

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

Regulatory Findings

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

For the reasons discussed above, I certify that this AD:

- (1) Is not a “significant regulatory action” under Executive Order 12866, and
- (2) Will not affect intrastate aviation in Alaska.

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2025–17–13 Costruzioni Aeronautiche Tecnam S.p.A: Amendment 39–23123; Docket No. FAA–2025–2266; Project Identifier MCAI–2024–00406–A.

(a) Effective Date

This airworthiness directive (AD) is effective September 26, 2025.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Costruzioni Aeronautiche Tecnam S.p.A. (Tecnam) Model P-Mentor airplanes, serial numbers 1003 through 1056 inclusive, 1064 through 1075 inclusive, 1078 through 1082 inclusive, 1089, 1090, 1118, 1119, 1124, 1125, and 1126, except those having Tecnam modification MOD2010/359 installed or TECNAM Service Bulletin SB 748–CS–Ed. 1,

Rev. 0, dated April 22, 2024 (TECNAM SB 748–CS–Ed. 1, Rev. 0), embodied.

(d) Subject

Joint Aircraft System Component (JASC) Code 2500, Cabin Equipment/Furnishings.

(e) Unsafe Condition

This AD was prompted by the failure of the pilot seat locking mechanism. The FAA is issuing this AD to address this unsafe condition. The unsafe condition, if not addressed, could lead to the pilot or co-pilot seat unlocking during flight, possibly resulting in loss of control of the airplane.

(f) Compliance

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

(g) Definitions

For the purpose of this AD, the definitions in paragraphs (g)(1) and (2) of this AD apply.

(1) Affected parts: The seat rails of the pilot and co-pilot seats.

(2) Reference material: TECNAM Service Bulletin SB 738–CS–Ed. 1, Rev. 2, dated July 5, 2024 (TECNAM SB 738–CS–Ed. 1, Rev. 2).

(h) Required Actions

(1) Within 5 hours time-in-service (TIS) or 7 days, whichever occurs first after the effective date of this AD, and thereafter at intervals not to exceed 110 hours TIS, inspect each affected part in accordance with Appendix A of the Accomplishment Instructions in TECNAM SB 738–CS–Ed. 1, Rev. 2.

(2) If, during any inspection required by paragraph (h)(1) of this AD, any discrepancy is detected as defined in Appendix A of the Accomplishment Instructions in TECNAM SB 738–CS–Ed. 1, Rev. 2, before further flight, repair the part in accordance with a method approved by the Manager, International Validation Branch, FAA; EASA; or Tecnam’s EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(i) Optional Terminating Action

Modification of an airplane in accordance with the instructions of TECNAM SB 748–CS–Ed. 1, Rev. 0, constitutes terminating action for the repetitive inspections required by paragraph (h)(1) of this AD for that airplane.

(j) No Reporting Requirement

Although TECNAM SB 738–CS–Ed. 1, Rev. 2, specifies to submit information to the manufacturer, this AD does not require that action.

(k) Credit for Previous Actions

You may take credit for the actions required by paragraph (h)(1) of this AD if you performed those actions before the effective date of this AD using TECNAM SB–738–CS–Ed. 1, Rev. 0, or TECNAM SB–738–CS–Ed. 1, Rev. 01.

(l) Special Flight Permits

Special flight permits are prohibited.

(m) Alternative Methods of Compliance (AMOCs)

The Manager, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the International Validation Branch, send it to the attention of the person identified in paragraph (n) of this AD and email to AMOC@faa.gov. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(n) Additional Information

For more information about this AD, contact Ramon Walker Perez, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (847) 294–7337; email: ramon.a.walker.perez@faa.gov.

(o) Material Incorporated by Reference

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

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

(i) TECNAM Service Bulletin SB 738–CS–Ed. 1, Rev. 2, dated July 5, 2024.

(ii) TECNAM Service Bulletin SB 748–CS–Ed. 1, Rev. 0, dated April 22, 2024.

(3) For Tecnam material identified in this AD, contact Costruzioni Aeronautiche S.p.A., Via Maiorise, 81043 Capua CE, Italy; phone: +39 0823 622297; email: technical.support@tecnam.com; website: tecnam.com.

(4) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 901 Locust, Kansas City, MO 64106. For information on the availability of this material at the FAA, call (817) 222–5110.

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

Issued on August 26, 2025.

Steven W. Thompson,

Acting Deputy Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2025–17516 Filed 9–10–25; 8:45 am]

BILLING CODE 4910–13–P

RAILROAD RETIREMENT BOARD

20 CFR Parts 216 and 222

RIN 3220–AB84

Eligibility for an Annuity and Family Relationships

AGENCY: Railroad Retirement Board.

ACTION: Direct final rule.

SUMMARY: The Railroad Retirement Board amends its regulations to remove facially unlawful provisions that define when the spouse, divorced spouse, surviving divorced spouse, or remarried widow(er) of a railroad employee may receive an annuity under the Railroad Retirement Act for having the employee's minor child in care. As currently written, the regulations treat male spouses less favorably than female spouses by terminating annuity entitlement when the child turns age 16 instead of age 18 as for female spouses. If enforced, this disparity would violate the right to equal protection secured by the Due Process Clause of the Fifth Amendment to the United States Constitution.

DATES: This rule is effective October 27, 2025 without further action, unless adverse comment is received by October 14, 2025. If adverse comment is received, the Railroad Retirement Board will publish a timely withdrawal of the rule in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT:

Peter J. Orłowicz, Senior Counsel, Railroad Retirement Board, 844 North Rush Street, Chicago, IL 60611–1275, (312) 751–4922.

SUPPLEMENTARY INFORMATION: Sections 2(c) and 2(d) of the Railroad Retirement Act, 45 U.S.C. 231a(c) and (d), provides for annuities to be paid to the wife, divorced wife, widow, surviving divorced wife, and remarried widow of a railroad employee if such person has the employee's child in care. Although the text of the Act does not provide for such annuities for husbands, divorced husbands, widowers, surviving divorced husbands, or remarried widowers who have the employee's child in care, the Supreme Court held in *Weinberger v. Wiesensthal*, 420 U.S. 636 (1975) that identical sex-based distinctions mandated by the provisions of the Social Security Act unjustifiably discriminated against female wage earners in violation of the right to equal protection secured by the Due Process Clause of the Fifth Amendment to the United States Constitution. Accordingly, the Board extends eligibility for such annuities to both male and female spouses who otherwise meet the eligibility criteria in the Act.

Although eligibility for railroad retirement annuities is controlled by the Railroad Retirement Act, the Act requires many calculations and definitions through reference to provisions of the Social Security Act. Beginning in 1981, the Board attempted to resolve a conflict between eligibility criteria in the Railroad Retirement Act and calculations of annuities guided by

the Social Security Act by terminating child-in-care benefits when the child turned age 16, rather than age 18. This interpretation was successfully challenged on judicial review in several federal circuit courts. *Costello v. United States R.R. Retirement Bd.*, 780 F.2d 1352 (8th Cir. 1985); *Johnson v. United States R.R. Retirement Bd.*, 925 F.2d 1374 (11th Cir. 1991); *Johnson v. United States R.R. Retirement Bd.*, 969 F.2d 1082 (D.C. Cir. 1992). Nevertheless, the Board revised its regulations in 1989 and 1991, inserting into 20 CFR 216.51, 222.17, and 222.18, without explanation, that a child in care meant a child under age 18, except with respect to male spouses, divorced spouses, surviving divorced spouses, or remarried widower annuities, when it meant a child under age 16. 54 FR 42949 (Oct. 19, 1989); 56 FR 28692 (Jun. 24, 1991). It is unclear whether the Board ever attempted to enforce this distinction when making benefit payments, but it is not the Board's current policy or practice to apply sex-based distinctions between claimants for an annuity based on having the railroad employee's minor child in care.

As part of its review of regulations directed by Executive Order 14219, Ensuring Lawful Governance and Implementing the President's "Department of Government Efficiency" Deregulatory Initiative (Feb. 19, 2025), the Board identified these provisions distinguishing between male and female annuitants as unconstitutional and in direct conflict with the Supreme Court's decision in *Wiesensthal*. In accordance with the Presidential memorandum of April 9, 2025, directing the repeal of unlawful regulations, the Board is amending its regulations to remove this facially unlawful distinction. Pursuant to the memorandum, notice and comment proceedings are unnecessary when repeal is required as a matter of law to ensure consistency with a ruling of the Supreme Court. Therefore, no comments are being requested.

Regulatory Analysis

Executive Order 12866, as Supplemented by Executive Order 13563

The Board, with the Office of Management and Budget, has determined that this is not a significant regulatory action under Executive Order 12866, as supplemented by Executive Order 13563. Therefore, no regulatory impact analysis is required.

Regulatory Flexibility Act

The Board certifies that this direct final rule would not have a significant

economic impact on a substantial number of small entities because it affects only individuals.

Paperwork Reduction Act

This direct final rule imposes no reporting or recordkeeping requirements subject to Office of Management and Budget clearance.

List of Subjects

20 CFR Part 216

Railroad retirement, reporting and recordkeeping requirements.

20 CFR Part 222

Claims, railroad retirement.

For the reasons stated in the preamble, the Railroad Retirement Board amends 20 CFR parts 216 and 222 as follows:

PART 216—ELIGIBILITY FOR AN ANNUITY

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

Authority: 45 U.S.C. 231f.

§ 216.51 [Amended]

■ 2. Amend § 216.51 by removing the phrase "disabled child or minor child (a child under 18 years old if the spouse claimant is a wife, or under 16 years old if the spouse claimant is a husband) of the employee" where it appears in paragraphs (b)(2), (c)(2), and (d)(2) and add, in its place, the phrase "child of the employee who either is under age 18 or is disabled".

PART 222—FAMILY RELATIONSHIPS

■ 3. The authority citation continues to read as follows:

Authority: 45 U.S.C. 231f.

§ 222.17 [Amended]

■ 4. Amend § 222.17 by removing the parenthetical "(16 with respect to male spouse, divorced spouse, surviving divorced spouse, or remarried widow(er) annuities)" where it appears in paragraphs (b), (c), and (d).

§ 222.18 [Amended]

■ 5. Amend § 222.18 by removing the parenthetical "(16 with respect to male spouse, divorced spouse, surviving divorced spouse, or remarried widow(er) annuities)" where it appears in paragraphs (a)(2) and (a)(3).

Dated: September 8, 2025.

By Authority of the Board.

Stephanie Hillyard,

Secretary to the Board.

[FR Doc. 2025–17475 Filed 9–10–25; 8:45 am]

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