension requests on the agency.⁴³ Changes to D/S were proposed for J exchange visitors in 2020, but the proposal was withdrawn in 2021.⁴⁴

A prospective exchange visitor must be sponsored by a DOS-designated program sponsor to be admitted to the

United States in the J nonimmigrant classification and participate in an exchange visitor program. The DOS designated sponsor will issue a prospective J exchange visitor a Form DS–2019, Certificate of Eligibility for Exchange Visitor (J–1) Status. The DS–2019 permits a prospective exchange visitor to apply for a J–1 nonimmigrant visa at a U.S. embassy or consulate abroad or seek admission as a J–1 nonimmigrant at a port of entry. A J–1 exchange visitor is admitted into the United States for D/S, which is the length of his or her exchange visitor program.⁴⁵

Extensions of J exchange visitor programs are governed by DOS regulations.⁴⁶ If there is authority to

⁴⁵ Form DS–2019, Certificate of Eligibility for Exchange Visitor (J–1) Status, is the document required to support an application for an exchange visitor visa (J–1). It is a 2-page document that can only be produced through the Student and Exchange Visitor Information System (SEVIS). SEVIS is the DHS database developed to collect information on F, M, and J nonimmigrants (see 8 U.S.C. 1372 and 6 U.S.C. 252(a)(4)). The potential exchange visitor's signature on page one of the form is required. Page 2 of the current Form DS–2019 consists of instructions and certification language relating to participation. No blank Forms DS–2019 exist. Each Form DS–2019 is printed with a unique identifier known as a “SEVIS ID number” in the top right-hand corner, which consists of an “alpha” character (N) and 10 numerical characters (e.g., N0002123457). The Department of State's Office of Private Sector Exchange Designation in the Bureau of Educational and Cultural Affairs (ECA/EC/D) designates U.S. organizations to conduct exchange visitor programs. These organizations are known as program sponsors. When designated, the organization is authorized access to SEVIS and is then able to produce Form DS–2019 from SEVIS. The program sponsor signs the completed Forms DS–2019 in blue ink and transmits them to the potential exchange visitor and his or her spouse and unmarried children under the age of 21. J visa applicants must present a signed Form DS–2019 at the time of their visa interview. Once the visa is issued, however, the biographic information on the SEVIS record cannot be updated until the participant's program is validated (“Active” in SEVIS). The sponsor is required to update the SEVIS record upon the exchange visitor's entry and no corrections to the record can be made until that time. In addition, in the event a visa is needed, sponsors may issue a Form DS–2019 for a dependent spouse or child, the system will not permit a new Form DS–2019 to be created as long as the primary's SEVIS record is validated in initial or active status. See 9 FAM 402.5–6(D)(1) (U), The Basic Form, available at <https://fam.state.gov/FAM/09FAM/09FAM040205.html> (last visited Mar. 20, 2025). While applicants must still present a paper Form DS–2019 to DOS in order to qualify for a visa, the SEVIS record is the definitive record of student or exchange visitor status and visa eligibility. See 9 FAM 402.5–4(B) (U), Student and Exchange Visitor Information System (SEVIS) Record is Definitive Record, available at <https://fam.state.gov/FAM/09FAM/09FAM040205.html> (last visited Mar. 20, 2025).

⁴⁶ See 22 CFR part 62. These programs vary in length. For example, professors and research scholars are generally authorized to participate in the Exchange Visitor Program for the length of time necessary to complete the program, provided such

Continued

³¹ See 46 FR 7267 (Jan. 23, 1981).

³² *Id.*

³³ A Designated School Official (DSO) means a regularly employed member of the school administration whose office is located at the school and whose compensation does not come from commissions for recruitment of foreign students See 8 CFR 214.3(l).

³⁴ See 48 FR 14575 (Apr. 5, 1983).

³⁵ See 52 FR 13223 (Apr. 22, 1987).

³⁶ See 56 FR 55608 (Oct. 29, 1991).

³⁷ Form I–20, Certificate of Eligibility for Nonimmigrant Student Status, is the document used by DHS that provides supporting information for the issuance of a student visa. Applicants (including dependents) must have a Form I–20 to apply for a student visa, to enter the United States, and to apply for an employment authorization document to engage in optional practical training. See SEVP's web page, Form I–20, “Certificate of Eligibility for Nonimmigrant Student Status” at https://studyinthestates.dhs.gov/sites/default/files/I-20_Initia.pdf (last visited Mar. 17, 2025).

³⁸ See 56 FR 55608 (Oct. 29, 1991).

³⁹ See 85 FR 60526 (Sept. 25, 2020) and 86 FR 35410 (July 6, 2021).

⁴⁰ See INA 101(a)(15)(J), 8 U.S.C. 1101(a)(15)(J); 22 CFR 62.20–62.32.

⁴¹ See 8 CFR 214.2(j)(1)(ii) (1985).

⁴² See 50 FR 42006 (Oct. 17, 1985).

⁴³ *Id.*

⁴⁴ See 85 FR 60526 (Sept. 25, 2020) and 86 FR 35410 (July 6, 2021).

extend a program, the exchange visitor program sponsor's Responsible Officer (RO),⁴⁷ similar to the DSO in the F-1 student context, is authorized to extend a J exchange visitor's program by issuing a duly executed Form DS-2019.⁴⁸ Requests for extensions beyond the maximum program duration provided in the regulations must be approved by DOS, which adjudicates these extensions. USCIS does not adjudicate these program extensions; however, USCIS does adjudicate applications to extend a J nonimmigrant's stay based on an authorized program extension. As outlined above, consistent with the requirements in IIRIRA and the USA PATRIOT Act, Public Law 107-56, J exchange visitor programs are also monitored using SEVIS.

iii. I Classification

Section 101(a)(15)(I) of the INA defines the I classification as, upon a basis of reciprocity, an alien who is a bona fide representative of foreign press, radio, film, or other foreign information media who seeks to enter the United States solely to engage in such vocation, and the spouse and children of such a representative, if accompanying or following to join him or her. Most nonimmigrant foreign information media representatives (with the exception of those presenting a passport issued by the People's Republic of China) are currently admitted for the duration of their employment. They are not permitted to change their information medium or employer until they obtain permission from USCIS.⁴⁹

From 1973 to 1985, aliens admitted to the United States in I nonimmigrant status were admitted for a period of 1 year with the possibility of extensions.⁵⁰ In 1985, legacy INS amended the regulations to allow nonimmigrant foreign information media representatives to be admitted for the duration of their employment.⁵¹ This change from a set time period of admission to admission for duration of

time does not exceed 5 five years. See 22 CFR 62.20(i)(1). And, alien physicians, are generally limited to 7 years. See 22 CFR 62.27(e)(2).

⁴⁷ A Responsible Officer (RO) is an employee or officer of a sponsor who has been nominated by the sponsor, and approved by the U.S. Department of State, to carry out the duties outlined in 22 CFR 62.11.

⁴⁸ See 22 CFR 62.43. A RO must be a citizen of the United States or a lawful permanent resident of the United States. See 22 CFR 62.2.

⁴⁹ See 8 CFR 214.2(i).

⁵⁰ See 38 FR 35425 (Dec. 28, 1973). See also 50 FR 42006 (Oct. 17, 1985) (indicating that, prior to the publication of this rule, I nonimmigrants were admitted for one year).

⁵¹ See 8 CFR 214.2(i); 50 FR 42006 (Oct. 17, 1985).

employment for I nonimmigrants was implemented as part of a continuing effort to reduce reporting requirements for the public, as well as the paperwork burden associated with processing extension requests on the agency.⁵² Through its administration of the regulations authorizing I nonimmigrants admission for duration of employment, DHS currently admits all I nonimmigrants for D/S with the exception of those presenting a passport issued by the People's Republic of China (other than a Hong Kong Special Administrative Region (SAR) passport or a Macau SAR passport).⁵³ Changes to D/S were proposed for I foreign media representatives in 2020, but the proposal was withdrawn in 2021.⁵⁴

C. Need for Rulemaking

i. Risks to the Integrity of the F, J, and I Nonimmigrant Classifications

DHS welcomes F academic students, J exchange visitors, and I representatives of foreign information media, but it also acknowledges that the sheer size of the population complicates oversight and vetting functions. Since 1980, the number of F nonimmigrant students admitted into the United States has more than sextupled.⁵⁵ Similarly, since D/S was introduced for J and I nonimmigrants in 1985, the number of exchange visitors admitted into the United States has more than quadrupled while the number of representatives of foreign information media has nearly doubled.⁵⁶

The Department uses SEVIS, a web-based system, to maintain information regarding: SEVP-certified schools; F-1 students studying in the United States (and their F-2 dependents); M-1

⁵² *Id.*

⁵³ See 87 FR 61959 (Oct. 13, 2022) and 85 FR 27645 (May 11, 2020).

⁵⁴ See 85 FR 60526 (Sept. 25, 2020) and 86 FR 35410 (July 6, 2021).

⁵⁵ For example, approximately 260,000 F-1 nonimmigrant students were admitted into the United States during the 1980-81 school year. See U.S. Gov't Accountability Off., Controls Over Foreign Students in U.S. Postsecondary Institutions Are Still Ineffective, *supra* note 12, pg. ii. In fiscal year (FY) 2023, 1,625,740 F-1 nonimmigrant students were admitted into the United States. See DHS FY23, Quarter 4, tbl.4B, *supra* note 11.

⁵⁶ In 1985, 110,942 exchange visitors and 16,753 representatives of the foreign information media were admitted into the United States. See U.S. Dept. of Justice, Immigration and Naturalization Service, 1997 U.S. Statistical Yearbook of the Immigration and Naturalization Service, pg. 118, available at <https://archive.org/details/statisticalyearb1997bunit/page/n3/mode/2up> (last visited Mar. 19, 2025). In FY 2023, 481,280 exchange visitors and 32,470 representatives of the foreign information media were admitted into the United States. See DHS FY23, Quarter 4, tbl.4B, *supra* note 11.

students enrolled in vocational programs in the United States (and their M-2 dependents); DOS-designated Exchange Visitor Program sponsors; and J-1 Exchange Visitor Program participants (and their J-2 dependents). SEVIS is necessary for national security and is consistent with the requirements in IIRIRA, the USA PATRIOT Act, and the 9/11 Commission Report.

Employees of educational institutions and program sponsors, specifically DSOs and ROs, play a large role in SEVIS. They are responsible for monitoring students and exchange visitors, accurately entering information about the students' and exchange visitors' activities into SEVIS, and properly determining whether the student or exchange visitor's SEVIS record should remain in active status or change to reflect a change in circumstances.⁵⁷ Under this framework, an academic student or exchange visitor generally maintains lawful status by complying with the conditions of the program, as certified by the DSO or RO. However, a program extension and an extension of an alien's nonimmigrant stay are different. DHS believes it is appropriate for the DSO to recommend an extension of an academic program and an RO to recommend an extension of an exchange visitor program; however, an EOS involves an adjudication of whether an alien is legally eligible to extend his or her stay in the United States in a given immigration status and has been complying with the terms and conditions of his or her admission.⁵⁸ DHS believes that the determinations of program extension and EOS should be separated, with the DSO's and RO's recommendation being one factor an immigration officer reviews while adjudicating an application for EOS. Changing to a fixed period of admission would give immigration officers a mechanism to make this evaluation at reasonably frequent intervals.

Additionally, DHS expects this change would deter and prevent fraud, as a requirement to check-in directly with an immigration officer is inherently likely to deter exploitation of perceived vulnerabilities in the F and J nonimmigrant classifications. The same benefits of direct evaluation, better recordkeeping, and fraud prevention also would apply to the I population.

⁵⁷ See 8 CFR 214.3(g)(1), (g)(2) (detailing a DSO's reporting requirements); 214.4(a)(2) (stating that failure to comply with reporting requirements may result in loss of SEVP certification).

⁵⁸ See 8 CFR 214.1(a)(3).

ii. Risks Within the F Classification

While the F program can provide significant benefits to academic institutions and local communities, the Department is aware that the F–1 program is subject to fraud, exploitation, and abuse. Since 2008, multiple school owners and others have been criminally prosecuted for “pay-to-stay” fraud, in which school officials, in return for cash payments, falsely report that F–1 students who do not attend school are maintaining their student status.⁵⁹ In some cases, convicted school owners operated multiple schools and transferred students among them to conceal the fraud.⁶⁰ DHS is also concerned that DSOs at these schools were complicit in these abuses; some DSOs intentionally recorded a student’s status inaccurately,⁶¹ some issued

program extensions to students who did not have compelling medical or academic reasons for failing to complete their program by its end date,⁶² and some DSOs permitted students who failed to maintain status to transfer to another school rather than apply for reinstatement.⁶³ Beyond cases publicly identified by DHS and the U.S. Department of Justice (DOJ), DHS is concerned about cases where DSOs were not aware of status violations by students.

Apart from concerns about DSOs and school owners involved in fraudulent schemes, DHS also has concerns about the actions of the aliens themselves. Some aliens have used the F classification to reside in the United States for decades by continuously enrolling in or transferring between schools, a practice facilitated by the D/S framework.⁶⁴ DHS has identified over 2,100 aliens who first entered as F–1

students between 2000 and 2010 and remain in active F–1 status as of April 6, 2025.⁶⁵ To extend their stay, these aliens enrolled in consecutive educational programs, they transferred to new schools, or DSOs repeatedly extended their program end dates. This practice is not limited to any one particular type of school; students at community or junior colleges, universities, and language training schools have maintained F–1 status for lengthy periods. While these instances of extended stay may not always result in technical violations of the law, DHS is concerned that such stays violate the spirit of the law, given that student status is meant to be temporary, with the alien having no intention of abandoning their residence in a foreign country, and for the primary purpose of studying, not as a way to remain in the United States indefinitely.⁶⁶

The use of the F classification to remain in the United States for decades raises doubts that the alien’s intention was to stay in the United States temporarily, as required by the INA.⁶⁷ It also raises concerns as to whether those aliens are bona fide nonimmigrant students who are maintaining valid lawful status by complying with the terms of their admission, which include solely pursuing a full course of study and progressing to completing a course of study. Likewise, it raises concerns as to whether these aliens truly have the financial resources to cover tuition and living expenses without engaging in unauthorized employment.

Further, while some school owners and school executives have faced legal consequences for their violation of the law, nonimmigrants admitted for D/S generally do not accrue unlawful presence for purposes of the 3- and 10-year bars described in INA 212(a)(9)(B) and (C), 8 U.S.C. 1182(a)(9)(B) and (C), unless an immigration officer finds they have violated their status in the context of adjudicating an immigration benefit request, or an immigration judge orders them excluded, deported, or removed.⁶⁸ Because F–1 nonimmigrant students are admitted for D/S, they generally do not file applications or petitions, such as EOS applications, with USCIS, and

⁵⁹ Press Release, U.S. Dep’t of Justice, Operator of English language schools charged in massive student visa fraud scheme (Apr. 9, 2008), available at <https://www.justice.gov/archive/usao/cac/Pressroom/pr2008/038.html> (last visited Mar. 20, 2025); Press Release, U.S. Dep’t of Justice, Owner/Operator and employee of Miami-based school sentenced for immigration-related fraud (Aug. 30, 2010), available at <https://www.justice.gov/archive/usao/fls/PressReleases/2010/100830-02.html> (last visited Apr. 8, 2025); Press Release, Immig. and Customs Enf’t, Pastor sentenced to 1 year for visa fraud, ordered to forfeit building housing former religious school (June 13, 2011), available at <https://www.ice.gov/news/releases/pastor-sentenced-1-year-visa-fraud-ordered-forfeit-building-housing-former-religious> (last visited Mar. 20, 2025); Press Release, U.S. Dep’t of Justice, School Official Admits Visa Fraud (Mar. 12, 2012), available at https://www.justice.gov/archive/usao/pae/News/2012/Mar/tkhir_release.htm (last visited Apr. 8, 2025); Press Release, Immig. and Customs Enf’t, Owner of Georgia English language school sentenced for immigration fraud (May 7, 2014), available at <https://www.ice.gov/news/releases/owner-georgia-english-language-school-sentenced-immigration-fraud> (last visited Mar. 20, 2025); Press Release, Immig. and Customs Enf’t, 3 senior executives of for-profit schools plead guilty to student visa, financial aid fraud (Apr. 30, 2015), available at <https://www.ice.gov/news/releases/3-senior-executives-profit-schools-plead-guilty-student-visa-financial-aid-fraud> (last visited Mar. 20, 2025); Press Release, Immig. and Customs Enf’t, Owner of schools that illegally allowed foreign nationals to remain in US as “students” sentenced to 15 months in federal prison (Apr. 19, 2018), available at <https://www.ice.gov/news/releases/owner-schools-illegally-allowed-foreign-nationals-remain-us-students-sentenced-15> (last visited Mar. 20, 2025).

⁶⁰ Press Release, Immig. and Customs Enf’t, 3 senior executives of for-profit schools plead guilty to student visa, financial aid fraud, *supra* note 59.

⁶¹ Former DSO Official Found Guilty of Visa Fraud, (May 20, 2019), available at <https://www.goffwilson.com/Blawg-entries/2019/former-DSO-Official-Guilty-of-Visa-Fraud.aspx> (last visited Mar. 20, 2025); ImmigrationReform.com, U.S. Removes 4,600 Fraudulent OPT Participants from the Program, (July 14, 2020), available at <https://www.immigrationreform.com/2020/7/2014/OPT-fraud-dhs-crackdown-immigrationreform-com> (last visited Mar. 25, 2025); Press Release, U.S. Dep’t of Justice, Operator of English language schools charged in massive student visa fraud scheme, *supra* note 59; Press Release, U.S. Dep’t of Justice,

Owner/Operator and employee of Miami-based school sentenced for immigration-related fraud, *supra* note 59; Press Release, Immig. and Customs Enf’t, Pastor sentenced to 1 year for visa fraud, ordered to forfeit building housing former religious school, *supra* note 59; Press Release, U.S. Dep’t of Justice, School Official Admits Visa Fraud, *supra* note 59; Press Release, Immig. and Customs Enf’t, Owner of Georgia English language school sentenced for immigration fraud, *supra* note 59; Press Release, Immig. and Customs Enf’t, 3 senior executives of for-profit schools plead guilty to student visa, financial aid fraud, *supra* note 59; Press Release, Immig. and Customs Enf’t, Owner of schools that illegally allowed foreign nationals to remain in U.S. as “students” sentenced to 15 months in federal prison, *supra* note 59.

⁶² For example, DHS identified a nonimmigrant who was an F–1 student at a dance school from 1991–2021. Although the reported normal length of the dance program is 5 years, the school issued 17 program extensions between 2003 (when the use of SEVIS was mandated) and 2020, claiming that the student needed more time despite nearly 30 years of enrollment. The student subsequently transferred to an English language training program at another school with a program start date in November 2022, despite more than 30 years in the United States as an F–1 student. The student remains in active F–1 status reportedly studying English as of May 7, 2025. Another student who was enrolled at the same school from 2009 to 2020 and had been an F–1 student since 2005, was granted 14 program extensions. DHS also identified three F–1 students in doctoral programs that have taken over 20 years to complete their programs, and five F–1 students at community colleges have been enrolled in associate degree programs for periods in excess of 5 years—some for as long as a decade. Student Exchange Visitor Program analysis of data in the Student Exchange Visitor Information System and valid as of May 7, 2025.

⁶³ Press Release, Immig. and Customs Enf’t, 3 senior executives of for-profit schools plead guilty to student visa, financial aid fraud, *supra* note 59.

⁶⁴ Monitoring F–1 students on post-completion OPT can be even more complicated because the students are no longer attending classes. See U.S. Gov’t Accountability Off., GAO–14–356, Student and Exchange Visitor Program, DHS Needs to Assess Risks and Strengthen Oversight of Foreign Students with Employment Authorization, (Feb. 27, 2014), available at <https://www.gao.gov/assets/gao-14-356.pdf> (last visited Apr. 4, 2025).

⁶⁵ Student Exchange Visitor Program analysis of data in the Student Exchange Visitor Information System identifying the number of F–1 active students who began studying between 2000 and 2010, valid as of Apr. 6, 2025.

⁶⁶ See INA section 101(a)(15)(F)(i), 8 U.S.C. 1101(a)(15)(F)(i).

⁶⁷ See INA section 101(a)(15)(F)(i), 8 U.S.C. 1101(a)(15)(F)(i).

⁶⁸ See USCIS Interoffice Memorandum, “Consolidation of Guidance Concerning Unlawful Presence for Purposes of Sections 212(a)(9)(B)(i) and 212(a)(9)(C)(i)(I) of the Act” (May 6, 2009).

therefore, immigration officers do not generally have an opportunity to determine whether they are engaging in F–1 nonimmigrant activities in the United States and maintaining their F–1 nonimmigrant status.

The U.S. Government Accountability Office (GAO) has reported on DHS's concerns about DSOs and nonimmigrant students. In 2019, GAO and ICE published a report identifying fraud risks to SEVP related to managing school recertification and program training. The report included vulnerabilities associated with involving school owners and DSOs in overseeing the maintenance of status of F–1 students.⁶⁹ In the report, GAO identified fraud vulnerabilities on the part of both students and schools. Examples include students claiming to maintain status when they are not, such as failing to attend class or working without appropriate authorization, or school owners not requiring enrolled students to attend classes or creating fraudulent documentation for students who are ineligible for the academic program. GAO recommended that ICE develop a fraud risk profile and use data analytics to identify potential fraud indicators in schools petitioning for certification, develop and implement fraud training for DSOs, and strengthen background checks for DSOs.⁷⁰

DHS believes it can mitigate fraud risks in part through, as this rule

proposes, setting the authorized admission and extension periods for F nonimmigrants as the length of the F nonimmigrant's specific program, not to exceed a 4-year period. It would establish a mechanism for immigration officers to assess these nonimmigrants at defined periods (such as when applying for an EOS in the United States beyond a 4-year admission period) and determine whether they are complying with the conditions of their classification. Immigration officers receive background checks, clearances, and training before DHS authorizes them to implement the nation's immigration laws, which includes as part of adjudicating the application, whether nonimmigrants meet the requirements to extend their stay, whether a student has violated his or her nonimmigrant status without the DSO's awareness or whether DSOs are engaging in fraud by not requiring students to attend classes or by falsifying documents. Immigration officers are further trained to assess applications for fraud indicators and conduct reviews and vetting that may assist in the detection of fraud or abuse. This would allow further opportunity for DHS to identify and hold accountable aliens who violate their F–1 status, as well as their educational institutions. DHS currently employs out-of-cycle reviews and recertification of SEVP-certified schools outlined in 8 CFR 214.3(h) to ensure the school's compliance with regulatory recordkeeping and reporting requirements. DHS may also conduct on-site reviews of schools at any time, which may lead to withdrawal of SEVP certification upon findings of noncompliance or regulatory violations. Under the current D/S framework, DHS might not detect an individual F–1 status violation for an extended period if the student stays enrolled in a school, does not seek readmission to the United States, and does not apply for additional immigration benefits. If DHS makes periodic assessments to verify that F–1 students are maintaining their student status, DHS could better detect and mitigate against these violations as well as violations by their school.⁷¹ The proposed rule creates opportunities for this scrutiny if these nonimmigrants wish to remain beyond their fixed period of admission. This may also have the effect of deterring individuals who

would otherwise seek to come to the United States and engage in some of the behaviors discussed above, believing they would be able to do so undetected for long periods of time. DHS believes this is a more appropriate way to maintain the integrity of the U.S. immigration system. Additionally, the Department believes the proposed changes would allow immigration officers to directly verify, among other things, that students applying for an EOS: have the funds needed to live and study in the United States without engaging in unauthorized work; are maintaining a residence abroad to which they intend to return; have pursued and are pursuing a full course of study; and are completing their studies within the 4 year generally applicable timeframe relating to their post-secondary education programs in the United States or are able to provide a permissible explanation for taking a longer period of time to complete the program.

Finally, the D/S framework, because it reduces opportunities for direct vetting of foreign academic students by immigration officers, creates opportunities for foreign adversaries to exploit the F–1 program and undermine U.S. national security. An open education environment in the United States offers enormous benefits, but it also places research universities and the nation at risk for economic, academic, or military espionage by foreign students. Foreign adversaries are using progressively sophisticated and resourceful methods to exploit the U.S. educational environment, including well-documented cases of espionage through the student program.⁷²

⁶⁹ In a 2019 report, GAO was asked to review potential vulnerabilities to fraud in the Student and Exchange Visitor Program. GAO examined, among other things, the extent to which ICE (1) implemented controls to address fraud risks in the school certification and recertification processes and (2) implemented fraud risk controls related to DSO training. See U.S. Gov't Accountability Off., GAO–19–297, *DHS Can Take Additional Steps to Manage Fraud Risks Related to School Recertification and Program Oversight* (Mar 18, 2019), available at <https://www.gao.gov/assets/700/697630.pdf> (last visited Apr. 3, 2025); U.S. Gov't Accountability Off., GAO–11–411, *Overstay Enforcement: Additional Mechanisms for Collecting, Assessing, and Sharing Data Could Strengthen DHS's Efforts but Would Have Costs* (Apr. 15, 2011), available at <https://www.gao.gov/assets/320/317762.pdf> (last visited Apr. 4, 2025); and U.S. Gov't Accountability Off., GAO–12–572, *Student and Exchange Visitor Program: DHS Needs to Assess Risks and Strengthen Oversight Functions* (June 18, 2012), available at <https://www.gao.gov/assets/600/591668.pdf> (last visited Apr. 4, 2025).

⁷⁰ Since publishing its 2019 report, GAO has updated its website to include comments to the Recommendations for Executive Action included therein. ICE has taken steps to implement the report's recommendations, including making a public announcement regarding changing the timeline for the recertification notification process for schools. See U.S. Gov't Accountability Off., *Student and Exchange Visitor Program: DHS Can Take Additional Steps to Manage Fraud Risks Related to School Recertification and Program Oversight, RECOMMENDATIONS*, (Mar. 18, 2019), available at https://www.gao.gov/products/GAO-19-297?mobile_opt_out=1#summary_recommend (last visited Mar. 11, 2025).

⁷¹ For example, SEVP may withdraw a school's certification or deny a school's recertification if a DSO willfully issues a false statement, including wrongful certification of a statement by signature, in connection with a student's school transfer or application for employment or practical training. See 8 CFR 214.4(a)(2)(v).

⁷² In January of 2023, Ji Chaoqun, a Chinese national who came to the United States to study electrical engineering at the Illinois Institute of Technology in 2013, was sentenced to 8 years for spying for the Chinese government. See CNN Politics, *Chinese engineer sentenced to 8 years in U.S. prison for spying* (Jan. 25, 2023), available at <https://www.cnn.com/2023/01/25/politics/chinese-engineer-sentence-spying-intl-hnk/index.html> (last visited Apr. 9, 2025). In Dec. 2019, Wei Yun (Kelly) Huang, the owner of Findream and Sinocontech, pleaded guilty to conspiracy to commit visa fraud in the U.S. District Court for the Northern District of Illinois in Chicago. In return for payments, Findream listed aliens as OPT workers, providing them with what appeared to be legal status. The FBI charged one of those aliens with spying. See Kelly Huang Criminal Complaint (Mar. 28, 2019), available at <https://media.nbcbayarea.com/2019/09/KellyHuangCriminalComplaint.pdf> (last visited Apr. 2, 2025). Huang was sentenced to 37 months in federal prison for conspiracy to commit visa fraud. Press Release, U.S. Dep't of Justice, *Chinese Business Woman Sentenced to 37 Months in Federal Prison for Conspiracy to Commit Visa Fraud* (June 26, 2020), available at <https://www.justice.gov/usao-ndil/pr/chinese-businesswoman-sentenced-37-months-federal-prison-conspiracy-commit-visa-fraud> (last visited

Detecting and deterring emerging threats to U.S. national security posed by adversaries exploiting the F–1 program requires additional oversight. In 2022, in response to a Congressional inquiry, GAO investigated and made recommendations that ICE modify the SEVIS system to include factors that potentially indicate which foreign students or scholars may pose more risk of transferring technology at U.S. universities.⁷³

DHS believes that replacing admissions for D/S for F–1 students with admission for a fixed time period would help mitigate these national security risks by ensuring an immigration official directly and periodically vets applicants for extensions of stay and, in so doing, confirms they are engaged only in activities consistent with their student status. F–1 nonimmigrants applying for EOS will also be required to establish they are admissible, and failure to do so will result in denial of the EOS. Admissibility grounds are complex and are properly assessed by a trained DHS officer. Such an assessment is not currently made when F–1 nonimmigrants apply for an extension of their program with their institution.⁷⁴

Apr. 2, 2025). This vulnerability presented in the nonimmigrant student classification has been highlighted by the FBI. In a 2018 hearing before the Senate Intelligence Committee, the FBI Director testified about the threat from China, noting “that the use of nontraditional collectors, especially in the academic setting, whether it’s professors, scientists, students, we see in almost every field office that the FBI has around the country. It’s not just in major cities. It’s in small ones as well. It’s across basically every discipline. I think the level of naiveté on the part of the academic sector about this creates its own issues. They’re exploiting the very open research and development environment that we have, which we all revere, but they’re taking advantage of it. So, one of the things we’re trying to do is view the China threat as not just a whole of government threat, but a whole of society threat on their end. I think it’s going to take a whole of society response by us. So, it’s not just the intelligence community, but it’s raising awareness within our academic sector, within our private sector, as part of the defense.” See Senate Select Committee on Intelligence Hearing (Feb. 13, 2018), transcript available at <https://www.intelligence.senate.gov/hearings/open-hearing-worldwide-threats> (last visited Apr. 1, 2025); see also *Foreign Threats to Taxpayer—Funded Research: Oversight Opportunities and Policy Solutions: Hearing before the Senate Finance Committee* (June 5, 2019) (Statement of Louis A. Rodi III), available at <https://www.finance.senate.gov/imo/media/doc/05JUN2019RodiSMNT.pdf> (last visited Apr. 2, 2025). DSOs are not trained immigration officers nor are they in a position to make such determinations.

⁷³ See U.S. Gov’t Accountability Off., GAO 23–106114, *China, Efforts Underway to Address Technology Transfer Risk at U.S. Universities, but ICE Could Improve Related Data* (Nov. 2022), available at <https://www.gao.gov/assets/gao-23-106114.pdf> (last visited Apr. 3, 2025).

⁷⁴ In addition, DSOs may be unaware of a student’s failure to maintain status, including by

Significantly, under the proposed changes to the period of admission of F nonimmigrants and the applicable EOS process, DHS would collect biometrics and other information (such as evidence of financial resources to cover expenses and evidence of any criminal activity) from F nonimmigrant students more frequently, thereby enhancing the Government’s oversight and monitoring of these aliens.

iii. Risks Within the J Classification

DHS believes that the national security risks posed by D/S admissions for individuals admitted under the J classification are similar to those posed by the F classification.⁷⁵ According to a December 2018 report by a panel of experts commissioned by the National Institutes of Health (NIH) to study foreign influence on federally-funded scientific research, “Small numbers of scientists have committed serious violations of NIH policies and systems by not disclosing foreign support (*i.e.*, grants), laboratories, or funded faculty positions in other countries.”⁷⁶ As with F nonimmigrants, setting the length of the J nonimmigrant’s specific program to not exceed a 4-year period would establish a mechanism for immigration officers to assess these nonimmigrants at defined periods (such as when applying for an EOS in the United States beyond a 4-year admission period) and determine whether they are complying with the conditions of their classification. This will increase vetting of the J nonimmigrant population, which can help to prevent and deter nefarious actors.

There are multiple examples of ongoing national security threats posed by J nonimmigrants. For example, in

engaging in criminal activity, nor do they have the authority or ability to acquire such information. Admitting F–1 nonimmigrants for a fixed period of admission would provide trained immigration officers with the opportunity to vet these individuals.

⁷⁵ In its 2019 Report to Congress, the U.S.-China Economic and Security Review Commission, the Commission described the U.S. Government’s efforts to curb China’s extensive influence and espionage activities in academic and commercial settings. The Commission noted that these efforts took the form of visa restrictions for Chinese nationals, greater scrutiny of federal funding awarded to universities, legal action against those suspected of theft or espionage, and new legislation. See U.S.-China Economic and Security Review Commission, 2019 Annual Report to Congress (Nov. 2019), available at <https://www.uscc.gov/annual-report/2019-annual-report> (last visited Mar. 20, 2025).

⁷⁶ See U.S. National Institutes of Health Advisory Committee to the Director (ACD), ACD Working Group for Foreign Influences on Research Integrity (Dec. 2018) (discussing measures to address concerns about foreign influences related to graduate students and post-doctoral fellows, as well as foreign employees).

September 2019, a stark illustration of state-sponsored efforts to illegally obtain U.S. technology emerged when the FBI charged Chinese government official Zhongsan Liu with conspiracy to fraudulently procure U.S. research scholar visas for Chinese officials whose actual purpose was to recruit U.S. scientists for high technology development programs within China.⁷⁷ Liu was convicted of participating in conspiracy to defraud the United States and fraudulently obtain U.S. visas.⁷⁸

Additionally, in December 2019, Zaosong Zheng, a 29-year-old graduate student in J–1 status participating in an exchange visitor program at Harvard University, was stopped at Boston Logan International Airport. Federal agents determined he was a “high risk for possibly exporting undeclared biological material” after finding 21 vials of brown liquid wrapped in a plastic bag inside a sock in his checked luggage; typed and handwritten notes indicated “that [the exchange visitor] . . . was knowingly gathering and collecting intellectual property . . . possibly on behalf of the Chinese government.”⁷⁹ Zheng was indicted on one count of smuggling goods from the United States and one count of making false, fictitious or fraudulent statements.

In January 2020, Yanqing Ye, was charged with one count each of visa fraud, making false statements, acting as an agent of a foreign government and conspiracy after Ye falsely identified herself on her J–1 visa application as a

⁷⁷ Press Release, U.S. Dep’t of Justice, Chinese Government Employee Charged in Manhattan Federal Court with Participating in Conspiracy to Fraudulently Obtain U.S. Visas (Sept. 16, 2019), available at <https://www.justice.gov/archives/opa/pr/chinese-government-employee-charged-manhattan-federal-court-participating-conspiracy> (last visited Apr. 2, 2025).

⁷⁸ See Press Release, U.S. Dep’t of Justice, Chinese Government Employee Convicted of Participating in Conspiracy to Defraud the United States and Fraudulently Obtain U.S. Visas (Mar. 23, 2022), available at <https://www.justice.gov/usao-sdny/pr/chinese-government-employee-convicted-participating-conspiracy-defraud-united-states> (last visited Apr. 1, 2025).

⁷⁹ See Boston Herald, China may be behind theft of bio samples by Harvard-sponsored Chinese student, fed says (Dec. 30, 2019), available at <https://www.bostonherald.com/2019/12/30/peoples-republic-of-china-may-be-behind-theft-of-bio-samples-by-harvard-sponsored-chinese-student-feds-say/> (last visited Mar. 20, 2025); see also The Daily Beast, China Might Be Behind Harvard Student’s Theft of Cancer Research, Feds Claim (Dec. 31, 2019), available at <https://www.thedailybeast.com/china-might-be-behind-harvard-student-zaosong-zheng-s-theft-of-cancer-research-feds-claim> (last visited Mar. 20, 2025); Press Release, U.S. Dep’t of Justice, Harvard University Professor and Two Chinese Nationals Charged in Three Separate China Related Cases (Jan. 28, 2020), available at <https://www.justice.gov/archives/opa/pr/harvard-university-professor-and-two-chinese-nationals-charged-three-separate-china-related> (last visited Mar. 28, 2025).

“student” and lied about her ongoing military service at a top military academy directed by the Chinese Communist Party. It was further alleged that while studying at Boston University’s Department of Physics, Chemistry, and Biomedical Engineering, Ye continued to work as a People’s Liberation Army (PLA) Lieutenant completing numerous assignments from PLA officers such as conducting research, assessing U.S. military websites and sending U.S. documents and information to China.⁸⁰

In June 2020, a Chinese national who entered the United States on a J–1 visa to conduct research at the University of California, San Francisco (UCSF) was arrested at Los Angeles International Airport while attempting to return to China and charged with visa fraud. According to court documents, he allegedly is an officer with the PRC PLA and provided fraudulent information about his military service in his visa application. He allegedly was instructed by his military lab supervisor to bring back to China information about the lab at UCSF.⁸¹

In 2025, J–1 Chinese Research Scholar at the University of Michigan was charged in a criminal complaint for conspiracy, smuggling goods into the United States, false statements, and visa fraud. The FBI arrested the exchange visitor for allegedly smuggling a noxious fungus which is responsible for billions of dollars in economic losses worldwide each year and causes health problems for both humans and livestock. The J–1 allegedly received Chinese government funding for her work on this pathogen and is a loyal member of the Chinese Communist Party.⁸²

Exchange visitor program categories include college and university students, which share similarities with the F–1 nonimmigrant classification. Students enrolled in such programs are pursuing post-secondary studies alongside F–1 nonimmigrants. J–1 college and university students in a degree program

may be authorized to participate in the exchange visitor program so long as they meet the requirements for duration of participation, including pursuing a full course of study, echoing the full course of study requirements for F–1 nonimmigrants. Their programs may also be extended by the ROs, subject to regulation and/or approval by DOS, without an application to DHS. These similarities give rise to the same concerns related to F–1s about national security, as described above, and about fraud and abuse by J–1s and their ROs. By requiring the same fixed period of admission for F–1s and J–1s, J–1 college and university students in exchange visitor programs would be unable to circumvent the intent of this proposed rule,⁸³ which is to protect the integrity of these programs and provide additional protections and mechanisms for oversight. Because J exchange visitors are also tracked in SEVIS, DHS believes it would be more effective for an immigration officer to periodically confirm that an alien has properly maintained status, rather than relying on the checks of an RO that the J–1 is pursuing the activities permitted by the exchange visitor program. As noted above, DHS believes it is more appropriate for immigration officers, with their background checks, clearances, and training from the U.S. government, to adjudicate maintenance of nonimmigrant status and whether an alien is eligible for an additional admission period. Switching from D/S to a fixed period of admission would permit immigration officers the opportunity to determine whether an alien is eligible for an additional period of time. If an officer finds a violation of status while adjudicating the alien’s request, the consequences could be immediate. Applicants for EOS must also establish that they are admissible, and failure to do so will result in denial of the EOS.⁸⁴ Admissibility grounds are complex and are properly assessed by a trained DHS officer. Such an assessment is not currently made when J exchange visitors apply for an extension of their program with their RO.⁸⁵ Thus, admitting J exchange visitors for a fixed period, instead of for D/S, would give DHS more frequent opportunities to directly vet these foreign visitors and

ensure they are bona fide exchange visitors and it would prevent and deter nefarious actors within the J exchange visitor population. Under the proposed changes to the period of admission of J exchange visitors and the applicable EOS process, DHS would more frequently collect biometrics and other information from J exchange visitors, enhancing the Government’s oversight and monitoring of these aliens.

iv. Risks Within the I Classification

Admitting most I nonimmigrants for D/S affords them different treatment from most other nonimmigrants, who are admitted for a specified period of time. The Department believes admitting aliens temporarily in the United States for a fixed period would strengthen vetting and information collection and help immigration officers ensure that the I nonimmigrants are, and will be, engaged in activities that are permissible under INA 101(a)(15)(I). In addition, this rulemaking proposes to require individuals who wish to remain in I nonimmigrant status beyond the end date for their authorized stay to apply for an EOS with USCIS, at which point immigration officers can review their activities in the United States. It also clarifies what DHS would require these individuals to present as evidence supporting their EOS request.⁸⁶

V. Discussion of the Proposed Rule

All persons arriving at a POE to the United States must be inspected by a U.S. Customs and Border Protection (CBP) officer and must apply for admission into the United States with CBP.⁸⁷ In the case of an alien, a CBP officer determines whether an alien is eligible for admission and, if they are, issues the I–94, Arrival/Departure Record with the nonimmigrant classification and period of admission.⁸⁸ For the vast majority of aliens, their I–94 includes a specific date through which their status is valid; they must depart the United States on or before

⁸⁰ Press Release, U.S. Dep’t of Justice, Harvard University Professor and Two Chinese Nationals Charged in Three Separate China Related Cases, *supra* note 79.

⁸¹ See Press Release, U.S. Dep’t of Justice, Officer of China’s People’s Liberation Army Arrested At Los Angeles International Airport (June 11, 2020), available at <https://www.justice.gov/usao-ndca/pr/officer-china-s-people-s-liberation-army-arrested-los-angeles-international-airport> (last visited Mar. 20, 2025).

⁸² See Press Release, U.S. Dep’t of Justice, Chinese Nationals Charged with Conspiracy and Smuggling a Dangerous Biological Pathogen into the U.S. for their Work at a University of Michigan Laboratory (June 3, 2025), available at <https://www.justice.gov/usao-edmi/pr/chinese-nationals-charged-conspiracy-and-smuggling-dangerous-biological-pathogen-us>.

⁸³ References to “this proposed rule” and “this proposed rulemaking” throughout this document refer to the rulemaking being proposed within this NPRM.

⁸⁴ See 8 CFR 214.1(a)(3).

⁸⁵ ROs may be unaware of a student’s failure to maintain status, including by engaging in criminal activity. Admitting J–1s for a fixed period of admission would provide trained DHS officers with the opportunity to vet these individuals.

⁸⁶ These proposed changes, including additional evidence relating to foreign media organizations and activities the alien intends to engage in while in I status, would also apply to a nonimmigrant in the United States who requests to change his/her nonimmigrant status to that of an I nonimmigrant.

⁸⁷ See INA sec. 235, 8 U.S.C. 1225; *see also*, 8 CFR pt. 235.

⁸⁸ The I–94 is used by the U.S. Government to track arrivals and departures of nonimmigrants. Originally the form was designed in two parts—one for the Government and one for the nonimmigrant. The second part would be stapled into the nonimmigrant’s passport and then removed upon departure. The form is now maintained electronically and can be accessed by nonimmigrants by downloading it from the CBP website. See <https://i94.cbp.dhs.gov/> (last visited Apr. 10, 2025).

that date. An alien who wishes to lawfully remain in the United States in the same status past that date generally must apply for an EOS with USCIS.

However, certain nonimmigrant classifications, including F academic students, J exchange visitors, and I representatives of foreign information media, and their dependents, may be admitted into the United States for D/S instead of a period of time with a specific departure date. DHS is proposing changes to the admission provisions for these particular nonimmigrant classifications, including replacing admissions for “duration of status” with a fixed admission period. This would enable immigration officers to independently and directly verify the continued eligibility of foreign visitors in F, J, or I nonimmigrant status. It would also require aliens who fall under certain criteria to apply more frequently for additional admission periods.

A goal of this proposed rule is to institute policies that would encourage aliens to maintain lawful status and reduce instances in which F, J, and I nonimmigrants unlawfully remain in the United States after their program, practical training, or activities or assignments consistent with the I classification ends. Aliens who remain in the United States beyond a fixed time period generally would begin accruing unlawful presence. Unlawful presence in the United States may result in an alien becoming inadmissible upon departing the United States. *See* INA 212(a); 8 U.S.C. 1182(a). As a result of this inadmissibility, the alien may become ineligible for a nonimmigrant or immigrant visa, admission to the United States, or benefits for which admissibility is required, such as adjustment of status to that of a lawful permanent resident. *See* INA 212(a), 8 U.S.C. 1182(a); INA 245(a), 8 U.S.C. 1255(a).

A. General Period of Admission for F and J Nonimmigrants

Under this proposal, aliens applying for admission in either F or J status who, under this proposal, would be eligible to be admitted for a maximum period of 4 years or the length of program as specified on Form I–20 or DS–2019, whichever is shorter, or the end date of the approved employment authorization for post-completion OPT and Science Technology Engineering and Mathematics (STEM) OPT, as applicable, plus additional 30 day periods for arrival and a 30-day period to prepare for departure or to otherwise seek to obtain lawful authorization to remain in the United States. *See*

proposed 8 CFR 214.1(a)(4)(i) through (iii); and 8 CFR 214.2(f)(5) and (j)(1)(ii).

In this proposal, DHS addresses the following circumstances that might apply when F and J nonimmigrants apply for admission at a POE:

- Aliens who departed the United States, including those seeking admission before their timely filed EOS application has been adjudicated, but after their previously authorized period of stay has expired, could be eligible to be admitted for the length of time required to reach the program end date noted in their most recent Form I–20 or DS–2019, not to exceed 4 years, plus a period of 30 days to prepare for departure or to otherwise seek to obtain lawful authorization to remain in the United States, similar to an initial period of admission. *See* proposed 8 CFR 214.1(a)(4)(i)(A) and (ii)(A). USCIS would consider the alien’s EOS application abandoned because the alien’s new fixed date of admission based on the most recent I–20 or DS–2019 had already been determined by CBP upon the most recent admission to the United States, and thus the pending EOS application is extraneous. *See* proposed 8 CFR 214.1(c)(8).

- Aliens who departed the United States and are applying for admission before their timely filed EOS application has been adjudicated, but before their previously authorized period of stay has expired, could be eligible to be admitted either for:

- The length of time as indicated by the program end date noted in their most recent Form I–20 or DS–2019, not to exceed 4 years, plus a period of 30 days to prepare for departure or to otherwise seek to obtain lawful authorization to remain in the United States, similar to an initial period of admission. If the alien is admitted for the program length (not to exceed 4 years, as applicable), USCIS would consider the alien’s EOS application abandoned because the alien’s new fixed date of admission based on the most recent I–20 or DS–2019 had already been determined by CBP upon the most recent admission to the United States, and thus the pending EOS application is extraneous; or

- The period of time remaining on their previously authorized period of admission. CBP could admit the alien for a period of time not to exceed the unexpired period of stay that was authorized before the alien’s departure, plus a period of 30 days to prepare for departure or to otherwise seek to obtain lawful authorization to remain in the United States. In this scenario, in accordance with proposed 8 CFR 214.1(c)(8), an alien’s EOS application

would not be considered abandoned and USCIS could grant a new period of stay upon subsequent adjudication of the EOS application. *See* proposed 8 CFR 214.1(a)(4)(i) and (a)(4)(ii).

DHS is providing additional clarification here in this preamble that in order to facilitate admission in this scenario, aliens should be prepared to provide evidence of a timely filed extension in the form of a receipt notice issued by DHS for either instance detailed above.

- Aliens who departed the United States after timely filing an EOS application and are reapplying for admission after their EOS application is granted. In such cases, CBP could admit them for a period of time not to exceed the time authorized by their approved EOS, plus a period of 30 days to prepare for departure or to otherwise seek to obtain lawful authorization to remain in the United States. *See* proposed 8 CFR 214.1(a)(4)(i)(C) and (a)(4)(ii)(C). When applying for admission at a POE while their application for employment authorization is pending, they should have a notice (currently Form I–797) issued by USCIS indicating receipt of the application for employment authorization (currently Form I–765) necessary for post-completion OPT or STEM OPT. *See* proposed 8 CFR 214.1(a)(4)(iii).

- Aliens who departed the United States without an approved EOS application and are applying for admission with a valid Form I–20 or Form DS–2019, or successor form, may be admitted for the length of time as indicated by the program end date noted in their Form I–20 or DS–2019, not to exceed 4 years, plus a period of 30 days to prepare for departure or to otherwise seek to obtain lawful authorization to remain in the United States. *See* proposed 8 CFR 214.1(a)(4)(i)(A) and (ii)(A); 8 CFR 214.2(f)(5) and (j)(1)(ii)(A).

- F nonimmigrants applying for admission to engage in post-completion OPT or STEM OPT may, generally, be admitted either up to the expiration date noted on their EAD or up to the DSO’s recommended employment end date for post completion or STEM OPT specified on their Form I–20, whichever is later, plus a 30-day period to prepare for departure or to otherwise seek to obtain lawful authorization to remain in the United States. *See* proposed 8 CFR 214.1(a)(4)(iii); and 8 CFR 214.2(f)(5). When applying for admission at a POE while their application for employment authorization is pending, they should have a notice issued by USCIS indicating receipt of the employment authorization application necessary for

post-completion OPT or STEM OPT (currently Form I-797).

This proposed rule would clarify how the periods of admission will be calculated for F-1 and J-1 nonimmigrants. Specifically, DHS proposes adding wording to 8 CFR 214.2(f)(5)(i), (f)(7)(vi) and (j)(1)(iv)(C) clarifying that the 30-day period before the indicated report date or program start date and 30 additional days following the program end date or 4-year maximum period of admission do not count towards the maximum F-1 and J-1 nonimmigrants are permitted.⁸⁹ The calculation of the 4-year maximum periods of admission would not begin from the date of admission during that 30-day window, but from the program start date. Similarly, the 30-day departure periods for F-1 and J-1 nonimmigrants would not count towards the 4-year maximum period of admission. DHS proposes this to avoid a scenario where an F-1 or J-1 seeks admission 30 days prior to the program start date, is admitted for a maximum 4-year period of admission to complete a 4-year program, but receives a period of admission calculated from the date of entry, meaning that the end of their period of admission would end 30 days prior to their 4-year program end date, thereby requiring the F-1 or J-1 to apply for an EOS or depart and re-enter the United States.

Under this proposed rule, certain aliens applying for admission pursuant to the provisions relating to automatic extension of visa validity in the case of an absence not exceeding 30 days solely in contiguous territory or adjacent islands could be admitted up to the unexpired period of stay authorized prior to their departure and the visa is considered automatically extended to the date of application for readmission only. See proposed 8 CFR 214.1(b)(1); and 22 CFR 41.112(d).

All of these cases assume, consistent with this proposed rule, that the admission period of any F or J nonimmigrant previously admitted for D/S would be transitioned to a fixed date of admission. To provide adequate notice to aliens previously admitted for D/S regarding the date when their admission period ends pursuant to the proposed transition, DHS proposes that an alien's period of admission would expire on the program end date on the alien's Form I-20 or DS-2019 that is valid on the final rule's effective date, not to exceed a period of 4 years from the final rule's effective date, plus the currently permitted additional period of 60 days for F nonimmigrants and 30

days for J nonimmigrants to depart. See proposed 8 CFR 214.1(m)(1). DHS believes that this proposal would provide adequate notice because all students and exchange visitors in F or J nonimmigrant status who wish to extend their program currently need to apply for permission with their DSO or RO. At that time, the DSO or RO could explain that they are recommending a program extension, but the F or J nonimmigrant must apply for an EOS directly with DHS or depart the United States and seek readmission, and such EOS or readmission must be granted to remain lawfully in or to re-enter the United States, respectively. Under current policy, F and J nonimmigrants admitted for D/S do not accrue unlawful presence until the day after USCIS formally finds a nonimmigrant status violation while adjudicating a request for another immigration benefit or on the day after an immigration judge orders the alien excluded, deported, or removed (whether or not the decision is appealed), whichever comes first.⁹⁰ In reliance on this policy, some F and J nonimmigrants admitted for D/S may not have taken the appropriate steps to maintain status, otherwise change status, or depart the United States. This proposed rule is concerned with providing adequate notice to allow F and J nonimmigrants who are maintaining status to transition to a new date-certain admission.

Although some F and J nonimmigrants may have program end dates longer than 4 years, DHS believes that using the program end date on the Form I-20 or DS-2019, up to a maximum 4-year period of admission, as the fixed date of admission is the best option because it aligns with the general structure of post-secondary education while still allowing for the government to have increased oversight of this population through the requirement that those nonimmigrants who wish to remain beyond their authorized period of admission either apply to extend their stay or depart the United States and seek readmission. According to the U.S. Department of Education (ED), students can normally earn a bachelor's degree in 4 years⁹¹ and non-resident

students normally earn their bachelor's degrees within 4 years of entry.⁹² The total number of F-1 students pursuing a bachelor's degree in 2023 was 457,906, constituting almost 34 percent of the 2023 nonimmigrant student population. The total number of F-1 students pursuing a master's degree, generally 2-year programs, in 2023 was 608,857, representing almost 45 percent of the nonimmigrant student population. Taken together this population represents almost 79 percent of the nonimmigrant students in the United States.⁹³ Therefore, DHS believes that a 4-year period of admission would not pose an undue burden to most nonimmigrant students, because many F and J nonimmigrants would complete their studies within a 4-year period and not have to request additional time from DHS. The smaller proportion of students not pursuing a bachelor's or master's degree are enrolled in different programs, which may last more or less than 4 years.⁹⁴ While DHS acknowledges the additional burden that this rule would impose on students engaged in programs lasting longer than 4 years, DHS believes that the benefit to program integrity of this rule would outweigh the burden to this population.

Before arriving at the 4-year admission periods, DHS considered various options. DHS considered a standard 2-year admission for all F and J nonimmigrants. This option would give the Department more frequent direct check-in points with nonimmigrants than a 4-year maximum period of admission would. However, DHS was concerned it would unduly burden many F and J nonimmigrants. As discussed above, 4 years best accounts for the normal progress for most programs. With a 2-year admission period, students and exchange visitors participating in programs of greater duration would need to apply for additional time. Even considering those F or J nonimmigrants who are admitted

mobile/The_Structure_of_American_Education.aspx (last visited Mar. 24, 2025).

⁹² See The Digest of Education Statistics, 2023, Table 326.10: Graduation rate from first institution attended for first-time, full-time bachelor's degree-seeking students at 4-year postsecondary institutions, by race/ethnicity, time to completion, sex, control of institution, and percentage of applications accepted: Selected cohort entry years, 1996 through 2016, available at https://nces.ed.gov/programs/digest/d23/tables/dt23_326.10.asp (last visited Apr. 25, 2025).

⁹³ See The Student and Exchange Visitor Program (SEVP), 2023 SEVIS by the Numbers Report, available at https://www.ice.gov/doclib/sevis/btn/24_0510_hsi_sevp-cy23-sevis-btn.pdf (last visited Apr. 1, 2025).

⁹⁴ Other programs include associate degrees, language training programs, and Ph.D. programs, among others.

⁸⁹ See 8 CFR 214.2(f)(5), (j)(1)(ii).

⁹⁰ See USCIS Interoffice Memorandum, Consolidation of Guidance Concerning Unlawful Presence for Purposes of Sections 212(a)(9)(B)(i) and 212(a)(9)(C)(i)(I) of the Act (May 6, 2009) (which currently applies unlawful presence to F, J, and I nonimmigrants in relation to duration of status but which would change accordingly if, upon finalization of this proposed rule, duration of status no longer applies to them).

⁹¹ See The Mobile Digest of Education Statistics, 2017, The Structure of American Education, available at <https://nces.ed.gov/programs/digest/>

into the U.S. after having already completed a portion of their program outside of the U.S., instituting a 2-year maximum period of stay would have required each nonimmigrant pursuing a 4-year program to extend, while 4 years allows additional time to complete a 4-year degree. This alternative also would place greater administrative burdens on USCIS and CBP compared to the proposed 4-year maximum period of admission. USCIS would have to adjudicate EOS applications more frequently, and CBP's workload would increase as individuals would travel to request admission at the POE, with a 2-year maximum period of stay rather than a 4-year one. Therefore, DHS believes an admission for the program end date, not to exceed 4 years, is the best option.

B. Automatic Extension of Visa Validity at POE for Contiguous Travel

DHS proposes to change the admission language in the provision relating to extension of visa validity in limited situations from “shall” to “may” to clarify that CBP always maintains the discretion to determine whether an alien is admissible and the appropriate period of admission. This change removes any ambiguity about whether CBP has an absolute duty to admit an alien to clarify that CBP has the discretion to admit an alien for a certain period of time, consistent with statutory and regulatory authorities. *See* proposed 8 CFR 214.1(b)(1).

DHS proposes technical revisions to the visa revalidation provisions that allow certain F, J, and M nonimmigrants to apply for admission if eligible for admission as an F, J, or M nonimmigrant if they are applying for admission after an absence from the United States not exceeding 30 days spent solely in contiguous territory or adjacent islands. *See* proposed 8 CFR 214.1(b). Such technical revisions include updating language to clarify that “visa revalidation” refers to automatic extension of visa validity at the POE to the date of application for readmission only. These provisions apply when, for example, a nonimmigrant finds himself or herself applying for re-entry after going to Mexico on spring break without realizing that his or her visa had expired. Instead of having to get a new visa, CBP may admit the nonimmigrant, whose visa validity is automatically extended by operation of DOS regulations. *See* 22 CFR 41.112(d). DHS does not believe it is necessary to require a nonimmigrant to obtain a new visa under these circumstances.

DHS proposes minor technical updates to account for inaccurate or no

longer applicable terms and cites: First, DHS proposes to strike the reference to INA 101(a)(15)(Q)(ii) and reserve it, as that program no longer exists and is no longer in the INA.⁹⁵ *See* proposed 8 CFR 214.1(b)(1)–(3). Second, DHS proposes to strike the reference to “duration of status” in 8 CFR 214.1(b)(1), 214.2(f)(5)(vii), 214.2(f)(18)(iii), and 274a.12(b)(6)(v).

C. Extension of Stay (EOS)

This proposed rule would not create a new form for an EOS application. However, in the future, some form names and numbers may change. While DHS plans to update existing forms allowing F, J, and I nonimmigrants to apply for an EOS with USCIS, DHS believes it would be more efficient to replace references to specific form names and numbers throughout the current proposed regulations with generally applicable language. Using general language in the regulatory text instead of referring to specific form names and numbers helps both the Department and stakeholders. It allows for technical changes without requiring an entirely new rulemaking to update form names. Stakeholders would receive notice and specific guidance on USCIS' website and in the appropriate form instructions, as they already do for various other benefits. Therefore, DHS proposes to use this language in 8 CFR 214.1(c)(2) and to strike the current phrase exempting F and J nonimmigrants from the requirement to file an EOS, as they would be required to file an EOS if they wish to remain in the United States beyond their specified date of admission. *See* proposed 8 CFR 214.1(c)(2).

Like the technical updates to strike the specific form name from 8 CFR 214.1(c)(2), DHS is proposing to strike the references to Forms “I-129” and “I-539” in 8 CFR 214.1(c)(5), replacing those specific form numbers with the aforementioned general language. *See* proposed 8 CFR 214.1(c)(5). The substance of that provision, including the language that does not allow an alien to appeal an EOS denial would remain the same.

DHS proposes striking “other than as provided in 214.2(f)(7)” from 8 CFR 214.1(c)(3)(v) to make it clear that students must apply for an EOS. This requirement would not apply to other nonimmigrants admitted for D/S, such as A-1 or A-2 representatives of foreign governments and their immediate

family members; they would remain ineligible to file an EOS.

As part of the EOS application, USCIS requires biometric collection and will require such collection from F, J, and I nonimmigrants under the proposed rule. USCIS has the general authority to require and collect biometrics from applicants, petitioners, sponsors, beneficiaries, or other individuals residing in the United States for any immigration and naturalization benefit. *See* 8 CFR 103.16. Biometric collection helps USCIS confirm an individual's identity and conduct background and security checks. Further, USCIS may also require any applicant, petitioner, sponsor, beneficiary or individual filing a benefit request, or any group or class of such persons submitting requests to appear for an interview. *See* 8 CFR 103.2(b)(9). USCIS may require such an interview as part of the screening and adjudication process that helps confirm an individual's identity, elicit information to assess the eligibility for an immigration benefit, and screen for any national security or fraud concerns.

Finally, DHS considered how to address the admission of F, J, and I nonimmigrants who timely filed an EOS and/or an application for employment authorization but left the United States before receiving a decision from USCIS. DHS anticipates this scenario would apply mostly to F-1 students applying for post-completion OPT and STEM OPT extensions.

While USCIS generally does not consider an application for EOS abandoned when the nonimmigrant leaves the United States,⁹⁶ DHS recognizes the potential for conflict if a nonimmigrant receives authorization from both CBP and USCIS for what amounts to the same request (a specific period of time to pursue authorized activities). Where an alien in F, J, or I status timely files an application for EOS, leaves the United States before USCIS approves that EOS application, and applies for admission to continue his or her activities for the balance of the previously authorized admission period, USCIS would generally not consider the EOS application abandoned. *See* proposed 8 CFR 214.1(c)(8)(i).

Consistent with the general provision on admission in proposed 8 CFR 214.1(a)(4), where the alien leaves the United States and applies for admission while his or her EOS application is pending and is admitted based on a new

⁹⁵ *See* Irish Peace Process Cultural and Training Program Act of 1998, Public Law 105–319, 112 Stat. 3013 (Oct. 30, 1998), as amended by Public Law 108–449, 114 Stat. 1526 (Dec. 10, 2004).

⁹⁶ *See* U.S. Dept. of Justice Memo, Cook, Acting Asst. Comm. Programs, HQ 70/6.2.9 (June 18, 2001), available at <https://www.uscis.gov/sites/default/files/document/memos/Travpub.pdf> (last visited Apr. 11, 2025).

Form I-20 or DS-2019 after his or her previously authorized admission has expired, the pending EOS is deemed abandoned. In this case, the admit until date provided by CBP on the alien's I-94 would govern. *See* proposed 8 CFR 214.1(c)(8)(ii). This is because, in these cases, CBP's grant of a new period of authorized stay would supersede the pending EOS application seeking a period of authorized stay, rendering it superfluous.

The Department considered a policy whereby an F, J, or I nonimmigrant would automatically abandon an EOS application upon departing the United States. However, the Department believes such a strict requirement would not be practical, because people cannot always predict when they will have to travel.

Regarding applications for employment authorization for F-1 and J-2 nonimmigrants, DHS notes that CBP does not adjudicate applications for employment authorization. Should an EOS application be deemed abandoned, USCIS would continue processing any applications for employment authorization, notwithstanding a departure, and, if the application is approved, USCIS would not issue an EAD with a validity date that exceeds the fixed date of admission provided to the alien at the POE. For example, an F-1 student wishing to engage in post-completion OPT or a STEM OPT extension would need to file both an EOS application and an application for employment authorization. Where the alien had departed the United States before his or her applications are adjudicated, USCIS would not consider the employment authorization application abandoned. *See* proposed 8 CFR 214.1(c)(8)(ii).

In all events, when an F-1 or a J-2 nonimmigrant travels while the employment authorization or EOS application is pending, he or she is still expected to respond to any Request for Evidence (RFE) and to timely submit the requested documents. Because an RFE may arrive after an alien departs, either electronically or at a U.S. address, aliens traveling outside the United States while applications are pending are advised to make necessary arrangements to determine whether they have received an RFE relating to their application and to timely respond to any RFE.⁹⁷ Failure to do so could result

in USCIS denying an employment authorization or EOS application for abandonment.

D. Transition Period

i. F and J Nonimmigrants

DHS proposes to generally allow all F and J nonimmigrants present in the United States on the final rule's effective date who are validly maintaining that status and who were admitted for D/S to remain in the United States in F or J status, without filing an EOS request, up to the program end date reflected on their Form I-20 or DS-2019 that is valid on the Final Rule's effective date, for a period not to exceed 4 years from the effective date of the Final Rule, plus an additional 60 days for these F nonimmigrants and 30 days for J nonimmigrants to depart the country. *See* proposed 8 CFR 214.1(m)(1).

F and J nonimmigrants who depart the United States after the rule's effective date and before the end date reflected on their Form I-20 or DS-2019 may be admitted with a new fixed admission period, like any other newly admitted F or J nonimmigrant, as provided for in proposed 8 CFR 214.1(a)(4) based on the date on their Form I-20 or DS-2019 and 30 days for departure. *See* proposed 8 CFR 214.2(f)(5) or (j)(1)(ii). Aliens who need additional time to complete their current course of study, including requests for post-completion OPT, STEM OPT, or academic training, or would like to start a new course of study or exchange visitor program would need to file for an EOS with USCIS for an admission period up to the new program end date, or OPT end date, listed on the Form I-20 or DS-2019, or successor form, reflecting such an extension, up to a maximum of 4-years. *See* proposed 8 CFR 214.1(m)(1).

For those aliens in F-1 status, admitted for D/S, present in the United States 60 days after the final rule publication who have timely filed on or before 6 months after the effective date of the final rule for an application for post-completion OPT or a STEM OPT extension, there would not be a requirement to file an EOS application,

reenter if my request for OPT is pending? Yes, but traveling during this time should be undertaken with caution. USCIS may send you [an RFE] while you are away, however, so you will want to make sure you have provided a correct U.S. address both to your DSO and on the application and would be able to send in requested documents. Also, if USCIS approves your OPT application, you will be expected to have your EAD in hand to re-enter the United States. Like a request for further information, USCIS can only send the EAD to your U.S. address," available at <https://www.ice.gov/sevis/travel> (last visited Apr. 1, 2025).

and, instead, they would be required to file the application for employment authorization for post-completion OPT or a STEM OPT extension. *See* proposed 8 CFR 214.1(m)(1)(i). An F-1 nonimmigrant who departs the United States before filing the application for post-completion OPT or STEM OPT, and is subsequently admitted to the United States with a fixed period of admission would be required to file both an application for employment authorization, (Form I-765 or successor form) and an EOS (Form I-539, or successor form), pursuant to 8 CFR 214.2(f)(11)(i)(B)(2) or (C). As discussed above concerning the general period of admissibility, an F-1 nonimmigrant who departs the United States while the application for employment authorization for post-completion OPT or STEM OPT is pending or once approved would be admitted for a fixed admission period pursuant to 8 CFR 214.1(a)(4)(iii). F-1 nonimmigrants who file for employment authorization for STEM OPT would remain eligible for the 180-day extension of their post-completion OPT EAD while their application for STEM OPT is pending pursuant to 8 CFR 274a.12(b)(6)(iv).

Regarding pending applications for employment authorization during the transition period, aliens in F status who are subject to the transition and who are seeking post-completion OPT and STEM-OPT employment authorization would be authorized to lawfully remain in the United States while the application is pending with USCIS if: (1) they are in the United States on the effective date of the final rule with admission for D/S; (2) they properly filed an application for employment authorization; (3) their application is pending on the final rule's effective date; and (4) they are not otherwise removable under the INA. Unless otherwise advised by USCIS, they would not have to file for an EOS or re-file an application for employment authorization. *See* proposed 8 CFR 214.1(m)(2). If the application for employment authorization is approved, the F-1 student would be authorized to remain in the United States in F-1 status until the expiration date of the EAD, plus 60 days as provided in their previous admission. If the employment application is denied, the F-1 student would continue to be authorized to remain in the United States until the program end date listed on their Form I-20, plus 60 days as provided in their previous admission, as long as he or she continues to pursue a full course of study and otherwise meets the requirements for F-1 status.

⁹⁷ *See* SEVP's Study in the States web page, "Traveling as an International Student" available at <https://studyinthestates.dhs.gov/traveling-as-an-international-student> (last visited Apr. 8, 2025). *See also* ICE's Re-entry for F-1 Non-immigrants Travelling Outside the United States for Five Months or Fewer web page, which notes, "Can I

Aliens in F–1 status with pending employment authorization applications, other than post-completion OPT and STEM OPT, also would not need to file for an extension or refile an employment authorization application. As long as these F–1 nonimmigrants continue to pursue a full course of study and otherwise meet the requirements for F–1 status, they continue to be authorized to remain in the United States until the program end date listed on the Form I–20, plus 60 days, regardless of whether the employment authorization is approved or denied.

DHS believes that this transition proposal would not be unreasonably burdensome on F and J nonimmigrants, and it would enable DHS to transition F and J nonimmigrants without unduly burdening nonimmigrants, USCIS, or CBP. Many would be able to complete their programs per the terms of their initial admission (D/S) using the original program end date as an expiration of their authorized period of stay. DHS would grant such periods, which include an additional 60 days for F nonimmigrants and 30 days for J nonimmigrants as provided in their previous admission, automatically without an application or fee. With this option, DHS believes that the majority of F and J nonimmigrants will be shifted to a fixed period of admission of 4 years or less, except for some F–1 students and J–1 exchange visitors. For example, J–1 research scholars and alien physicians who have program end dates for up to 5 or 7 years respectively, would need to apply for an EOS before the 4-year maximum period of stay expires, *i.e.*, the date that falls 4 years after the rule becomes effective.

Another benefit of this option is that it would enable DHS to transition F and J nonimmigrants to an admission for a fixed time period without unduly burdening them, USCIS, or CBP. This option would ensure that no F and J nonimmigrants remain in the United States indefinitely by requiring all F and J nonimmigrants admitted for D/S who wish to extend their stay beyond their program end date or the 4-year maximum, whichever is applicable, to either file an EOS request or depart the United States and apply for admission at a POE by their program end date or the 4-year maximum period of stay from the final rule's effective date, plus an additional 60 days for F nonimmigrants, and 30 days for J nonimmigrants.

In proposing these transition procedures, DHS took into consideration the effect of transitioning to a fixed period of admission will have on F and J nonimmigrants originally admitted for D/S who chose to

temporarily come to the United States to pursue a program of study or an exchange visitor program. DHS believes the proposed changes would not significantly affect the interests of these nonimmigrants admitted in D/S. DHS is not proposing to change the fundamental requirements to qualify for these nonimmigrant statuses, rather it is only proposing to change the length of time that an individual may lawfully remain in the United States in F or J status without filing an EOS application. Admitting these classifications of nonimmigrants for a fixed period of admission simply confirms that the admission is temporary and clearly communicates when that temporary admission period ends. Further, as is the case for the fixed period of admission policy more generally, a fixed date of admission simply places these nonimmigrants in the same position as most other nonimmigrants who are temporarily in the United States. They would still be able to continue to pursue their full course of study or exchange visitor program; however, if they need additional time in F or J status, the burden would now be upon them to request authorization directly from DHS and establish eligibility to extend their period of stay in such status, whereas previously they obtained an extension of lawful status in conjunction with a program extension through a DSO or RO.

At the same time, this proposed process would provide immigration officials an opportunity to directly review and determine whether F and J nonimmigrants who wish to remain in the United States beyond their fixed period of admission are complying with U.S. immigration law and are indeed eligible to retain their nonimmigrant status. If there are F or J nonimmigrants relying on a D/S admission in an attempt to permanently remain in the United States, or otherwise circumvent their authorized status, this proposed process would allow DHS to detect and deny an EOS request or entry under a new period of admission.

DHS considered several alternatives before determining the above proposal was the best option. First, DHS considered whether to impose a consistent length for the fixed admission for all F and J nonimmigrants transitioning from a D/S admission, such as 1 or 3 years from the final rule's effective date. While this proposal would provide a standard end date, DHS was concerned about the expense and workload implications of this option on all stakeholders and DHS. As noted, DHS expects most F and J

nonimmigrants to complete their program of study or exchange visitor program within a 4-year period. A date that does not align with this expectation could place an unnecessary burden on the affected F and J nonimmigrants and on their academic institutions or exchange visitor programs' sponsors and employers, as applicable. USCIS would be especially affected if a significant percentage of these nonimmigrants chose to remain in the United States and file for an EOS in order to complete the balance of their program, study, or work activity. While USCIS could try to anticipate the volume, the sheer number of simultaneous nonimmigrants filing for EOS could significantly lengthen processing times. Because the proposed option is less burdensome on F and J nonimmigrants and on DHS, DHS does not believe that ending D/S for all F and J nonimmigrants at timeframes that do not align with the expected length of stay presents the best way to transition from D/S to admission for a fixed time period. The proposed transition period is consistent with the generally applicable policy and allows for the normal progress for most programs that nonimmigrants should be making. Further, it ensures that these nonimmigrants are complying with the terms and conditions of their status by requiring them to apply to extend their status by the end date on the I–20 or DS–2019, not to exceed 4 years.

A second option that DHS considered was to allow F and J nonimmigrants to keep their D/S period of admission until they depart the United States. The Department rejected this alternative, however, because one of the main reasons for proposing this rule is to address current abuse tied to the D/S period of authorized admission. Adopting this alternative would allow aliens currently violating their nonimmigrant status to largely avoid the consequences of non-compliance with U.S. immigration laws by simply remaining in the United States, as otherwise described in this rule.

Third, DHS evaluated an option to allow F and J nonimmigrants to retain their D/S admission up to their program end date, with the transfer to a fixed admission date implemented through any of the following actions of the nonimmigrant: (i) departure from the United States; (ii) transfer to a different institution or sponsor; (iii) failure to maintain a full course of study; (iv) approval for reinstatement;⁹⁸ (v) having

⁹⁸ See 8 CFR 214.2(f)(16), allowing an F–1 student, under certain circumstances, to apply for reinstatement with USCIS after receiving

a DSO or RO extend the program end date; (vi) approval for a post-completion OPT or a STEM OPT extension; or (viii) engaging in any action that requires the issuance of a new Form I–20 or DS–2019. However, DHS felt that this alternative may fail to provide adequate notice to all affected nonimmigrants given the several scenarios under which the transfer to a fixed period of admission could occur and could lead to some fraud by DSOs intentionally providing an unnecessarily long program end date on the Form I–20 prior to the final rule's effective date. Although this option is relatively similar to the proposed transition process, to make the transition easier for F nonimmigrants, J nonimmigrants, ROs, and DSOs, triggering events were limited to those that result in a change to the program end date, as well as re-entry to the United States. In addition, while this option would allow DHS to effectuate the transition of the F and J population without requiring the expense and workload associated with large numbers of simultaneous filings, it would not capture those who have program end dates beyond 4 years from the effective date of the proposed rule.

In sum, DHS's proposal is to transition all F and J nonimmigrants to a fixed admission date by using the program end date noted on their Form I–20 or DS–2019 (with the exception of F students engaging in post-completion or a STEM OPT extension who would use their EAD's expiration date), not to exceed 4 years, plus an additional 60 days for F nonimmigrants and 30 days for J nonimmigrants as provided in their previous admission. DHS believes this is a natural way to transition the majority of these nonimmigrants to a fixed admission date without creating any loopholes, such as those that could be created by allowing F and J nonimmigrants to retain their duration of status, potentially permitting those who are abusing their status to continue to do so without the oversight and vetting conducted through EOS. It would also provide all affected nonimmigrants with adequate notice of the events that would trigger the transition to a fixed admission date and their responsibilities resulting from such change.

ii. I Nonimmigrants

Turning to I nonimmigrants who are in the United States on the effective date of the final rule from their existing D/S admission to a fixed date of admission, DHS proposes an automatic

extension of the length of time it takes the alien to complete his or her activity, for a period of up to 240 days. *See* proposed 8 CFR 214.1(m)(3). DHS based this proposed timeframe on the period of stay authorized in 8 CFR 274a.12(b)(20), which generally provides an automatic extension of employment authorization of 240 days to aliens, including I nonimmigrants, whose status has expired but on whose behalf an application for an extension of stay was timely filed through a Form I–539, Application to Extend/Change Nonimmigrant Status, *see* 8 CFR 214.2(i), which currently is also required when an I nonimmigrant changes employers or information mediums.⁹⁹ DHS believes that adopting an already established timeframe, to which I nonimmigrants are already accustomed, is reasonable. Consistent with the current process, an I nonimmigrant who departs the United States after the final rule's effective date and would like to return to the United States in that same status would need to reapply for admission as an I nonimmigrant at a POE.

I nonimmigrants who seek to remain in the United States longer than the automatic extension period provided would be required to file an extension of stay request with USCIS.¹⁰⁰ In addition to I nonimmigrants being familiar with the timeframe under 8 CFR 274a.12(b)(20), DHS anticipates that this provision would reduce any gaps in employment due to USCIS' processing timeframes between the I nonimmigrant's application for extension and USCIS approval of the application. It would also facilitate an I nonimmigrant's ability to complete his or her assignment while temporarily in the United States on behalf of a foreign media organization, in that it would give ample time to any I nonimmigrant to either complete that assignment or ask for an extension, as needed.

Under this proposal, if the EOS request is denied, the alien must cease working and depart the United States immediately. As with most other nonimmigrant classifications, they would not be given any period of time to prepare for departure from the United States after the denial, and there may be significant immigration consequences for failing to depart the country immediately. For example, such aliens generally would begin to accrue unlawful presence the day after the

issuance of the denial. DHS believes this proposed standard provides parity across nonimmigrant classifications.

Finally, DHS proposes the transition procedures would not apply to F, J, or I aliens who are outside the United States when the final rule takes effect, or to any aliens present in the United States in violation of their status. *See* proposed 8 CFR 214.1(m).

E. Requirements for Admission, Extension, and Maintenance of Status of F Nonimmigrants

DHS is proposing various changes under the regulations that provide the framework for admission, extension, and maintenance of status for F nonimmigrants. These changes would eliminate D/S, require students to file an EOS if requesting to remain in the United States beyond the period of their admission, and clarify terms to ensure that the activities an F nonimmigrant has engaged in are consistent with those of a bona fide student.

i. Admission for a Fixed Time Period

As a preliminary matter, DHS is proposing to strike the existing regulation that allows F nonimmigrants to be admitted for D/S. DHS would replace it with a provision allowing F nonimmigrants to be granted status for the length of their program, not to exceed 4 years. *See* proposed 8 CFR 214.2(f)(5)(i) and (f)(7)(vi).

Second, DHS proposes to retain in the regulations the statutory limitation that restricts public high school students to an aggregate of 12 months of study at any public high school(s). *See* 8 CFR 214.2(f)(5)(i). However, this proposed rule moves this provision to a new section and further clarifies that the 12-month aggregate period includes any school breaks and annual vacations. *See* proposed 8 CFR 214.2(f)(5)(i)(C). Current requirements, including paying the full cost of education, would also remain in place.

Third, F–1 students who are applying to attend an approved private elementary or middle school or private academic high school would continue to be covered by the provisions of 8 CFR 214.2(f)(6)(i)(E). These provisions require the DSO to certify a minimum number of class hours per week prescribed by the school for normal progress toward graduation. *See* 8 CFR 214.2(f)(6)(i)(E). However, like all other F–1 students, they would be subject to the 4-year maximum period of admission, and they would need to apply for an EOS with DHS if staying beyond this period. *See* proposed 8 CFR 214.2(f)(7)(vi).

⁹⁹ *See* Instructions for Application to Extend/Change Nonimmigrant Status, available at <https://www.uscis.gov/i-539> (last visited Apr. 1, 2025).

¹⁰⁰ In FY 2023, fewer than 33,000 aliens entered the U.S. in I classification. *See* DHS FY23, Quarter 4, tbl.4B, *supra* note 11.

recommendation from the DSO, following a failure to maintain status.

Fourth, DHS is proposing to exempt part-time border commuter students from the general length of admission provisions. *See* proposed 8 CFR 214.2(f)(5)(i)(B). The regulations at 8 CFR 214.2(f)(18) would continue to govern these border commuter students, including that DHS continue to admit them for a fixed time period. This proposed rule will apply to border commuter students attending school in the United States on a full-time basis.

Fifth, F–1 students in a language training program would be restricted to an aggregate of 24 months of language study, which would include breaks and an annual vacation. *See* proposed 8 CFR 214.2(f)(5)(i)(A). DHS is proposing this limitation as a way to prevent abuse of the F–1 program. Public Law 111–306, enacted on December 14, 2010, and effective since 2011, requires language training schools enrolling F–1 students to be accredited by an accrediting agency recognized by ED. DHS has found students enrolling in lengthy periods of language training, in some cases for more than two decades.¹⁰¹ DHS has also identified students who enrolled in language training programs despite previously being enrolled in or completing undergraduate and graduate programs requiring English language proficiency.¹⁰² Unlike degree programs that typically have prescribed course completion requirements, there are no nationally-recognized, standard completion requirements for language training programs and students are able

to enroll in language training programs for lengthy periods of time. The lengthy enrollment in a language program, including enrollment in language courses for long periods subsequent to completion of a program of study that requires proficiency in English, raises concerns about whether the F–1 nonimmigrants meet the statutory definition of a bona fide student with the intent of entering the United States for temporary study.¹⁰³ Therefore, DHS proposes a 24-month aggregate limit for F–1 students to participate in a language training program, as it would provide a reasonable period of time for students to attain proficiency while mitigating the Department’s concerns about the integrity of the program. This timeframe generally comports with the amount of time needed to gain the highest level of English proficiency under the Cambridge English Exam.¹⁰⁴

Sixth, DHS proposes students with pending employment authorization applications who are admitted based on the DSO’s recommended employment end date for post-completion OPT or STEM OPT specified on their Form I–20, with a notice issued by USCIS indicating receipt of the Application for Employment Authorization, Form I–765 or successor form for post-completion OPT or STEM OPT, and who cease employment authorized pursuant to a post-completion OPT- or STEM OPT-based EAD that expires before the alien’s fixed date of admission as noted on their Arrival-Departure Record (Form I–94 or successor form), be considered to be in the United States in a period of authorized stay from the date of the expiration noted on their EAD until the fixed date of admission as noted on their I–94 (unless the student violates the terms of the authorized stay). *See* proposed 8 CFR 214.2(f)(5)(i)(D).

Seventh, the authorized period of stay for F–2 dependents will continue to not be able to exceed the authorized period of stay of the principal F–1 alien. DHS proposes adding this requirement to 8 CFR 214.2(f)(5)(i)(E).

ii. Changes in Educational Objectives

Under existing regulations, all F–1 students who change from one educational level to another or pursue multiple degrees in the same educational level are considered to be maintaining status. *See* 8 CFR 214.2(f)(5)(ii). DHS has observed that some students continuously enroll in different programs at the same degree level, such as by pursuing multiple associate, master’s, undergraduate, bachelor’s, or certificate programs. Alternatively, some students change to a lower educational level, such as completing a master’s degree and then changing to an associate’s program or an English language training program.¹⁰⁵ This has enabled some aliens to remain in the United States for lengthy periods of time in F–1 student status, raising concerns about the temporary nature of their stay. In 2024, DHS identified nearly 77,000 F–1 students who have spent more than 10 years in student status since SEVIS was implemented in 2003.¹⁰⁶ This includes individuals who enrolled in programs at the same educational level as many as 19 times, as well as students who completed graduate programs and then enrolled in undergraduate programs, including associate’s degrees.

DHS has also observed a pattern of students immediately transferring schools or changing educational levels or programs of study upon their arrival in the United States. These students often use an admission letter and Form I–20 from a well-known school to increase their odds of obtaining a student visa and then immediately request a transfer to their intended school or program of study once they have gained admission to the United States. Some of the most egregious examples are those who apply to a 4-year university, which requires demonstration of sufficient English level skills for enrollment in classes through the passage of the Test of English as a Foreign Language test (commonly known as TOEFL), receive their visa based on their declared intention of attending a 4-year university, and then transfer to English language programs upon arrival. Other, more dangerous examples, include those foreign students who receive a visa based on their declared intention to study the humanities, but then transfer into sensitive programs such as nuclear science. A handful of those have been

¹⁰¹ For example, one student has been enrolled in English language training programs at nine different schools since January 3, 2003. This student is active in SEVIS, reportedly studying English full time as of May 7, 2025—accounting for more than 22 years of language training. The student’s most recent school issued a program extension changing the student’s program end date from January 2, 2025, to January 2, 2026. The school input the following reason for the extension: “Student pursuing advanced level linguistic studies.” The school’s 2025 catalog contains no references to linguistic studies—advanced or otherwise—and indicates the school offers general English academic preparation, TOEFL preparation, and business English courses. Student Exchange Visitor Program analysis of data in the Student Exchange Visitor Information System and valid as of May 7, 2025.

¹⁰² SEVIS Records show that for example a student who entered the country in 2005 studied English and then between January 2011 and December 2024, he enrolled in a bachelor’s program in Biology/Biological Sciences, a master’s program in Biotechnology, and a second master’s program in Bioinformatics. He also engaged in post-completion OPT and two periods of STEM OPT. Each of his Forms I–20 indicated the academic programs required English proficiency, and the student had English proficiency. However, in January 2025, the student transferred to a language training school and remains active in SEVIS reportedly engaged in English language training as of May 7, 2025. DHS found at least 20 similar examples. Student Exchange Visitor Program analysis of data in the Student Exchange Visitor Information System and valid as of May 7, 2025.

¹⁰³ *See* INA 101(a)(15)(F).

¹⁰⁴ According to Cambridge English, it takes approximately 1,000 to 1,200 hours to achieve the highest level of English proficiency from being a beginner of English. This is based on the Common European Framework of Reference (CEFR), which is an international standard for describing language ability. Given that an academic year is 9 months, it would take the average F–1 student less than 18 months (or less than 24 months to include summer breaks and annual vacations) to achieve advanced English proficiency through guided instruction. *See* Guided Learning Hours, Cambridge English, 2025, available at <https://support.cambridgeenglish.org/hc/en-gb/articles/202838506-Guided-learning-hours> (last visited Mar. 31, 2025).

¹⁰⁵ *Ibid.*

¹⁰⁶ Student Exchange Visitor Program analysis of data in the Student Exchange Visitor Information System and valid as of Mar. 17, 2025.

arrested for spying for China.¹⁰⁷ The existing regulations are vulnerable to exploitation by aliens who threaten U.S. national security. This proposed rule is designed to reduce this vulnerability. Since 2020, there have been over 13,000 F–1 students who transferred before the start of classes or within their first term, including over 4,400 students transferring from a higher education to English language training program of study within their first term or session of a program of study. The number of F–1 students who changed their educational levels within the first 60 days of their program is close to 8,400. While the number of students transferring or changing educational levels represents a small percentage of the total F–1 student population, these transfers are often promoted by third-party recruiters and other for-profit entities to allow aliens to use the student visa process to mask their intent in the United States or circumvent F–1 restrictions.¹⁰⁸ In addition, school officials are often burdened with the administrative costs of processing SEVIS transfer requests from F–1 students who misrepresented their intentions of studying at their institution.

While there may be legitimate cases of students who wish to change their educational objective to gain knowledge at a lower or at the same educational level, the traditional path of study typically progresses from a lower educational program to a higher one. The existing regulations present a model consistent with the majority of bona fide students who follow this traditional trajectory. The term “full course of study” as defined in the existing regulations requires that the program “lead to the attainment of a specific educational or professional objective.”¹⁰⁹ Repeated changes to a

program of study either within the same educational level or to move to a lower level, as well as immediate changes to a program of study upon initial entry into the United States, are not consistent with attainment of such an educational or professional objective. This understanding was reflected in the preamble to a 1986 rulemaking proposing changes to the F regulations, which stated: “The proposed regulation . . . places limitations on the length of time a student may remain in any one level of study. Thus, the Service has eliminated applications for [EOS] for students who are progressing from one educational level to another but has placed a control over students who, for an inordinate length of time, remain in one level of study.”¹¹⁰ But, by 1991, INS eliminated all EOS applications and began to rely on DSO’s to make the decision on whether educational progress was being made. In the decades that have followed, it has become clear that this has enabled thousands to stay here for decades by switching programs and not making any upward progress.¹¹¹

DHS proposes to restrict school transfers and changes of educational objectives within a student’s first academic year of a program of study, unless an exception is authorized by SEVP, and to prohibit F–1 students in a graduate level program of study from changing educational objectives or transferring from within the United States. “Educational objectives” refers to an F–1 student’s educational level or major. See proposed 8 CFR 214.2(f)(5)(ii)(A) and 8 CFR 214.2(f)(8)(i)(b). DHS believes these proposed changes would accommodate the legitimate academic activities of bona fide students, such as a desire to pursue a different field of study or more specialized studies in their current field. These proposed changes would also provide SEVP with flexibility to grant exceptions for extenuating circumstances. For example, an exception may be appropriate when a school closes or when a school has a prolonged inability to hold in-person classes due to a natural disaster or other causes.

In addition, an alien who has completed a program as an F–1 nonimmigrant at one educational level would be unable to maintain F–1 status, depart and be admitted in F–1 status, or otherwise obtain F–1 status (e.g., via a change of status) through a program at

the same educational level or a lower educational level. See proposed 8 CFR 214.2(f)(5)(ii)(C). However, an F–1 student who has completed a program in the United States at one educational level and is beginning a new program at a higher educational level would be considered to be maintaining F–1 status if they otherwise comply with requirements under 8 CFR 214.2(f). See proposed 8 CFR 214.2 (f)(5)(ii)(B).

DHS believes that it is reasonable for a student to progress to a higher educational level as that is the traditional trajectory in the pursuit of higher education. Movement within the same level after completion of a program or to a lower educational level raises concerns regarding whether the F–1 alien is a bona fide student who intends to temporarily and solely pursue a full course of study rather than pursuing different degrees as a de facto way to prolong their stay in the United States.

If an F–1 student who has completed their first academic year of a program of study seeks to change educational objectives and this change would require an EOS, the alien would then apply for EOS using the form designated by USCIS, paying the required fee and following all form instructions, including submitting any biometrics required by 8 CFR 103.16. See proposed 8 CFR 214.2(f)(5)(ii)(D).

DHS recognizes that this proposal may require updates to SEVIS and other systems. Because the timeframe for those updates is not fixed and there could be technical issues regarding implementation, DHS is proposing to include a provision whereby the Department may delay or suspend implementation, at its discretion, if it determines that the change in educational level limitation is inoperable for any reason. See proposed 8 CFR 214.2(f)(5)(ii)(E). If DHS delays or suspends the provisions in this section governing the change in educational level, DHS will make an announcement of the delay or suspension to the academic community through SEVP’s various communication channels, including *ICE.gov/sevis*, Study in the States (<https://studyinthestates.dhs.gov>), and SEVIS Broadcast Message. DHS would also announce the implementation dates of the change in degree level provision through SEVP’s communication channels (*ICE.gov/sevis*, Study in the States, and SEVIS Broadcast Message) at least 30 calendar days in advance.

Additionally, DHS proposes to retain the term “educational” with respect to a change in level as the Department

¹⁰⁷ See CNN Politics, Chinese engineer sentenced to 8 years in US prison for spying, *supra* note 72, and Select Committee on Intelligence Hearing (Feb. 13, 2018), *supra* note 72.

¹⁰⁸ On May 29, 2020, President Trump signed a Presidential Proclamation to suspend the entry as nonimmigrants of certain students and researchers from the People’s Republic of China. See Proc. No. 10043, 85 FR 34353 (May 29, 2020). Since this proclamation, students often circumvent enforcement of this proclamation by applying to a permissible program of study to obtain a student visa and admission to the United States and then transferring or changing their program of study to engage in studies, research, and other activities that are prohibited. This is also a tactic used by international and third-party recruiters. See Inside Higher Ed., Gaming the Student Visa System (Jan. 12, 2024), available at <https://www.insidehighered.com/news/global/international-students-us/2024/01/12/international-admission-offices-plagued-fraud-and> (last visited Mar. 31, 2025).

¹⁰⁹ See 8 CFR 214.2(f)(6)(i).

¹¹⁰ 51 FR 27867 (Aug. 4, 1986).

¹¹¹ By reviewing SEVIS data as of Apr. 4, 2025, DHS has identified 2,134 aliens who first entered as F–1 students between 2000 and 2010 and remain in active F–1 status today.

believes it accurately reflects current academic models.

Specifically, “educational” captures programs for non-degree students, whereas using a term such as “degree” may not. For example, an F–1 student currently would not qualify for additional post-completion OPT if he or she changes to a non-degree certificate program, given that the certificate program is not a “higher educational level.” Similarly, certificate programs for professional advancement are typically not considered to be a “higher educational level” that would allow F–1 students to qualify for additional post-completion OPT.

DHS believes these proposals would encourage F–1 students to complete the programs of study for which they were admitted to the United States and to only pursue additional programs of study that demonstrate an upward progression in degree levels, which is expected from a qualified bona fide student who is coming to the United States temporarily and solely to pursue a course of study. The Department believes that these new restrictions would not significantly impact the choice of bona fide students who come to the United States temporarily to complete a full course of study. The F–1 program, with its statutory requirement that an alien be a bona fide student who seeks to enter the United States temporarily and solely for the purpose of pursuing a full course of study at the school listed on his or her Form I–20 or successor form, should not be used by aliens wishing to remain in the United States indefinitely. These proposals will better ensure that this statutory intent is fulfilled without hindering the options presented to bona fide students seeking study at higher educational levels and thus would create a balanced solution to this issue.

iii. Preparation for Departure

DHS believes that the time allotted for F students to prepare for departure should be revised from 60 to 30 days. See 8 CFR 214.2(f)(5)(iv) and proposed 8 CFR 214.2(f)(5)(v). Under existing regulations, F–1 students are provided 60 days following the completion of their studies and any practical training to prepare for departure from the United States. See 8 CFR 214.2(f)(5)(iv). However, this is twice as long as other student and exchange visitor programs (J and M nonimmigrants). See 8 CFR 214.2(j)(1)(ii) and (m)(10)(i). In addition, this 60-day period is also six times longer than certain nonimmigrants who are authorized to remain in the United States for years but are only provided with a 10-day period to depart the

United States. For example, DHS provides a 10-day period following the end of the alien’s admission period as stated on his or her I–94 for individuals in the E–1, E–2, E–3, H–1B, L–1, and TN classifications in a 2016 rulemaking.¹¹² In the rulemaking discussing this 10-day period for departure, DHS noted that a grace period of up to 10 days after the end of an authorized validity period provides a reasonable amount of time for such nonimmigrants to depart the United States or take other actions to extend, change, or otherwise maintain lawful status.¹¹³ It is thus unclear to DHS why F students would need a significantly longer period of time—60 days—to prepare for departure when other nonimmigrants have less time to prepare for departure.¹¹⁴

DHS believes that 30 days for the F nonimmigrant population is the appropriate balance between a 60-day and a 10-day period of departure. DHS believes that the F classification, albeit distinct from M or J, shares a core similarity in that many aliens in these classifications are seeking admission to the United States to study at United States educational institutions. Thus, DHS thinks that these classifications should have a standard period of time to prepare for departure, or take other action to extend, change, or otherwise maintain lawful status. DHS thinks that 30 days is an adequate period for F–1 students to prepare for departure and is in line with similar classifications (the M and J departure periods).

Additionally, in the 2016 rulemaking establishing a 10-day grace period for certain nonimmigrant classifications, DHS chose to remove the phrase “to prepare for departure from the United States or to seek an extension or change of status based on a subsequent offer of employment” from the proposed regulatory text relating to the purpose of the grace period, with the justification that it was unnecessarily limiting and did not fully comport with how the existing 10-day grace period may be

used by individuals in the H, O, and P nonimmigrant [visa] classifications.¹¹⁵ DHS clarified that the 10-day grace period may be granted to these nonimmigrants at time of admission or upon approval of an EOS or change of status and may be used for other permissible non-employment activities such as seeking to change one’s status to that of a dependent of another nonimmigrant or vacationing prior to departure.¹¹⁶ DHS notes that seeking an EOS or change of status is an allowable activity for F aliens during the 30-day departure period following the completion of their program and believes this same clarification should be incorporated into this proposed rulemaking. See proposed 8 CFR 214.2(f)(5)(v).

DHS also proposes to clarify that the proposed period is 30 days from the Form I–94 (or successor form) end date or the expiration date noted on the EAD (Form I–766 or successor form), as applicable, to prepare for departure from the United States, or to otherwise maintain status, including timely filing an extension of stay application in accordance with paragraph (f)(7) of this section and 8 CFR 214.1 or timely filing a change of status application in accordance with 8 CFR 248.1(a). DHS proposes removing the reference to completing a course of study or a program in order to provide consistency in the admission of all F–1 and J–1 nonimmigrants and to allow the departure period to be reflected on the I–94 at admission, so that the F–1 and J–1 nonimmigrants would have an unambiguous end date of their period of authorized admission, easily referenced on the I–94. USCIS, when adjudicating applications for a change of status to F–1 and J–1 nonimmigrant status and EOS applications of F–1 and J–1 status would similarly provide I–797 approval notices reflecting the 30-day departure period following the program end date or the 4-year maximum period of admission, or period of OPT or STEM OPT, as applicable. DHS proposes making corresponding changes in the regulatory text at 8 CFR 214.2(f)(5)(v) where the departure period and I–94 (or successor form) are discussed.

Finally, DHS proposes to retain the current regulatory language that allows a 15-day period for departure from the United States if an alien is authorized by the DSO to withdraw from classes, but no additional time for departure if the alien fails to maintain a full course of study without the approval of the DSO or otherwise fails to maintain

¹¹² See 8 CFR 214.1(l)(1) (providing for 10-day grace periods for certain nonimmigrants).

¹¹³ See 81 FR 82398, 82401 (Nov. 18, 2016).

¹¹⁴ Rulemakings in the mid-1980s mention this 60-day period for departure but did not provide any explanation as to why this period of time to depart was given to students. See e.g., 52 FR 13223 (Apr. 22, 1987) (referencing the proposed rule, and stating that in the “proposed regulations, duration of status was defined to mean the period during which a student is pursuing a full course of studies in any educational program, and any period or periods of authorized practical training, plus sixty days,” but not indicating the reason for the 60-day period). 51 FR 27867 (Aug. 4, 1986) (proposing that duration of status would consist of an additional “sixty days within which to depart from the United States,” but silent on the reason for the 60-day period of departure).

¹¹⁵ 81 FR 82398, 82402, 82437 (Nov. 18, 2016).

¹¹⁶ *Id.* at 82437.

status. *See* 8 CFR 214.2(f)(5)(iv) and proposed 8 CFR 214.2(f)(5)(v). Because DSOs generally authorize withdrawal based on compelling academic or medical circumstances when a student proactively requests permission, DHS believes retaining the 15-day period is appropriate. However, aliens who fail to maintain their full course of study or otherwise violate their status are required to immediately depart the United States, as is consistent with other nonimmigrant classifications. DHS considered allowing a short “grace period” for departure after an EOS denial but does not see a compelling reason to treat F nonimmigrants who have received a denial more favorably than other nonimmigrant classifications. As in other nonimmigrant classifications, failure to immediately depart under these circumstances could result in accrual of unlawful presence and subject an individual to removal.

iv. Automatic Extension of Authorized Employment

1. Authorized Status and Employment Authorization Under Proposed 8 CFR 214.2(f)(5)(viii)

Each year, a number of U.S. employers seek to employ F–1 students and file a Form I–129, Petition for a Nonimmigrant Worker, with USCIS, along with a change of status request, to obtain classification of the F–1 student as an H–1B nonimmigrant worker. The H–1B nonimmigrant visa program allows U.S. employers to temporarily employ foreign workers in specialty occupations, defined by statute as occupations that require the theoretical and practical application of a body of highly specialized knowledge and a bachelor’s or higher degree in the specific specialty, or its equivalent. *See* INA sections 101(a)(15)(H)(i)(b) and 214(i); 8 U.S.C. 1101(a)(15)(H)(i)(b) and 1184(i). The H–1B classification, however, is subject to annual numerical allocations, commonly referred to as a “cap.” *See* INA sections 214(g)(1)(A) and (g)(5)(C); 8 U.S.C. 1184(g)(1)(A) and (g)(5)(C).¹¹⁷ For purposes of the H–1B numerical allocations, each fiscal year begins on October 1. Petitioners may not file H–1B petitions more than 6 months before the date of actual need for the

employee.¹¹⁸ Thus, the earliest date an H–1B cap-subject petition may be filed for an allocation for a given fiscal year is April 1, 6 months prior to the start of the applicable fiscal year for which initial H–1B classification is sought. Many F–1 students complete a program of study or post-completion OPT in mid-spring or early summer. Per existing regulations, after completing their program or post-completion OPT, F–1 students have 60 days (which DHS is proposing to change to 30 days) to take the steps necessary to maintain legal status or depart the United States. *See* 8 CFR 214.2(f)(5)(iv) and proposed 8 CFR 214.2(f)(5)(v). However, because the change to H–1B status cannot occur until October 1, an F–1 student whose program or post-completion OPT expires in mid-spring has two or more months following the 60-day period before the authorized period of H–1B status can commence. To address this situation, commonly known as the “cap-gap,” DHS established regulations that automatically extended F–1 D/S and, if applicable, post-completion OPT employment authorization for certain F–1 nonimmigrants until April 1 of the fiscal year for which the H–1B status is being requested or until the validity start date of the approved petition, whichever is earlier. *See* 8 CFR 214.2(f)(5)(vi). The extension of F–1 D/S and OPT employment authorization is commonly known as the “cap-gap extension.”

2. F–1 Status and Authorized Employment While EOS and/or Employment Authorization Applications Are Pending

DHS proposes to strike “duration of status” from redesignated 8 CFR 214.2(f)(5)(vii) and clarify that an alien with F–1 status whose admission period as indicated on his or her I–94 has expired, but who has timely filed an EOS application, would be authorized to continue pursuing a full course of study after the end date of his or her admission until USCIS adjudicates the EOS application. *See* proposed 8 CFR 214.2(f)(5)(viii). This change would provide ongoing authorization to continue studies as long as the student has timely filed his or her EOS and will not penalize students if USCIS is unable to adjudicate an EOS application before a student’s new term or course of study is underway. In such cases, students would be able to continue pursuing their full course of study.

The shift to a fixed date of admission has implications for various types of employment authorization. Currently,

DSOs may authorize certain types of employment authorization, including on campus employment and CPT,¹¹⁹ and students generally do not need to be concerned about a specific expiration date for their student status, and thus their employment authorization, because they are admitted for duration of status. This rule would change that framework with different implications for various types of employment authorization.

For on-campus employment where no EAD is needed, DHS proposes to allow aliens in F–1 status to continue to be authorized for on-campus employment while their EOS applications with USCIS are pending, not to exceed a period of 240 days.¹²⁰ *See* proposed 8 CFR 214.2(f)(5)(viii). If the EOS application is still pending after 240 days have passed, the F–1 student would no longer be authorized for employment and would need to stop engaging in on-campus employment. DHS is proposing a 240-day automatic extension period in order to minimize disruptions to on-campus employment by teaching assistants, post-graduates working on research projects, and other positions that are integral to an F–1 student’s educational program.

Likewise, DHS is proposing an automatic extension of off-campus employment authorization for up to 240-days during the pendency of the EOS application, for F–1 aliens who had previously demonstrated severe economic hardship pursuant to 8 CFR 214.2(f)(9)(ii)(C) and had previously received an EAD from USCIS that expired at the program end date that is now being extended with the EOS application. *See* proposed 8 CFR 214.2(f)(5)(viii). These circumstances may include loss of financial aid or on-campus employment without fault on the part of the student, substantial fluctuations in the value of currency or exchange rate, inordinate increases in tuition and/or living costs, unexpected changes in the financial condition of the student’s source of support, medical bills, or other substantial and unexpected expenses. In such cases, DHS believes a 240-day automatic extension of employment authorization would help alleviate the severe economic hardship and avoid a disruption in their employment, especially given the fact that an EAD is

¹¹⁷ Under INA 214(g)(1)(A), 8 U.S.C. 1184(g)(1)(A), 65,000 aliens may be issued H–1B visas or otherwise provided H–1B nonimmigrant status in a fiscal year. This limitation does not apply to aliens who have earned a master’s or higher degree from a U.S. institution of higher education, as defined in 20 U.S.C. 1001(a), until the number of aliens who are exempted from such numerical limitation during such year exceeds 20,000. INA 214(g)(5)(C), 8 U.S.C. 1184(g)(5)(C).

¹¹⁸ *See* 8 CFR 214.2(h)(2)(i)(I).

¹¹⁹ *See* 8 CFR 214.2(f)(9)–(12), 8 CFR 274a.12(b)(6)(iv).

¹²⁰ *See* 8 CFR 214.2(f)(9)(i) for a description of on-campus employment. For on-campus employment that is based on severe economic hardship resulting from emergent circumstances pursuant to 8 CFR 214.2(f)(5)(v), see later discussion for additional restrictions.

required and the frequency at which these students must submit an application for employment authorization.¹²¹ Additionally, given that USCIS's average EAD processing time is typically 60–210 days for foreign students and 90–120 for most others, a 240-day timeframe provides sufficient flexibility in case of unexpected delays.¹²²

For F–1 aliens granted off-campus employment authorization on the basis of severe economic hardship resulting from emergent circumstances pursuant to existing 8 CFR 214.2(f)(5)(v), DHS is proposing an automatic extension of such employment authorization with a different validity period than the general 8 CFR 214.2(f)(9)(ii)(C) severe economic hardship employment authorization extension described above while their EOS applications are pending. This will codify USCIS's current policy, which states USCIS may grant Special Student Relief (SSR) employment authorization for the duration of the **Federal Register** notice validity period, but the period of authorization may not exceed the F–1 student's academic program end date.¹²³

As first promulgated in 1998, the SSR regulations provide necessary flexibility to address unforeseeable emergencies by allowing DHS, by notice in the **Federal Register**, to suspend the applicability of some or all of the requirements for on- and off-campus employment authorization for specified F–1 students where an emergency situation has arisen calling for this action. These F–1 students must continue to attend classes but are allowed to take a reduced course load. By regulation, aliens approved for SSR must take at least 6 semester or quarter hours of instruction at the undergraduate level or 3 semester or quarter hours of instruction at the graduate level. *See* existing 8 CFR 214.2(f)(5)(v). Failure to take the required credits could be considered a failure to maintain F–1 status. The SSR regulations are announced by notice in the **Federal Register** and such employment may only be undertaken

during the validity period of the SSR notice.

Due to the shift to a fixed admission period, DHS proposes to provide an automatic extension of SSR-based employment so aliens' ability to benefit from this long-standing regulatory relief is not interrupted by USCIS processing times. This change is consistent with current USCIS policy, which allows for SSR employment authorization to be granted for the duration of the **Federal Register** notice validity period, so long as the period of authorization may not exceed the F–1 student's academic program end date. It is also consistent with existing practice for certain nonimmigrants who require an EAD.¹²⁴ DHS proposes to automatically extend SSR authorization if an F–1 alien has a timely-filed EOS pending for up to the end date stated in the **Federal Register** notice announcing the suspension of certain requirements, or 240 days, whichever is earlier. *See* proposed 8 CFR 214.2(f)(5)(viii).

As evidence of these automatic extensions of employment authorization, DHS is proposing that the F–1 alien's I–94 (or successor form) or EAD (Form I–766, or successor form), for F–1 nonimmigrants requiring an EAD, when combined with a notice issued by USCIS indicating receipt of a timely filed EOS application (such as the Form I–797), would be considered unexpired until USCIS issues a decision on the EOS application, not to exceed 240 days. *See* proposed 8 CFR 214.2(f)(5)(viii). SSR-based employment authorization that has been automatically extended can be evidenced by the F–1 alien's EAD and the receipt notice issued by USCIS (the Form I–797), not to exceed the lesser of 240 days or the end date stated in the **Federal Register** notice announcing the suspension of certain requirements.

v. New Process for EOS Application

Under existing regulations, F–1 students may obtain a program extension from a DSO as long as they are maintaining status and making normal progress toward the completion of their educational objectives. *See* existing 8 CFR 214.2(f)(7)(i) and (iii). The problem with the “normal progress” standard is that it is undefined, and DHS believes that retaining it could lead to inconsistent adjudications. Even now, the lack of a standard definition for normal progress leads DSOs to inconsistently extend F–1 students' program end dates and thus their stay in the United States. Some

DSOs use a strict standard, evaluating, for example, documentation to support a student's claim of a compelling medical condition or illness that serve as the basis for the student's request for extension of the student's current program. However, other DSOs claim that the student is making “normal progress” whenever a student simply needs more time to complete the program. This inconsistency results in some students being able to remain in F–1 status for years simply by having the DSO update the Form I–20 without providing a justification as to how the student is making “normal progress” and what academic or medical circumstances necessitate the extension of the program.

Therefore, DHS proposes not to use a “normal progress” standard with respect to seeking a program extension of an authorized period of stay. In addition to the requirement that the applicant obtain a Form I–20 from the DSO recommending extension of the program, the applicant would be required to file an EOS application to request additional time to complete their current course of study beyond their authorized period of admission. *See* proposed 8 CFR 214.2(f)(7)(i).

Apart from pursuing a new course of study, DHS appreciates that the time for study can legitimately fluctuate given the changing goals and actions of the student. For example, a student may experience compelling academic or medical reasons or circumstances beyond their control that cause them to need additional time in the United States beyond the predetermined end date of the program in which they were initially enrolled. DHS understands these circumstances arise and believes these scenarios present an appropriate situation for the Department to directly evaluate the nonimmigrant's eligibility for additional time in the United States. However, instead of effectively extending their stay through a DSO's program extension recommendation in SEVIS, students would have to obtain a Form I–20 from the DSO recommending a program extension and apply to USCIS for an EOS under the proposed regulations. Immigration officers thereby would be able to conduct appropriate background and security checks on the applicant at the time of the EOS application and directly review the proffered evidence to ensure that the alien is eligible for the requested EOS, including through assessing whether the alien remains admissible. *See* 8 CFR 214.1(a)(3)(i). This extra step is necessary because an immigration officer will be able to see a more fulsome picture while considering the

¹²¹ *See* 8 CFR 274a.12(c)(3). 8 CFR 214.2(f)(9)(ii)(F)(2) provides that employment authorization based upon severe economic hardship may be granted in one-year intervals up to the expected date of completion of the student's current course of study.

¹²² USCIS Processing Times for Employment Authorization, available at <https://www.uscisguide.com/national-visa-center/processing-times-for-employment-authorization/> (last visited Mar. 26, 2025).

¹²³ *See generally* USCIS Policy Manual, Vol. 2, Part F, Chap. 6, available at <https://www.uscis.gov/policy-manual/volume-2-part-f-chapter-6> (last visited Mar. 27, 2025).

¹²⁴ *See* 8 CFR 214.2(f)(10)–(12), 8 CFR 274a.12(b)(6)(iv).

student's particular circumstances, and be able to identify potential fraud and criminality, thereby ensuring public safety and program integrity.

In these circumstances, the Department would only extend the stay beyond the prior admission date (typically the program end date for which the student was admitted to the United States as a F–1 nonimmigrant or was granted based on a change of status or EOS) of an otherwise eligible F–1 student requesting additional time to complete their program if the additional time needed is due to a compelling academic reason, documented medical illness or medical condition, or circumstance that was beyond the student's control. As with all nonimmigrant EOS, an alien seeking an EOS generally must have continually maintained status.¹²⁵ If an F–1 student dropped below a full course of study, that drop must have been properly authorized. F–1 students seeking extensions of stay must primarily be seeking to temporarily stay in the United States solely to pursue a full course of study, INA section 101(a)(15)(F)(i), 8 U.S.C. 1101(a)(15)(F)(i), and not for other reasons separate from, or in addition to, pursuing a full course of study. If an F–1 student were to violate the terms of his or her F–1 status, the F–1 student would need to apply to USCIS for reinstatement, consistent with current 8 CFR 214.2(f)(16). If a student is reinstated and his or her admit until date expires within 6 months, but the student is unable to complete his or her program of study within that time, then the F–1 student also would need to apply to USCIS for an EOS. In that scenario, the F–1 student would need to make separate requests for reinstatement and for EOS by submitting a separate form for each request, including the required filing fee for each form, by marking reinstatement on one form and then EOS on the other. Both forms can then be submitted together at the same time to avoid unnecessary adjudication delays. In the event both forms are submitted together, and the F–1 student's application to reinstate student status is denied, his or her application for EOS would also be

denied, with both filing fees being retained by USCIS and not refunded.

By way of illustration, a student with a fixed date of admission may request an additional 4 months to complete his or her program because the student was authorized to drop below a full course of study for one semester due to illness. Under the existing regulation, the student would need to request an updated Form I–20 from the DSO recommending a program extension. Under the proposed regulation, an immigration officer could review the proffered evidence and ensure that the claim is supported by documentation from a medical doctor. Conversely, a student may request an EOS for additional time to complete an associate program but fail to submit evidence they were properly authorized to drop below a full course of study. Under the proposed regulation, the immigration officer would have discretion to request transcripts from the student. If a student's transcripts reflect that the student failed multiple classes one semester, an immigration officer could determine the student has failed to maintain status due to a failure to carry a full course of study as required. In another example, a student could submit an EOS request to continue in the same program because he or she was unable to take all the required classes for his or her major due to over-enrollment at the school. Again, an officer could request additional information, if needed, to determine that the student was maintaining a full course of study (or, if not, was properly authorized to reduce his or her course load), but due to the school's high enrollment, the student may validly require an additional semester to complete the degree requirements in order to graduate.

Therefore, DHS is proposing to eliminate a reference to “normal progress” with respect to seeking a program extension and incorporate a new standard clarifying that acceptable reasons for requesting an extension of a stay for additional time to complete a program are: (1) compelling academic reasons; (2) a documented illness or medical condition; or (3) exceptional circumstances beyond the control of the alien. *See* proposed 8 CFR 214.2(f)(7)(i)(C).¹²⁶ The first two factors

are based on the current regulatory provisions for program extension, 8 CFR 214.2(f)(7)(iii), from current text (*e.g.*, changes of major or research topics, and unexpected research problems). DHS proposes to clarify that, in addition to academic probation and suspension, a student's repeated inability or unwillingness to complete his or her course of study, as demonstrated by a pattern of failing classes and requesting multiple program extension, is not an acceptable reason to request an EOS for additional time to complete a program. *See* proposed 8 CFR 214.2(f)(7)(i)(C)(1). DHS expects bona fide students to be committed to their studies, attending classes as required, carrying a full course of study, and making reasonable efforts toward program completion. Repeatedly failing classes demonstrates that the student is not making reasonable efforts toward completing his or her program of study. Therefore, a student who has a pattern of failing classes that has resulted in multiple program extensions would not be qualified for an EOS. The prohibition against requesting an EOS would not include students such as those who, pursuant to DHS regulations, are making normal progress toward completing their program of study and still may not complete the program within 4 years due to the standard timeline and requirements for the program. Absent such factors as being placed on academic probation or suspension, or repeatedly failing classes, these students would be eligible for extension based upon compelling academic reasons. The prohibition would also not include cases in which the DSO properly authorized the student to drop below a full course of study as well as cases in which the status has been reinstated following a loss of status. In such a case, the student is eligible for reinstatement if the reduced course load was within a DSO's power to authorize. A student would be expected to provide evidence demonstrating the compelling academic reason in order for the DSO to recommend a program extension. The student may then apply for an EOS. While a letter from the student may be sufficient to meet his or her burden of proof, an immigration officer will evaluate the individual case and make the determination as to whether additional evidence (such as a letter from a member of the school administration or faculty) is needed to adjudicate the case.

Next, DHS is proposing to clarify that a student can qualify for a program extension and corresponding EOS based on a documented illness or medical

¹²⁵ Failure to file on or before the expiration of the previously accorded status or failure to maintain such status may be excused at the discretion of USCIS if the alien demonstrates that at the time of filing: the delay was due to extraordinary circumstances beyond the control of the applicant, and USCIS finds the delay commensurate with the circumstances, the alien has not otherwise violated his or her status, and is not subject to deportation. *See* 8 CFR 214.1(c)(3)(viii).

¹²⁶ DHS did not propose to update the term “normal progress” as defined in 8 CFR 214.2(f)(6)(i)(E) because the Department did believe it addresses the same concerns as it does at 8 CFR 214.2(f)(5). The provision at 8 CFR 214.2(f)(6)(i)(E) relates to study at an approved private elementary or middle school or public or private academic high school. In that context, it is clear that “normal progress” is the completion of the academic year (for example, 6th grade).

condition. To provide an objective standard, DHS proposes to codify standards already included in 8 CFR 214.2(f)(6)(iii)(B), which require a student to provide medical documentation from a licensed medical doctor, licensed doctor of osteopathy, licensed psychologist, or licensed clinical psychologist to substantiate the illness or medical condition if seeking a reduced course load. *See* proposed 8 CFR 214.2(f)(7)(i)(C)(2). As this is already a long-standing requirement for DSOs and students in a similar context, DHS believes that it would be appropriate and easy to implement in the program extension and corresponding EOS process. Further, requiring applicants to provide documentation of their medical illness or medical condition that caused their program delay is a reasonable request, because they are asking DHS to provide them additional time in the United States.

DHS is also proposing a new factor in the EOS provisions—circumstances beyond the student's control, including a natural disaster, a national health crisis, or the closure of an institution. *See* proposed 8 CFR 214.2(f)(7)(i)(C)(3). As in the reinstatement context, DHS believes that there might be additional reasons beyond compelling academic or documented medical reasons that result in a student's inability to meet the program end date listed on the Form I-20.

Therefore, DHS is proposing a third prong that would encompass scenarios that are not envisioned in the current provisions governing the extension of a program end date, such as those noted above. Some scenarios are currently in the reinstatement provisions, 8 CFR 214.2(f)(16)(i)(F), such as natural disasters, pandemics, and the negligence of a DSO, and DHS believes that they merit favorable consideration in extension requests moving forward. Other scenarios may present circumstances that require a more intensive, fact-specific analysis and may fall into this proposed third prong. For example, the circumstances surrounding the closure of a school may be considered in determining whether the student qualifies for an EOS. By way of illustration, if a school closes as a result of a criminal conviction of its owners for engaging in student visa fraud by not requiring students to attend, but the student is unable to demonstrate that he or she was attending classes prior to closure as required to fulfill a full course of study, the closure of the institution might not qualify the student for a program extension. In contrast, if a school closes but a student is able to

demonstrate that he or she was attending classes and was fulfilling all requirements to otherwise remain in status, the closure of the institute may qualify the student for a program extension.

The requirements to timely request an extension of the program end date would remain largely unchanged; however, DHS proposes a technical change to replace all references to the DSO "granting" an extension of the program with the term "recommend" an extension of the program in order for the student to file for EOS because USCIS, not the DSO, would "grant" the EOS. *See* proposed 8 CFR 214.2(f)(7)(ii). For example, a student may not necessarily be granted an EOS by USCIS if an adjudicator determines the student has not actually maintained status or does not actually have compelling academic or documented medical reasons for the delay, despite the DSO's recommendation for program extension. Where the alien requests a recommendation to extend the program end date, the DSO could only make a recommendation to extend the program if the alien requested the extension before the program end date noted on the most recent Form I-20, or successor form. Additionally, consistent with proposed changes throughout this NPRM, once the DSO recommends the extension of the program, the alien would need to timely file for an EOS on the form and in the manner designated by USCIS, with the required fees and in accordance with the filing instructions, including any biometrics required by 8 CFR 103.16 and a valid, properly endorsed Form I-20 or successor form, showing the new program end date barring extraordinary circumstances. *See* 8 CFR 214.1(c)(4) and proposed 8 CFR 214.2(f)(7)(ii) and (f)(7)(iii).

If seeking an EOS to engage in any type of practical training, the alien in F-1 status would also need to have a valid Form I-20, properly endorsed for practical training, and be eligible to receive the specific type of practical training requested. *See* proposed 8 CFR 214.2(f)(7)(v). Finally, as with all immigration benefit requests, an immigration officer would generally not grant an EOS where an alien in F-1 status failed to maintain his or her status.

Finally, a student's failure to timely request, from the DSO, a recommendation for extension of the program end date prior to expiration of the student's authorized stay, which would result in the DSO recommending an extension of the program end date in SEVIS after the end date noted on the most recent Form I-20 or successor

form, would require the alien to file for a reinstatement of F-1 status, because the alien would have failed to maintain status and would be ineligible for an EOS. *See* proposed 8 CFR 214.2(f)(7)(viii). A request for reinstatement must be filed in the manner and on the form designated by USCIS, with the required fee, including any biometrics required by 8 CFR 103.16. DHS is also requiring F-2 dependents seeking to accompany the F-1 principal student to file applications for an EOS or reinstatement, as applicable. These requirements are consistent with current provisions.

With the transition from D/S to admission for a fixed time period, F-1 students would need to apply for an EOS directly with USCIS, by submitting the appropriate form and following the requirements outlined in the form instructions. USCIS anticipates accepting the Form I-539, Application to Change/Extend Nonimmigrant Status, for this population but would like the flexibility to use a new form if more efficient or responsive to workload needs. Thus, DHS is proposing to use general language to account for a possible change in form in the future. *See* proposed 8 CFR 214.2(f)(7)(iii)(A). If the form ever changes, USCIS would provide stakeholder's advance notice on its web page and comply with Paperwork Reduction Act requirements.

Like all other aliens who file a Form I-539, F-1 applicants might be required to submit biometrics and may be required to appear for an interview pursuant to 8 CFR 103.2(b)(9).

In addition, applicants would need to demonstrate that they are eligible for the nonimmigrant classification sought. Accordingly, applicants must submit evidence of sufficient funds to cover expenses. A failure to provide such evidence would render the applicant ineligible for the EOS. *See* proposed 8 CFR 214.2(f)(7)(i).

While the sponsoring school is required to verify the availability of financial support before issuing the Form I-20, they may not be well-versed in foreign documentation submitted by applicants and circumstances may change between the issuance of a Form I-20 and a request for an EOS. Further, it is incumbent upon DHS to determine the veracity of the evidence submitted, and officers must ensure that the student has sufficient funds to study in the United States without resorting to unauthorized employment. The phrase "sufficient funds to cover expenses" is referred to in existing DOS regulations concerning issuance of F and M nonimmigrant student visas, 22 CFR

41.61(b)(1)(ii), and current DOS policy requires an applicant to provide documentary evidence that sufficient funds are, or will be, available to defray all expenses during the *entire* period of anticipated study.¹²⁷ While this does not mean that the applicant must have cash immediately available to cover the entire period of intended study, which may last several years, the applicant must demonstrate enough readily available funds to meet all expenses for the first year of study and that additional funds will be available for the duration of the intended period of study.¹²⁸ DHS believes requiring evidence of readily available financial resources to cover expenses for one year of study is reasonable given that F students are familiar with this requirement because this is the standard used by the DOS in the issuance of F nonimmigrant visas. DHS also considers that this standard is appropriate because it establishes concrete resources for one full academic year of the program. Further, applicants must demonstrate that, barring unforeseen circumstances, adequate funds will be available for each subsequent year of study from the same source or from one or more other specifically identified and reliable financial sources. Such evidence for one year and subsequent years could include, but is not limited to: complete copies of detailed financial account statements for each account intended to be used to fund the student's education; other immediately available cash assets; receipts and/or a letter from the school accounts office indicating tuition payments already made and any outstanding account balance; affidavits of support from a sponsor; proof of authorized private student loans;¹²⁹ and/or other financial documentation.

F–1 applicants generally would need to timely file their EOS application—meaning that USCIS would need to receive the application on or before the date the authorized admission period expires. *See* proposed 8 CFR 214.2(f)(7)(iii)(B). This application timeframe for timely filing an EOS application would include the 30-day period of preparation for departure allowed after the completion of studies or any authorized practical training. However, if the extension application is received during the 30-day period of preparation for departure provided in proposed 8 CFR 214.2(f)(5)(v) following

the completion of studies, the alien in F–1 status may continue studying but may not continue or begin engaging in practical training or other employment until the extension request is approved and, as applicable, an EAD is issued. *See* proposed 8 CFR 214.2(f)(5)(iii)(B).

The length of the extension granted could be up to the period of time needed to complete the program or requested practical training, not to exceed 4 years, unless the alien is a border commuter, enrolled in language training, or attending a public high school, in which case further restrictions apply, as described above. By permitting admission only “up to” the prescribed period, USCIS and CBP are afforded discretion as to the ultimate length of time to grant the applicant and consider factors such as program length.

F–2 dependents seeking to accompany the F–1 principal student would need to file applications for an EOS or reinstatement, as applicable. *See* proposed 8 CFR 214.2(f)(7)(iv). A dependent F–2 spouse and unmarried children under the age of 21 seeking to accompany the principal F–1 student during the additional period of admission would need to either be included on the primary applicant's request for extension or properly file their own EOS applications on the form designated by USCIS. If the dependent files a separate Form I–539, he or she would need to pay a separate Form I–539 filing fee. However, if the dependent files a Form I–539A as part of the primary applicant's EOS request on a Form I–539, only one fee would be required.

USCIS generally would need to receive the extension applications on or before the expiration of the previously authorized period of admission, including the 30-day period following the completion of the course of study, as indicated on the F–2 dependent's I–94. To qualify for an EOS, the F–2 dependent would need to demonstrate the qualifying relationship with the principal F–1 student who is maintaining status, also be maintaining his or her own status, and not have engaged in any unauthorized employment. *See* proposed 8 CFR 214.2(f)(7)(iv). Extensions of stay for F–2 dependents would not be able to exceed the authorized admission period of the principal F–1 student. By removing duration of stay for family members, DHS is ensuring that a spouse who engages in unauthorized employment would be denied extensions of stays and must return home.

Under proposed 8 CFR 214.2(f)(7)(vii), if USCIS denies the request for an

extension, and the period of admission for the student and his or her dependents has expired, then the student and his or her dependents would need to immediately depart the United States. As with other nonimmigrant classifications, they would not be given any period of time to prepare for departure from the United States after the denial, and there may be significant immigration consequences for failing to depart the country immediately. For example, such aliens generally would begin to accrue unlawful presence the day after the issuance of the denial. DHS believes this standard provides parity across nonimmigrant classifications and invites the public to submit comments on this issue as well as the proposed EOS application process.

vii. School Transfers and Changes in Educational Objectives

As discussed above, a significant concern with the current D/S framework is that it has enabled fraudulent “pay-to-stay” schemes in which students were falsely reported as maintaining status in return for cash payments to DSOs. In some cases, school owners have operated multiple schools and transferred students between these schools to conceal this fraud. For example, in 2018, a defendant was sentenced by a federal judge in the Central District of California to 15 months in prison and ordered to forfeit more than \$450,000 for running such a scheme involving three schools that he owned.¹³⁰ Furthermore, as discussed more thoroughly above, the D/S framework has enabled some aliens to become “professional students” who spend years enrolled in programs at the same educational level (for example, multiple associate degree programs) or complete programs at one educational level and enroll in lower educational levels (such as completing a master's degree and then enrolling in an associate program). DHS believes the proposed changes previously discussed regarding admission for a fixed time period and limitations on program changes within and between educational levels will help to address these concerns and serve to further strengthen the integrity of the F nonimmigrant visa classification by better ensuring that aliens are in the

¹²⁷ *See* 9 FAM 402.5–5(G), Adequate Financial Resources, available at <https://fam.state.gov/FAM/09FAM/09FAM040205.html> (last visited Mar. 20, 2025).

¹²⁸ *Id.*

¹²⁹ Federal student loans are only available to U.S. citizens and permanent residents.

¹³⁰ Press Release, U.S. Dep't of Justice, Owner of Schools that Illegally Allowed Foreign Nationals to Remain in U.S. as ‘Students’ Sentenced to 15 months in Federal Prison (Apr. 19, 2018), available at <https://www.justice.gov/usao-cdca/pr/owner-schools-illegally-allowed-foreign-nationals-remain-us-students-sentenced-15> (last visited March 3, 2025).

United States primarily to study, rather than to reside permanently in the United States. *See* proposed 8 CFR 214.2(f)(8)(i).

DHS proposes to retain some of the current school transfer and change of educational level conditions. First, as is the case currently, aliens would need to begin classes at the transfer school or program within 5 months of transferring out of the current school or within 5 months of the program completion date on his or her current Form I–20; and second, if the alien is authorized to engage in post-completion OPT, he or she must be able to resume classes within 5 months of changing programs or transferring out of the school that recommended OPT or the date the OPT authorization ends, whichever is earlier. *See* proposed CFR 214.2(f)(8)(i)(E) and (F).

Another indication of a violation of F–1 status is failing to pursue a full course of study at the school that the alien is authorized to attend. *See* proposed 8 CFR 214.2(f)(8)(i). DHS is proposing to retain the current provisions rendering aliens who do not pursue a full course of study ineligible to change programs or transfer schools, and is clarifying that failure to pursue a full course of study includes, but is not limited to, a student whose pattern of behavior demonstrates a repeated inability or unwillingness to complete his or her course of study. Just as delays caused by unacceptable patterns of behavior, academic probation or suspension would not be acceptable reasons for program extensions and corresponding EOS of a student's current program, neither would they be an acceptable reason for failing to carry a full course load. Such aliens would have failed to maintain F status, are ineligible for a change of program and school transfers, and would be required to file for a reinstatement of status, if eligible. *See* proposed 8 CFR 214.2(f)(8)(i).

DHS also proposes clarifying that a change to a higher education level can be accomplished in accordance with the transfer procedures outlined in paragraph (f)(8)(ii) of 8 CFR 214.2 *See* proposed 8 CFR 214.2(f)(8)(iii).

Next, if the new program to which the student changes or transfers will not be completed within the authorized admission period established in paragraphs (f)(5)(i) of 8 CFR 214.2, then, consistent with the other provisions throughout this proposed rule, the F–1 student would need to apply for EOS in the manner and on the form designated by USCIS, with the required fee and in accordance with form instructions, together with a valid, properly endorsed

Form I–20 indicating the new program end date, and would need to provide biometrics as authorized by 8 CFR 103.16, if required. *See* proposed 8 CFR 214.2(f)(8)(iv).

viii. Border Commuter Students

DHS proposes to strike the sentence referencing how “duration of status” is inapplicable to border commuter students because DHS is proposing to eliminate D/S for all F nonimmigrants. *See* proposed 8 CFR 214.2(f)(18)(iii).

ix. Severability

In the event a provision in the section was not implemented, DHS proposes that the remaining provisions be implemented as an independent rule in a severability clause. *See* proposed 8 CFR 214.2(f)(20).

F. Requirements for Admission, Extension, and Maintenance of Status of J Exchange Visitors

i. Initial Admission Period and Period of Stay

1. Principal Applicants

The proposed revisions to the J regulations at 8 CFR closely align with the proposed changes for F nonimmigrants. Under proposed 8 CFR 214.2(j)(1), J exchange visitors would be able to receive an initial period of admission not to exceed the program end date as stated on the Form DS–2019, up to a period of 4 years. Currently, the permissible initial time periods for J program categories (as opposed to the periods of admission) are as follows, though further extensions are possible with DOS approval for all categories:

- *Professors and research scholars:* The length of program, not to exceed 5 years. *See* 22 CFR 62.20(i)(1).
- *Short-term scholars:* The length of the program not to exceed 6 months. *See* 22 CFR 62.21(g).

- *Trainees and interns:* General trainees may be granted 18 months; trainees in the field of agriculture, hospitality and tourism may be granted 12 months, and interns may be granted 12 months. *See* 22 CFR 62.22(k).

- *College and university students:* The length of time necessary to complete the goals and objectives of the training. *See* 22 CFR 62.23(f)(4). For undergraduate and pre-doctoral academic training, not to exceed 18 months, and for post-doctoral training, not to exceed a total of 36 months. 22 CFR 62.23(f)(4). Students enrolled in a degree program do not have a definite admission period but must comply with duration of participation requirements

at 22 CFR 62.23(h).¹³¹ If enrolled in a non-degree program, students may be granted up to 24 months. *See* 22 CFR 62.23(h)(2).

- *Student intern:* Up to 12 months. *See* 22 CFR 62.23(h)(3) and (i).

- *Teachers:* The length of time necessary to complete the program, not to exceed 3 years, unless a specific extension of 1 or 2 years is authorized by DOS. *See* 22 CFR 62.24(j).

- *Secondary school students:* Not more than two academic semesters (or quarter equivalency). *See* 22 CFR 62.25(c)(2).

- *Specialists:* The length of time necessary to complete the program, not to exceed 1 year. *See* 22 CFR 62.26(i).

- *Alien physicians:* Limited to 7 years, unless the alien physician has demonstrated to the satisfaction of the Secretary of State that the country to which the alien physician will return at the end of additional specialty education or training has an exceptional need for an individual with such additional qualification. *See* 22 CFR 62.27(e).

- *International visitors:* The length of time necessary to complete the program, not to exceed 1 year. *See* 22 CFR 62.28(g).

- *Government visitors:* The length of time necessary to complete the program, not to exceed 18 months. *See* 22 CFR 62.29(h).

- *Camp counselors:* 4 months. *See* 22 CFR 62.30(h)(2).

- *Au pairs:* Not more than 1 year. *See* 22 CFR 62.31(c)(1).

- *Summer work travel:* Up to 4 months. *See* 22 CFR 62.32(c).

As with the F classification, many J exchange visitors are admitted to participate in programs shorter than 4 years. Some J exchange visitors, like most F nonimmigrants, enter as post-secondary students. Similar to the F–1 Ph.D. student, some J nonimmigrants, like physicians, may need to stay longer than a 4-year period to complete their J program. However, all categories of J nonimmigrants would be covered by the same 4-year period proposed for F nonimmigrants. As such, DHS strives to treat these similarly situated nonimmigrants in a consistent manner by providing them with the same proposed maximum admission period.

¹³¹ A student who is in a degree program may be authorized to participate in the Exchange Visitor Program as long as he or she is either: (i) Studying at the post-secondary accredited academic institution listed on his or her Form DS–2019 and: (A) Pursuing a full course of study as set forth in 22 CFR 62.23(e), and (B) Maintaining satisfactory advancement towards the completion of the student's academic program; or (ii) Participating in an authorized academic training program as permitted in 22 CFR 62.23(f). *See* 22 CFR 62.23(h).

DHS is implementing the same 4-year maximum period of admission. *See* proposed 8 CFR 214.2(j)(1)(ii)(A). This would help ensure compliance by providing consistency between the J program and the F program, which have programmatic similarities in that both go through the SEVIS system and need approval by their respective DSOs or ROs for exchanges and changes.

DHS proposes to retain the 30-day period that J nonimmigrants are provided before the report date or start of the approved program listed on the DS-2019 and the 30-day period for preparation for departure. As DHS expects these nonimmigrants to use the 30-day period of time after the program ends to prepare for departure, the Department proposes to revise the language currently in 8 CFR 214.2(j)(1)(ii) that reads, “period of 30 days for the purposes of travel or for the period designated by the Commissioner . . .,” to instead read “a period of 30 days from the program end date or the 4-year maximum period of admission, whichever is earlier, for the purposes of departure or to otherwise seek to maintain lawful status.” *See* proposed 8 CFR 214.2(j)(1)(ii)(C). DHS believes that the proposed language more accurately reflects the purpose of the period at the end of the program and accounts for other ways J exchange visitors may seek to maintain status during this period, such as by filing an EOS or change of status application. As explained in the context of F-1s above, DHS proposes changes to clarify that all J-1 nonimmigrants will be allowed the 30-day departure period following their program end date or the 4-year maximum period of admission.

2. Dependents

Consistent with the EOS eligibility requirements for J-1 nonimmigrants found at 8 CFR 214.1(c)(4), DHS proposes to codify the policy that extensions for spouses or children who are granted J-2 status based on their derivative relationship as a spouse or child of the principal J-1 nonimmigrant may not exceed the period of authorized admission of the principal J-1. The existing regulations state that the initial admission of a spouse or children may not be for longer than the principal exchange visitor.¹³² That is, the authorized period of initial admission for J-2 dependents would be subject to the same requirements as the J-1 exchange visitor and may not exceed the period of authorized admission of the

principal J-1 exchange visitor. *See* proposed 8 CFR 214.2(j)(1)(ii)(B).

ii. EOS

The shift from D/S to admission for a fixed time period would mean that J nonimmigrants wishing to remain in the United States beyond their authorized period of stay would need to file for an EOS with USCIS. Like other nonimmigrants applying for EOS, they would need to file an EOS application on the form and in the manner designated by USCIS, with the required fee and in accordance with filing instructions, including any biometrics required by 8 CFR 103.16. *See* proposed 8 CFR 214.2(j)(1)(iv)(A). J-1 nonimmigrants seeking a program extension will continue to first request such an extension through the RO, as provided for under existing regulations.¹³³ If such a program extension is recommended by the RO and approved by DOS, if necessary, the J-1 must apply for an EOS with USCIS to remain in the U.S. beyond the status expiration date on their I-94.

There are times when an exchange visitor's program status becomes inactive prior to program completion, which would result in the RO recommending a reinstatement of J-1 status to include an extension of the program beyond the end date noted on the most recent Form DS-2019 or successor form.¹³⁴ A request for reinstatement must be filed in the manner designated by DOS, with the required fee. If the DOS approves the reinstatement, the RO shall provide the exchange visitor with a new Form DS-2019 and the exchange visitor must file for an extension of stay with USCIS within 30 calendar days of the DOS's decision.

A dependent J-2 spouse and children seeking to accompany the J-1 exchange visitor in eligible J-1 categories during the additional period of admission would either need to be included on the primary applicant's request for extension or file their own EOS applications on the form designated by USCIS and may be required to provide biometrics consistent with 8 CFR 103.16. *See* proposed 8 CFR 214.2(j)(1)(iv)(D). If a J-1 exchange visitor is denied EOS, then the J-2

family members will also be denied EOS, and all will be required to leave the United States immediately. However, a J-2 family member also could be denied EOS for other reasons, including due to criminal activity or not maintaining his or her status, for example, by working when not authorized, and would be required to depart the United States, but the J-1 and other J-2 dependents would be allowed to remain in the United States if EOS is approved for them.

As with other nonimmigrant classifications, the period of stay for J-2 dependents cannot exceed the period of stay authorized for the principal J-1 exchange visitor, including any EOS granted. And, as with other nonimmigrant classifications, if an EOS request is denied, the aliens would need to immediately depart the United States once their authorized period of stay expires.

iii. Employment and Pending EOS and Employment Authorization Applications

Like I nonimmigrants, J-1 exchange visitors in some categories are authorized to engage in employment incident to status.¹³⁵ This means that they are authorized to work per the terms of their program, and they do not have to apply to USCIS for authorization to engage in employment. If an alien's J-1 status has expired, but he or she timely filed an EOS application, DHS proposes to allow the alien to continue engaging in activities consistent with the terms and conditions of the alien's program, including any employment authorization, beginning on the day after the admission period expires, for up to 240 days. *See* 8 CFR 274a.12(b)(20). As discussed in more detail below, DHS also proposes to allow an alien whose J-1 status has expired but who timely filed an extension of stay application on or before 6 months after the effective date of the final rule (or longer if extended by DHS by an announcement in the **Federal Register**), to engage in J-1 activities, including authorized training and employment, as permitted by the alien's exchange visitor program, while the EOS application is pending with USCIS, for the period up to the program end date on the DS-2019 (or successor

¹³³ *See* 22 CFR 62.43, describing J-1 program extension procedures.

¹³⁴ One example is when a sponsor issues Form DS-2019 for one year at a time for exchange visitors on multi-year programs. Prior to the end of the first year, the sponsor should have submitted an extension prior to the Program End Date but failed to do so and now must submit a Reinstatement. If approved, the request would change the status of the exchange visitor from Inactive to Active and extend the Program End Date for another year.

¹³⁵ *See* 8 U.S.C. 1101(a)(15)(J) (including teaching, instructing, lecturing, and consulting among the permissible activities of nonimmigrants in the J classification for participation in programs authorized by the Department of State); 8 CFR 214.2(j)(1)(v) (discussing employment authorization for J exchange visitors); 22 CFR 62.16 (stating that an exchange visitor program participant may receive compensation “when employment activities are part of the exchange visitor's program”).

¹³² *See* 8 CFR 214.2(j)(1)(ii).

form) filed with the pending application. Such authorization would be subject to any conditions and limitations of the initial authorization. *See* proposed 8 CFR 214.2(j)(1)(vii). This policy is consistent with current practice and prevents J–1 exchange visitors from being penalized on account of USCIS processing times, allows the alien to participate in the program without interruption, and, as applicable, prevents disruption to U.S. institutions employing or otherwise relying on the alien.

If the alien's initial date of admission passes, DHS proposes to consider the alien's I–94 unexpired when combined with a USCIS receipt notice indicating receipt of a timely filed EOS application and a valid, properly endorsed Form DS–2019 indicating his or her program's end date. An EOS application would be considered timely filed if the date on the receipt notice for the application of EOS is on or before the date the authorized stay expires. The extension of an alien's employment authorization would terminate on the date of denial of an individual's application for an EOS. *See* proposed 8 CFR 214.2(j)(1)(iv)(E). DHS believes that such provision would clarify how exchange visitors would demonstrate authorization to continue engaging in employment authorized pursuant to their program and better facilitate employer compliance with I–9 employment verification requirements.

Unlike J–1 exchange visitors, J–2 spouses and eligible children may only engage in employment with authorization by USCIS. *See* 8 CFR 214.2(j)(1)(v) and 8 CFR 274a.12(c)(5). DHS also proposes to retain the current restriction on the J–2 dependent's income described in 8 CFR 214.2(j)(1)(v)(A); the J–2 nonimmigrant's income may be used to support the family's customary recreational and cultural activities and related travel, among other things, but not to support the J–1. *See* proposed 8 CFR 214.2(j)(1)(v).

Consistent with current regulatory requirements, if a J–2 dependent wants to engage in employment, he or she will need to file an application for employment authorization, in the manner designated by USCIS, with the required fee and in accordance with form instructions. If a J–2 dependent nonimmigrant's requested period of employment authorization exceeds his or her current admission period, the J–2 dependent would need to file an EOS application or be included as part of the J–1 principal's EOS application in the manner designated by USCIS, with the required fee and in accordance with form instructions. The validity of the J–

2 dependent's employment authorization may not exceed the authorized admission period granted to the J–2 dependent pursuant to the EOS application. *See* proposed 8 CFR 214.2(j)(1)(iv)(A), (j)(1)(v), and (j)(1)(vii)(C).

As noted above in the discussion concerning EOS applications for F nonimmigrants, DHS considered but declined to adopt a policy that will result in abandonment of the EOS application upon traveling outside the United States while the EOS is pending. A J–1 or J–2 alien who travels during the time the EOS is pending may not be considered to have abandoned the EOS application. *See* proposed 8 CFR 214.1(c)(8).

DHS proposes to allow J–1 nonimmigrants to continue employment or authorized training while an EOS application is pending with USCIS. Specifically, DHS proposes to allow J–1s who have properly filed an EOS on or before 6 months after the effective date of the final rule, to engage in the activities consistent with pursuing the terms and conditions of the exchange program objectives, including authorized training, while the EOS is pending, up to the DS–2019 end date filed with the EOS application. If a J–1 nonimmigrant's EOS is still pending upon the end date of the DS–2019 filed with the EOS application, and the J–1 obtains a program extension from the sponsor and/or DOS, as applicable, DHS proposes to allow the alien to continue engaging in activities consistent with the exchange program objectives, including authorized training, so long as the EOS application is pending, and he or she has filed a subsequent EOS request with an end date beyond the DS–2019 end date requested in the preceding EOS request. In the future, the date which is initially 6 months after the effective date of the final rule may be extended, if DHS determines such an extension is necessary. *See* proposed 8 CFR 214.2(j)(1)(vii).

Finally, DHS proposes minor technical updates. First, in 8 CFR 214.2(j)(1)(vi) DHS proposes to strike the reference to duration of status, to update references to the “Commissioner” to refer to USCIS, and to replace the title with ‘*Automatic Extension of J–1 stay and grant of employment authorization for aliens who are the beneficiaries of a cap-subject H–1B petition*’ to eliminate the prior reference to “duration of status” and to provide more details on the paragraph. Second, because proposed 8 CFR 214.2(j)(1)(vii) is being revised to describe J nonimmigrants with pending EOS applications and their employment

authorization, it is necessary to revise and reassign existing 8 CFR 214.2(j)(1)(vii) and (viii) to proposed 8 CFR 214.2(j)(1)(viii) and (ix) respectively. Third, DHS proposes conforming amendments to the provision which requires exchange visitors to report legal changes to their name and any changes in their address, replacing the term ‘Service’ with ‘USCIS’ and clarifying the number of days during which changes need to be reported by revising from 10 days to 10 ‘calendar’ days for exchange visitors to report changes in their names and addresses and from 21 days to 10 business days for the RO to update SEVIS, in order to conform with existing DOS regulations.¹³⁶ *See* proposed 8 CFR 214.2(j)(1)(ix). This change is proposed because the differing number of days for ROs to report changes between DHS and DOS regulations may cause confusion given that the time frames are both regarding the requirement for ROs to update changes in SEVIS, and this change provides for a common timeframe. In that same provision, DHS proposes to strike the sentence which references non-SEVIS programs, as SEVIS enrollment is now a mandatory requirement. Finally, in the event a provision in the paragraph was not implemented, DHS proposes that the remaining provisions be implemented as an independent rule in a severability clause. *See* proposed 8 CFR 214.2(j)(6).

G. Requirements for Admission, Extension, and Maintenance of Status of I Nonimmigrants

i. Definition of Foreign Media Organization

Changes in technology and in the way that the public consumes media information have raised novel questions as to whether certain individuals fit within the statutory and regulatory provisions that are applicable to representatives of foreign information media. To address these questions, DHS proposes to define a foreign media organization as “an organization engaged in the regular gathering, production or dissemination via print, radio, television, internet distribution, or other media, of journalistic information and has a home office in a foreign country.” *See* proposed 8 CFR 214.2(i)(1).

¹³⁶ 22 CFR 62.10(d)(3) clarifies that the J–1 exchange visitor must inform the RO or ARO of address changes within “10 calendar days” of the change, and 22 CFR 62.10(d)(4) states that the reporting window for ROs or AROs to update SEVIS is “10 business days” from receiving the J–1 exchange visitor's address change notification from the J–1 exchange visitor.

This proposal clarifies long-standing practice that the alien be a representative of a media organization with a home office in a foreign country by codifying what is considered a foreign media organization when seeking qualification as an I nonimmigrant.¹³⁷ By requiring evidence that shows that the foreign organization that employs or contracts the I nonimmigrant has a home office in a foreign country, and that the office in a foreign country continues to operate while the I nonimmigrant is in the United States, DHS would help ensure that the I nonimmigrant, at the time of application for admission, change of status, or application for EOS, is a bona fide representative of *foreign* media organization. See proposed 8 CFR 214.2(i)(2). Further, to conform to the statutory intent of the I classification, DHS is proposing to clarify and codify the DOS and USCIS long-standing practice interpreting “foreign information media” under INA 101(a)(15)(I) as “journalistic information.” This standard is in place when aliens apply for an I visa abroad or seek to change to I nonimmigrant status in the United States and aligns with statutory intent, which is to facilitate foreign press and journalism, rather than for entertainment or promotional purposes, such as performing or appearing on reality television programs. There are other options for those aliens, such as the O or P nonimmigrant classifications.¹³⁸

DOS is the entity that determines whether an alien qualifies for an I visa, while USCIS is the entity that determines whether an alien who is in the United States in another nonimmigrant status can change to I status or whether an I alien who is already in the United States and seeks to change his or her employer or information medium continues to qualify for an I status. USCIS and DOS guidance discuss the distinction between journalistic content and content that is primarily for entertainment. DOS considers journalistic information as content that is primarily informational in nature, such as the reporting on recent or important events, investigative reporting, or producing educational materials, such as documentaries. It

does not include content that is primarily designed to provide entertainment rather than information, including scripted or contrived situations, such as most “reality television” shows. It also does not include most personal content, such as discussions of personal experiences in the United States or materials aimed at fan engagement or works produced for promotional or marketing purposes.¹³⁹ DOS’ definition aligns with current USCIS practice where the “officer should consider whether the intended use is journalistic, informational, or educational, as opposed to entertainment. The officer should also consider the foreign distribution of the film or video footage in addition to other factors, including the timeliness of the project relative to the subject event.”¹⁴⁰

Consistent with DOS guidance and current USCIS practice, whether content is journalistic information would depend on the nature of the content featured on the new media outlet. For example, a political blogger traveling to the United States to cover an election could qualify for I status, as election coverage would generally be considered journalistic information. In this example, the applicant would still need to demonstrate that he or she satisfies the other qualifications of an information media representative, including that he or she represents an organization involved in the regular gathering, production, or dissemination of journalistic information that has a home office in another country.¹⁴¹

Similarly, a professional travel blogger traveling to the United States to obtain and produce materials on national parks in the United States could also qualify for I classification if all aspects of the definition of an information media representative are established, including the requirement that the media content generated will be journalistic information and that he or

she represents an organization having an office in a foreign country and that is involved in the regular gathering, production, or dissemination of journalistic information. However, a blogger traveling to the United States to report on his or her own activities at a national park may not qualify for I status if the applicant does not represent an organization involved in the regular gathering, production, or dissemination of journalistic information and the media content is not primarily journalistic information. Individuals who are not professional bloggers, but maintain a personal blog and will produce content on their blog based on their personal experiences in the United States, such as providing information and reviews of their personal vacation, generally would not qualify for I classification, but may qualify for a B classification, depending on the circumstances.

These standards facilitate the travel of representatives of foreign information media. These proposed standards codify and clarify existing U.S. government practice and thus would not significantly alter the current guidance used by DHS officers adjudicating these cases or by DOS when determining whether an I visa should be issued. Rather, codifying these standards in the regulation would clarify how representatives of foreign press, radio, film or other journalistic information media qualify for the I classification. DHS does not anticipate that the changes proposed in this rule would represent a significant departure from current processing.

ii. Evidence

In order to be granted I classification, an alien would need to meet his or her burden of proof to establish eligibility for admission in that nonimmigrant classification. DHS believes that evidence presented by such individuals to establish employment as a bona fide representative of foreign press, radio, film or other journalistic information media should be provided in a letter from the employing foreign media organization verifying the employment, the work to be performed, and the remuneration involved. See proposed 8 CFR 214.2(i)(2). This evidence would provide a standard basis for DHS to evaluate whether the applicant intends to comply with the I classification and only engage in the regular gathering, production or dissemination via print, radio, television, internet distribution or other media of journalistic information and represents, as an employee or under contract, an organization with an office in a foreign country. For example, such

¹³⁷ See generally USCIS Policy Manual, Vol. 2, Part K, Chap. 2. Available at <https://www.uscis.gov/policy-manual/volume-2-part-k-chapter-2> (last visited Apr. 8, 2025); 22 CFR 41.52; 9 FAM 402.11–3(a)(1), available at <https://fam.state.gov/FAM/09FAM/09FAM040211.html> (last visited Apr. 9, 2025).

¹³⁸ INA section 101(a)(15)(O) or (P), 8 U.S.C. 1101(a)(15)(O) or (P).

¹³⁹ See DOS guidance for consular officers adjudicating I visa applications at 9 FAM 402.11–3, Definitions of “Information Media Representative” and “Journalistic Information,” available at <https://fam.state.gov/FAM/09FAM/09FAM040211.html> (last visited Apr. 9, 2025).

¹⁴⁰ See USCIS Policy Manual, Vol. 2, Part K, Chap. 3, available at <https://www.uscis.gov/policy-manual/volume-2-part-k-chapter-3> (last visited Apr. 8, 2025) (stating that “[i]ncreasingly, because of the growing popularity of documentary-type biographies and similar nonfiction film productions, the distinction between commercial filmmaking for entertainment and genuine news gathering is less clear. For example, filmed biographies may be regarded as documentary filmmaking or as news gathering.”).

¹⁴¹ See 9 FAM 402.11–10, New Media—Blogging And Other Electronic Media Platforms, available at <https://fam.state.gov/FAM/09FAM/09FAM040211.html> (last visited Apr. 9, 2025).

a letter would be able to describe the content that the foreign information media representative is covering in the United States, which must be primarily journalistic information in nature, such as the reporting on recent or important events, investigative reporting, or producing educational materials, such as documentaries. Foreign media organizations would be able to describe how the content is primarily designed to provide information rather than entertainment, such as scripted or contrived situations, such as most “reality television” shows, which do not qualify an individual for admission under the I nonimmigrant classification.¹⁴²

Where an alien is self-employed or freelancing, the alien must provide an attestation that verifies the employment, establishes that he or she is a representative of a qualifying foreign media organization that meets the foreign home office requirement, and describes the remuneration and work to be performed. In order to maintain the home office in another country, a self-employed applicant would need to demonstrate that he or she intends to depart the United States within a reasonable time frame consistent with the intended purpose of travel. Like the letter from the employing foreign media organization, the attestation from the alien would help to ensure that the individual is engaging in qualifying activities, not activities primarily intended for personal fan engagement, or promotional or marketing purposes, which are unrelated to the regular gathering, production, or dissemination of journalistic information. *See* proposed 8 CFR 214.2(i)(2).

iii. Admission Period and EOS

DHS is proposing that aliens in I nonimmigrant classification have admission periods not to exceed 240 days or the period of time necessary to complete their activities, whichever is shorter, while also allowing such alien to apply for an “extension of stay” of up to 240 days. *See* proposed 8 CFR 214.2(i)(3)(i) and 214.2(i)(5)(i). The proposed rule further provides that an I nonimmigrant “may be eligible for an extension of stay, each of up to 240 days or until the activities or assignments consistent with the I classification are completed, whichever is shorter.” *See* proposed 8 CFR 214.2(i)(5)(i). However, I nonimmigrants presenting passports

from the PRC (other than a Hong Kong SAR passport or Macau SAR passport) would be given admission and extension of stay periods of up to 90 days or until the activities or assignments consistent with the I classification are completed, whichever is shorter. *See* proposed 8 CFR 214.2(i)(3)(ii) and 214.2(i)(5). In each instance of applying for an EOS, DHS proposes that the I nonimmigrant must demonstrate planned work activities consistent with the I classification to justify the additional time sought. *See* proposed 8 CFR 214.2(i)(5).

As I nonimmigrants who file a Form I-539 request with USCIS to request a change in information medium are currently allowed an automatic extension of employment authorization with the same employer while a Form I-539 application is pending for a period not to exceed 240 days, CFR 274a.12(b)(20), DHS believes that it is appropriate to extend such period of time to most other I nonimmigrant contexts. As stated above and in 8 CFR 214.2(i)(5), DHS proposes allowing an I nonimmigrant to continue activities consistent with the I classification while the timely application for EOS is pending, as provided for in 8 CFR 274a.12(b)(20), for a period not to exceed 240 days or the actual additional time requested on the EOS application, whichever is shorter (with the exception of an I nonimmigrant submitting a passport from the PRC, except Hong Kong SAR and Macau SAR, who can request extensions of up to 90 days), and beginning on the date of the expiration of the authorized period of stay.

In the event that the EOS application remains pending at the end of this period (the 240 day auto-extension or 90 days for certain aliens from PRC), DHS proposes the I nonimmigrant, whose status has expired, may remain in the United States so long as the EOS application is pending, and he or she has filed a subsequent EOS request to remain beyond the period requested in the preceding EOS request. But DHS proposes that the alien cease working until his or her initial/preceding EOS application is approved, and USCIS may deny an EOS application if it finds that the alien did not cease working. *See* proposed 8 CFR 214.2(i)(5)(i) and (iii).

DHS proposes each extension request for an I nonimmigrant conform to the current requirements outlined in 8 CFR 214.1(c)(4) that the request be timely filed, and that an alien file his or her EOS while the alien maintains his or her previously accorded lawful status or prior to the expiration of his or her

status.¹⁴³ Thus, under 8 CFR 214.1(c)(4), if an EOS remains pending and the alien needs to continue working in the United States beyond the time period requested in that particular EOS application, then DHS proposes he or she must file a second EOS application before the date (up to 240 days or 90 days for an I nonimmigrant submitting a passport from the PRC or the actual time period requested, whichever is shorter) when the preceding EOS request would have expired. When multiple, timely filed consecutive EOS applications are necessary, and the alien is required to cease work activities as described above because the preceding EOS application(s) remain pending, DHS proposes the filing of a subsequent EOS application does not confer authorization to continue work activities until the preceding EOS application(s) are approved. Upon approval of any and all preceding EOS application(s), DHS proposes the alien may resume work activities for the period of time remaining on the latest EOS request. At any time, the denial of an extension application requires the alien to cease work activities and depart the United States immediately. *See* proposed 8 CFR 214.2(i)(6). As with other nonimmigrant classifications, they will not be given any period of time to prepare for departure from the United States after the denial, and there may be significant immigration consequences for failing to depart the country immediately. For example, such aliens generally will begin to accrue unlawful presence the day after the issuance of the denial. DHS believes this standard provides parity across nonimmigrant classifications.

DHS proposes amendments at 8 CFR 214.2(i)(5)(ii) to clarify that the dependents of an I nonimmigrant may be eligible for an EOS, under the same conditions and subject to the same restrictions as the principal I nonimmigrant. DHS also proposes regulatory text at 8 CFR 214.2(i)(5)(iv), clarifying the meaning of “timely filing” in the context of these I EOS applications.

Aliens applying for an EOS currently file a Form I-539 with USCIS, with required fee and in accordance with form instructions, but DHS is using general terms in the proposed regulatory text when referencing the EOS application. DHS is using general terms, rather than referencing form names and

¹⁴² For more information about what qualifies as “journalistic information” *see* 9 FAM 402.11–3 Definitions of “Information Media Representative” and “Journalistic Information,” available at <https://fam.state.gov/FAM/09FAM/09FAM040211.html> (last visited Apr. 9, 2025).

¹⁴³ Current DHS regulations allow for USCIS, in its discretion, to excuse an alien’s failure to file before the period of previously authorized status expired where the alien is able to demonstrate that certain circumstances apply to him or her: *See generally* 8 CFR 214.1(c)(4).

numbers, in the regulatory text to provide flexibility for the future—if the form name or number changes, the Department would not need to engage in rulemaking to make the update. *See* proposed 8 CFR 214.2(i)(5). And, as with other applicants who file a Form I-539, under the proposed rule applicants might be required to submit biometrics. *See* proposed 8 CFR 214.2(i)(5). Specific guidance and any changes to the filing procedure would be provided in the form instructions, which USCIS would post on its website, making it easily accessible to applicants.

DHS proposes to apply the same fixed period of admission applicable to aliens seeking to change from a different nonimmigrant status to, if eligible, I status. *See* proposed 8 CFR 214.2(i)(7).

iv. Severability

In the event a provision in the paragraph was not implemented, DHS proposes that the remaining provisions be implemented as an independent rule in a severability clause. *See* proposed 8 CFR 214.2(i)(8).

H. Change of Status

DHS is proposing to add two provisions to 8 CFR part 248, which governs changes of status. First, DHS is proposing to clarify that aliens who were granted a change to F or J status before the effective date of the final rule, and are applying for admission as an F or J after the final rule's effective date may be admitted up to the program end date as noted on the Form I-20 or DS-2019 that accompanied the change of status application that was approved prior to the alien's departure, not to exceed 4 years, plus a period of 30 days following their program end date, to prepare for departure or to otherwise seek to obtain lawful authorization to remain in the United States. *See* proposed 8 CFR 248.1(e). CBP may admit these aliens into the United States up to the program end date, on the Form I-20 or DS-2019 that accompanied the approved change of status prior to the alien's departure, plus an additional 30 days, thus ensuring that they do not get more time than allocated by their program end date, since these F and J nonimmigrants would have received an admission period for D/S on the I-94 that accompanied the change of status approval.

Second, DHS is proposing to codify the long-standing policy that, when an alien timely files an application to change to another nonimmigrant status, including F or J status, but departs the United States while the application is pending, USCIS will consider the application abandoned. Under section

248 of the INA, DHS may authorize a change of status to a nonimmigrant who, among other things, continues to maintain his or her status. Thus, pursuant to a policy that has been in place for decades, the change of status application of an alien who travels outside of the United States during the pendency of his or her request for a change of status is deemed abandoned. *See* proposed 8 CFR 248.1(f). Note, however, if there is an underlying petition filed along with the change of status, that petition may still be approved, but the alien generally would have to obtain the necessary visa at a U.S. Embassy or Consulate abroad before applying for admission to the United States in the new nonimmigrant classification.

I. Classes of Aliens Authorized To Accept Employment

DHS is proposing the following updates to regulations pertaining to employment authorization:

First, DHS proposes to strike the reference to D/S and update the reference to 8 CFR 214.2(f)(5)(vi) in 8 CFR 274a.12(b)(6)(v).

Second, in proposed 8 CFR 274a.12(b)(10), DHS proposes to cross-reference language in proposed 8 CFR 214.2(i) for I nonimmigrants, which clarifies that limitations currently in the provision (stating that an alien in this status may be employed only for the sponsoring foreign news agency or bureau) allow for freelance and self-employment situations where the I nonimmigrant may not have a “sponsoring” foreign news agency or bureau, and instead would need to show, among other requirements indicated in proposed 8 CFR 214.2(i), that they are working for a qualifying foreign media organization.

VI. Statutory and Regulatory Requirements

DHS developed this proposed rule after considering numerous statutes and executive orders related to rulemaking. The below sections summarize our analyses based on a number of these statutes or executive orders.

A. Executive Order 12866: Regulatory Review

Executive Orders 12866 (Regulatory Planning and Review), and 13563 (Improving Regulation and Regulatory Review), direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 13563 emphasizes the importance of quantifying both costs

and benefits, of reducing costs, harmonizing rules, and promoting flexibility. Executive Order 14192 (Unleashing Prosperity Through Deregulation) directs agencies to significantly reduce the private expenditures required to comply with Federal regulations and provides that “any new incremental costs associated with new regulations shall, to the extent permitted by law, be offset by the elimination of existing costs associated with at least 10 prior regulations.”

This rule has been designated a “significant regulatory action” that is economically significant under section 3(f)(1) of Executive Order 12866. Accordingly, the rule has been reviewed by the Office of Management and Budget.

This rule is not an Executive Order 14192 regulatory action because it is being issued with respect to an immigration-related function of the United States. The rule's primary direct purpose is to implement or interpret the immigration laws of the United States (as described in INA § 101(a)(17), 8 U.S.C. 1101(a)(17)) or any other function performed by the U.S. Federal Government with respect to aliens. *See* OMB Memorandum M-25-20, “Guidance Implementing Section 3 of Executive Order 14192, titled ‘Unleashing Prosperity Through Deregulation’” (Mar. 26, 2025).

DHS provides a summary of the Regulatory Impact Analysis (RIA) of the economic impacts below. For the full analysis, please see the RIA posted in the docket of this proposed rule on [regulations.gov](https://www.regulations.gov).

Under the proposed changes, DHS would more frequently have opportunities to review and collect nonimmigrant information, enhancing the Government's oversight and monitoring of these aliens, resulting in costs and benefits. Over a 10-year period of analysis, DHS estimates the proposed rule would have annualized costs ranging from \$390.3 million to \$392.4 million (using 3 and 7 percent discount rates, respectively) when considering both U.S. and non-U.S. parties. When considering U.S. parties only, DHS estimates that annualized costs would range from \$86.3 million to \$88.1 million (using 3 and 7 percent discount rates, respectively).

Need for the Rule

The proposed rule would ensure an effective mechanism for DHS to periodically and directly assess whether these nonimmigrants are complying with the conditions of their classifications and U.S. immigration laws, as well as allow DHS to obtain

timely and accurate information about the activities they have engaged in and plan to engage in during their temporary stay in the United States. The opportunity to assess the nonimmigrant status with timely and accurate information allows immigration officers to verify that the nonimmigrants have not obtained any criminal convictions and do not pose a threat to national security. In addition, as F, J, and I nonimmigrants would be admitted for a fixed period of admission under the proposed rule, they would generally begin to accrue unlawful presence following the expiration of their authorized period of admission, as noted on the Form I-94 (Arrival/Departure Record issued at the port of entry), and could potentially become inadmissible based on that accrual of unlawful presence under INA section 212(a)(9)(B) and (C), 8 U.S.C. 1182(a)(9)(B) and (C), upon departing the United States. These grounds of inadmissibility have important and far-reaching implications on an alien's future eligibility for a nonimmigrant or immigrant visa, admission to the United States, or adjustment of status to that of a lawful permanent resident. Therefore, the proposed regulatory changes may deter F, J, and I nonimmigrants from failing to maintain status and deter them from engaging in fraud and abuse. By increasing DHS assessments and clarifying when unlawful presence accrual begins, the proposed rule would strengthen the integrity of these nonimmigrant classifications.

Affected Population

The proposed rule would impact F, J, and I nonimmigrants, DSOs and ROs from SEVP-certified schools and exchange visitor sponsors that run a SEVP- or DOS-designated program and foreign media representatives. Overall, approximately 2.1 million persons participated annually in the F, J, and I nonimmigrant programs combined.¹⁴⁴ DHS estimated the 3-year average active nonimmigrants based on data from fiscal years 2022 to 2024.¹⁴⁵ Active nonimmigrants are those present in the United States with a valid visa. Over the 3-year period, there were approximately 1.6 million F nonimmigrants, 523,000 J nonimmigrants, and 24,000 I nonimmigrants active per year.

The number of nonimmigrant EOS requests under the proposed rule depends on the unique circumstances of each nonimmigrant visa holder. For

example, in situations when the nonimmigrant intends to extend their stay in the United States in furtherance of their academic training and following the proposed regulatory criteria for their visa and program, they would be expected to file an EOS. Therefore, DHS estimates the number of EOS requests over the 10-year analysis period based on the historical nonimmigrant data and criteria from the proposed regulatory provisions. Further, DHS accounts for the proposed transition period in the estimated number of EOS requests. Based on the historical data, regulatory criteria, and the transition period assumptions, DHS estimates an annual average of 205,000; 203,000; 6,000 EOS requests for F, J, and I nonimmigrants, respectively, over the ten-year period of analysis.

Costs

DHS recognizes that the proposed rule would incur costs. Some of the costs have been quantified based on available data, and the remaining costs are qualitative. DHS welcomes comments on these costs, including data or information that could support quantification as well as proposed alternatives to reduce burdens and impacts.

Quantitative Costs

Depending on each nonimmigrant's need to extend his or her stay in the United States, nonimmigrants on an F1, F2, J1, J2 and I visa would incur costs to request an EOS. The cost burden includes application fees and time for filing Form I-539 or I-539A. DHS assumes a percentage of nonimmigrants would incur costs for additional help filing their request for EOS. DHS estimates the annualized EOS costs for the nonimmigrants would range from \$304.0 million to \$304.3 million (using 3 and 7 percent discount rates, respectively).

Further, DSOs and ROs would incur a burden for processing additional EOS requests resulting from this proposed rule. When a nonimmigrant is or would be employed under OPT or CPT, DHS assumes HR staff would incur burden per EOS request to track form updates and avoid inadvertent unauthorized employment due to form discrepancies with the Form I-9. DHS estimates the annualized EOS costs for the DSOs and ROs, and HR staff would range from \$76.1 million to \$76.2 million (using 3 and 7 percent discount rates, respectively).

Additionally, DHS assumes DSOs and ROs would incur costs to familiarize themselves with the rule and to create and modify training materials, and other

adaptations such as system wide briefings and systemic changes. DHS estimates the annualized familiarization and adaptation costs to DSOs and ROs would range from \$10.1 million to \$11.8 million (using 3 and 7 percent discount rates, respectively).

Qualitative Costs

DHS acknowledges there could be other costs that the Department was not able to quantify and discusses these in the following section. Generally, DHS lacked data and information to quantify the qualitative costs below. DHS welcomes comments on these costs, including data or information that could support quantification as well as proposed alternatives to reduce burdens and impacts.

Federal Government Costs

DHS acknowledges there would be implementation and operational costs to the U.S. Government associated with assessing aliens at POEs for purposes of authorizing an admission period of 4 years. CBP officers would need training on new systems and procedures for conducting inspections at POEs. DHS continues to explore the necessary upgrades to systems and procedures that would allow CBP officers to perform their duties in accordance with this proposed rule. There may be additional costs to DHS associated with potential requests for additional information, in-person interviews, or biometric appointments.

Costs to Schools and Enrollments

The global market for nonimmigrant students is competitive and many U.S. schools hold an advantage over foreign institutions due to the quality of the programs they offer, however the proposed rule may have a marginal impact on nonimmigrant student enrollment. The proposed rule affects only those F-1 and J-1 nonimmigrants who need additional time to complete their program; however, DHS maintains that eligible students should have no difficulty with getting their EOS requests approved, which should alleviate concerns about the uncertainty of EOS approval. Schools may also incur costs for changes to their information systems and practices to implement processing under the proposed rule.

DHS expects this proposed rule would affect relatively few English language programs; the majority of English language training students were enrolled in programs shorter than 2 years. Some schools may choose to change their curriculum to be covered in a 2-year time period. It is possible

¹⁴⁴ Source: ICE SEVIS and U.S. Customs and Border Protection Arrival and Departure Information System (ADIS).

¹⁴⁵ In 2022, this cutoff is 10/01/2022; in 2023, it is 10/01/2023; in 2024 it is 10/01/2024.

that some language training programs would experience reduced enrollment due to the proposed rule.

DHS expects that the proposed rule would not have a significant impact on participation of other J exchange visitors or I foreign information media representatives. Equivalent U.S.-based exchange visitor programs (outside of academia) may be more difficult to find in other countries, providing less of an incentive for nonimmigrants to choose an alternative.

Benefits

DHS expects this proposed rule to have qualitative benefits for national security by providing DHS additional

opportunities to evaluate whether F, J, and I nonimmigrants are complying with their status requirements, or if they present a national security concern. It would deter fraud and abuse of the F, J, and I visa classifications, as requiring EOS requests at frequent intervals allow DHS to review the standing of the nonimmigrant. DHS would be able to enforce the unlawful presence provisions of the INA for those who are not complying with the terms of their visa status.

Accounting Statement

DHS has prepared a full analysis according to E.O. 12866 and E.O. 13563,

which can be found in the docket for this rulemaking or by searching for RIN 1653-AA95 on www.regulations.gov. Table 1 presents the accounting statement as required by Circular A-4 for total impacts of the rule. The proposed rule would have a quantified annualized cost ranging from \$390.3 million to \$392.4 million (with 3- and 7-percent discount rates, respectively) when considering U.S. and non-U.S. parties. When considering U.S. parties only, annual costs would range from \$86.3 million to \$88.1 million (with 3- and 7-percent discount rates, respectively).

TABLE 1—OMB A-4 ACCOUNTING STATEMENT, U.S. AND NON-U.S. PARTIES
[2024\$]

Category	3-percent discount rate	7-percent discount rate	Source citation (RIA, preamble, etc.)
Benefits:			
Annualized Monetized \$millions/year	N/A	N/A	N/A.
Annualized Quantified	N/A	N/A	N/A.
Qualitative	• Would enhance DHS's ability to enforce the unlawful presence provisions of the INA at the conclusion of F, J, and I nonimmigrants' fixed period of admission. • Would deter F, J, and I nonimmigrants from engaging in fraud and abuse and strengthen the integrity of these nonimmigrant classifications. • Would provide DHS with additional information to promptly detect national security concerns. • Would increase DHS's ability to detect those nonimmigrants who are not complying with the terms and conditions of their status. • Would ensure that immigration officers, who are U.S. Government officials, are responsible for reviewing and deciding each F, J, or I nonimmigrant's extension of stay (EOS) request.		Preamble, RIA Section A.4.
Costs:			
Annualized Monetized \$millions/year	\$390.3	\$392.4	RIA Section A.4.
Annualized Quantified	N/A	N/A	N/A.
Qualitative	• Potential burden for DHS and nonimmigrants associated with government requests for additional information or in-person interviews. • Potential reduction in enrollment of nonimmigrant students and exchange visitors and subsequent revenue effects on sponsoring institutions. • DHS costs for rule familiarization and training and additional steps at POEs to assess fixed period of time for admission.		RIA Section A.4.

TABLE 1—OMB A-4 ACCOUNTING STATEMENT, U.S. AND NON-U.S. PARTIES—Continued
[2024\$]

Category	3-percent discount rate	7-percent discount rate	Source citation (RIA, preamble, etc.)
	• Potential burden to schools/program sponsors and DHS to update batch processing systems that facilitate exchange of data between DSOs/ROs and SEVIS. • Potential costs to F-1 students and schools from limitations on changes to only higher educational levels. • Potential burden on F-1 English language training (ELT) program students and schools from the restriction against ELT study beyond 24 months.		
<i>Transfers:</i>			
Annualized Monetized \$millions/year	N/A	N/A	N/A.
Annualized Quantified	N/A	N/A	N/A.
Qualitative	Potential reduction in fees collected by SEVP and DOS to cover the cost of the programs due to a potential reduction in international enrollment.		RIA Section A.4.
State, Local, and/or Tribal Government	Some public schools will incur incremental costs to comply with the proposed rule and a potential decline in international enrollment.		RIA Section A.4.
Small Business	Some small businesses will incur incremental costs to comply with the proposed rule.		RIA Section B. Initial Regulatory Flexibility Analysis.
Wages	N/A	N/A	N/A.
Growth	N/A	N/A	N/A.

B. Regulatory Flexibility Act

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term “small entities” is comprised of small business, not-for-profit organizations that are independently owned and operated and are not dominant in their fields and governmental jurisdictions with populations of less than 50,000. DHS requests information and data from the public that would assist in better understanding the impact of this proposed rule on small entities. DHS also seeks input from the public on alternatives that will accomplish the same objectives and minimize the proposed rule’s economic impact on small entities. DHS has prepared a full initial regulatory flexibility analysis (IRFA), which can be found in the docket for this rulemaking or by searching for RIN 1653–AA95 on www.regulations.gov. A summary of the initial regulatory flexibility analysis (IRFA) follows.

DHS performed an IRFA of the impacts on small entities from this proposed rule in the first year of the

analysis and found that it may affect an estimated 6,665 U.S. entities (5,494 SEVP-certified institutions (schools), and 1,171 J exchange visitor program sponsors). DHS analyzed all the entities that would be affected by the proposed rule and DHS found that 78 percent of SEVP-certified institutions and 60 percent of J exchange visitor program sponsors would be considered small entities.

Under the proposed rule, DSOs and ROs will have to spend approximately 67 hours for rule familiarization and adaptation in the first year after the rule takes effect. For each DSO, rule familiarization would cost \$3,342 in the first year after the rule takes effect. Further, each year DSOs/ROs will spend approximately 3 hours per F-1/J-1 EOS request to review the Form I-539 completed by the F-1/J-1 nonimmigrant, update the SEVIS record and track EOS requests, and advise the F-1/J-1 nonimmigrant about the extension process and the requirements to file an EOS with USCIS. Additionally, HR staff will spend approximately 1.5 hours per F-1 EOS request to track form updates related to each EOS request and avoid inadvertent unauthorized employment due to form

discrepancies with the I-9. The DSO cost per EOS request is \$233.

DHS estimates that 93.4% of small schools will experience an impact less than or equal to one percent of their annual revenue. DHS estimates that the majority of small J sponsors would experience an impact less than or equal to one percent of their annual revenue. DHS invites all interested parties to submit data and information regarding the potential economic impact on small entities that would result from the adoption of the requirements in the proposed rule.

C. Small Business Regulatory Enforcement Fairness Act of 1996

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996, Public Law 104–121, we want to assist small entities in understanding this proposed rule so that they can better evaluate its effects on them and participate in the rulemaking. If the proposed rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please consult ICE using the contact information

provided in the **FOR FURTHER INFORMATION CONTACT** section above.

D. Unfunded Mandates Reform Act

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

E. Paperwork Reduction Act—Collection of Information

Under the Paperwork Reduction Act of 1995, Public Law 104–13, 109 Stat. 163 (1995) (PRA), all Departments are required to submit to OMB, for review and approval, any reporting or recordkeeping requirements inherent in a rule. DHS, USCIS and ICE are revising one information collection and proposing non-substantive edits to one information collection in association with this rulemaking action:

ICE Forms I–20 and I–17

DHS and ICE invite the general public and other federal agencies to comment on the impact to the proposed collection of information. In accordance with the PRA, the information collection notice is published in the **Federal Register** to obtain comments regarding the proposed edits to the information collection instrument.

Comments are encouraged and will be accepted for 60 days from the publication date of the proposed rule. All submissions received must include the OMB Control Number 1653–0038 in the body of the letter and the agency name. To avoid duplicate submissions, please use only *one* of the methods under the **ADDRESSES** and Public Participation section of this rule to submit comments. Comments on this information collection should address one or more of the following four points:

(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 the agency's 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, 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 information collection:

(1) *Type of Information Collection:* Revision of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Student and Exchange Visitor Information System (SEVIS).

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* I–20 and I–17, U.S. Immigration and Customs Enforcement.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary Non-profit institutions and individuals or households. SEVIS is an internet-based data entry, collection and reporting system. It collects information on SEVP-certified school via the Form I–17, “Petition for Approval of School for Attendance by Nonimmigrant Student,” and collects information on the F and M nonimmigrant students that the SEVP-certified schools admit into their programs of study via the Forms I–20s: “Certificate of Eligibility for Nonimmigrant (F–1) Students Status—For Academic and Language Students” and “Certificate of Eligibility for Nonimmigrant (M–1) Students Status—For Vocational Students.” Revisions to the SEVIS collections include substantive and non-substantive changes to SEVIS to support additional recordkeeping and reporting requirements associated with recommendations for an F–1 student extension of stay. The revision is to add fields to facilitate a DSO recommendation for an F student Extension of Stay, add a field to collect graduation/degree conferral date, update the list of educational levels, and update the Form I–20 instructions page.

(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 requests Form I–17 and Form I–20 is 47,757. The estimated hour burden per response is 22.3 hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total estimated annual hour burden associated with this collection of information in hours is 1,064,757.

(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 \$50,807,659.

USCIS Forms I–539 and I–539A

DHS, USCIS and ICE invite the general public and other federal agencies to comment on the impact to the proposed collection of information. In accordance with the PRA, the information collection notice is published in the **Federal Register** to obtain comments regarding the proposed edits to the information collection instrument.

Comments are encouraged and will be accepted for 60 days from the publication date of the proposed rule. All submissions received must include the OMB Control Number 1615–0003 in the body of the letter and the agency name. To avoid duplicate submissions, please use only *one* of the methods under the **ADDRESSES** and Public Participation section of this rule to submit comments. Comments on this information collection should address one or more of the following four points:

(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 the agency's 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, 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 information collection:

(1) *Type of Information Collection:* Revision of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Application to Extend/Change Nonimmigrant Status.

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* I–539 and I–539A; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals or households. This form will be used for nonimmigrants to apply for an extension of stay, for a change to

another nonimmigrant classification, or for obtaining V nonimmigrant classification.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated total number of respondents for the information collection Form I-539 (paper) is 459,860 and the estimated hour burden per response is 1.667 hours; the estimated total number of respondents for the information collection Form I-539 (e-file) is 197,083 and the estimated hour burden per response is 1 hour; the estimated total number of respondents for the information collection Supplement A is 207,600 and the estimated hour burden per response is .35 hours; the estimated total number of respondents providing biometrics is 864,543 and the estimated hour burden per response is 1.17 hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total estimated annual hour burden associated with this collection of information in hours is 2,072,660.

(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 \$103,652,444.

USCIS Form I-765

Under the Paperwork Reduction Act of 1995, 44 U.S.C. 3501–12, DHS must submit to OMB, for review and approval, any reporting requirements inherent in a rule unless they are exempt. Although this rule does not impose any new reporting or recordkeeping requirements under the PRA for this information collection, this rule will require non-substantive edits to USCIS Form I-765, Application for Employment Authorization.

Accordingly, USCIS has submitted a Paperwork Reduction Act Change Worksheet, Form OMB 83–C, and amended information collection instruments to OMB for review and approval in accordance with the PRA.

F. Executive Order 13132: Federalism

This proposed rule would 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. DHS does not expect that this proposed rule would impose substantial direct compliance costs on State and local governments or preempt State law. Therefore, in accordance with section 6 of Executive

Order 13132, *Federalism*, it is determined that this rule does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement.

G. Executive Order 12988: Civil Justice Reform

This proposed rule meets applicable standards set forth in sections 3(a) and 3(b)(2) of Executive Order 12988, *Civil Justice Reform*, to eliminate drafting errors and ambiguity, minimize litigation, provide a clear legal standard for affected conduct, and promote simplification and burden reduction.

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

DHS has analyzed this proposed rule under Executive Order 13211, *Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use*. DHS has determined that it is not a “significant energy action” under that order because it is a “significant regulatory action” under Executive Order 12866 but is not likely to have a significant adverse effect on the supply, distribution, or use of energy.

I. National Environmental Policy Act (NEPA)

DHS and its components analyze final actions to determine whether the National Environmental Policy Act of 1969 (“NEPA”), 42 U.S.C. 4321 *et seq.*, applies to them and, if so, what degree of analysis is required. DHS Directive 023–01 Rev. 01¹⁴⁶ and Instruction Manual 023–01–001–01 Rev. 01 (Instruction Manual)¹⁴⁷ establish the policies and procedures that DHS and its components use to comply with NEPA.

NEPA allows Federal agencies to establish categories of actions (“categorical exclusions”) that experience has shown do not, individually or cumulatively, have a significant effect on the human environment and, therefore, do not require an environmental assessment (EA) or environmental impact statement

(EIS).¹⁴⁸ An agency is not required to prepare an EA or EIS for a proposed action “if the proposed agency action is excluded pursuant to one of the agency’s categorical exclusions.” See 42 U.S.C. 4336(a)(2), 4336e(1). The Instruction Manual, Appendix A, Table 1, lists the DHS Categorical Exclusions.¹⁴⁹

Under DHS NEPA implementing procedures, for an action to be categorically excluded, it must satisfy each of the following three conditions: (1) The entire action clearly fits within one or more of the categorical exclusions; (2) the action is not a piece of a larger action; and (3) no extraordinary circumstances exist that create the potential for a significant environmental effect.¹⁵⁰ DHS proposes to amend its regulations to eliminate the practice of admitting F–1 nonimmigrant students, I nonimmigrant representatives of information media, and J–1 exchange visitors (and F–2/J–2 family members) for D/S. The proposed rule would provide for nonimmigrants seeking entry under F, J, or I visas to be admitted for the period required to complete their academic program, foreign information media employment, or exchange program, not to exceed the periods of time defined in this proposed rule. The proposed rule would also require nonimmigrants seeking to continue their studies, foreign information media employment, or exchange program beyond the admission period granted at entry to apply for extension.

DHS has analyzed this proposed rule under MD 023–01 Rev. 01 and IM 023–01–001–01 Rev. 01. DHS has determined that this proposed rulemaking action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This proposed rule completely fits within the Categorical Exclusion found in IM 023–01–001–01 Rev. 01, Appendix A, Table 1, number A3(d): “Promulgation of rules that interpret or amend an existing regulation without changing its environmental effect.” This proposed rule is not part of a larger action. This proposed rule presents no extraordinary circumstances creating the potential for significant environmental effects. Therefore, this proposed rule is categorically excluded from further NEPA review.

¹⁴⁶ Dept. of Homeland Sec., Implementation of the National Environmental Policy Act, Directive 023–01, Revision 01 (Oct. 31, 2014), available at https://www.dhs.gov/sites/default/files/publications/mgmt/environmental-management/mgmt-dir_023-01-implementation-national-environmental-policy-act_revision-01.pdf (last visited Apr. 16, 2025).

¹⁴⁷ Dept. of Homeland Sec., Instruction Manual 023–01–001–01, Rev 01, “Implementation of the National Environmental Policy Act (NEPA)” (Nov. 6, 2014).

¹⁴⁸ See also 40 CFR 1501.4 and 1507.3(e)(2)(ii).

¹⁴⁹ See Appendix A, Table 1.

¹⁵⁰ Dept. of Homeland Sec., Instruction Manual 023–01–001–01, Rev 01, “Implementation of the National Environmental Policy Act (NEPA)” (Nov. 6, 2014).

DHS seeks any comments or information that may lead to the discovery of any significant environmental effects from this proposed rule.

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

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

K. Executive Order 12630:

Governmental Actions and Interference With Constitutionally Protected Property Rights

This proposed rule would not cause a taking of private property or otherwise have taking implications under Executive Order 12630, *Governmental Actions and Interference with Constitutionally Protected Property Rights*.

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

Executive Order 13045, *Protection of Children from Environmental Health Risks and Safety Risks*, requires agencies to consider the impacts of environmental health risk or safety risk that may disproportionately affect children. DHS has reviewed this proposed rule and determined that even though this rule is an economically significant rule, it would not create an environmental risk to health or risk to safety that might disproportionately affect children. Therefore, DHS has not prepared a statement under this executive order.

M. National Technology Transfer and Advancement Act

The National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impracticable. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related

management systems practices) that are developed or adopted by voluntary consensus standards bodies. This proposed rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

N. Family Assessment

DHS has determined that this proposed action will not affect family well-being within the meaning of section 654 of the Treasury and General Government Appropriations Act, enacted as part of the Omnibus Consolidated and Emergency Supplemental Appropriations Act of 1999 (Pub. L. 105–277, 112 Stat. 2681).

List of Subjects

8 CFR Part 214

Administrative practice and procedure, Aliens, Cultural exchange program, Employment, Foreign officials, Health professions, Reporting and recordkeeping requirements, Students.

8 CFR Part 248

Aliens, Reporting and recordkeeping requirements.

8 CFR Part 274a

Administrative practice and procedure, Aliens, Cultural exchange program, Employment, Penalties, Reporting and recordkeeping requirements, Students.

Regulatory Amendments

Accordingly, DHS proposes to amend parts 214, 248, and 274a of chapter I, subchapter B, of title 8 of the Code of Federal Regulations as follows:

PART 214—NONIMMIGRANT CLASSES

- 1. The authority citation for part 214 continues to read as follows:

Authority: 6 U.S.C. 202, 236; 8 U.S.C. 1101, 1102, 1103, 1182, 1184, 1186a, 1187, 1221, 1281, 1282, 1301–1305, 1357, and 1372; section 643, Pub. L. 104–208, 110 Stat. 3009–708; Pub. L. 106–386, 114 Stat. 1477–1480; section 141 of the Compacts of Free Association with the Federated States of Micronesia and the Republic of the Marshall Islands, and with the Government of Palau, 48 U.S.C. 1901 note, and 1931 note, respectively; 48 U.S.C. 1806; 8 CFR part 2; Pub. L. 115–218, 131 Stat. 1547 (48 U.S.C. 1806).

- 2. Section 214.1 is amended by:
 - a. Adding paragraph (a)(4);
 - b. Revising paragraphs (b) subject heading, (b)(1) introductory text, (b)(2) introductory text, and (b)(3) introductory text;
 - c. Removing paragraph (b)(4);
 - d. Revising paragraphs (c)(2), (c)(3)(v), and (c)(5);

- e. Adding paragraph (c)(8); and
- f. Adding paragraph (m).

The additions and revisions read as follows:

§ 214.1 Requirements for admission, extension, and maintenance of status.

(a) * * *

(4) *Requirements for admission of aliens under section 101(a)(15)(F) and (J).* Aliens applying for admission as F or J nonimmigrants after [DHS WILL INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION OF THE FINAL RULE] will be inspected and may be admitted into the United States, if in possession of a valid Form I–20 or Form DS–2019, or successor form, and otherwise eligible, and subject to the following:

(i) *Aliens applying for admission as F nonimmigrants.*

(A) Aliens seeking admission to the United States, including those seeking admission with a properly filed pending application for an extension of stay, as an F nonimmigrant after a previously authorized period of admission as an F nonimmigrant expired, may be admitted for a maximum period of 4 years or the length of program as specified on Form I–20, whichever is shorter, plus additional 30 day periods for arrival and departure as provided in 8 CFR 214.2(f)(5)(i);

(B) Aliens seeking admission to the United States as an F nonimmigrant with a properly filed pending application for extension of stay as an F nonimmigrant may, if they have time remaining on the period of stay authorized prior to departure, be admitted for a period up to the unexpired period of stay authorized prior to the alien's departure, plus an additional 30 days as provided in 8 CFR 214.2(f)(5)(v), subject to the requirements in paragraph (c)(8) of this section, or if the alien seeks admission with a Form I–20 for a program end date beyond their previously authorized period of admission, the alien may be admitted for the period specified in 8 CFR 214.2(f)(5), subject to the requirements in paragraph (c)(8) of this section;

(C) Aliens seeking admission to the United States as an F nonimmigrant with an approved extension of stay for F nonimmigrant status may be admitted until the expiration of the approved extension of stay, plus an additional 30 days, as provided in 8 CFR 214.2(f)(5)(v);

(ii) *Aliens applying for admission as J nonimmigrants.*

(A) Aliens seeking admission to the United States, including those seeking admission with a properly filed,

pending application for an extension of stay as a J nonimmigrant after a previously authorized period of admission as a J nonimmigrant expired, may be admitted for the period specified in 8 CFR 214.2(j)(1)(ii);

(B) Aliens seeking admission to the United States as a J nonimmigrant with a properly filed pending extension of stay as a J nonimmigrant may, if they have time remaining on the period of stay authorized prior to departure, be admitted for a period up to the unexpired period of stay authorized prior to the alien's departure, plus an additional 30 days as provided in 8 CFR 214.2(j)(1)(ii)(C), subject to the requirements in paragraph (c)(8) of this section, provided that if the alien seeks admission with a Form DS-2019 for a program end date beyond her or her previously authorized period of admission, the alien may be admitted for the period specified in 8 CFR 214.2(j)(1), subject to the requirements in paragraph (c)(8) of this section;

(C) Aliens seeking admission to the United States as a J nonimmigrant with an approved extension of stay in J nonimmigrant status may be admitted up to the expiration of the approved extension of stay, plus an additional 30 days as provided in 8 CFR 214.2(j)(1)(ii)(C).

(iii) *Post-completion Optional Practical Training (OPT) and Science Technology Engineering and Mathematics (STEM) OPT extension.* Aliens seeking admission to the United States as an F nonimmigrant to pursue post-completion OPT or a STEM OPT extension may be admitted until the end date of the approved employment authorization for post-completion OPT or STEM OPT, or if the Application for Employment Authorization, Form I-765 or successor form for post-completion OPT or STEM OPT is still pending with USCIS, as evidenced by a notice issued by USCIS indicating receipt of such application, until the Designated School Official's recommended employment end date for post-completion OPT or STEM OPT specified on the Form I-20, subject to the requirements in paragraphs (c)(8) of this section and 8 CFR 274a.12(b)(6)(iv), plus a 30-day period as provided in 8 CFR 214.2(f)(5)(v).

(b) *Admission of nonimmigrants under section 101(a)(15) (F), (J), or (M) whose visa validity is considered automatically extended to complete unexpired periods of previous admission or extension of stay—*

(1) *Section 101(a)(15)(F).* The inspecting immigration officer may admit, up to the unexpired period of stay authorized prior to the alien's

departure, any nonimmigrant alien whose nonimmigrant visa validity is considered automatically extended pursuant to 22 CFR 41.112(d) and who is applying for admission under section 101(a)(15)(F) of the Act, if the alien:

* * * * *

(2) *Section 101(a)(15)(J).* The inspecting immigration officer may admit, up to the unexpired period of stay authorized prior to the alien's departure, any nonimmigrant alien whose nonimmigrant visa validity is considered automatically extended pursuant to 22 CFR 41.112(d) and who is applying for admission under section 101(a)(15)(J) of the Act, if the alien:

* * * * *

(3) *Section 101(a)(15)(M).* The inspecting immigration officer may admit, up to the unexpired period of stay authorized prior to the alien's departure, any nonimmigrant alien whose nonimmigrant visa validity is considered automatically extended pursuant to 22 CFR 41.112(d) and who is applying for admission under section 101(a)(15)(M) of the Act, if the alien:

* * * * *

(c) * * *

(2) *Filing for an extension of stay.* Any other nonimmigrant who seeks to extend his or her stay beyond the currently authorized period of admission must apply for an extension of stay by filing an extension request in the manner and on the form prescribed by USCIS, together with the required fees and all initial evidence specified in the applicable provisions of 8 CFR 214.2, and in the form instructions, including the submission of any biometrics required by 8 CFR 103.16. More than one person may be included in an application if the co-applicants are all members of a single-family unit and either all hold the same nonimmigrant status, or one holds a nonimmigrant status, and the other co-applicants are his or her spouse and/or children who hold derivative nonimmigrant status based on his or her status. Extensions granted to members of a family unit must be for the same period of time. The shortest period granted to any member of the family will be granted to all members of the family. In order to be eligible for an extension of stay, nonimmigrant aliens in K-3/K-4 status must do so in accordance with 8 CFR 214.2(k)(10).

(3) * * *

(v) Any nonimmigrant admitted for duration of status.

* * * * *

(5) *Decisions for extension of stay applications.* Where an applicant or petitioner demonstrates eligibility for a

requested extension, it may be granted at USCIS's discretion. The denial of an application for extension of stay may not be appealed.

* * * * *

(8) *Abandonment of extension of stay and pending employment authorization applications for F, I, and J nonimmigrant aliens.* (i) If an alien in F, I, or J nonimmigrant status timely files an application for an extension of stay, USCIS will not consider the application abandoned if the alien departs the United States while the application is pending, provided that when the alien seeks admission, the previously authorized period of admission has not expired, and the alien seeks admission for the balance of the previously authorized admission period.

(ii) An application for extension of stay in F, I, or J nonimmigrant status may be deemed abandoned if an alien departs the United States and seeks admission with a Form I-20 or DS-2019 for a program end date beyond their previously authorized period of admission while the application for an extension of stay is pending. USCIS will not consider as abandoned any corresponding applications for employment authorization.

(iii) When an alien described in paragraphs (c)(8)(i) or (ii) of this section departs, the alien should travel with a copy of their Form I-797C, Notice of Action, or successor form, which confirms the receipt of either their Form I-539, Application to Extend/Change Nonimmigrant Status, or Form I-765, Application for Employment Authorization, along with proposed length of stay as evidenced by the Form I-20, DS-2019, or letter of employment for a foreign media organization.

* * * * *

(m) *Transition period from duration of status to a fixed admission date.*

(1) *Transition from duration of status admission to a fixed admission period for aliens properly maintaining F and J status on [DHS WILL INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION OF THE FINAL RULE].* Aliens with F or J status who are properly maintaining their status on [DHS WILL INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION OF THE FINAL RULE] and who were admitted for duration of status are authorized to remain in the United States in F or J nonimmigrant status until the later date of either the expiration date on an Employment Authorization Document, Form I-766, or successor form or the program end date noted on their Form I-20 or Form DS-2019, as applicable, not to exceed a period of 4 years from [DHS WILL

INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION OF THE FINAL RULE], plus the departure period of 60 days for F nonimmigrants, which is [DHS WILL INSERT DATE 4 YEARS AND 120 DAYS AFTER DATE OF PUBLICATION OF THE FINAL RULE], and 30 days for J nonimmigrants, which is [DHS WILL INSERT DATE 4 YEARS AND 90 DAYS AFTER DATE OF PUBLICATION OF THE FINAL RULE]. Subject to 8 CFR 274a.14, any authorized employment or training continues until the program end date on such F or J nonimmigrant's Form I-20 or DS-2019, as applicable and as endorsed by the designated school official or responsible officer for employment or training, or expiration date on the alien's Employment Authorization Document, Form I-766, or successor form. Aliens who need additional time to complete their current program of study, including requests for post-completion optional practical training (OPT) and Science Technology Engineering and Mathematics (STEM) OPT, or exchange visitor program, including academic training, or would like to start a new program of study or exchange visitor program must apply for an extension of stay with USCIS in accordance with paragraph (c)(2) of this section for an admission period to a fixed date.

(i) Notwithstanding paragraph (m)(1) of this section, an F-1 student recommended for post-completion OPT who files before his or her period of admission expires, including the 60 day departure period, an Application for Employment Authorization, Form I-765, or successor form on the form and in the manner designated by USCIS, with the required fee, as described in the form's instructions, on or before [DHS WILL INSERT DATE SIX MONTHS AFTER THE EFFECTIVE DATE OF THE FINAL RULE], is not required to file an Application to Extend/Change Nonimmigrant Status, Form I-539, or successor form for the requested period of post-completion OPT. An F-1 student recommended for STEM OPT who files, prior to his or her current OPT Employment Authorization Document, Form I-766, or successor form expires, an Application for Employment Authorization, Form I-765, or successor form on or before [DHS WILL INSERT DATE SIX MONTHS AFTER THE EFFECTIVE DATE OF THE FINAL RULE], is not required to file an Application to Extend/Change Nonimmigrant Status, Form I-539, or successor form for the requested period of STEM OPT. If the alien's application for post-completion

OPT or STEM-OPT employment authorization is approved, the alien will be authorized to remain in the United States in F status until the expiration date of the employment authorization document, plus 60 days. If the employment authorization application is denied, the F-1 student would continue to be authorized to remain in the United States until the program end date listed on their Form I-20, valid on [DHS WILL INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION OF THE FINAL RULE] plus 60 days, as long as he or she continues to pursue a full course of study and otherwise meets the requirements for F-1 status, or until the end date of the employment authorization document for post-completion OPT, as long as he or she continues to meet the requirements for F-1 status, plus 60 days.

(ii) An F-1 student described in this paragraph who departs the United States before filing the application for post-completion OPT or STEM OPT, and is admitted to the United States with a fixed period of admission is required to file both an Application for Employment Authorization, Form I-765, or successor form and an Application to Extend/Change Nonimmigrant Status, Form I-539, or successor form pursuant to 8 CFR 214.2(11)(i)(B)(2) or (C). An alien described in this section who departs the United States while the Application for Employment Authorization, Form I-765, or successor form is pending or once approved will be admitted pursuant to 8 CFR 214.1(a). DHS reserves the discretion to extend the period exempting the filing of the Application to Extend/Change Nonimmigrant Status, Form I-539, or successor form beyond [DHS WILL INSERT DATE SIX MONTHS AFTER THE EFFECTIVE DATE OF THE FINAL RULE], in 6 month increments through announcement in the **Federal Register**.

(2) *Pending employment authorization applications with USCIS on [DHS WILL INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION OF THE FINAL RULE] filed by F-1 students.* F-1 students described in paragraph (m)(1) of this section who have timely and properly filed applications for employment authorization pending with USCIS on [DHS WILL INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION OF THE FINAL RULE] do not have to file for an extension or re-file such applications for employment authorization, unless otherwise requested by USCIS.

(i) If the F-1 student's application for post-completion OPT or STEM-OPT employment authorization is approved,

the F-1 student will be authorized to remain in the United States in F status until the expiration date of the employment authorization document, plus 60-days. If the employment authorization application is denied, the F-1 student would continue to be authorized to remain in the United States until the program end date listed on their Form I-20, plus 60 days, as long as he or she continues to pursue a full course of study and otherwise meets the requirements for F-1 status.

(ii) F-1 students with pending employment authorization applications, other than post-completion OPT and STEM-OPT, who continue to pursue a full course of study and otherwise meet the requirements for F-1 status, continue to be authorized to remain in the United States until the program end date listed on the Form I-20, plus 60 days, regardless of whether the employment authorization application is approved or denied.

(3) *Transition from duration of status admission to a fixed admission period for aliens with I status present in the United States on [DHS WILL INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION OF THE FINAL RULE].* Except for those aliens described in 8 CFR 214.2(i)(3)(ii), aliens in I nonimmigrant status who are properly maintaining their status on [DHS WILL INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION OF THE FINAL RULE] and who were admitted for duration of status are authorized to remain in the United States in I nonimmigrant status for a period necessary to complete their activity, not to exceed [DHS WILL INSERT DATE 300 DAYS AFTER DATE OF PUBLICATION OF THE FINAL RULE] with the exception of aliens in I nonimmigrant status presenting with passports described in 8 CFR 214.2(i)(3)(ii), who are authorized to remain in the United States in I nonimmigrant status for a period necessary to complete their activity, not to exceed [DHS WILL INSERT DATE 150 DAYS AFTER DATE OF PUBLICATION OF THE FINAL RULE]. Aliens who need additional time to complete their employment beyond [DHS WILL INSERT DATE 300 DAYS AFTER DATE OF PUBLICATION OF THE FINAL RULE] or [DHS WILL INSERT DATE 150 DAYS AFTER DATE OF PUBLICATION OF THE FINAL RULE], as applicable, must apply for an extension of stay with USCIS in accordance with paragraph (c)(2) of this section and 214.2(i)(5).

(4) *Severability.* The provisions in 8 CFR 214.1(m) are intended to be independent severable parts. In the

event that any provision in this paragraph is not implemented, DHS intends that the remaining provisions be implemented as an independent rule.

■ 3. Section § 214.2 is amended by:

- a. Redesignating paragraphs (f)(5)(iii), (iv), (v), (vi) as (f)(5)(iv), (v), (vi), and (vii) respectively;
- b. Revising redesignated paragraphs (f)(5)(vii)(B)–(D) to remove the citation to “paragraph (f)(5)(vi)(A)” and add, in its place, the citation to “paragraph (f)(5)(vii)(A)”;
- c. Revising the paragraph (f)(5) subject heading and paragraphs (f)(5)(i) and (ii) and redesignated paragraph (f)(5)(v);
- d. Revising redesignated paragraph (f)(5)(vii) to remove the words “duration of” in the subject heading and throughout all paragraphs and subparagraphs;
- e. Adding paragraph (f)(5)(iii) and (f)(5)(viii);
- f. Revising paragraph (f)(7);
- g. Revising paragraph (f)(8);
- h. Revising paragraph (f)(10)(ii)(D);
- i. Revising paragraph (f)(11)(i)(B)(2) by removing the number “60” and add, in its place, the number “30”;
- j. Revising paragraph (f)(18)(iii) by removing the words “duration of status and” from the last sentence;
- k. Adding paragraph (f)(20);
- l. Revising paragraphs (i), (j)(1)(ii), and (j)(1)(iv)–(viii); and
- m. Adding paragraphs (j)(1)(ix) and (j)(6).

The revisions and additions read as follows:

§ 214.2 Special requirements for admission, extension, and maintenance of status.

* * * * *

(f) * * *

(5) *Period of Stay*—(i) *General*. An F–1 student is admitted for a fixed period of time, which is the period necessary to complete the course of study indicated on the Form I–20, or successor form, not to exceed a period of 4 years, plus additional times noted in this paragraph. A continuing F–1 student may be granted additional time following the completion of studies to engage in post-completion optional practical training (OPT) and Science Technology Engineering and Mathematics (STEM) OPT, as described in paragraph (f)(5)(i)(D) of this section. An F–1 student described in this section may be admitted for a period of up to 30 days before the indicated report date or program start date listed on Form I–20 or successor form. An alien described in this paragraph may remain in the United States for an additional 30 days as provided in paragraph (f)(5)(v) of this section. The 30-day period before the

indicated report date or program start date and 30 additional days following the program end date or the 4-year maximum period of admission do not count toward the maximum length of stay. The admission periods described in this paragraph are subject to the following exceptions:

(A) F–1 students whose course of study is in an English language training program are restricted to a maximum of 24 months admission period, plus an additional 30-day period of stay for the purposes of departure or to otherwise seek to maintain lawful status.

(B) Border commuter students under the provisions in paragraph (f)(18) of this section may be admitted for the applicable period described under that paragraph.

(C) F–1 students attending a public high school are restricted to an aggregate of no more than 12 months to complete their course of study, including any school breaks and annual vacations.

(D) Students with pending employment authorization applications who are admitted based on the designated school official’s recommended employment end date for post-completion OPT or STEM OPT specified on their Form I–20, with a notice issued by USCIS indicating receipt of the Application for Employment Authorization, Form I–765, or successor form for post-completion OPT or STEM OPT, who cease employment pursuant to an employment authorization document (EAD) that expires before the alien’s fixed date of admission as noted on their Arrival-Departure Record, Form I–94, or successor form, will be considered to be in the United States in a period of authorized stay from the date of the expiration noted on their EAD until the fixed date of admission as noted on their Form I–94.

(E) The authorized period of stay for F–2 dependents may not exceed the authorized period of stay of the principal F–1 student.

(ii) *Change of educational objectives*.

(A) An F–1 student at any level below the graduate degree level may not change programs or educational objectives, *i.e.* programs, majors, or educational levels, within the first academic year of a program of study, unless an exception is authorized by SEVP for extenuating circumstances that may include, but are not limited to, a school closure or a school’s prolonged inability to hold in-person classes due to a natural disaster or other cause. An F–1 student at the graduate degree level or above may not change programs at any point during a program of study.

(B) An F–1 student who has completed a program in the United States at one educational level and begins a new program at a higher educational level is considered to be maintaining F–1 status if otherwise complying with requirements under 8 CFR 214.2(f).

(C) An alien who has completed a program in the United States as an F–1 nonimmigrant at one educational level may not maintain, be admitted, or otherwise be provided F–1 status through a program at the same educational level or a lower educational level.

(D) When seeking a change in educational objectives, F–1 students referenced in paragraphs (f)(5)(ii)(A) through (C) of this section must, if seeking an extension of stay, apply for an extension of stay on the form designated by USCIS, with the required fee and in accordance with the form instructions, including any biometrics required by 8 CFR 103.16.

(E) DHS may delay or suspend the implementation of paragraphs (f)(5)(ii)(A) through (C) of this section, in its discretion, if it determines that implementation is infeasible for any reason. If DHS delays or suspends any provisions in paragraphs (f)(5)(ii)(A) through (C) governing the change in educational objectives, DHS will make an announcement of the delay or suspension on SEVP’s website at <https://www.studyinthestates.dhs.gov> (or successor uniform resource locator). DHS thereafter will announce the implementation dates of a delayed or suspended educational objective provision on the SEVP website at <https://www.studyinthestates.dhs.gov> (or successor uniform resource locator), at least 30 calendar days in advance.

(iii) *Report date on Form I–20 or successor form*. When determining the report date on the Form I–20 or successor form, the designated school official may choose a reasonable date to accommodate a student’s need to be in attendance for required activities at the school prior to the actual start of classes. Such required activities may include, but are not limited to, research projects and orientation sessions. However, for purposes of employment, the designated school official may not indicate a report date more than 30 days prior to the start of classes.

* * * * *

(v) *Period of preparation for departure or to otherwise maintain lawful status in the United States*. An F–1 student who has completed a course of study and any authorized practical training will be allowed an additional 30-day period

from the program end date or the 4 year maximum period of admission, or the end date of the approved employment authorization for post-completion OPT or STEM OPT, as applicable, to prepare for departure from the United States, or to otherwise seek to maintain lawful status, including timely filing an extension of stay application in accordance with paragraph (f)(7) of this section and § 214.1 or timely filing a change of status application in accordance with 8 CFR 248.1(a). The 30-day period will be reflected on the F-1 student's Arrival-Departure Record, Form I-94, or successor form. An F-1 student authorized by the designated school official to withdraw from classes will be allowed a 15-day period from the date of the withdrawal to depart the United States. An F-1 student who fails to maintain a full course of study or otherwise fails to maintain status is not eligible for any additional period of time for departure.

* * * * *

(viii) *Automatic Extension of F stay and employment authorization while extension of stay and employment authorization applications are pending.* An F-1 student whose status as indicated on the Arrival-Departure Record, Form I-94, or successor form has expired will be considered to be in a period of authorized stay if he or she has timely filed an extension of stay application pursuant to paragraph (f)(7) of this section until USCIS issues a decision on the extension of stay application. Subject to paragraphs (f)(9)(i), (f)(9)(ii) and (f)(10)(i) of this section and 8 CFR 274a.12(b)(6)(i) and (iii) and 8 CFR 274a.12(c)(3)(iii), any F-1 student's current on-campus, curricular practical training (CPT), and severe economic hardship authorized employment is automatically extended during the pendency of the extension of stay application, but such automatic extension may not exceed 240 days beginning from the end date of his or her period of admission as indicated on the alien's Arrival-Departure Record, Form I-94, or successor form. However, severe economic hardship employment authorization resulting from emergent circumstances under paragraph (f)(5)(vi) of this section is automatically extended for up to 240 days or until the end date stated in the **Federal Register** notice announcing the suspension of certain requirements, whichever is earlier. If an F-1 student files an extension of stay application during the 30-day period provided in paragraph (f)(5)(v) of this section, he or she does not receive an automatic extension of authorized employment, including on-campus,

CPT, and severe economic hardship, and must wait for approval of the extension of stay application (and employment authorization application, if required) before engaging in CPT or employment. For purposes of employment eligibility verification (Form I-9) under 8 CFR 274a.2(b)(1)(v), for CPT under (f)(10)(i) of this section, on-campus employment under (f)(9)(i) of this section, and severe economic hardship employment authorization resulting from emergent circumstances under paragraph (f)(5)(vi) of this section, the alien's authorized employment period, which ends 30 days before their Form I-94 or successor form admit until date, or Employment Authorization Document, Form I-766, or successor form based on severe economic hardship, when combined with a notice issued by USCIS indicating receipt of an extension of stay application, is considered unexpired for up to 240 days or until USCIS issues a decision on the extension of stay application, or for CPT, until the CPT end date authorized by the designated school official on Form I-20 or successor form, whichever is earlier, or for severe economic hardship employment based on emergent circumstances under paragraph (f)(5)(vi) of this section, the end date stated in the **Federal Register** notice announcing suspension of certain requirements, whichever is less.

* * * * *

(7) *Extension of stay*

(i) *Eligibility.* USCIS may grant an extension of stay to an F-1 student who has maintained his or her F-1 status, but who is unable to complete his or her program by the end of his or her authorized period of admission. Such student may be eligible for an extension if the designated school official issues a new Form I-20 or successor form certifying that the student is eligible under this paragraph. An F-1 student may be granted an extension if it is established that the student:

(A) Has continually maintained lawful status;

(B) Is currently pursuing a full course of study; and

(C) Has one of the following:

(1) A currently issued Form I-20, or successor form, indicating additional time is left to complete his or her program of study; or

(2) Documentation demonstrating the request for an extension is based on one of the following reasons:

(i) A compelling academic reason, such as a change of major or research topic or unexpected research problems. Unexpected research problems are those caused by an unexpected change in

faculty advisor, need to refine an investigatory topic based on initial research, research funding delays, and similar issues. Delays including, but not limited to, those caused by academic probation or suspension or a student's repeated inability or unwillingness to complete his or her course of study are not acceptable reasons for an extension;

(ii) A documented illness or medical condition that is a compelling medical reason, such as a serious injury, that is supported by medical documentation from a licensed medical doctor, a licensed doctor of osteopathy, a licensed psychologist, or a licensed clinical psychologist; or

(iii) Circumstances beyond the student's control, including a natural disaster, national health crisis, or the closure of an institution.

(ii) *SEVIS Update.* The Form I-20 or successor form must be endorsed with the designated school official recommendation and new program end date for submission to USCIS.

(iii) *USCIS Application.*

(A) *Form.* An F-1 student must file an extension of stay application using the form and in the manner designated by USCIS, including submitting the updated, properly endorsed Form I-20 or successor form; submitting evidence of sufficient funds to cover expenses; appearing for any biometrics collection required by 8 CFR 103.16; and remitting the appropriate fee. The F-1 student must be maintaining his or her status and must never have engaged in any unauthorized employment.

(B) *Timely filing.* An extension of stay application is considered timely filed if the receipt date, pursuant to 8 CFR 103.2(a)(7), is on or before the date the authorized period of stay expires, which includes the 30-day period provided in paragraph (f)(5)(v) of this section. USCIS must receive the extension application on or before the expiration of the authorized period of stay, including the 30-day period provided in paragraph (f)(5)(v) of this section that is allowed after the completion of studies or any authorized practical training. If the extension of stay application is received during the 30-day period provided in paragraph (f)(5)(v) of this section, the F-1 student is authorized to continue a full course of study but may not continue or begin engaging in practical training or other employment. Notwithstanding 8 CFR 214.1(c)(4), USCIS must receive the extension of stay application on or before the expiration of the previously authorized period of stay.

(iv) *Dependents.* An F-2 spouse and unmarried children under the age of 21 seeking to accompany the principal F-

1 student during the additional period of admission must either be included on the principal F-1 student's application for an extension of stay or file their own extension of stay application on the form designated by USCIS. The application must be submitted using the form, and in the manner, designated by USCIS, including submitting the updated, properly endorsed Form I-20, or successor form; submitting evidence of sufficient funds to cover expenses; appearing for any biometrics collection required by 8 CFR 103.16; and remitting the appropriate fee. The F-2 dependents must demonstrate the qualifying relationship with the principal F-1 student, be maintaining his or her status, and must not have engaged in any unauthorized employment.

(v) *Practical training*. If seeking an extension of stay to engage in any type of practical training, the alien in F-1 status also must have a valid, properly endorsed Form I-20 and be eligible to receive the specific type of practical training requested.

(vi) *Period of Stay*. If an application for extension is granted, the F-1 student and the student's F-2 spouse and children, if applicable, are to be given an extension of stay for the period of time necessary to complete the program as listed on the F-1 student's Form I-20, or successor form, or requested practical training, not to exceed 4 years. The 30-day period before the indicated report date or program start date and 30 additional days following the program end date or the 4-year maximum period of admission do not count toward the maximum length of an extension. Extensions of stay for F-2 dependents may not exceed the authorized admission period of the principal F-1 student.

(vii) *Denials*. If an F-1 student's extension of stay application is denied and the F-1 student's authorized admission period has expired, the F-1 student and his or her dependents must immediately depart the United States.

(viii) *Late requests of extension of current program end date*. If the designated school official enters an extension of the program end date in SEVIS after the end date noted on the most recent Form I-20 or successor form, the F-1 student must file a request for reinstatement of F-1 status in the manner and on the form designated by USCIS, with the required fee, including any biometrics required by 8 CFR 103.16. F-2 dependents seeking to accompany the F-1 principal student must file applications for an extension of stay or reinstatement, as applicable.

(8) *School transfer and change in educational objectives*.

(i) *Eligibility*. An F-1 student may change educational objectives or transfer to SEVP-certified schools if he or she is maintaining status as described in paragraphs (f)(5)(ii)(A) through (D) of this section. "Educational objectives" refers to an F-1 student's educational level or major. An F-1 student changing educational objectives or transferring to an SEVP-certified school also must meet the following requirements:

(A) The student is currently maintaining status;

(B) To be eligible to transfer, the student must:

(1) Have been pursuing a full course of study, unless a reduced course load was properly authorized under 8 CFR 214.2(f);

(2) Have completed a degree program; or

(3) Be currently completing or have completed post-completion or STEM optional practical training (OPT);

(C) The student is not currently in a graduate level program of study;

(D) Unless an exception has been authorized by SEVP, the student has completed his or her academic year of a program of study at the school that initially issued his or her Form I-20 or successor form;

(E) The student has not been placed on academic probation or school suspension;

(F) The student does not have a pattern of behavior demonstrating a repeated inability or unwillingness to complete his or her course of study;

(G) The student will begin classes at the transfer school or program within 5 months of transferring out of the current school or within 5 months of the program completion date on his or her current Form I-20, or successor form, whichever is earlier; and

(H) If the F-1 student is authorized to engage in post-completion or STEM OPT, he or she must be able to resume classes within 5 months of transferring out of the school that recommended the post-completion or STEM OPT or the date the post-completion or STEM OPT authorization ends, whichever is earlier.

(ii) *Transfer procedure*. An F-1 student must first notify his or her current school ("transfer-out school") of the intent to transfer and then obtain a valid Form I-20 or successor form from the school to which he or she intends to transfer ("transfer-in school"). Upon notification by the student, the transfer-out school will update the student's record in SEVIS as a "transfer-out" and indicate the transfer-in school and a release date. The release date will be the current semester or session completion date, or the date of expected transfer if earlier than the completion date of the

established academic cycle. The transfer-out school will retain control over the student's record in SEVIS until the student completes the current term or reaches the release date, whichever is earlier. At the request of the student, the designated school official of the current school may cancel the transfer request at any time prior to the release date. As of the release date specified by the current designated school official, the transfer-in school will be granted full access to the student's SEVIS record and then becomes responsible for that student.

(iii) *Change of education level procedures*. A change of education level can be accomplished according to the transfer procedures outlined in paragraph (f)(8)(ii) of this section.

(iv) *Extension of Stay*. If the new program to which the student transferred will not be completed within the authorized period of stay established in paragraph (f)(5)(i) of this section, the F-1 student must apply to USCIS for an extension of stay in the manner and using the form designated by USCIS, with the required fee and in accordance with form instructions, including any biometrics required by 8 CFR 103.16, together with a valid, properly endorsed Form I-20 or successor form indicating the new program end date. Upon approval of the extension of stay application, USCIS will transmit the approval to SEVIS. If the application is denied, the student is out of status, and the student's record must be terminated in SEVIS.

* * * * *

(10) * * *

(ii) * * *

(D) *Extension of stay for post-completion optional practical training (OPT)*. Unless described in section 214.1(m)(1)(i), an F-1 student recommended for post-completion OPT must apply for an extension of stay and employment authorization and may not engage in post-completion OPT unless such employment authorization is granted. If the application for an extension of stay and post-completion OPT are granted, the student will receive an additional 30-day period provided in paragraph (f)(5)(v) of this section following the expiration of the status approved to complete post-completion OPT.

* * * * *

(20) *Severability*. The provisions in 8 CFR 214.2(f) are intended to be independent severable parts. In the event that any provision in this paragraph is not implemented, DHS intends that the remaining provisions be implemented as an independent rule.

* * * * *

(i) *Representatives of information media.* (1) *Foreign Media Organization.* A foreign information media organization is an organization engaged in the regular gathering, production or dissemination via print, radio, television, internet distribution, or other media, of journalistic information and has a home office in a foreign country.

(2) *Evidence.* Aliens applying for I nonimmigrant status must:

(i) Demonstrate that the foreign media organization that the alien represents has a home office in a foreign country, and that the home office will continue to operate in the foreign country while the alien is in the United States; and

(ii) Provide a letter from the employing foreign media organization or, if self-employed or freelancing, an attestation from the alien, that verifies the employment, establishes that the alien is a representative of that media organization, and describes the remuneration and work to be performed.

(3) *Admission.*

(i) *Length of admission.* Generally, aliens seeking admission in I nonimmigrant status may be admitted for a period of time necessary to complete the planned activities or assignments consistent with the I classification, not to exceed 240 days unless paragraph (i)(3)(ii) of this section applies.

(ii) *Foreign nationals travelling on a passport issued by the People's Republic of China (with the exception of Hong Kong Special Administrative Region passport holders and Macau Special Administrative Region passport holders).* An alien who presents a passport from the People's Republic of China (with the exception of Hong Kong Special Administrative Region passport holders and Macau Special Administrative Region passport holders), may be admitted until the activities or assignments consistent with the I classification are completed, not to exceed 90 days.

(4) *Change in activity.* Aliens admitted pursuant to section 101(a)(15)(I) of the Act may not change the information medium or employer until they obtain permission from USCIS. Aliens must request permission by submitting the form designated by USCIS, in accordance with that form's instructions, and with the required fee, including any biometrics required by 8 CFR 103.16, as appropriate.

(5) *Extensions of stay.* (i) *Eligibility; effect of timely filing.*

(A) Aliens in I nonimmigrant status may be eligible for extensions of stay, each of up to 240 days or until the activities or assignments consistent with the I classification are completed,

whichever is shorter (except for aliens who present a passport from the People's Republic of China, with the exception of Hong Kong Special Administrative Region passport holders and Macau Special Administrative Region passport holders, who may be eligible for extensions of stay, each up to 90 days or until the activities or assignments consistent with the I classification are completed, whichever is shorter).

(B) To request an extension of stay, aliens in I nonimmigrant status must file an application to extend their stay by submitting the form designated by USCIS, in accordance with that form's instructions, and with the required fee, including any biometrics required by 8 CFR 103.16, and provide all the evidence required in paragraph (2) of this section, as appropriate. An alien whose I nonimmigrant status, as indicated on the alien's Arrival/Departure Record, Form I-94, has expired but who has timely filed an extension of stay application is authorized to continue engaging in activities consistent with the I classification on the day after the Form I-94 expired, for a period of up to 240 days, as provided in 8 CFR 274a.12(b)(20). Such authorization shall be subject to any conditions and limitations of the initial authorization.

(C) If an extension of stay application remains pending at the end of this 240-day period, the I nonimmigrant alien, whose status has expired, may remain in the United States so long as the extension of stay application is pending, he or she has timely filed a subsequent extension of stay request to remain beyond the period requested in the preceding request, and he or she does not otherwise violate the terms of his or her authorized period of stay. The alien, however, must cease working until his or her initial extension of stay application is approved. USCIS will deny the extension of stay application if the alien did not cease working after the 240-day period and before the extension of stay request was approved.

(ii) *Dependents accompanying or following to join the principal I representative of foreign information media.* A spouse or unmarried children under the age of 21 of an alien in I nonimmigrant status may be eligible for extensions of stay. The dependent applicant must either be included on the primary applicant's request for an extension of stay or file his or her own extension of stay application on the form designated by USCIS in accordance with paragraph (i)(5)(i) or (i)(5)(iii) of this section. The dependents must demonstrate the qualifying

relationship with the principal I representative of foreign information media, be maintaining status, and must not have engaged in any unauthorized employment. Extensions of stay for I dependents may not exceed the authorized admission period of the principal I representative of foreign information media.

(iii) *Aliens with a passport from People's Republic of China.*

(A) In the case of an alien who presents a passport issued by the People's Republic of China (other than a Hong Kong Special Administrative Region passport or a Macau Special Administrative Region passport), an extension of stay may be authorized until the activities or assignments consistent with the I classification are completed, not to exceed the maximum period of stay of 90 days. To request an extension of stay, these aliens must file an application to extend their stay by submitting the form designated by USCIS, in accordance with that form's instructions, and with the required fee, including any biometrics required by 8 CFR 103.16, as appropriate.

Notwithstanding paragraph (i)(5)(i) of this section and 8 CFR 274a.12(b)(20), an alien in I nonimmigrant status who is described in paragraph (i)(3)(ii) of this section whose status, as indicated on the alien's Arrival/Departure Record, Form I-94, has expired but who has timely filed an extension of stay application is authorized to continue engaging in activities consistent with the I classification and continue employment with the same employer on the day after the status indicated on the Form I-94 expired, for a period of up to 90 days. Such authorization shall be subject to any conditions and limitations of the initial authorization.

(B) If an extension of stay application remains pending at the end of this 90-day period, the I nonimmigrant alien, whose status has expired, may remain in the United States so long as the extension of stay application is pending, he or she has timely filed a subsequent extension of stay request to remain beyond the period requested in the preceding request, and he or she does not otherwise violate the terms of his or her authorized period of stay. The alien, however, must cease working until his or her initial extension of stay application is approved. USCIS may deny the extension of stay application if the alien did not cease working after the 90-day period and before the extension of stay request was approved.

(iv) *Documentation.* The facially expired Arrival-Departure Record, Form I-94, or successor form of an alien described in (i)(5)(i), (ii), and (iii) is

considered unexpired when combined with a USCIS receipt notice indicating receipt of a timely filed extension of stay application. An application is considered timely filed if the receipt notice for the application is on or before the date the admission period expires. Such extension may not exceed the earlier of 240 days (90 days for aliens who present a passport issued by the People's Republic of China (with the exception of Hong Kong Special Administrative Region passport holders and Macau Special Administrative Region passport holders)) as provided in 8 CFR 274a.12(b)(20), or the date of denial of the alien's application for an extension of stay.

(6) *Denials.* If an alien's extension of stay application is denied and the alien's authorized admission period has expired, the alien and his or her dependents must immediately depart the United States.

(7) *Change of status.* An alien seeking to change from a different nonimmigrant status to, if eligible, an I nonimmigrant status as described in this section, may be granted a period of stay until the activities or assignments consistent with the I classification are completed, not to exceed the maximum period of stay stated in paragraph (i)(3) of this section. To request a change from a different nonimmigrant status to an I nonimmigrant status as described in this section, an alien must file an application to change his or her status by submitting the form designated by USCIS, in accordance with that form's instructions, and with the required fee, including any biometrics required by 8 CFR 103.16, as appropriate.

(8) *Severability.* The provisions in this paragraph (i) are intended to be independent severable parts. In the event that any provision in this paragraph is not implemented, DHS intends that the remaining provisions be implemented as an independent rule.

(j) *Exchange visitors*

(1) * * *

(ii) *Admission period and period of stay.* (A) *J-1 exchange visitor.* A J-1 exchange visitor may be admitted for the duration of the exchange visitor program, as stated by the program end date noted on Form DS-2019 or successor form, not to exceed a period of 4 years.

(B) *J-2 accompanying dependents.* The authorized period of initial admission for a J-2 spouse and unmarried children under the age of 21 may not exceed the period of authorized admission of the principal J-1 exchange visitor.

(C) *Period of stay.* A J-1 exchange visitor and J-2 spouse and unmarried

children under the age of 21 may be admitted for a period up to 30 days before the report date or start of the approved program listed on Form DS-2019 or successor form. The dependents accompanying a J-1 exchange visitor are eligible for admission in J-2 status if the exchange visitor is admitted in J-1 status. A J-1 exchange visitor and J-2 accompanying dependents may remain in the United States for a period of 30 days from the program end date or the 4-year maximum period of admission, whichever is earlier, for the purposes of departure or to otherwise seek to maintain lawful status. The 30-day period will be reflected on the alien's Arrival/Departure Record, Form I-94 or successor form. The 30-day period before the indicated report date or program start date and 30 additional days following the program end date or the 4-year maximum period of admission do not count towards the maximum period of admission.

* * * * *

(iv) *Extension of stay.* A program end date as indicated on the Form DS-2019 or successor form, standing alone, does not allow aliens with J status to remain in the United States in lawful status. An alien in J-1 status seeking to extend his or her stay beyond the currently authorized period of admission must apply for an extension of stay, including if a sponsor issues a Form DS-2019 or successor form extending an alien's program end date for any reason, including for a request for reinstatement, academic training, change of program, or program extension or the alien requires additional time to complete his or her program.

(A) *Form.* To request an extension of stay, an alien in J status must file an extension of stay application on the form and in the manner designated by USCIS, including submitting the valid Form DS-2019 or successor form, appearing for any biometrics collection required by 8 CFR 103.16, and remitting the appropriate fee.

(B) *Timely filing.* An extension of stay application is considered timely filed if the receipt date, pursuant to 8 CFR 103.2(a)(7), is on or before the date the authorized admission period expires. USCIS must receive the extension of stay application on or before the expiration of the authorized period of admission, which includes the 30-day period of preparation for departure. If the extension application is received during the 30-day period provided in paragraph (j)(1)(ii)(C) of this section following the completion of the exchange visitor program, the alien in J-

1 status may continue to participate in his or her exchange visitor program.

(C) *Length of extensions.* Subject to the restrictions in the regulations at 22 CFR part 62, extensions of stay may be granted for a period up to the length of the program, as listed on the Form DS-2019, or successor form, not to exceed 4-years, unless the J-1 exchange visitor is otherwise restricted by regulations at 22 CFR part 62. The 30-day period before the indicated report date or program start date and 30 additional days following the program end date or the maximum period of admission do not count towards the maximum length of an extension.

(D) *Late requests for extension of current program end date.* If the responsible officer is required to reinstate the program status and submits an extension of the program end date in SEVIS after the end date noted on the most recent Form DS-2019 or successor form, the sponsor must file a request for reinstatement of J-1 status in the manner required by the Department of State, with the required fee at 22 CFR 62.43. If the Department of State approves the request, the J-1 exchange visitor must file a request for extension of stay with USCIS within 30 days of the decision.

(E) *Dependents.* A J-2 spouse and unmarried children under the age of 21 seeking to accompany the J-1 exchange visitor during the additional period of admission must either be included on the primary applicant's request for extension or file their own extension of stay applications on the form designated by USCIS, including any biometrics required by 8 CFR 103.16. USCIS must receive the extension of stay applications on or before the expiration of the previously authorized period of admission, including the 30-day period following the completion of the program provided in paragraph (j)(1)(ii)(C) of this section, as indicated on the J-2 dependent's Form I-94 or successor form. J-2 dependents must demonstrate the qualifying relationship with the principal J-1 exchange visitor, be maintaining status, and not have engaged in any unauthorized employment. Extensions of stay for J-2 dependents may not exceed the authorized admission period of the principal J-1 exchange visitor.

(F) *Denials.* If an alien's extension of stay application is denied, and the alien's authorized admission period has expired, he or she and his or her dependents must immediately depart the United States.

(v) *Employment of J-2 dependents.* The accompanying spouse or unmarried children under the age of 21 of a J-1

exchange visitor may only engage in employment if authorized by USCIS. The employment authorization is valid only if the J-1 is maintaining status, and the J-2 employment authorization dates may not exceed the J-1 principal alien's authorized stay as indicated on Form I-94. An application for employment authorization must be filed in the manner prescribed by USCIS, together with the required fee and any additional evidence required in the filing instructions. Income from the J-2 dependent's employment may be used to support the family's customary recreational and cultural activities and related travel, among other things. Employment will not be authorized if this income is needed to support the J-1 principal exchange visitor. If the requested period of employment authorization exceeds the current admission period, the J-2 dependent must file an extension of stay application or be included in the J-1 principal's extension of stay application, in addition to the application for employment authorization, in the manner designated by USCIS, with the required fee and in accordance with form instructions.

(vi) *Automatic extension of J-1 stay and grant of employment authorization for aliens who are the beneficiaries of a cap-subject H-1B petition.* USCIS may, by notice in the **Federal Register**, at any time it determines that the H-1B numerical limitation as described in section 214(g)(1)(A) of the Act will likely be reached prior to the end of a current fiscal year, extend for such a period of time as deemed necessary to complete the adjudication of the H-1B petition, the status of any J-1 alien on behalf of whom an employer has timely filed an H-1B petition requesting change of status. The alien, in accordance with 8 CFR part 248, must not have violated the terms of his or her nonimmigrant stay and not be subject to the 2-year foreign residence requirement at 212(e) of the Act. Any J-1 exchange visitor whose status has been extended shall be considered to be maintaining lawful nonimmigrant status for all purposes under the Act, provided that the alien does not violate the terms and conditions of his or her J nonimmigrant stay. An extension made under this paragraph also applies to the J-2 dependent alien.

(vii) *Pending extension of stay applications and employment authorization.*

(A) An alien whose J-1 status, as indicated on the alien's Arrival/Departure Record, Form I-94, has expired but who has timely filed an extension of stay application is

authorized to continue engaging in activities consistent with pursuing the terms and conditions of the alien's program objectives and including authorized training, beginning on the day after the admission period expires, for a period of up to 240 days as provided in 8 CFR 274a.12(b)(20). An alien whose J-1 status, as indicated on the alien's Arrival/Departure Record, Form I-94, has expired but who has timely filed an extension of stay application on or before [DHS WILL INSERT DATE SIX MONTHS AFTER THE EFFECTIVE DATE OF THE FINAL RULE], is authorized to continue engaging in activities consistent with pursuing the terms and conditions of the alien's program objectives, including authorized training and activities pursuant to a new or transferred program, while the extension of stay application is pending with USCIS, not to exceed the program end date on the Form DS-2019 (or successor form) filed with the pending application. Such authorization may be subject to any conditions and limitations of the initial authorization. If the extension of stay application remains pending beyond the Form DS-2019 (or successor form) end date filed with the application, the alien, whose status has expired, may remain in the United States and continue engaging in activities consistent with pursuing the terms and conditions of the alien's program objectives and including authorized training so long as the extension of stay application is pending and he or she has filed a subsequent extension of stay request with a Form DS-2019 (or successor form) indicating an end date beyond the Form DS-2019 (or successor form) end date requested in the preceding extension of stay request. DHS reserves the discretion to extend the period permitting an alien in J-1 status to continue engaging in activities consistent with pursuing the terms and conditions of the alien's program objectives and including authorized training, up to the end date of the Form DS-2019 (or successor form) so long as the extension of stay application is pending, beyond [DHS WILL INSERT DATE SIX MONTHS AFTER THE EFFECTIVE DATE OF THE FINAL RULE], in 6 month increments through announcement in the **Federal Register**. Consistent with 8 CFR 214.2(j)(1)(iv)(E), the denial of an extension of stay application requires the alien to cease activities and depart the United States immediately.

(B) The facially expired Arrival-Departure Record, Form I-94, or successor form of an alien described in

(j)(1)(vii)(A) is considered unexpired when combined with a USCIS receipt notice indicating receipt of a timely filed extension of stay application and a valid Form DS-2019, or successor form, indicating the duration of the program. An application is considered timely filed if the receipt notice for the application is on or before the date the admission period expires. Such extension may not exceed the earlier of 240 days, as provided in 8 CFR 274a.12(b)(20), or for those extension of stay applications filed on or before [DHS WILL INSERT DATE SIX MONTHS AFTER THE EFFECTIVE DATE OF THE FINAL RULE], the end date of the Form DS-2019 (or successor form) filed with the application, or the date of denial of the alien's application for an extension of stay.

(C) An alien in J-2 status whose admission period has expired (as indicated on his or her Form I-94) may not engage in employment until USCIS approves his or her application for employment authorization.

(viii) *Use of SEVIS.* The use of the Student and Exchange Visitor Information System (SEVIS) is mandatory for designated program sponsors. All designated program sponsors must issue a SEVIS Form DS-2019 to any exchange visitor requiring a reportable action (e.g., program extensions and requests for employment authorization), or for any aliens who must obtain a new nonimmigrant J visa. As of 2003, the records of all current or continuing exchange visitors must be entered in SEVIS.

(ix) *Current name and address.* A J-1 exchange visitor must inform DHS and the responsible officer of the exchange visitor program of any legal changes to his or her name or of any change of address within 10 calendar days of the change, in a manner prescribed by the program sponsor. A J-1 exchange visitor enrolled in a SEVIS program can satisfy the requirement in 8 CFR 265.1 of notifying USCIS by providing a notice of a change of address within 10 calendar days to the responsible officer, who in turn shall enter the information in SEVIS within 10 business days of notification by the exchange visitor. In cases where an exchange visitor provides the sponsor a mailing address that is different than his or her actual physical address, he or she is responsible to provide the sponsor his or her actual physical location of residence. The exchange visitor program sponsor is responsible for maintaining a record of, and must provide upon request from USCIS, the actual physical

location where the exchange visitor resides.

* * * * *

(6) *Severability*. The provisions in this paragraph (j) are intended to be independent severable parts. In the event that any provision in this paragraph is not implemented, DHS intends that the remaining provisions be implemented as an independent rule.

* * * * *

PART 248—CHANGE OF NONIMMIGRANT CLASSIFICATION

■ 4. The authority citation for part 248 continues to read as follows:

Authority: 8 U.S.C. 1101, 1103, 1184, 1258; 8 CFR part 2.

■ 5. Section 248.1 is amended by redesignating paragraph (e) as paragraph (g), and adding new paragraphs (e) and (f);

The additions read as follows:

§ 248.1 Eligibility.

* * * * *

(e) *Admission of aliens under section 101(a)(15)(F) and (J) previously granted duration of status*—Aliens who were granted a change to F or J status prior to [DHS WILL INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION OF THE FINAL RULE] and who departed the United States and are applying for admission on or after [DHS WILL INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION OF THE FINAL RULE] will be inspected and may be admitted into the United States up to the program end date as noted on the Form I–20 or Form DS–2019 that accompanied the change of status application that was approved prior to the alien’s departure, not to exceed a period of 4 years. To be admitted into

the United States, all aliens must be eligible for the requested status and possess the proper documentation including a valid passport, valid nonimmigrant visa, if required, and valid Form I–20 or Form DS–2019 or successor form.

(f) *Abandonment of change of status application*. If an alien timely files an application to change to another nonimmigrant status but departs the United States while the application is pending, USCIS will consider the change of status application abandoned.

* * * * *

PART 274a—CONTROL OF EMPLOYMENT OF ALIENS

■ 6. The authority citation for part 274a continues to read as follows:

Authority: 8 U.S.C. 1101, 1103, 1105, 1324a; 48 U.S.C. 1806; Pub. L. 101–410, 104 Stat. 890, as amended by Pub. L. 114–74, 129 Stat. 599; Title VII of Pub. L. 110–229, 122 Stat. 754; Pub. L. 115–218, 132 Stat. 1547; 8 CFR part 2.

■ 7. Section 274a.12 is amended by:

- a. Revising paragraph (b)(6)(v) to remove the words “duration of”
- b. Revising paragraph (b)(6)(v) to remove the words “8 CFR 214.2(f)(5)(vi)” and add, in their place, the words “8 CFR 214.2(f)(5)(vii)”;
- c. Revising paragraphs (b)(10), and (c)(3)(iii) to read as follows:

§ 274a.12 Classes of aliens authorized to accept employment.

* * * * *

(b) * * *

* * * * *

(10) An alien who is a foreign information media representative in I status under 8 CFR 214.2(i) may be employed pursuant to the requirements of 8 CFR 214.2(i). Employment

authorization does not extend to the dependents of a foreign information media representative.

* * * * *

(c) * * *

(3) * * *

(iii) Is seeking employment because of severe economic hardship pursuant to 8 CFR 214.2(f)(9)(ii)(C) and has an Employment Authorization Document, Form I–766 or successor form, based on severe economic hardship pursuant to 8 CFR 214.2(f)(9)(ii)(C), and whose timely filed application for employment authorization and application for extension of stay, both filed on applicable forms and in the manner designated by USCIS, with the required fees, as described in the form’s instructions, are pending, is authorized to engage in employment beginning on the expiration date of the Employment Authorization Document issued under paragraph (c)(3)(i)(B) of this section and ending on the date of USCIS’ written decision on the current Application for Employment Authorization, Form I–765, or successor form, but not to exceed 240 days. For this same period, such Employment Authorization Document, Form I–766 or successor form, is automatically extended and is considered unexpired when combined with a Certificate of Eligibility for Nonimmigrant (F–1/M–1) Students, Form I–20 or successor form, endorsed by the Designated School Official recommending such an extension.

* * * * *

Kristi Noem,

Secretary, U.S. Department of Homeland Security.

[FR Doc. 2025–16554 Filed 8–27–25; 8:45 am]

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FEDERAL REGISTER

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Part III

The President

Proclamation 10965—Fourth Anniversary of the Attack at Abbey Gate, 2025

Executive Order 14339—Additional Measures To Address the Crime Emergency in the District of Columbia

Executive Order 14340—Measures To End Cashless Bail and Enforce the Law in the District of Columbia

Executive Order 14341—Prosecuting Burning of the American Flag

Executive Order 14342—Taking Steps To End Cashless Bail To Protect Americans

Presidential Documents

Title 3—

Proclamation 10965 of August 25, 2025

The President

Fourth Anniversary of the Attack at Abbey Gate, 2025

By the President of the United States of America

A Proclamation

On one of the darkest days in our Nation's history, 4 years ago, the gates of hell sprung open when an evil Jihadi terrorist carried out a suicide bombing in Kabul, Afghanistan—killing 13 heroes of our United States Armed Forces and shattering the hearts of Americans and our allies. As our Nation remembers this atrocious attack, we honor the memory of every brave warrior who made the ultimate sacrifice for our country. We join in grief with the families who senselessly lost a loved one, and we renew our solemn pledge to our 13 fallen patriots—we will never forget you; we will never forsake you; and your memory will live on forever.

On July 2, 2021, as an empowered Taliban was in the midst of waging a civil war in Afghanistan, President Joe Biden began a disastrous withdrawal from Bagram Airfield in the middle of the night without alerting Afghan National Defense and Security Forces. As a direct result of the Biden Administration's reckless political stunt designed to claim victory on the 20th anniversary of September 11, 2001, our men and women in uniform were left without a defensible base of operations, allowing the Taliban to free thousands of bloodthirsty terrorists and criminals held captive at Bagram prison.

At exactly 5:36pm on August 26, 2021, a barbaric ISIS-K terrorist—one of the prisoners set free by the Taliban less than two months earlier—detonated a suicide bomb at a civilian gate of Hamid Karzai International Airport in Kabul, the main entry point for an evacuation operation. As a result, 13 brave American service members were killed, 45 were wounded, and more than 160 civilians were injured, resulting in the single deadliest day for United States forces in a decade.

In what will be remembered as one of the most shameful and heartbreaking moments in our Nation's collective memory, Joe Biden checked his watch—and time stood still—as a Sailor, Soldier, and 11 Marines returned home in flag-draped coffins, solemnly escorted by their brothers and sisters in arms. We will never forget the names of the 13 brave souls who shed their blood for our Nation: Staff Sergeant Darin T. Hoover, USMC; Sergeant Johanny Rosario Pichardo, USMC; Sergeant Nicole L. Gee, USMC; Corporal Hunter Lopez, USMC; Corporal Daegan W. Page, USMC; Corporal Humberto A. Sanchez, USMC; Lance Corporal David L. Espinoza, USMC; Lance Corporal Jared M. Schmitz, USMC; Lance Corporal Rylee J. McCollum, USMC; Lance Corporal Dylan R. Merola, USMC; Lance Corporal Kareem M. Nikoui, USMC; Petty Officer Third Class Maxton W. Soviak, USN; and Staff Sergeant Ryan C. Knauss, USA.

As Commander in Chief, I will never allow our military service members to be so betrayed, our friends to be so abandoned, and our credibility to be so destroyed.

To those who lost a son, daughter, brother, sister, husband, wife, or family member at Abbey Gate in 2021—we offer you our enduring love and our unwavering devotion. To those who horrifically suffered life-altering wounds—we extend our unending support and eternal gratitude for your unsung sacrifices. To those who served in Afghanistan, Iraq, Syria, and

beyond—you should be tremendously proud of your service to our Nation and your devotion to preserving our freedoms.

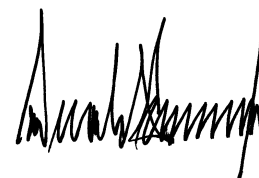
The events of that day led to an unimaginable loss of human life and the single most embarrassing display of American foreign policy in the history of our country. In the wake of the attack, countless Americans and our Afghan allies were abandoned behind Taliban lines, 10 innocent civilians—including children—were killed in a feckless counterstrike ordered by President Biden, \$85 billion worth of United States military equipment was surrendered to the enemy, and 20 years of American blood and treasure were utterly squandered. The weakness and incompetence that led to Abbey Gate lived on in the American memory as the moment our credibility was all but lost—until the clock struck noon on January 20, 2025.

On day one, my Administration sought to bring justice to the families of the Abbey Gate 13 by aggressively pursuing a foreign policy rooted in the commonsense principle of peace through strength. Just 43 days into my second term, on the night of March 4, 2025, during my Joint Address to the Congress, I announced that we apprehended the ISIS Jihadi responsible for the atrocity at the Kabul airport—who was at that moment being brought to the United States to face the swift sword of American justice. When America is strong, the world is safe, fewer conflicts erupt on the field of battle, and the lives of our men and women in uniform are cherished and protected.

As our Nation solemnly marks 4 years since the attack at Abbey Gate, we honor the memory of the 13 brave souls and every military service member to ever die in the line of duty—and we renew our resolve to protect American lives, defend American interests, and uphold American sovereignty.

NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim August 26, 2025, as a day in commemoration of the 4th anniversary of the attack at Abbey Gate. I encourage all Americans to remember the heroism of the brave men and women who made the ultimate sacrifice for our country, and the Gold Star Families who carry on their proud legacy.

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



Presidential Documents

Executive Order 14339 of August 25, 2025

Additional Measures To Address the Crime Emergency in the District of Columbia

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

Section 1. *Crime Emergency.* Two weeks ago, I declared a crime emergency in the District of Columbia to address the rampant violence and disorder that have undermined the proper and safe functioning of the Federal Government, and therefore, the Nation, and that have led to disgraceful conditions in our Nation's capital. In furtherance of Executive Order 14333 of August 11, 2025 (Declaring a Crime Emergency in the District of Columbia), I am now ordering further actions to address the conditions described in that Executive Order.

Sec. 2. *Operational Actions.* (a) The Director of the National Park Service shall, subject to the availability of appropriations and applicable law, hire additional members of the United States Park Police in the District of Columbia to support the policy goals described in Executive Order 14333. The United States Park Police shall ensure enforcement of all applicable laws within their jurisdiction, including the Code of the District of Columbia, to help maintain public safety and proper order.

(b) The United States Attorney for the District of Columbia shall, subject to the availability of appropriations and applicable law, hire additional prosecutors to focus on prosecuting violent and property crimes.

(c) The D.C. Safe and Beautiful Task Force established in Executive Order 14252 of March 27, 2025 (Making the District of Columbia Safe and Beautiful), shall establish an online portal for Americans with law enforcement or other relevant backgrounds and experience to apply to join Federal law enforcement entities to support the policy goals described in Executive Order 14333. Each law enforcement agency that is a member of the D.C. Safe and Beautiful Task Force, as well as other relevant components of the Department of Justice as the Attorney General determines, shall further, subject to the availability of appropriations and applicable law, immediately create and begin training, manning, hiring, and equipping a specialized unit that is dedicated to ensuring public safety and order in the Nation's capital that can be deployed whenever the circumstances necessitate, and that could be deployed, subject to applicable law, in other cities where public safety and order has been lost.

(d)(i) The Secretary of Defense shall, subject to the availability of appropriations and applicable law, immediately create and begin training, manning, hiring, and equipping a specialized unit within the District of Columbia National Guard, subject to activation under Title 32 of the United States Code, that is dedicated to ensuring public safety and order in the Nation's capital. As appropriate and consistent with applicable law, the Attorney General, the Secretary of the Interior, and the Secretary of Homeland Security, in coordination with the Secretary of Defense, shall each deputize the members of this unit to enforce Federal law.

(ii) The Secretary of Defense shall immediately begin ensuring that each State's Army National Guard and Air National Guard are resourced, trained, organized, and available to assist Federal, State, and local law enforcement in quelling civil disturbances and ensuring the public safety and order

whenever the circumstances necessitate, as appropriate under law. In coordination with the respective adjutants general, the Secretary of Defense shall designate an appropriate number of each State's trained National Guard members to be reasonably available for rapid mobilization for such purposes. In addition, the Secretary of Defense shall ensure the availability of a standing National Guard quick reaction force that shall be resourced, trained, and available for rapid nationwide deployment.

(e) The Secretary of Housing and Urban Development (HUD) shall investigate any non-compliance with the crime-prevention and safety requirements of HUD agreements by the District of Columbia Housing Authority or any landlord in the District of Columbia. These investigations shall include consideration of the provisions of such agreements that require housing providers to maintain safe, decent, and sanitary conditions or to restrict tenants who engage in criminal activity that threatens health, safety, and the right to peaceful enjoyment for other tenants, including engaging in drug distribution, violent criminal activity, and domestic violence. The Secretary of HUD shall refer any findings of non-compliance to the Attorney General, Federal law enforcement authorities, the District of Columbia Housing Authority Police Department, and the Metropolitan Police Department, as appropriate.

(f) The Secretary of Transportation shall conduct additional inspections, audits, and examinations to determine whether conditions exist in federally-funded transit services in the District of Columbia that endanger transit workers, and take appropriate remedial action that is within the Department of Transportation's authority.

Sec. 3. *Potential Amendments to Metropolitan Police Department General Orders.* (a) The Attorney General shall review the Metropolitan Police Department General Orders and shall request that the Mayor of the District of Columbia make such updates and modifications to such orders as the Attorney General determines are necessary to address the crime emergency and ensure public order and safety.

Sec. 4. *Severability.* If any provision of this order, or the application of any provision to any individual or circumstance, is held to be invalid, the remainder of this order and the application of its other provisions to any other individuals or circumstances shall not be affected thereby.

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

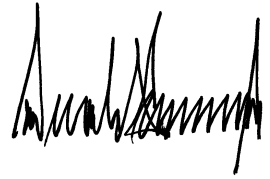
(i) the authority granted by law to an executive department or agency, or the head thereof; or

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

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

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

(d) The costs for publication of this order shall be borne by the Department of Justice.

A handwritten signature in black ink, appearing to be "Donald Trump", located in the upper right quadrant of the page.

THE WHITE HOUSE,
August 25, 2025.

[FR Doc. 2025-16614
Filed 8-27-25; 11:15 am]
Billing code 4410-CW-P

Presidential Documents

Executive Order 14340 of August 25, 2025

Measures To End Cashless Bail and Enforce the Law in the District of Columbia

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

Section 1. *Purpose and Policy.* As stated in Executive Order 14333 of August 11, 2025 (Declaring a Crime Emergency in the District of Columbia), there is a crime emergency in Washington, D.C., that is impeding the operations and responsibilities of the Federal Government. The District of Columbia government's pretrial release policies, which include prohibiting cash bail, contribute to the disgraceful conditions referenced in the aforementioned Executive Order, as law enforcement must arrest the same individuals multiple times, and dangerous criminals are sometimes rapidly released. This leaves such criminals free to endanger American citizens visiting our Nation's capital, Federal workers discharging their duties to our Nation, and citizens of the District of Columbia trying to live their lives safely. It is therefore the policy of my Administration that all necessary and lawful measures be taken to end cashless bail policies and ensure the pretrial detention of any criminal suspect who threatens public safety.

Sec. 2. *Ending Unwarranted Pretrial Release in the District of Columbia.* (a) To prevent the release of dangerous suspects based on cashless bail policies, relevant Federal law enforcement agencies and officials who are members of the D.C. Safe and Beautiful Task Force established in Executive Order 14252 of March 27, 2025 (Making the District of Columbia Safe and Beautiful), shall work to ensure that arrestees in the District of Columbia are held in Federal custody to the fullest extent permissible under applicable law, and shall pursue Federal charges and pretrial detention for such arrestees whenever possible, consistent with applicable law, to ensure that criminal defendants who pose a threat to public safety are not released from custody prior to trial.

(b) Further, the Attorney General shall review the Metropolitan Police Department (MPD) General Orders and other policies and practices of the MPD to identify those that may result in pretrial release of criminal defendants who pose a threat to public safety and, consistent with section 740 of the District of Columbia Self-Government and Governmental Reorganization Act (Public Law 93–198), shall request that the Mayor of the District of Columbia make such updates and modifications to such orders and policies as the Attorney General determines would be necessary to address the crime emergency and help to ensure public order and safety.

Sec. 3. *Measures to End Cashless Bail in the District of Columbia.* (a) The Attorney General shall determine whether the District of Columbia continues to maintain a policy or practice of prohibiting cash bail as a potential condition of pretrial release from jail for crimes prosecuted under the Code of the District of Columbia in the Superior Court of the District of Columbia where the arrestee poses a clear threat to public safety and order. Such cases include violent or sexual offenses such as rape, murder, carjacking, and assault, as well as property offenses such as burglary, looting, and vandalism. The Attorney General shall update her determination if the District of Columbia changes its cashless bail policies or practices.

(b) If the Attorney General determines that the District of Columbia continues to maintain a policy or practice of prohibiting cash bail, the head of each executive department or agency (agency), in coordination with the

Director of the Office of Management and Budget, shall identify appropriate actions to press the District of Columbia to change its policies with respect to cashless bail. Such actions may include Federal funding decisions or the provision of Federal services or approvals by agency heads, as well as actions the Attorney General identifies as necessary and appropriate because of the emergency conditions based upon which section 740 of the District of Columbia Home Rule Act has been invoked. The head of each agency shall undertake any such actions he or she deems appropriate, consistent with applicable law.

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

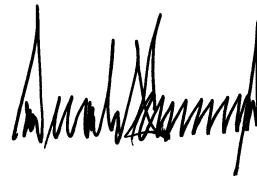
(i) the authority granted by law to an executive department or agency, or the head thereof; or

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

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

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

(d) The costs for publication of this order shall be borne by the Department of Justice.



THE WHITE HOUSE,
August 25, 2025.

Presidential Documents

Executive Order 14341 of August 25, 2025

Prosecuting Burning of the American Flag

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

Section 1. Purpose. Our great American Flag is the most sacred and cherished symbol of the United States of America, and of American freedom, identity, and strength. Over nearly two-and-a-half centuries, many thousands of American patriots have fought, bled, and died to keep the Stars and Stripes waving proudly. The American Flag is a special symbol in our national life that should unite and represent all Americans of every background and walk of life. Desecrating it is uniquely offensive and provocative. It is a statement of contempt, hostility, and violence against our Nation—the clearest possible expression of opposition to the political union that preserves our rights, liberty, and security. Burning this representation of America may incite violence and riot. American Flag burning is also used by groups of foreign nationals as a calculated act to intimidate and threaten violence against Americans because of their nationality and place of birth.

Notwithstanding the Supreme Court's rulings on First Amendment protections, the Court has never held that American Flag desecration conducted in a manner that is likely to incite imminent lawless action or that is an action amounting to “fighting words” is constitutionally protected. See *Texas v. Johnson*, 491 U.S. 397, 408–10 (1989).

My Administration will act to restore respect and sanctity to the American Flag and prosecute those who incite violence or otherwise violate our laws while desecrating this symbol of our country, to the fullest extent permissible under any available authority.

Sec. 2. Measures to Combat Desecration of the American Flag. (a) The Attorney General shall prioritize the enforcement to the fullest extent possible of our Nation's criminal and civil laws against acts of American Flag desecration that violate applicable, content-neutral laws, while causing harm unrelated to expression, consistent with the First Amendment. This may include, but is not limited to, violent crimes; hate crimes, illegal discrimination against American citizens, or other violations of Americans' civil rights; and crimes against property and the peace, as well as conspiracies and attempts to violate, and aiding and abetting others to violate, such laws.

(b) In cases where the Department of Justice or another executive department or agency (agency) determines that an instance of American Flag desecration may violate an applicable State or local law, such as open burning restrictions, disorderly conduct laws, or destruction of property laws, the agency shall refer the matter to the appropriate State or local authority for potential action.

(c) To the maximum extent permitted by the Constitution, the Attorney General shall vigorously prosecute those who violate our laws in ways that involve desecrating the American Flag, and may pursue litigation to clarify the scope of the First Amendment exceptions in this area.

(d) The Secretary of State, the Attorney General, and the Secretary of Homeland Security, acting within their respective authorities, shall deny, prohibit, terminate, or revoke visas, residence permits, naturalization proceedings, and other immigration benefits, or seek removal from the United States, pursuant to Federal law, including 8 U.S.C. 1182(a), 8 U.S.C. 1424,

8 U.S.C. 1427, 8 U.S.C. 1451(c), and 8 U.S.C. 1227(a), whenever there has been an appropriate determination that foreign nationals have engaged in American Flag-desecration activity under circumstances that permit the exercise of such remedies pursuant to Federal law.

Sec. 3. Severability. If any provision of this order, or the application of any provision to any person or circumstance, is held to be invalid, the remainder of this order and the application of its provisions to any other persons or circumstances shall not be affected thereby.

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

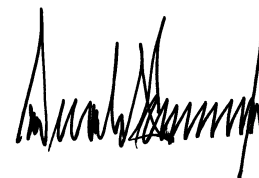
(i) the authority granted by law to an executive department or agency, or the head thereof; or

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

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

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

(d) The costs for publication of this order shall be borne by the Department of Justice.



THE WHITE HOUSE,
August 25, 2025.

Presidential Documents

Executive Order 14342 of August 25, 2025

Taking Steps To End Cashless Bail To Protect Americans

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

Section 1. *Purpose and Policy.* Maintaining order and public safety requires incarcerating individuals whose pending criminal charges or criminal history demonstrate a clear ongoing risk to society. When these individuals are released without bail under city or State policies, they are permitted—even encouraged—to further endanger law-abiding, hard-working Americans because they know our laws will not be enforced. Our great law enforcement officers risk their lives to arrest potentially violent criminals, only to be forced to arrest the same individuals, sometimes for the same crimes, while they await trial on the previous charges. This is a waste of public resources and a threat to public safety.

As President, I will require commonsense policies that protect Americans' safety and well-being by incarcerating individuals who are known threats. It is therefore the policy of my Administration that Federal policies and resources should not be used to support jurisdictions with cashless bail policies, to the maximum extent permitted by law.

Sec. 2. *Consequences for Cashless Bail Jurisdictions.* (a) Within 30 days of the date of this order, the Attorney General shall submit to the President, through the Assistant to the President for Homeland Security, a list of States and local jurisdictions that have, in the Attorney General's opinion, substantially eliminated cash bail as a potential condition of pretrial release from custody for crimes that pose a clear threat to public safety and order, including offenses involving violent, sexual, or indecent acts, or burglary, looting, or vandalism. The Attorney General shall update this list as necessary.

(b) The head of each executive department and agency, in coordination with the Director of the Office of Management and Budget, shall identify Federal funds, including grants and contracts, currently provided to cashless bail jurisdictions identified pursuant to subsection (a) of this section that may be suspended or terminated, as appropriate and consistent with applicable law.

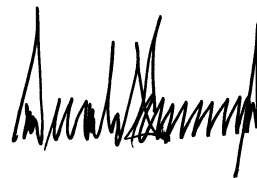
Sec. 3. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

- (i) the authority granted by law to an executive department or agency, or the head thereof; or
- (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

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

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

(d) The costs for publication of this order shall be borne by the Department of Justice.

A handwritten signature in black ink, appearing to be "Donald Trump", located in the upper right quadrant of the page.

THE WHITE HOUSE,
August 25, 2025.

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