

regulations to establish new grade, quality, size, and maturity requirements, subject to approval of the Secretary. Therefore, walnut import regulations under 7 CFR 999.100 will be stayed and not eliminated. Should the Board recommend reestablishment of handling regulations under the Order, which would require a corresponding lifting of the suspension on the walnut import regulation, AMS would review any such recommendation and proceed with rulemaking as appropriate. In accordance with section 8e of the Act, AMS would submit any subsequent proposal to the United States Trade Representative for concurrence prior to making a corresponding change to the import requirements. In addition, AMS has notified the United States Trade Representative of this current action.

Regulatory Flexibility Analysis

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA) (5 U.S.C. 601–612), AMS has considered the economic impact of this action on small entities. Accordingly, AMS has prepared this regulatory flexibility analysis.

The purpose of the RFA is to fit regulatory actions to the scale of business subject to such actions in order that small businesses will not be unduly or disproportionately burdened. At the time this analysis was prepared, the Small Business Administration (SBA) defined small agricultural service firms, which would include walnut importers, as those having annual receipts of less than \$34,000,000 (North American Industry Classification System (NAICS) code 115114, Postharvest Crop Activities) (13 CFR 121.201).

USDA's Economic Research Service reported that approximately 1,210,000 pounds of fresh or dried walnuts were imported during the 2023–2024 season with a reported total value of \$4,693,000. According to AMS' Compliance Enforcement Management System, approximately 23 firms imported fresh or dried walnuts into the United States over this same period. Using that data, the average revenue for each of the 23 walnut importers would have been approximately \$204,043 (\$4,693,000 divided by 23), which is below the \$34,000,000 SBA threshold for small agricultural service firms. As such, all walnut importers may be considered small business entities according to current SBA definitions.

This direct final rule indefinitely stays regulations governing the importation of walnuts into the United States. This action will not impose any additional costs or regulatory burden on

the industry, including either large or small walnut importers. Should the Board recommend reestablishment of handling regulations under the Order, which would require a corresponding lifting of the suspension on the walnut import regulation, AMS would review any such recommendation and proceed with rulemaking, as appropriate. In accordance with section 8e of the Act, AMS would submit any such proposal to the United States Trade Representative for concurrence prior to making a corresponding change to the import requirements.

This rule would not impose any additional reporting or recordkeeping requirements on walnut importers. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies. In addition, USDA has not identified any relevant Federal rules that duplicate, overlap, or conflict with this final rule.

AMS is committed to complying with the E-Government Act, to promote the use of the internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes.

AMS is issuing this rule as a direct final rule. Although the Administrative Procedure Act (APA) generally requires notice and comment rulemaking, section 553 of the APA provides an exception when the agency, for good cause, finds that notice and public procedure are "impracticable, unnecessary, or contrary to the public interest." 5 U.S.C. 553(b)(B). AMS concludes that general notice and comment is unnecessary here because this is a noncontroversial action, and AMS anticipates no adverse comment. The purpose of this direct final rule is merely to align the walnut import regulations with those under the Order, as amended, and as required under the Act. This is a regulatory relaxation, and these changes should have been incorporated into the final rule published on August 21, 2023 (88 FR 56745).

A 30-day comment period is provided to allow comment on the changes to the walnut import regulations herein. This period is deemed appropriate for the reasons stated above and because an amendment is required to stay the grade, quality, size, and inspection requirements on imported walnuts to align with the requirements in effect for domestic walnuts produced under the Order, as amended. If no significant

adverse comments are received, this direct final rule will become effective on the effective date, without further action or notice. If significant adverse comments are received, AMS will publish a timely withdrawal of the amendment in the **Federal Register**.

In accordance with section 8e of the Act, the United States Trade Representative has concurred with the issuance of this direct final rule.

List of Subjects in 7 CFR Part 999

Dates, Food grades and standards, Imports, Nuts, Prunes, Raisins, Reporting and record keeping requirements.

For the reasons set forth in the preamble, the Agricultural Marketing Service amends 7 CFR part 999 as follows:

PART 999—SPECIALTY CROPS; IMPORT REGULATIONS

- 1. The authority citation for 7 CFR part 999 continues to read as follows:

Authority: 7 U.S.C. 601–674.

§ 999.100 [Stayed]

- 2. Stay § 999.100 indefinitely.

Erin Morris,

Administrator, Agricultural Marketing Service.

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DEPARTMENT OF ENERGY

10 CFR Part 1042

[DOE-HQ-2025-0025]

RIN 1903-AA22

Rescinding Regulations Related to Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance

Correction

In rule document 2025-17428 appearing on page 43540 in the issue of Wednesday, September 16, 2025, make the following correction:

On page 43540, in the second column, in the 9th line from the bottom, "November 9, 2025" should read "December 9, 2025".

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