

**PART 875—CERTIFICATION AND NONCOAL RECLAMATION**

- 7. The authority citation for part 875 continues to read as follows:

**Authority:** 30 U.S.C. 1201 *et seq.*

- 8. In § 875.11, revise paragraph (b)(2) introductory text to read as follows:

\* \* \* \*

(b) \* \* \*

(1) \* \* \*

(2) You may use certified in lieu funds distributed to you under section 411(h)(2) of the Act to—

\* \* \* \*

- 8. In § 875.14, revise paragraph (b) to read as follows:

\* \* \* \*

(b) If eligible coal problems are found or occur after certification, you must submit to us a plan that describes the approach and funds that will be used to address those problems in a timely manner. You may address any eligible coal problems with the certified in lieu funds that you have already received or will receive from § 872.32 of this chapter. Any coal reclamation projects that you do must conform to sections 401 through 410 of SMCRA and part 874 of this chapter.

**PART 879—ACQUISITION, MANAGEMENT, AND DISPOSITION OF LANDS AND WATER**

- 9. The authority citation for part 879 continues to read as follows:

**Authority:** 30 U.S.C. 1201 *et seq.*

- 10. In § 879.11, revise paragraphs (a)(2) and (b) introductory text to read as follows:

(a) \* \* \*

(1) \* \* \*

(2) You, an uncertified State or Indian tribe or a certified State or Indian tribe conducting noncoal reclamation projects under part 875 of this chapter, may acquire land adversely affected by past coal mining practices with moneys from the Fund or with certified in lieu funds provided under § 872.32 of this chapter, provided that we first approve the acquisition in writing.

\* \* \* \*

(b) You, an uncertified State or Indian tribe or a certified State or Indian tribe conducting noncoal reclamation projects under part 875 of this chapter, if approved in advance by us, may acquire coal refuse disposal sites, including the coal refuse, with moneys from the Fund and with certified in lieu funds provided under § 872.32 of this chapter. We, OSMRE, also may use moneys from the Fund to acquire coal

refuse disposal sites, including the coal refuse.

\* \* \* \*

**PART 886—RECLAMATION GRANTS FOR UNCERTIFIED STATES AND INDIAN TRIBES**

- 11. The authority citation for part 886 continues to read as follows:

**Authority:** 30 U.S.C. 1201 *et seq.*

- 12. In § 886.12, revise paragraph (c) to read as follows:

\* \* \* \*

(c) You may use grant funds as established in this chapter for each type of funds you receive in your AML grant. You may use State share funds as provided in § 872.16 of this chapter; Tribal share funds as in § 872.19 of this chapter; historic coal funds as in § 872.23 of this chapter; minimum program make up funds as in § 872.28 of this chapter; and Federal expense funds as in § 872.25 of this chapter and in the appropriation.

\* \* \* \*

- 13. In § 886.20, revise paragraph (a)(3) to read as follows:

(a) \* \* \*

(1) \* \* \*

(2) \* \* \*

(3) We make unused funds of all other types available for re-award to the same State or Indian tribe to which they were originally distributed. This includes historic coal funds under § 872.21 of this chapter and minimum program make up funds under § 872.26 of this chapter.

\* \* \* \*

**PART 887—SUBSIDENCE INSURANCE PROGRAM GRANTS**

- 14. The authority citation for part 887 continues to read as follows:

**Authority:** 30 U.S.C. 1201 *et seq.*

- 15. Revise § 887.11 to read as follows:

You are eligible for grants under this part if you are a State or Indian tribe with a reclamation plan approved under part 884 of this chapter. If you are uncertified, you must have State share funds available under § 872.14 of this chapter or Tribal share funds available under § 872.17 of this chapter. If you have certified completion of coal reclamation under section 411(a) of SMCRA, you must have certified in lieu funds available under § 872.32 of this chapter, if the State legislature or Tribal council has established this purpose.

[FR Doc. 2025-20831 Filed 11-21-25; 8:45 am]

**BILLING CODE 4310-05-P**

**DEPARTMENT OF THE INTERIOR****Office of Surface Mining Reclamation and Enforcement****30 CFR Part 885**

[Docket No. OSM-2025-0019; S1D1S SS08011000 SX064A000 256S180110; S2D2S SS08011000 SX064A000 25XS501520]

**RIN 1029-AC96**

**Grants for Certified States and Indian Tribes**

**AGENCY:** Office of Surface Mining Reclamation and Enforcement, Interior.

**ACTION:** Direct final rule; request for comments.

**SUMMARY:** This direct final rule revises the Federal regulations to rescind language identifying obsolete funds as part of the moneys that the Office of Surface Mining Reclamation and Enforcement (OSMRE) must distribute to eligible States and Tribes each fiscal year. The existing regulations refer to prior balance replacement funds, which are moneys from the United States Treasury's General Fund that replaced State or Tribal share funds that were allocated before October 1, 2007, but never appropriated by Congress.

**DATES:** The final rule is effective January 23, 2026, unless significant adverse comments are received by December 24, 2025. If significant adverse comments are received, notice will be published in the **Federal Register** before the effective date either withdrawing the rule or issuing a new final rule that responds to significant adverse comments.

**ADDRESSES:** You may submit comments by one of the following methods:

- **Electronically:** Go to the Federal eRulemaking Portal: <https://www.regulations.gov> and search for Docket Number OSM-2025-0019. Follow the instructions for submitting comments.

• **By hard copy:** Submit by U.S. mail to Division of Regulatory Support, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, Attn: James Tyree, 1849 C Street NW, Mail Stop 4557, Washington, DC 20240.

**FOR FURTHER INFORMATION CONTACT:**

James Tyree, Chief, Division of Regulatory Support, (202) 208-4479, [jtyree@osmre.gov](mailto:jtyree@osmre.gov). Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States

should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

**SUPPLEMENTARY INFORMATION:** The Federal regulations at 30 CFR 885.12 describe how certified States and Tribes may use funds awarded to them by OSMRE under title IV of the Surface Mining Control and Reclamation Act of 1977 (SMCRA). Existing 30 CFR 885.12(b)(2) and (b)(4)(ii) refer to prior balance replacement funds, which are moneys from the United States Treasury's General Fund that replaced State or Tribal share funds that were allocated before October 1, 2007, but never appropriated by Congress. Section 411(h)(1) of SMCRA required OSMRE to distribute prior balance replacement funds to eligible States and Tribes for 7 years, beginning October 1, 2008. As the distribution of prior balance replacement funds is complete, the Department of the Interior (Department) and OSMRE have determined that the references to prior balance replacement funds should be rescinded because they are obsolete. To the extent States or Tribes may have any unspent prior balance replacement funds, those funds will be governed by the regulations that were in place at the time of the initial grant award.

The Department has determined that this reason, independently and alone, justifies rescinding the references to prior balance replacement funds in existing 30 CFR 885.12(b)(2) and (b)(4)(ii). The Department has no interest in maintaining a rule that is obsolete.

The Department is issuing this rule as a direct final rule. Although the Administrative Procedure Act (APA, 5 U.S.C. 551–559) generally requires agencies to engage in notice and comment rulemaking, section 553 of the APA provides an exception when the agency “for good cause finds” that notice and comment are “impracticable, unnecessary, or contrary to the public interest.” *Id.* 553(b)(B). The Department has determined that notice and comment are unnecessary because this rule is noncontroversial; of a minor, technical nature; involves little agency discretion; and is unlikely to receive any significant adverse comments. Significant adverse comments are those that oppose the recission of the regulatory language and raise, alone or in combination, (1) reasons why the recission of the regulatory language is inappropriate, including challenges to the recission’s underlying premise, or (2) serious unintended consequences of the recission. A comment

recommending an addition to the rule will not be considered significant and adverse unless the comment explains how this direct final rule would be ineffective without the addition.

### Procedural Determinations

#### *Executive Order 12630—Governmental Actions and Interference With Constitutionally Protected Property Rights*

This rule does not result in a taking of private property or otherwise have regulatory takings implications under Executive Order 12630. The rule revises the Federal regulations to remove obsolete regulatory language; therefore, the rule will not result in private property being taken for public use without just compensation. A takings implication assessment is not required.

#### *Executive Order 12866—Regulatory Planning and Review and Executive Order 13563—Improving Regulation and Regulatory Review*

Executive Order 12866 provides that the Office of Information and Regulatory Affairs (OIRA) in the Office of Management and Budget (OMB) will review all significant rules. OIRA has determined that this rule is not significant.

Executive Order 13563 reaffirms the principles of Executive Order 12866, while calling for improvements in the Nation’s regulatory system to promote predictability, reduce uncertainty, and use the best, most innovative, and least burdensome tools for achieving regulatory ends. Executive Order 13563 directs agencies to consider regulatory approaches that reduce burdens and maintain flexibility and freedom of choice for the public where these approaches are relevant, feasible, and consistent with regulatory objectives. Executive Order 13563 emphasizes further that agencies must base regulations on the best available science and that the rulemaking process must allow for public participation and an open exchange of ideas. The Department developed this rule in a manner consistent with these requirements.

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

This direct final rule complies with the requirements of Executive Order 12988. Among other things, this rule:

(a) Meets the criteria of section 3(a) requiring that all regulations be reviewed to eliminate errors and ambiguity and be written to minimize litigation;

(b) Meets the criteria of section 3(b)(2) requiring that all regulations be written

in clear language and contain clear legal standards.

#### Executive Order 13132—Federalism

Under the criteria of section 1 of Executive Order 13132, this rule does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement. This rule will not have substantial direct effects 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. A federalism summary impact statement is not required.

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

The Department of the Interior strives to strengthen its government-to-government relationship with Indian tribes through a commitment to consultation with Tribes and recognition of their right to self-governance and Tribal sovereignty. The Department evaluated this direct final rule under Executive Order 13175 and the Department’s consultation policies and determined that it has no substantial direct effects on federally recognized Indian tribes and that consultation under the Department’s Tribal consultation policies is not required. The rule merely revises the Federal regulations to remove obsolete regulatory language.

#### *Executive Order 13211—Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use*

This direct final rule is not a significant energy action as defined in Executive Order 13211. Therefore, a Statement of Energy Effects is not required.

#### *National Environmental Policy Act*

This direct final rule does not constitute a major Federal action significantly affecting the quality of the human environment. A detailed statement under the National Environmental Policy Act (NEPA, 42 U.S.C. 4321 *et seq.*) is not required because this rule is covered by a categorical exclusion applicable to regulatory functions “that are of an administrative, financial, legal, technical, or procedural nature.” 43 CFR 46.210(i). In addition, the Department has determined that this rule does not involve any of the extraordinary circumstances listed in 43 CFR 46.215 that would require further analysis under NEPA.

**Paperwork Reduction Act**

This rule does not impose any new information collection burden under the Paperwork Reduction Act. OMB previously approved the information collection activities contained in the existing regulations and assigned OMB control number 1029-0059. This rule does not impose an information collection burden because the Department is not making any changes to the information collection requirements.

**Regulatory Flexibility Act**

The Regulatory Flexibility Act (RFA, 5 U.S.C. 601–612) requires an agency to prepare a regulatory flexibility analysis for all rules unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. The RFA applies only to rules for which an agency is required to first publish a proposed rule. See 5 U.S.C. 603(a) and 604(a). As the Department is not required to publish a notice of proposed rulemaking for this direct final rule, the RFA does not apply.

**Congressional Review Act**

This rule is not a major rule under the Congressional Review Act, 5 U.S.C. 804(2). Specifically, the direct final rule: (a) will not have an annual effect on the economy of \$100 million or more; (b) will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; and (c) will not have significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.

**Unfunded Mandates Reform Act**

This rule does not impose an unfunded mandate on State, local, or Tribal governments, or the private sector, of more than \$100 million per year. The rule does not have a significant or unique effect on State, local, or Tribal governments, or the private sector. The rule merely revises the Federal regulations to remove obsolete regulatory language. Therefore, a statement containing the information required by the Unfunded Mandates Reform Act (2 U.S.C. 1531 *et seq.*) is not required.

**List of Subjects in 30 CFR Part 885**

Grant programs—natural resources, Indians—lands, Reporting and

recordkeeping requirements, Surface mining, Underground mining.

**Leslie Shockley Beyer,**  
Assistant Secretary, Land and Minerals Management.

For the reasons stated in the preamble, the Department of the Interior amends 30 CFR part 885 as follows:

**PART 885 GRANTS FOR CERTIFIED STATES AND INDIAN TRIBES**

- 1. The authority citation for part 885 continues to read as follows:

**Authority:** 30 U.S.C. 1201 *et seq.*

- 2. In § 885.12, revise paragraph (b) to read as follows:

\* \* \* \* \*

(b)(1) You may use grant funds as established for each type of funds you receive.

(2) You may use certified in lieu funds as provided under § 872.34 of this chapter.

(3) You may use the following moneys for noncoal reclamation projects under section 411 of the Act and part 875 of this chapter:

(i) Moneys that may be available to you from the Fund.

(ii) Certified in lieu funds as provided under § 872.34 of this chapter.

\* \* \* \* \*

[FR Doc. 2025-20825 Filed 11-21-25; 8:45 am]

**BILLING CODE 4310-05-P**

**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Parts 1, 26, 62, 66, 67, 95, 97, 100, 107, 114, 115, 116, 117, 118, 133, 151, 155, 159, 164, 165, and 174****46 CFR Parts 2, 3, 4, 7, 11, 15, 24, 26, 58, 62, 68, 90, 108, 110, 118, 125, 126, 131, 132, 133, 147, 169, 177, 181, 182, and 188**

[Docket No. USCG-2024-1103]

**Navigation and Navigable Waters, and Shipping; Technical, Organizational, and Conforming Amendments**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule.

**SUMMARY:** This final rule makes non-substantive, technical, organizational, and conforming amendments to existing Coast Guard regulations. This represents a continuation of our practice of periodically issuing rules to keep our regulations up-to-date and accurate. This final rule is deregulatory in nature

due to the discontinuation of the Information Collection Request (ICR), Office of Management and Budget (OMB) Control Number 1625-0068. In all other respects, this final rule will have no substantive impact on the regulated public.

**DATES:** This final rule is effective November 24, 2025.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to [www.regulations.gov](http://www.regulations.gov), type USCG-2024-1103 in the search box and click “Search.” Next, in the Document Type column, select “Supporting & Related Material.”

**FOR FURTHER INFORMATION CONTACT:** For information about this document, call or email Mr. Dale Murad, Office of Regulations and Administrative Law, U.S. Coast Guard; telephone 571-607-4608, email [Dale.Murad@uscg.mil](mailto:Dale.Murad@uscg.mil).

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**I. Abbreviations**

- CFR Code of Federal Regulations
- COTP Captain of the Port
- DDH Document Drafting Handbook
- DHS Department of Homeland Security
- EPA Environmental Protection Agency
- FR Federal Register
- GPO Government Publishing Office
- IBR Incorporation by Reference
- ICR Information Collection Request
- MHz megahertz
- NDAA 2023 James M. Inhofe National Defense Authorization Act for Fiscal Year 2023, Public Law 117-263
- OMB Notice of Proposed Rulemaking
- Office of Management and Budget
- § Section