

new rulemaking that will consider whether to modify those provisions. As described below, this exercise of enforcement discretion applies to provisions of the Wheelchair Rule related to airline liability for mishandled wheelchairs, refresher training frequency, pre-departure notifications, and fare difference reimbursements. This exercise of enforcement discretion is intended to remove the burden of complying with requirements under review by DOT and does not prejudge the outcome of the new rulemaking. This notice does not affect the enforcement of requirements in the Wheelchair Rule beyond the four identified provisions.

**DATES:** As of September 30, 2025, enforcement of 14 CFR 382.125(e), 382.130(a), 382.132, and 382.141(a)(6) contained in the Wheelchair Rule, published on December 17, 2024, at 89 FR 102398, is delayed until December 31, 2026.

**ADDRESSES:** This notification of enforcement discretion, the notice of proposed rulemaking (NPRM), all comments received, the final rule, and all background material may be viewed online at [www.regulations.gov](http://www.regulations.gov) using the docket number listed above. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year. An electronic copy of this document may also be downloaded from the Office of the Federal Register's website at [www.federalregister.gov](http://www.federalregister.gov) and the Government Publishing Office's website at [www.GovInfo.gov](http://www.GovInfo.gov).

**FOR FURTHER INFORMATION CONTACT:** Tori Ford, Vinh Nguyen, or Blane Workie, Office of Aviation Consumer Protection, U.S. Department of Transportation, 1200 New Jersey Ave. SE, Washington, DC 20590, 202-366-9342 (phone), 202-366-7152 (fax), [victoria.ford@dot.gov](mailto:victoria.ford@dot.gov), [vinh.nguyen@dot.gov](mailto:vinh.nguyen@dot.gov), or [blane.workie@dot.gov](mailto:blane.workie@dot.gov) (email).

**SUPPLEMENTARY INFORMATION:** On December 17, 2024, DOT issued a final rule on “Ensuring Safe Accommodations for Air Travelers With Disabilities Using Wheelchairs” (Wheelchair Rule). *See* 89 FR 102398. The final rule, which included certain provisions required by the FAA Reauthorization Act of 2024 (2024 FAA Act), expanded existing airline obligations in 14 CFR part 382 regarding the treatment of air travelers with disabilities. More specifically, the final rule established new requirements in various areas such as training for airline personnel and contractors, assistance to passengers who use wheelchairs in embarking and disembarking from

aircraft and moving within the terminal, and airlines’ obligations should wheelchairs or scooters be mishandled. The final rule became effective on January 16, 2025; however, individual requirements in the final rule have varying implementation times, ranging from January 16, 2025 to June 17, 2026 for training requirements.

DOT previously announced that it would exercise its enforcement discretion and not enforce the Wheelchair Rule until March 20, 2025. *See* 90 FR 9953 (Feb. 20, 2025). DOT subsequently extended its enforcement discretion and announced it would not enforce the Wheelchair Rule until August 1, 2025. *See* 90 FR 24319 (June 10, 2025). DOT explained that additional time was needed for the officials appointed or designated by the President to review the Wheelchair Rule to ensure that it is consistent with the law, including the requirements of the 2024 FAA Act, and Administration policies, and to consider the issues raised by a lawsuit.

The Department has now initiated a new rulemaking titled “Airline Obligations to Accommodate Air Travelers with Disabilities Using Wheelchairs” (Wheelchair Rule II).<sup>1</sup> The 2025 Spring Unified Agenda identifies four provisions of the Wheelchair Rule that will be among those considered in Wheelchair Rule II: (1) airlines’ liability when passengers’ wheelchairs or other assistive devices are not timely returned in the condition they were received;<sup>2</sup> (2) frequency of required refresher training of airline employees and contractors;<sup>3</sup> (3) pre-departure notifications to passengers that check wheelchairs or scooters of their right to contact a Complaint Resolution Official and file a claim;<sup>4</sup> and (4) reimbursements of the difference between the fare on a flight a wheelchair or scooter user took, and the fare on a flight that the wheelchair or scooter user would have taken if his or her wheelchair or scooter had been able to fit on the flight.<sup>5</sup>

DOT has announced a target date of August 2026 for issuance of a notice of proposed rulemaking (NPRM) for Wheelchair Rule II.<sup>6</sup> A typical comment

<sup>1</sup> Spring 2025 Unified Agenda of Regulatory and Deregulatory Actions, Department of Transportation, Airline Obligations to Accommodate Air Travelers with Disabilities Using Wheelchairs (RIN 2105-AF35) at <https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202504&RIN=2105-AF35>.

<sup>2</sup> Codified at 14 CFR 382.130(a).

<sup>3</sup> Codified at 14 CFR 382.141(a)(6).

<sup>4</sup> Codified at 14 CFR 382.125(e).

<sup>5</sup> Codified at 14 CFR 382.132.

<sup>6</sup> Spring 2025 Unified Agenda of Regulatory and Deregulatory Actions, Department of

period for an NPRM is 60 days. DOT intends to carefully consider all comments received (including late comments to the extent practicable) before issuing a final rule, if appropriate. As such, DOT believes that the public interest would be best served by DOT exercising its discretion to temporarily pause enforcement of the four provisions identified above until a decision is made on whether to move forward with a final rule. The earliest date that DOT expects to make such determination is December 31, 2026. This notice of enforcement discretion does not affect the enforcement of requirements in the Wheelchair Rule beyond the four identified above.

Issued in Washington, DC, under authority delegated in 49 CFR 1.27(a).

**Gregory D. Cote,**

*Acting General Counsel.*

[FR Doc. 2025-18980 Filed 9-29-25; 8:45 am]

BILLING CODE 4910-9X-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### 18 CFR Part 375

[Docket No. RM25-13-000; Order No. 913]

### Delegation of Authority Regarding Electric Reliability Organization’s Delegation Agreement and Rules or Rule Changes Filings

**AGENCY:** Federal Energy Regulatory Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission is issuing this final rule to transfer certain delegated authority from the Director of the Commission’s Office of Energy Market Regulation to the Director of the Commission’s Office of Electric Reliability, with respect to uncontested Electric Reliability Organization (ERO) or Regional Entity filings pertaining to ERO delegation agreements and ERO or Regional Entity rules or rule changes.

**DATES:** This final rule is effective September 30, 2025.

#### FOR FURTHER INFORMATION CONTACT:

Hampden T. Macbeth, Office of General Counsel, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. (202) 502-8957. [Hampden.Macbeth@ferc.gov](mailto:Hampden.Macbeth@ferc.gov).

#### SUPPLEMENTARY INFORMATION:

Transportation, Airline Obligations to Accommodate Air Travelers with Disabilities Using Wheelchairs (RIN 2105-AF35) at <https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202504&RIN=2105-AF35>.

## I. Background

1. The Energy Policy Act of 2005 added section 215 to the Federal Power Act (FPA), which requires a Commission-certified Electric Reliability Organization (ERO) to develop mandatory and enforceable Reliability Standards for the Bulk-Power System, subject to Commission review and approval.<sup>1</sup> Under this section, the Commission must issue regulations authorizing the ERO to enter into an agreement to delegate authority to a Regional Entity if the Regional Entity meets certain conditions.<sup>2</sup> Further, any ERO or Regional Entity proposed rules or rule changes must be submitted to the Commission for approval.<sup>3</sup>

2. In Order No. 672, the Commission, *inter alia*, adopted regulations in accordance with FPA sections 215(e)(4) and 215(f); 18 CFR 39.8, Delegation to a Regional Entity; and 18 CFR 39.10, Changes to an Electric Reliability Organization Rule or Regional Entity Rule.<sup>4</sup>

3. Section 39.8 of the Commission's regulations requires the ERO to submit to the Commission for Commission approval any proposal to delegate the ERO's authority to a Regional Entity for the purpose of proposing and enforcing Reliability Standards.<sup>5</sup>

4. Section 39.10 of the Commission's regulations requires the ERO to file with the Commission for Commission approval any proposed organization rule or rule change, including any Regional Entity rule or rule change.<sup>6</sup>

## II. Discussion

5. In light of the Office of Electric Reliability's (OER) frequent interactions with the ERO and OER's applicable expertise, certain authorities related to ERO filings made pursuant to sections 39.8 and 39.10 of the Commission's regulations that are currently delegated to the Director of the Office of Energy Market Regulation (OEMR) are being transferred to the Director of OER.<sup>7</sup> Specifically, this instant final rule

removes section 375.307(a)(2)(vi), which delegates authority to act upon uncontested proposed ERO or Regional Entity rules or rule changes pursuant to section 39.10. The instant final rule also removes section 375.307(a)(2)(vii), which delegates authority to act upon uncontested delegation agreement filings by the ERO or a Regional Entity pursuant to section 39.8. Because the Director of OER currently has delegated authority to "approve uncontested applications"<sup>8</sup> submitted pursuant to section 215 of the FPA, there is no corresponding need to revise the delegated authority of the Director of OER.

## III. Information Collection Statement

6. Office of Management and Budget (OMB) regulations require OMB to approve certain information collection requirements imposed by agency rule.<sup>9</sup> This final rule, however, results in no new, additional, or different public reporting burden. This final rule does not require public utilities or natural gas companies to file new, additional, or different information, and it does not change the frequency with which they must file information.

## IV. Environmental Analysis

7. The Commission is required to prepare an Environmental Assessment or an Environmental Impact Statement for any action that may have a significant adverse effect on the human environment.<sup>10</sup> Excluded from this requirement are rules that are procedural, ministerial, or internal administrative and management actions, programs or decisions.<sup>11</sup> This rule falls within this exception; consequently, no environmental consideration is necessary.

## V. Regulatory Flexibility Act

8. The Regulatory Flexibility Act of 1980 (RFA)<sup>12</sup> generally requires a description and analysis of final rules that will have significant economic impact on a substantial number of small entities. This final rule changes the Commission's delegations of authority to take certain actions and does not create any additional requirements for filers. The Commission thus certifies that it will not have a significant economic impact upon participants in

<sup>1</sup> 16 U.S.C. 824o.

<sup>2</sup> *Id.* 8400(e)(4).

<sup>3</sup> *Id.* 8400(f).

<sup>4</sup> *Rules Concerning Certification of the Elec. Reliability Org., & Procs. for the Establishment, Approval, & Enf't of Elec. Reliability Standards*, Order No. 672, 71 FR 8662 (Feb. 17, 2006), 114 FERC ¶ 61,104, *order on reh'g*, Order No. 672-A, 71 FR 19814 (Apr. 18, 2006), 114 FERC ¶ 61,328 (2006).

<sup>5</sup> 18 CFR 39.8(a)-(b).

<sup>6</sup> *Id.* 39.10(a), (c).

<sup>7</sup> The instant final rule does not change the Director of OEMR's delegated authority set forth in 18 CFR 375.307(a)(2)(v) to take appropriate action on uncontested ERO budget, business plan, and special assessment filings made pursuant to 18 CFR 39.4.

Commission proceedings. An analysis under the RFA is therefore not required.

## VI. Regulatory Planning and Review

9. Executive Order 12866 (Regulatory Planning and Review), as amended by Executive Orders 14215 (Ensuring Accountability for All Agencies) and 13563 (Improving Regulation and Regulatory Review), directs agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying costs and benefits, reducing costs, harmonizing rules, and promoting flexibility. This final rule regards "agency organization, management, or personnel matters" and is not subject to regulatory planning and review pursuant to section 3(d)(3) of Executive Order 12866.

## VII. Executive Order 13132 (Federalism)

10. Executive Order 13132 (Federalism) imposes certain requirements on Federal agencies formulating and implementing policies or regulations that preempt State law or that have federalism implications. The Executive Order requires agencies to examine the constitutional and statutory authority supporting any action that would limit the policymaking discretion of the States and to carefully assess the necessity for such actions. The Commission has determined that this final rule would 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. Therefore, the Commission has not prepared a federalism assessment.

## VIII. Document Availability

11. In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (<http://www.ferc.gov>) and in the Commission's Public Reference Room during normal business hours (8:30 a.m. to 5:00 p.m. Eastern time) at 888 First Street NE, Room 2A, Washington, DC 20426.

12. From the Commission's Home Page on the internet, this information is available on eLibrary. The full text of

<sup>8</sup> 18 CFR 375.303(a)(2)(i).

<sup>9</sup> 5 CFR 1320.13.

<sup>10</sup> *Regulations Implementing the National Environmental Policy Act of 1969*, Order No. 486, 52 FR 47897 (Dec. 17, 1987), FERC Stats. & Regs. ¶ 30,783 (1987) (cross-referenced at 41 FERC ¶ 61,284).

<sup>11</sup> 18 CFR 380.4(a)(1).

<sup>12</sup> 5 U.S.C. 601–612.

this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document (i.e., the sub docket number, 000) in the docket number field.

13. User assistance is available for eLibrary and the Commission's website during normal business hours from FERC Online Support at (202) 502-6652 (toll free at (866) 208-3676) or email at [ferconlinesupport@ferc.gov](mailto:ferconlinesupport@ferc.gov), or the Public Reference Room at (202) 502-8371, TTY (202) 502-8659. Email the Public Reference Room at [public.reference@ferc.gov](mailto:public.reference@ferc.gov).

## IX. Effective Date and Congressional Notification

14. The Commission is issuing this rule as an instant final rule without a period for public comment. These regulations are effective on September 30, 2025. The Commission finds that notice and public comments are unnecessary because this final rule concerns only internal agency procedure and practice. Therefore, the Commission finds good cause to waive the notice period otherwise required before the effective date of this final rule.

## List of Subjects in 18 CFR Part 375

Authority delegations (Government agencies), Seals and insignia, Sunshine Act.

By direction of the Commission.

Issued: September 25, 2025.

**Carlos D. Clay,**

*Deputy Secretary.*

In consideration of the foregoing, the Commission amends part 375, chapter I, title 18, *Code of Federal Regulations*, as follows:

## PART 375—THE COMMISSION

■ 1. The authority citation for part 375 continues to read as follows:

**Authority:** 5 U.S.C. 551-557; 15 U.S.C. 717-717w, 3301-3432; 16 U.S.C. 791-825r, 2601-2645; 42 U.S.C. 7101-7352.

### § 375.307 [Amended]

■ 2. In § 375.307, remove paragraphs (a)(2)(vi) and (vii).

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BILLING CODE 6717-01-P

## DEPARTMENT OF THE INTERIOR

### National Indian Gaming Commission

#### 25 CFR Part 522

#### RIN 3141-AA87

#### Submission of Gaming Ordinance or Resolution

**AGENCY:** National Indian Gaming Commission.

**ACTION:** Direct final rule.

**SUMMARY:** For the purposes of gaming ordinance or amendment submissions, the National Indian Gaming Commission is removing the requirement for a tribe to submit a copy of its procedures for resolving disputes between the gaming public and the tribe or the management contractor.

**DATES:** This direct final rule is effective December 1, 2025, unless significant adverse comments are received by October 30, 2025. If this direct final rule is withdrawn because of such comments, timely notice of the withdrawal will be published in the **Federal Register**.

**ADDRESSES:** National Indian Gaming Commission, 1849 C Street NW, Mail Stop 1621, Washington, DC 20240.

**FOR FURTHER INFORMATION CONTACT:** Jo-Ann M. Shyloski at 202-632-7003 or write to [info@nigc.gov](mailto:info@nigc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Congress enacted the Indian Gaming Regulatory Act (IGRA), 25 U.S.C. 2701 *et seq.*, on October 17, 1988, establishing the National Indian Gaming Commission (Commission) and creating a comprehensive framework for the regulation of gaming on Indian lands. Before conducting gaming on Indian lands, a tribe must adopt a gaming ordinance or resolution that is submitted to and approved by the NIGC Chair. 25 U.S.C. 2710(b)(1)(B), (b)(2), (d)(1)(A), and (d)(2)(A). In 1993, the Commission promulgated gaming ordinance submission regulations that required "a description of procedures for resolving disputes between the gaming public and the tribe or the management contractor." 58 FR 5810. In 2022, the Commission modified the requirement, mandating that tribes submit a copy of the procedures. 87 FR 57593. When tribes amend their ordinances, they must provide certain ordinance submission requirements, including a copy of their dispute resolution procedures. 25 CFR 522.3(b)(2).

## II. Development of the Rule

Presidential Executive Order 14219, entitled *Ensuring Lawful Governance and Implementing the President's "Department of Government Efficiency" Deregulatory Initiative*, directed agencies to review all regulations for consistency with law and Administration policy; identify certain classes of regulations; and rescind or modify these regulations. Subsequently, Presidential Memorandum, *Directing the Repeal of Unlawful Regulations*, instructed agencies to immediately effectuate the repeal of any regulation, or the portion thereof, that exceeds the agency's statutory authority or is otherwise unlawful.

In the spirit of Executive Order 14219 and the Presidential Memorandum, the Commission removes the requirement for tribes to submit a copy of its procedures for resolving disputes with the gaming public and the tribe or management contractor, because IGRA contains no directive about such procedures for ordinances. All but one of the other submission requirements relate to IGRA's mandatory content for ordinances: criminal history check, background investigation, and licensing procedures; approved tribal-state compacts or Class III procedures (for approval of Class III ordinances); and environmental and public health and safety documents. 25 U.S.C. 2710(b)(2)(E) and (F), (d)(1)(A)(ii) and (2)(A); 25 CFR 522.2 (b)-(d), (g) & (h). The sole outlier is a copy of the tribe's designation of an agent for service, but that corresponds with IGRA's empowerment of the NIGC Chair to issue complaints against tribal operators and management contractors as well as levy civil fines and/or temporary closure orders for violations of the Act, its implementing regulations, or tribal ordinances. 25 U.S.C. 2713(a)(1) and (3), (b). If the Chair takes such actions, a tribe's authorized representative or agent must receive them expeditiously to enable the tribe to appeal the Chair's decisions to the full Commission and/or request a hearing before the full Commission about them. Both the appeals to the Commission and hearings before it are explicitly permitted by IGRA. 25 U.S.C. 2713(a)(2), (b)(2).

## III. Regulatory Matters

### Regulatory Planning and Review (Executive Orders 12866 and 13563)

Executive Order 12866, as reaffirmed by Executive Order 13563, provides that the Office of Management and Budget's (OMB's) Office of Information and Regulatory Affairs (OIRA) will review all rules to determine if they are