

statement to us to verify their identity; or (2) must certify in the request that they are the individual they claim to be and that they understand that the knowing and willful request for, or acquisition of, a record pertaining to another individual under false pretenses is a criminal offense.

Individuals requesting notification of, or access to, records in person must provide their name, SSN, or other information that may be in this system of records that will identify them, as well as provide an identity document, preferably with a photograph, such as a driver's license. Individuals lacking identification documents sufficient to establish their identity must certify in writing that they are the individual they claim to be and that they understand that the knowing and willful request for, or acquisition of, a record pertaining to another individual under false pretenses is a criminal offense.

These procedures are in accordance with our regulations at 20 CFR 401.40 and 401.45.

#### CONTESTING RECORD PROCEDURES:

Same as record access procedures. Individuals should also reasonably identify the record, specify the information they are contesting, and state the corrective action sought and the reasons for the correction with supporting justification showing how the record is incomplete, untimely, inaccurate, or irrelevant. These procedures are in accordance with our regulations at 20 CFR 401.65(a).

#### NOTIFICATION PROCEDURES:

Same as records access procedures. These procedures are in accordance with our regulations at 20 CFR 401.40 and 401.45.

#### EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

#### HISTORY:

90 FR 10025 (February 20, 2025), Master Files of SSN Holders and SSN Applications.

[FR Doc. 2025-19849 Filed 11-10-25; 8:45 am]

**BILLING CODE 4191-02-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Emergency Order Establishing Operating Limitations on the Use of Navigable Airspace

**AGENCY:** Department of Transportation, Federal Aviation Administration (FAA).

**ACTION:** Emergency Order establishing operating limitations on the use of navigable airspace.

**SUMMARY:** This Order reduces or temporarily prohibits certain operations in the navigable airspace to ensure the safety of aircraft and the efficiency of the National Airspace System (NAS). To maintain the highest standards of safety in the NAS, certain air carriers will be required to reduce by their total daily scheduled domestic operations between 6:00 a.m. and 10:00 p.m. local at each airport by 10 percent, subject to the provisions set forth in this Order, in addition to other operational reductions in the NAS.

**DATES:** This action is effective November 7, 2025.

**ADDRESSES:** If you wish to review the background documents or comments received in this proceeding, you may go to <http://www.regulations.gov> at any time and follow the online instructions for accessing the electronic docket. You may also go to the U.S. Department of Transportation's Docket Operations in Room W12-140 on the ground floor of the West Building at 1200 New Jersey Avenue SE, Washington, DC, between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Al Meilus, Slot Administration and Capacity Analysis, FAA ATO System Operations Services, AJR-G5, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone (202) 267-2822; email [7-awa-slotadmin@faa.gov](mailto:7-awa-slotadmin@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

This Order reduces or temporarily prohibits certain operations in the navigable airspace to ensure the safety of aircraft and the efficiency of the NAS. The Administrator of the Federal Aviation Administration (FAA) is issuing this Order to address safety risks and delays presented by air traffic controller staffing constraints caused by the continued lapse in appropriations. This Order takes effect on November 7, 2025, and will remain in effect until canceled by the FAA.

##### II. Background

The U.S. Government has exclusive sovereignty over the airspace of the United States.<sup>1</sup> Under this broad authority, Congress has granted the Administrator extensive and plenary authority to ensure the safety of aircraft and the efficient use of the nation's

navigable airspace. In this regard, the Administrator is required to develop plans and policies for the use of navigable airspace and assign by regulation or order under such terms, conditions and limitations as he may deem necessary to ensure its safe and efficient use.<sup>2</sup> The Administrator may modify or revoke an assignment when required in the public interest.<sup>3</sup> Furthermore, in carrying out the Administrator's safety and efficiency responsibilities under the statute, the Administrator must: (1) assign, maintain, and enhance safety and security as the highest priorities in air commerce, and (2) control the use of the navigable airspace and regulate civil operations in that airspace in the interest of the safety and efficiency of those operations.<sup>4</sup>

The FAA's statutory authority to ensure "the safety of aircraft" and "the efficient use of airspace" encompasses its management of the nationwide system of air commerce and the Air Traffic Control (ATC) system. Ensuring the safe and efficient use of the airspace means that the FAA must take all necessary steps to prevent safety risks to, or situations potentially adversely affecting the overall safety of the ATC system for which the FAA is responsible.

Due to a lapse in appropriations, air traffic controllers have been working without pay since October 3, 2025. Since then, the FAA's Office of Aviation Safety (AVS) and Air Traffic Organization (ATO) have continued to review, monitor and evaluate ATC safety. As part of this review, the FAA assessed voluntary safety reports submitted for the month of October. The reports indicated users of the system had concerns about its performance even with current mitigations in place. The FAA has also observed evidence of increased stress on the NAS in aviation safety data, particularly at 40 high traffic airports, identified in Appendix A ("High Impact Airports"). While current mitigations have managed risk, delays are increasing, and additional mitigations are now necessary.

The FAA's initial review of data indicates the system is stressed. With continued delays and unpredictable staffing shortages, which are driving

<sup>1</sup> 49 U.S.C. 40103(b)(1), as previously codified in 49 U.S.C. App. § 307(a). Title 49 was recodified by Public Law 103-222, 108 Stat. 745 (1994). The textual revisions were not intended to result in substantive changes to the law. The recodification stated that the words in § 307(a) "under such terms, conditions, and limitations as he may deem" were omitted as surplus. H. Rpt. 103-180 (103d Cong., 1st Sess. 1993) at 262.

<sup>2</sup> *Id.*

<sup>4</sup> 49 U.S.C. 40101(d)(1) and (4).

<sup>3</sup> 49 U.S.C. 40103(b)(1).

fatigue, risk is further increasing, and the FAA is concerned with the system's ability to maintain the current volume of operations. Accordingly, the FAA has determined additional mitigation is necessary.

### III. National Environmental Policy Act Categorical Exclusion

The FAA has determined that this action qualifies for categorical exclusion (CATEX) under the National Environmental Policy Act (42 U.S.C. 4321, *et seq.*) in accordance with FAA Order 1050.1G, "FAA National Environmental Policy Act Implementing Procedures," paragraph B-2.5(j). This CATEX applies to the following category of actions: "Implementation of procedures to respond to emergency air or ground safety needs, accidents, or natural events with no reasonably foreseeable long-term adverse impacts." This action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that would preclude the use of this CATEX and require a higher level of NEPA review.

### IV. Order

#### a. Reduction of Operations at High Impact Airports

Accordingly, with respect to flight operations at High Impact Airports, under the authority provided to the Secretary of Transportation and the FAA Administrator by 49 U.S.C. 40103, 40113, and 46105(c), it is hereby ordered that:

1. To accommodate reduced ATC services, no later than 6:00 a.m. EST on November 14, 2025, each 14 CFR part 121 and commuter or scheduled 135 air carrier operating at High Impact Airports listed in Appendix A must reduce by 10 percent its total daily scheduled domestic operations between 6:00 a.m. and 10:00 p.m. local at each airport, subject to the following provisions:

a. Reductions in operations shall be calculated by marketing code, not operating certificate, provided that the reductions for any single operating certificate may not exceed 15 percent to prevent disproportionate reductions on regional routes. For carriers that do not have a marketing code, reductions in operations shall be calculated by operating certificate.

b. The baseline for calculating reductions is the total number of currently scheduled operations.

c. Beginning November 7, 2025, carriers shall begin reductions in operations to achieve the total reduction of 10 percent by November 14, 2025,

with minimum reductions at each High Impact Airport as follows:

- i. By 6:00 a.m. EST on November 7, 2025, by 4 percent;
- ii. By 6:00 a.m. EST on November 11, 2025, by 6 percent;
- iii. By 6:00 a.m. EST on November 13, 2025, by 8 percent; and
- iv. By 6:00 a.m. EST on November 14, 2025, and thereafter, by 10 percent.

d. Operations shall be reduced seven days in advance on a rolling schedule. Thus, the initial list of reduced operations submitted to the FAA on November 7, 2025, pursuant to subparagraph (f), must provide for reductions to schedules from November 7, 2025, to November 14, 2025. On November 8, 2025, carriers must retain a reduction of at least 10 percent for November 15, 2025, and notify the FAA of those reductions, etc.

e. The FAA will treat any slot as used for historic precedence or a timing as operated for the purposes of preserving the historical baseline for the next corresponding season if the carrier does not operate it in accordance with the provisions in this paragraph.

f. Each carrier subject to the provisions of this paragraph must submit a list of reduced operations to the FAA Slot Administration at [7-aws-slotadmin@faa.gov](mailto:7-aws-slotadmin@faa.gov) no later than November 7, 2025, and daily thereafter. Lists of reduced operations are not individually subject to approval by the FAA, but the Administrator reserves the authority to reject or direct modifications to such lists to prevent unacceptable disproportionate impacts to flight availability including regional routes and Essential Air Service and to ensure even distribution of reductions throughout the day at each airport.

g. The FAA expects that carriers work cooperatively to achieve ratable and evenly distributed reductions throughout the day that do not have disproportionate impacts on communities or specific hours of the day. If carriers are unable to do so, the FAA may direct cancellations on a more prescriptive basis.

h. The FAA has consulted with the Department of Justice, Antitrust Division (DOJ). Consistent with these discussions, the DOJ and FAA advise that antitrust counsel for the air carriers be present for all competitor communications given the unusual, emergency circumstances involved. Based on the temporary nature of these reductions, the presence of respective antitrust counsel for all affected air carriers, the limited nature of the cooperation authorized, and the exigent safety need to reduce stress on the NAS, the DOJ stated that it "is not presently

inclined to initiate antitrust enforcement action against any carrier's actions taken to comply with the FAA Emergency Order."<sup>5</sup> This understanding does not authorize cooperation between carriers on scheduling, except as it relates to the temporary reductions in operations directed by this order, or pricing matters. Moreover, the DOJ reserved the right to bring an enforcement action against any conduct that violates the antitrust laws.

i. Carriers must not engage in unfair, deceptive, or anticompetitive practices regarding their slot usage, leasing agreements, or operations.

2. When staffing trigger reports happen at High Impact Airports, a dual Airspace Flow Program strategy may be implemented for general aviation and commercial traffic. In addition, for the duration of this order, general aviation operations may also be reduced by up to 10 percent at High Impact Airports, including TEB, HOU, and DAL.

3. The FAA may enforce this Order through an enforcement action seeking a civil penalty under 49 U.S.C. 46301(a). A carrier that is not a small business as defined in the Small Business Act, 15 U.S.C. 632, will be liable for a civil penalty of up to \$75,000 for every flight it operates above the limits set forth in this Order. A carrier that is a small business as defined in the Small Business Act will be liable for a civil penalty of up to \$16,630 for every flight it operates above the limits set forth in this Order. The FAA also could file a civil action in U.S. District Court, under 49 U.S.C. 46106 and 46107, seeking to enjoin any air carrier from violating the terms of this Order.

#### b. Prohibition on Commercial Space Launches and Reentries During Peak Hours

Accordingly, with respect to commercial space launches and reentries, under the authority provided to the FAA Administrator by 49 U.S.C. 40103, 40113, and 46105(c), and authority delegated to the FAA Administrator under 51 U.S.C. 50909(a), it is hereby ordered that, beginning at 6:00 a.m. EST on November 10, 2025, and until this Order is cancelled, Commercial space launches and reentries will only be permitted between 10:00 p.m. and 6:00 a.m. local time.

<sup>5</sup> Letter from Abigail Slater Assistant Attorney General Antitrust Division, U.S. Department of Justice to William McKenna, Chief Counsel, Federal Aviation Administration (Nov. 6, 2025).

*c. Termination of ATC Service Due to Staffing Levels*

Accordingly, with respect to ATC services, under the authority provided to the FAA Administrator by 49 U.S.C. 40103, 40113, and 46105(c), it is hereby ordered that:

1. When an FAA owned and operated facility does not have adequate staffing levels, ATC may elect not to provide the following services:

- a. Radar Traffic Information Service;
- b. Radar Assistance to visual flight rule (VFR) aircraft;
- c. Terminal Radar Services for VFR aircraft;
- d. VFR Traffic Pattern Operations;
- e. Practice Approaches to VFR aircraft;
- f. Flight checks services to restore inoperable equipment and approaches;
- g. ATC services to parachute operations; or,
- h. ATC services to certain special or unusual operations.

2. When an Air Traffic Control Assigned Airspace (ATCAA) or Military Operating Area (MOA) is located within a geographical area served by an FAA owned and operated facility that does not have adequate staffing levels, ATC may elect not to activate the ATCAA or MOA.

## V. Aviation Consumer Protection

The Office of Aviation Consumer Protection, a unit within the Department of Transportation's Office of the General Counsel, will separately issue guidance to carriers on reporting of causes of delays and cancellations and applicability of consumer protection requirements given this order.<sup>6</sup>

The FAA may modify or withdraw any provision in this Order on its own or on application by any carrier for good cause shown. In particular, the FAA will continue to monitor data on NAS operations and performance and will amend this order as appropriate to ensure continued safety and efficiency of the NAS. Once funding is restored and the FAA has confidence the stress in the system has adequately decreased, the FAA expects to roll back operational restrictions required by this order to restore normal operations.

<sup>6</sup> See DOT, Reporting Causes of Flight Delays and Cancellations in Response to FAA's Order to Reduce Flights at 40 Airports Due to the Government Shutdown," <https://www.transportation.gov/airconsumer/latest-news>.

Issued in Washington, DC, on November 7, 2025.

**William McKenna,**

*Chief Counsel, Federal Aviation Administration.*

**Bryan Bedford,**

*Administrator, Federal Aviation Administration.*

## Appendix A

Code	Airport
ANC .....	Ted Stevens Anchorage International Airport.
ATL .....	Hartsfield-Jackson Atlanta International.
BOS .....	Boston Logan International.
BWI .....	Baltimore/Washington International.
CLT .....	Charlotte Douglas International.
CVG .....	Cincinnati/Northern Kentucky International.
DAL .....	Dallas Love Field.
DCA .....	Ronald Reagan Washington National.
DEN .....	Denver International.
DFW .....	Dallas/Fort Worth International.
DTW .....	Detroit Metropolitan Wayne County.
EWR .....	Newark Liberty International.
FLL .....	Fort Lauderdale/Hollywood International.
HNL .....	Honolulu International.
HOU .....	William P. Hobby Airport.
IAD .....	Washington Dulles International.
IAH .....	George Bush Houston Intercontinental.
IND .....	Indianapolis International.
JFK .....	New York John F. Kennedy International.
LAS .....	Las Vegas McCarran International.
LAX .....	Los Angeles International.
LGA .....	New York LaGuardia.
MCO .....	Orlando International.
MDW .....	Chicago Midway.
MEM .....	Memphis International.
MIA .....	Miami International.
MSP .....	Minneapolis/St. Paul International.
OAK .....	Oakland International.
ONT .....	Ontario International.
ORD .....	Chicago O'Hare International.
PDX .....	Portland International.
PHL .....	Philadelphia International.
PHX .....	Phoenix Sky Harbor International.
SAN .....	San Diego International.
SDF .....	Louisville International.
SEA .....	Seattle/Tacoma International.
SFO .....	San Francisco International.
SLC .....	Salt Lake City International.
TEB .....	Teterboro.
TPA .....	Tampa International.

[FR Doc. 2025-19850 Filed 11-7-25; 12:30 pm]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

[FTA-2025-0068]

### Notice of Availability of Final Policy Guidance for the Capital Investment Grants Program

**AGENCY:** Federal Transit Administration (FTA), Department of Transportation (DOT).

**ACTION:** Notice of availability of final policy guidance for the Capital Investment Grants program.

**SUMMARY:** The Federal Transit Administration (FTA) is making available the agency's final policy guidance for the Capital Investment Grants (CIG) program. This version amends FTA's CIG Policy Guidance published in December 2024 and incorporates input, as appropriate, FTA received from the public comment on its proposed Policy Guidance published in the **Federal Register** in August 2025. The final guidance has been placed in the docket and posted on the FTA website. The policy guidance complements FTA's regulations governing the CIG program.

**DATES:** This final policy guidance is effective immediately. FTA will not exempt projects from following the new amended final CIG policy guidance.

#### FOR FURTHER INFORMATION CONTACT:

Mark Ferroni, FTA Office of Planning and Environment, telephone (202) 366-3233 or [mark.ferroni@dot.gov](mailto:mark.ferroni@dot.gov).

**SUPPLEMENTARY INFORMATION:** This final policy guidance document contains binding obligations, which 49 U.S.C. 5334(k) defines as "a substantive policy statement, rule, or guidance document issued by the Federal Transit Administration that grants rights, imposes obligations, produces significant effects on private interests, or effects a significant change in existing policy." Under 49 U.S.C. 5334(k), FTA may issue binding obligations if it follows applicable rulemaking procedures under 5 U.S.C. 553. Prior to making the amendments announced today, FTA followed such procedures. The policy guidance FTA periodically issues for the CIG program complements the FTA regulations governing the CIG program, codified at 49 CFR part 611. The regulations set forth the process grant applicants must follow to be considered for discretionary grant funding under the CIG program, and the procedures and criteria FTA uses to rate and evaluate projects to determine their eligibility for discretionary CIG program funding. The policy guidance provides