

■ 2. Amend § 603.5 by removing paragraph (i) and revising the introductory text to read as follows:

**§ 603.5 What are the exceptions to the confidentiality requirement?**

The following are exceptions to the confidentiality requirement. Disclosure of confidential UC information is permissible under the exceptions in paragraphs (a) through (g) of this section only if authorized by State law and if such disclosure does not interfere with the efficient administration of the State UC law. Disclosure of confidential UC information is permissible under the exception in paragraph (h) of this section without such restrictions.

\* \* \* \* \*

■ 3. Amend § 603.6 by redesignating paragraph (c) as paragraph (d) and adding a new paragraph (c) as follows:

**§ 603.6 What disclosures are required by this subpart?**

\* \* \* \* \*

(c) The Department of Labor interprets Section 303(a)(1), SSA, as requiring the disclosure of confidential UC information to a Federal official for purposes of UC program oversight and audits.

\* \* \* \* \*

■ 4. Amend § 603.8 by revising paragraph (b) to read as follows:

**§ 603.8 What are the requirements for payment of costs and program income?**

\* \* \* \* \*

(b) *Use of grant funds permitted.* Grant funds paid to a State under Section 302(a), SSA, may be used to pay the costs of only those disclosures necessary for proper administration of the UC program. (This may include some disclosures under § 603.5(a) (concerning public domain information), § 603.5(c) (to an individual or employer), and § 603.5(d)(1) (to an agent).) In addition, grant funds may be used to pay costs of disclosures under § 603.6(a) (for the proper administration of the UC program) and § 603.6(c) (for UC Program Oversight and Audits). Grant funds may also be used to pay costs associated with disclosures under § 603.7(b)(1) (concerning court-ordered compliance with subpoenas) if a court has denied recovery of costs, or to pay costs associated with disclosures under § 603.7(b)(2) (to officials with subpoena authority) if the State UC agency has attempted but not been successful in obtaining reimbursement of costs. Finally, grant funds may be used to pay costs associated with any disclosure of UC information if not more than an incidental amount of staff time and no

more than nominal processing costs are involved in making the disclosure.

\* \* \* \* \*

Susan Frazier,

Acting Assistant Secretary for Employment and Training, Labor.

[FR Doc. 2025-16645 Filed 8-28-25; 8:45 am]

BILLING CODE 4510-FW-P

**DEPARTMENT OF JUSTICE**

**28 CFR Part 16**

[CPCLO Order No. 004-2025]

**Privacy Act of 1974; Implementation**

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** In the Notice section of today’s **Federal Register**, the Executive Office for Immigration Review (EOIR), a component within the United States Department of Justice (DOJ or Department), has published a notice of a modified system of records, Adjudication and Appeal Records of the Office of the Chief Immigration Judge and Board of Immigration Appeals, JUSTICE/EOIR-001. This system of records has been exempted from the access and amendment provisions of the Privacy Act of 1974, U.S.C. 552a(d), pursuant to 5 U.S.C. 552a(k)(1), and (k)(2). See 28 CFR 16.83. In this notice of proposed rulemaking, EOIR proposes to update 28 CFR 16.83 consistent with the system of records’ modifications to exempt this system of records from certain provisions of the Privacy Act to protect properly classified information and law enforcement sensitive materials maintained in the system. For the reasons provided below, the Department proposes to update its Privacy Act regulations exempting records in this system from certain provisions of the Privacy Act. Public comment is invited.

**DATES:** Comments must be received by September 29, 2025.

**ADDRESSES:** You may send comments by any of the following methods:

- *Email:* [privacy.compliance@usdoj.gov](mailto:privacy.compliance@usdoj.gov). To ensure proper handling, please reference the CPCLO Order No. in the subject line of the message.
- *Fax:* 202-307-0693.
- *Mail:* United States Department of Justice, Office of Privacy and Civil Liberties, ATTN: Privacy Analyst, Two Constitution Square, 145 N St. NE, Suite 8W-300, Washington, DC 20530. All comments sent via regular or express mail will be considered timely if

postmarked on the day the comment period closes. To ensure proper handling, please reference the CPCLO Order No. in your correspondence.

• *Federal eRulemaking Portal:* <http://www.regulations.gov>. When submitting comments electronically, you must include the CPCLO Order No. in the subject box. Please note that the Department is requesting that electronic comments be submitted before midnight Eastern Daylight Savings Time on the day the comment period closes because <http://www.regulations.gov> terminates the public’s ability to submit comments at that time. Commenters in time zones other than Eastern Time may want to consider this so that their electronic comments are received.

*Posting of Public Comments:* Please note that all comments received are considered part of the public record and made available for public inspection online at <http://www.regulations.gov> and in the Department’s public docket. Such information includes personally identifying information (such as your name, address, etc.) voluntarily submitted by the commenter. If you want to submit personal identifying information (such as your name, address, etc.) as part of your comment, but do not want it to be posted online or made available in the public docket, you must include the phrase “PERSONAL IDENTIFYING INFORMATION” in the first paragraph of your comment. You must also place all personal identifying information that you do not want posted online or made available in the public docket in the first paragraph of your comment and identify what information you want redacted.

If you want to submit confidential business information as part of your comment, but do not want it to be posted online or made available in the public docket, you must include the phrase “CONFIDENTIAL BUSINESS INFORMATION” in the first paragraph of your comment. You must also prominently identify confidential business information to be redacted within the comment. If a comment has so much confidential business information that it cannot be effectively redacted, all or part of that comment may not be posted online or made available in the public docket.

Personal identifying information and confidential business information identified and located as set forth above will be redacted and the comment, in redacted form, may be posted online and placed in the Department’s public docket file. Please note that the Freedom of Information Act applies to all comments received. If you wish to inspect the agency’s public docket file

in person by appointment, please see the **FOR FURTHER INFORMATION CONTACT** paragraph, below.

**FOR FURTHER INFORMATION CONTACT:**  
Alexander Y. Hartman, Senior  
Component Official for Privacy,  
Executive Office for Immigration  
Review, Office of the General Counsel,  
5107 Leesburg Pike, Suite 2600, Falls  
Church, VA 22041,  
*Alexander.Hartman@usdoj.gov*,  
*EOIR.Privacy.Intake@usdoj.gov*.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Under delegated authority from the Attorney General, EOIR interprets and administers Federal immigration laws by conducting immigration court proceedings, appellate reviews, and administrative hearings. Two of EOIR's adjudicating components include the Office of the Chief Immigration Judge (OCIJ) and the Board of Immigration Appeals (BIA or Board). OCIJ oversees the administration of the immigration courts nationwide. 8 CFR 1003.9. Immigration judges are responsible for conducting immigration court proceedings. 8 CFR 1003.10. Decisions of immigration judges are subject to review by the BIA in any case in which the BIA has jurisdiction. 8 CFR 1003.10(c). The BIA is the highest administrative body for interpreting and applying immigration laws. 8 CFR 1003.1. The BIA and its appellate immigration judges have nationwide jurisdiction to review certain decisions rendered by immigration judges, Adjudicating Officials in attorney discipline cases, and district directors of the Department of Homeland Security (DHS). 8 CFR 1003.1(b).

Parties to immigration proceedings may file documents with the immigration court or the BIA by mail, hand delivery, or electronically. 8 CFR 1003.2(g), 1003.3(g), 1003.31. The official file containing the documents relating to an individual's immigration case is the Record of Proceeding (ROP), which may be paper or electronic. ROPs generally contain the Notice to Appear (Form I-862), hearing notices, a practitioner of record's entry of appearance form (Forms EOIR-27 or EOIR-28) (if any), any change of address forms (Form EOIR-33), applications for immigration relief, evidence, exhibits, motions, briefs, and all written orders and decisions of the immigration judge or appellate immigration judge(s). See 8 CFR 1240.9. When relevant to the immigration relief sought, parties may also file documents and materials pertaining to an individual's criminal history or terroristic activities, and such

materials are incorporated into the ROP. See 8 U.S.C. 1182 (describing grounds for inadmissibility to include criminal- and security-related grounds). Such information may be classified or law enforcement sensitive, filed under seal or per a request for an *in camera* hearing. Immigration hearings are digitally recorded, and hearings may be transcribed. 8 CFR 1240.9. Transcripts of hearings may also be included in the ROP. 8 CFR 1240.9.

EOIR maintains a system of records used by OCIJ and the BIA to process, track, and adjudicate immigration proceedings. EOIR is modifying the system of records, Adjudication and Appeal Records of the Office of the Chief Immigration Judge and Board of Immigration Appeals, JUSTICE/EOIR-001, to account for changes in the scope, character and format, and routine uses of records in this system that have occurred since EOIR last published a complete system of records notice on May 11, 2004. See Records and Information Management System, JUSTICE/EOIR-001, 68 FR 26179 (May 11, 2004). EOIR is modifying the system of records in the following ways. First, EOIR is expanding the scope of this system of records by consolidating it with another system of records, Decisions of the Board of Immigration Appeals, JUSTICE/BIA-001, 48 FR 5331 (Feb. 4, 1983). The records in both systems serve the same purposes, are authorized by the same legal authorities, and have similar routine uses. EOIR will rename JUSTICE/EOIR-001 from "Records and Management Information System" to "Adjudication and Appeal Records of the Office of the Chief Immigration Judge and Board of Immigration Appeals." Second, EOIR is modifying this system of records to encompass electronic records used by OCIJ and the BIA to adjudicate immigration proceedings. OCIJ and the BIA have incorporated digital processes producing electronic records that are not currently captured in EOIR's systems of records notices. Third, EOIR is updating some of the routine uses of this system of records to clarify EOIR's current information sharing practices. Because the system of records is being modified, EOIR proposes to also update the Privacy Act exemptions claimed for the system.

**II. Privacy Act Exemptions**

The Privacy Act allows Federal agencies to exempt eligible records in a system of records from certain provisions of the Act, including those that provide individuals with a right to request access to and amendment of records about the individual. If an

agency intends to exempt a particular system of records, it must first issue a rulemaking pursuant to 5 U.S.C. 553(b)(1)–(3), (c), and (e).

The Department proposes to modify the Privacy Act exemptions for this system of records at 28 CFR part 16, to better reflect the modified system of records, Adjudication and Appeal Records of the Office of the Chief Immigration Judge and Board of Immigration Appeals, JUSTICE/EOIR-001. The regulations at 28 CFR 16.83 codify the exemption of the Executive Office for Immigration Review's Adjudication and Appeal Records of the Office of the Chief Immigration Judge and Board of Immigration Appeals, JUSTICE/EOIR-001, from 5 U.S.C. 552a(d) pursuant to 5 U.S.C. 552a(k)(1), and from 5 U.S.C. 552a(d)(2), (3), and (4) pursuant to 5 U.S.C. 552a(k)(2). The regulations at 28 CFR 16.84 codify the exemption of the Board of Immigration Appeals system of records, JUSTICE/BIA-001, from 5 U.S.C. 552a(d)(2), (3), and (4) pursuant to 5 U.S.C. 552a(k).

EOIR is consolidating these two systems of records. As such, the Department proposes to remove and reserve 28 CFR 16.84 and to rename the system as it appears in 28 CFR 16.83 to "Adjudication and Appeal Records of the Office of the Chief Immigration Judge and the Board of Immigration Appeals." The Department is not proposing any other changes to 28 CFR 16.83 as the exemptions from 5 U.S.C. 552a(d) pursuant to 5 U.S.C. 552a(k)(1), and from 5 U.S.C. 552a(d)(2), (3), and (4) pursuant to 5 U.S.C. 552a(k)(2), continue to apply to this consolidated system of records for the reasons provided in the regulations and restated here:

(a) The following system of records is exempt from 5 U.S.C. 552a(d):

(1) The Executive Office for Immigration Review's Records and Management Information System (JUSTICE/EOIR-001).

This exemption applies only to the extent that information in the system is subject to exemption pursuant to 5 U.S.C. 552a(k)(1) and (2).

(b) Exemption from the following subsections of the Privacy Act are justified for the following reasons:

(1) From subsection (d) because access to information which has been properly classified pursuant to an Executive Order could have an adverse effect on the national security. In addition, from subsection (d) because unauthorized access to certain investigatory material could compromise ongoing or potential investigations; reveal the identity of confidential informants; or constitute

unwarranted invasions of the personal privacy of third parties.

(2) From subsection (d) (2), (3), and (4) because the record of proceeding constitutes an official record which includes transcripts of quasi-judicial administrative proceedings, investigatory materials, evidentiary materials such as exhibits, decisional memoranda, and other case-related papers. Administrative due process could not be achieved by the ex parte “correction” of such materials by the individual who is the subject thereof.

28 CFR 16.83(a)–(b). The language in 28 CFR 16.84 with respect to the exemption from 5 U.S.C. 552a(d)(2), (3), and (4) is duplicative of 28 CFR 16.83(b)(2), obviating the need for any modifications to the regulations to account for the consolidation of the two systems.

These exemptions apply only to the extent that information in this system of records is subject to an exemption pursuant to 5 U.S.C. 552a(k)(1) and (k)(2). To the extent that information in a record pertaining to an individual does not relate to national defense or foreign policy, official Federal investigations and/or law enforcement matters, the exemption does not apply. In addition, where compliance would not appear to interfere with or adversely affect the overall law or regulatory enforcement process, the applicable exemption may be waived by EOIR.

#### **Executive Orders 12866 and 13563—Regulatory Review**

In accordance with 5 U.S.C. 552a(k), this proposed action is subject to formal rulemaking procedures by giving interested persons an opportunity to participate in the rulemaking process “through submission of written data, views, or arguments,” pursuant to 5 U.S.C. 553. The purpose of this proposed rule is to exempt certain records within this system from the requirements of 5 U.S.C. 552a(d) for the same reasons as currently stated at 28 CFR 16.83 and 16.84. This proposed rule does not raise novel legal or policy issues, nor does it adversely affect the economy, the budgetary impact of entitlements, grants, user fees, loan programs, or the rights and obligations of recipients thereof in a material way. The Department of Justice has determined that this rule is not a “significant regulatory action” under Executive Order 12866, section 3(f), and accordingly this rule has not been reviewed by the Office of Information and Regulatory Affairs within the Office of Management and Budget pursuant to Executive Order 12866.

#### **Regulatory Flexibility Act**

This proposed rule will only impact Privacy Act-protected records, which are personal and generally do not apply to an individual’s entrepreneurial capacity, subject to limited exceptions. Accordingly, the Chief Privacy and Civil Liberties Officer, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this regulation and by approving it certifies that this regulation will not have a significant economic impact on a substantial number of small entities.

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

The Small Business Regulatory Enforcement Fairness Act (SBREFA) of 1996, 5 U.S.C. 801 *et seq.*, requires the Department to comply with small entity requests for information and advice about compliance with statutes and regulations within the Department’s jurisdiction. Any small entity that has a question regarding this document may contact the person listed in **FOR FURTHER INFORMATION CONTACT** paragraph, above. Persons can obtain further information regarding SBREFA on the Small Business Administration’s web page at <https://www.sba.gov/advocacy>. This proposed rule is not a major rule as defined by 5 U.S.C. 804 of the Congressional Review Act.

#### **Executive Order 13132—Federalism**

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

#### **Executive Order 12988—Civil Justice Reform**

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

#### **Executive Order 13175—Consultation and Coordination With Indian Tribal Governments**

This proposed rule will have no implications for Indian Tribal governments. More specifically, it does not have substantial direct effects on

one or more Indian tribes, on the relationship between the Federal government and Indian tribes, or on the distribution of power and responsibilities between the Federal government and Indian tribes. Therefore, the consultation requirements of Executive Order 13175 do not apply.

#### **Unfunded Mandates Reform Act of 1995**

This proposed rule will not result in the expenditure by State, local and Tribal governments, in the aggregate, or by the private sector, of \$100,000,000, as adjusted for inflation, or more in any one year, 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.

#### **Paperwork Reduction Act**

The Paperwork Reduction Act of 1995, 44 U.S.C. 3507(d), requires the Department to consider the impact of paperwork and other information collection burdens imposed on the public. This system of records encompasses the official records of proceedings (ROPs) in immigration cases before EOIR, which are comprised in part by EOIR and DHS forms subject to the Paperwork Reduction Act. A list of active EOIR forms and their OMB Control Numbers can be found on the EOIR website at <https://www.justice.gov/eoir/eoir-forms>. A list of active DHS forms and their OMB Control Numbers can be found on the DHS website at <https://www.dhs.gov/find-dhs-forms>.

#### **List of Subjects in 28 CFR Part 16**

Administrative Practices and Procedures, Courts, Freedom of Information, and the Privacy Act.

Pursuant to the authority vested in the Attorney General by 5 U.S.C. 552a and delegated by Attorney General Order 2940–2008, the Department of Justice proposes to amend 28 CFR part 16 as follows:

#### **PART 16—PRODUCTION OR DISCLOSURE OF MATERIAL OR INFORMATION**

- 1. The authority citation for part 16 continues to read as follows:

**Authority:** 5 U.S.C. 301, 552, 552a, 553; 28 U.S.C. 509, 510, 534; 31 U.S.C. 3717; 42 U.S.C. 405.

## Subpart E—Exemption of Records Systems Under the Privacy Act

■ 2. Amend § 16.83 by revising paragraph (a)(1) to read as follows:

### § 16.83 Exemption of the Executive Office for Immigration Review System—limited access.

(a) \* \* \*

(1) The Executive Office for Immigration Review's Adjudication and Appeal Records of the Office of the Chief Immigration Judge and Board of Immigration Appeals (JUSTICE/EOIR-001).

This exemption applies only to the extent that information in the system is subject to exemption pursuant to 5 U.S.C. 552a(k)(1) and (k)(2).

\* \* \* \* \*

### § 16.84 [Removed and Reserved]

■ 3. Remove and reserve § 16.84

Dated: August 26, 2025.

Peter Winn,

Acting Chief Privacy and Civil Liberties Officer, United States Department of Justice.

[FR Doc. 2025-16648 Filed 8-28-25; 8:45 am]

BILLING CODE 4410-30-P

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Parts 148, 149, and 150

[Docket No. USCG-2012-0061]

RIN 1625-AB92

#### Deepwater Ports

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking; withdrawal.

**SUMMARY:** The Coast Guard is withdrawing its notice of proposed rulemaking (NPRM) titled “Deepwater Ports” that we published on April 9, 2015. The Coast Guard is taking this action because we will not be pursuing the proposed changes at this time. The Coast Guard may issue a new rulemaking in the future if warranted.

**DATES:** The NPRM published on April 9, 2015 (80 FR 19118) is withdrawn as of August 29, 2025.

**ADDRESSES:** The docket for this withdrawn proposed rule is available at the Federal eRulemaking Portal at [www.regulations.gov](http://www.regulations.gov). Please search for docket number USCG-2012-0061.

**FOR FURTHER INFORMATION CONTACT:** For information about this document call or email Brent Yezefski, Coast Guard; telephone 571-608-3191, email [brent.c.yezefski@uscg.mil](mailto:brent.c.yezefski@uscg.mil).

## SUPPLEMENTARY INFORMATION:

### I. Abbreviations

CFR Code of Federal Regulations

FR Federal Register

NPRM Notice of proposed rulemaking

OMB Office of Management and Budget

### II. Background

On April 9, 2015, the Coast Guard published a notice of proposed rulemaking (NPRM) titled “Deepwater Ports” (80 FR 19118).<sup>1</sup> A deepwater port is any fixed or floating manmade structure other than a vessel, or a group of such structures located beyond State seaward boundaries and used or intended for use as a port or terminal for the transportation, storage, or further handling of oil or natural gas for transportation to or from any State, except as otherwise provided in the Deepwater Port Act of 1974, as amended. The Coast Guard proposed revisions to its regulations in 33 CFR parts 148, 149, and 150 for the licensing, construction, design, equipment, and operation of deepwater ports.

The comment period ended on July 8, 2015. The Coast Guard received 26 comments (including two duplicate submissions) on our April 2015 NPRM. The comments are available in the docket. Since 2015, the Coast Guard has not published any other actions related to this rulemaking and has decided to withdraw the NPRM.

### III. Withdrawal

The Coast Guard is withdrawing the proposed rule because the Coast Guard concluded that it will not be pursuing the proposed changes at this time. The Coast Guard will continue to engage with stakeholders regarding potential revisions to Subchapter NN. The Coast Guard's existing regulations in 33 CFR parts 148, 149, and 150 remain in effect.

### IV. Executive Order 14192

The withdrawal of this NPRM is an Executive Order 14192 deregulatory action. See Office of Management and Budget (OMB) Memorandum M-25-20, “Guidance Implementing Section 3 of Executive Order 14192, Titled ‘Unleashing Prosperity Through Deregulation’ ” (March 26, 2025).

### V. Conclusion

The Coast Guard withdraws the “Deepwater Ports” proposed rulemaking announced in an NPRM published April 9, 2015 (80 FR 19118). Upon publication of this notice, the Coast Guard will classify the corresponding Unified Agenda entry as a completed action.

<sup>1</sup> <https://www.federalregister.gov/documents/2015/04/09/2015-06611/deepwater-ports>.

This notice is issued under authority of 5 U.S.C. 552(a) and is consistent with the procedures set forth in 5 U.S.C. 553 of the Administrative Procedure Act.

Dated: August 26, 2025.

W.R. Arguin,

Rear Admiral, U.S. Coast Guard, Assistant Commandant for Prevention Policy.

[FR Doc. 2025-16597 Filed 8-28-25; 8:45 am]

BILLING CODE 9110-04-P

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 17

[Docket No. FWS-R4-ES-2025-0210; FXES1111090FEDR-256-FF09E21000]

RIN 1018-BI23

#### Endangered and Threatened Wildlife and Plants; Threatened Species Status With Section 4(d) Rule for Southern Hognose Snake

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Proposed rule.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), propose to list the southern hognose snake (*Heterodon simus*), a small, fossorial snake species from the coastal plains and sandhills across the southeastern United States, as a threatened species under the Endangered Species Act of 1973, as amended (Act). This determination also serves as our 12-month finding on a petition to list the southern hognose snake. After a review of the best scientific and commercial data available, we find that listing the species is warranted. Accordingly, we propose to list the southern hognose snake as a threatened species with protective regulations under section 4(d) of the Act (“4(d) rule”). If we finalize this rule as proposed, it would add this species to the List of Endangered and Threatened Wildlife and extend the Act's protections to the species. We find that designating critical habitat for this species is prudent but not determinable at this time.

**DATES:** Comments must be received by October 28, 2025. Comments submitted electronically using the Federal eRulemaking Portal (see **ADDRESSES**, below) must be received by 11:59 p.m. eastern time on the closing date. We must receive requests for a public hearing, in writing, at the address shown in **FOR FURTHER INFORMATION CONTACT** by October 14, 2025.