

# Rules and Regulations

This section of the **FEDERAL REGISTER** contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents.

## OFFICE OF PERSONNEL MANAGEMENT

### 5 CFR Part 315

[Docket ID OPM-2025-0140]

RIN 3206-AO85

#### Sunset of the Pathways Presidential Management Fellows Program; Correction

**AGENCY:** Office of Personnel Management.

**ACTION:** Correcting amendments.

**SUMMARY:** The Office of Personnel Management (OPM) is correcting a final rule that published in the **Federal Register** and was effective on August 11, 2025. The document rescinded the regulations on the Pathways Presidential Management Fellows Program and made other conforming amendments. The August 11 final rule resulted in an error in the regulatory text, and this final rule corrects that error.

**DATES:** This final rule is effective on December 10, 2025.

**FOR FURTHER INFORMATION CONTACT:** Katika Floyd by telephone at (202) 606-0960; or by email at [employ@opm.gov](mailto:employ@opm.gov).

**SUPPLEMENTARY INFORMATION:** In the final rule “Sunset of the Pathways Presidential Management Fellows Program” (90 FR 38604; Aug. 11, 2025), OPM erred in its amendments to regulatory text at 5 CFR 315.713. The final rule removed paragraph (a)(3). As a result, paragraph (a)(2) is now the last paragraph and incorrectly retained the word “and”, which needs to be removed and replaced with a “.” to close out the paragraph. Similarly, paragraph (a)(1) needs to have the word “and” added as it is now the penultimate subparagraph in paragraph (a). This final rule corrects those errors.

## Procedural Issues and Regulatory Review

### A. Administrative Procedure Act

As explained above, this correcting amendment is necessary to correct an editorial error in the final rule. Therefore, OPM has determined, pursuant to 553(b)(3)(B), that prior notice and opportunity for public comment are impractical and unnecessary. Public comment could not inform this process in any meaningful way. We have further determined that, under 5 U.S.C. 553(d)(3), the agency has good cause to make this correction effective upon publication.

### B. Regulatory Flexibility Act

This correcting amendment will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

### C. Regulatory Review

OIRA has determined this rule is not a significant regulatory action under E.O. 12866. Therefore, this rule is not an E.O. 14192 regulatory action because it is not significant under E.O. 12866.

### D. Federalism

This regulation will not have substantial direct effects on the States, on the relationship between the National Government and the States, or on distribution of power and responsibilities among the various levels of government. Therefore, in accordance with E.O. 13132 (Aug. 10, 1999), it is determined that this rule does not have sufficient federalism implications to warrant preparation of a Federalism Assessment.

### E. Civil Justice Reform

This regulation meets the applicable standards set forth in section 3(a) and (b)(2) of E.O. 12988 (Feb. 7, 1996).

### F. Unfunded Mandates Reform Act of 1995

This rulemaking will not result in the expenditure by State, local, or tribal governments, in the aggregate, or by the private sector, of more than \$100 million annually (adjusted annually for inflation with the base year 1995). Thus, no written assessment of unfunded mandates is required.

## Federal Register

Vol. 90, No. 235

Wednesday, December 10, 2025

### G. Congressional Review Act

OMB’s Office of Information and Regulatory Affairs has determined this rule does not satisfy the criteria listed in 5 U.S.C. 804(2).

### H. Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35)

This regulatory action will not impose any reporting or recordkeeping requirements under the Paperwork Reduction Act.

### List of Subjects in 5 CFR Part 315

Government employees.

Accordingly, 5 CFR part 315 is corrected by making the following correcting amendments:

## PART 315—CAREER AND CAREER-CONDITIONAL EMPLOYMENT

### ■ 1. The authority citation for part 315 continues to read as follows:

**Authority:** 5 U.S.C. 1302, 3301, and 3302. E.O. 10577, 19 FR 7521, 3 CFR, 1954–1958 Comp., p. 218; E.O. 14284, 90 FR 17729.

Secs. 315.601 and 315.609 also issued under 22 U.S.C. 3651 and 3652.

Secs. 315.602 and 315.604 also issued under 5 U.S.C. 1104.

Sec. 315.603 also issued under 5 U.S.C. 8151.

Sec. 315.605 also issued under E.O. 12034, 43 FR 1917, 3 CFR, 1978 Comp., p. 111.

Sec. 315.606 also issued under E.O. 11219, 30 FR 6381, 3 CFR, 1964–1965 Comp., p. 303.

Sec. 315.607 also issued under 22 U.S.C. 2560.

Sec. 315.608 also issued under E.O. 12721, 55 FR 31349, 3 CFR, 1990 Comp., p. 293.

Sec. 315.610 also issued under 5 U.S.C. 3304(c).

Sec. 315.611 also issued under 5 U.S.C. 3304(f).

Sec. 315.612 also under E.O. 13473, 73 FR 56703, 3 CFR, 2009 Comp., p. 241.

Sec. 315.613 also issued under 5 U.S.C. 9602.

Sec. 315.710 also issued under E.O. 12596, 52 FR 17537, 3 CFR, 1987 Comp., p. 264.

### Subpart G—Conversion to Career or Career-Conditional Employment From Other Types of Employment

#### § 315.713 [Amended]

##### ■ 2. Amend § 315.713 by:

■ a. Adding “and” at the end of paragraph (a)(1); and

■ b. Removing “; and” at the end of paragraph (a)(2) and adding a period in its place.

Dated: December 5, 2025.

Office of Personnel Management.

**Jerson Matias,**

*Federal Register Liaison.*

[FR Doc. 2025-22411 Filed 12-9-25; 8:45 am]

**BILLING CODE 6325-39-P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### 14 CFR Part 259

[Docket No. DOT-OST-2025-2349]

**RIN 2105-ZA50**

### Airline Customer Service Commitments for Controllable Flight Disruptions: Unscheduled Maintenance in Response to FAA Airworthiness Directives

**AGENCY:** Office of the Secretary of Transportation (OST), U.S. Department of Transportation (Department or DOT).

**ACTION:** Notification of enforcement discretion.

**SUMMARY:** On November 28, 2025, the Federal Aviation Administration (FAA) issued Emergency Airworthiness Directive (EAD) 2025-24-51 requiring airlines to replace or modify affected elevator aileron computers (ELAC) used in certain Airbus aircraft. Due to the significant impact of the EAD on the fleets of some U.S. airlines, clarity was requested from the Department's Office of Aviation Consumer Protection (OACP) regarding airlines' responsibility to provide amenities such as meals and hotels for consumers affected by cancellations or significant delays due to unscheduled maintenance required to comply with the EAD. The largest U.S. airlines have generally committed to provide free rebooking, hotel, and meals to mitigate passenger inconveniences when the cause of a cancellation or significant delay was due to circumstances within the airline's control. This notice announces that as a matter of enforcement discretion, OACP will not treat cancellations or lengthy delays resulting from unscheduled maintenance in response to an airworthiness directive that cannot be deferred or must be addressed before a flight to be due to circumstances within airline control for the purposes of these types of airlines customer service commitments.

**DATES:** This enforcement policy is effective December 10, 2025 and remains in effect until further notice or conclusion of the Department's rulemaking titled Revisions to Cause of Airline Delay Categories (RIN 2105-AF29), whichever occurs first.

**ADDRESSES:** This notification of enforcement discretion 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' 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:** John Wood or Blane Workie, Office of Aviation Consumer Protection, U.S. Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590, 202-366-9342 (phone), 202-366-7152 (fax), [C70notice@dot.gov](mailto:C70notice@dot.gov) (email).

**SUPPLEMENTARY INFORMATION:** The Department's regulations require the largest U.S. airlines (Reporting Carriers)<sup>1</sup> to collect and report to the Department's Bureau of Transportation Statistics (BTS) the causes of airline delays in five broad categories—Air Carrier, National Aviation System (NAS), Extreme Weather, Late-arriving Aircraft, and Security.<sup>2</sup> The categories for the causes of cancellation are the same, except there is no Late-arriving Aircraft category.<sup>3</sup> BTS has published a Reporting Directive with a list of examples of causes for delays and cancellations that it believes are within the control of the air carrier.<sup>4</sup> According to the BTS Reporting Directive, Reporting Carriers must report maintenance issues using the Air Carrier causal category.<sup>5</sup> The regulations also provide that maintenance is a circumstance within the control of the airline.<sup>6</sup>

Airlines are also obligated to abide by their customer service commitments, including the commitments the largest U.S. airlines have made in their customer service plans that apply when

<sup>1</sup> Reporting Carriers for calendar year 2025 are as follows: Alaska Airlines, Allegiant Air, American Airlines, Delta Air Lines, Envoy Air, Frontier Airlines, Hawaiian Airlines, JetBlue Airways, PSA Airlines, Republic Airways, SkyWest Airlines, Southwest Airlines, Spirit Airlines, and United Airlines. See 14 CFR 234.2; BTS Technical Reporting Directive #39—Reporting Air Carriers for Calendar Year 2025, Bureau of Transportation Statistics (Dec. 3, 2024), <https://www.bts.gov/sites/bts.dot.gov/files/2024-12/Technical%20Directive%20No%20%2039%20On-Time%202025.pdf>.

<sup>2</sup> 14 CFR 234.4(a)(17) to (a)(21); 14 CFR 234.4(i).

<sup>3</sup> 14 CFR 234.4(a)(16); 14 CFR 234.4(h).

<sup>4</sup> See id., supra note 2, pages 27–28.

<sup>5</sup> See id.

<sup>6</sup> 14 CFR 234.4(h)(1) (“Air carrier cancellations are due to circumstances that were within the control of the air carrier (e.g., lack of flight crew, maintenance, etc.)”).

cancellations or lengthy delays are due to circumstances within the control of the airline. The largest U.S. airlines that sell tickets have generally committed to provide free rebooking, complimentary hotel accommodations, and meals or meal vouchers to affected passengers in these circumstances. The Department displays airline commitments regarding services and compensation to mitigate passenger inconvenience caused by a delay or cancellation due to circumstances within the control of an airline on its online Airline Cancellation and Delay Dashboard.<sup>7</sup> The Department has aligned the “controllable” standard for its dashboard with the Air Carrier causal category that airlines use when reporting cancellations and delays to BTS. The FAA Reauthorization Act of 2024 (2024 FAA Act) codified this approach in statute.<sup>8</sup>

BTS is currently engaged in rulemaking to update the causal categories for reportable delays and cancellations, including removing certain actions from the Air Carrier category, as required by section 511 of the 2024 FAA Act.<sup>9</sup> One such circumstance that must be excluded from the Air Carrier category is unscheduled maintenance.<sup>10</sup> The rulemaking will also address the creation of a new category for tracking delays and cancellations due to instructions from the FAA air traffic control system.<sup>11</sup>

The Department is issuing this notice to address the question of whether cancellations and delays due to an airline's compliance with EAD 2025-24-51<sup>12</sup> should be considered within the control of an airline given the congressional mandate to exclude unscheduled maintenance from the air carrier category. Section 511(b) of the 2024 FAA Act states that “[u]nscheduled maintenance, including in response to an airworthiness

<sup>7</sup> Airline Cancellation and Delay Dashboard, <https://www.transportation.gov/airconsumer/airline-cancellation-delay-dashboard>.

<sup>8</sup> FAA Reauthorization Act of 2024, Public Law 118-63 (May 16, 2024). Section 506 of the Act added 49 U.S.C. 42308, which reads as follows: “The website on which such dashboard is displayed shall explain the circumstances under which a delay or cancellation is not due to circumstances in the control of the large air carrier . . . consistent with section 234.4 of title 14, Code of Federal Regulations.” (emphasis added). 49 U.S.C. 42308(a)(2).

<sup>9</sup> Revision to Cause of Airline Delay Categories (RIN: 2105-AF29), <https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202504&RIN=2105-AF29>.

<sup>10</sup> 2024 FAA Act, section 511(b)(7).

<sup>11</sup> See id. at section 511(a).

<sup>12</sup> See Federal Aviation Administration EAD No. 2025-24-51 (Nov. 28, 2025), <https://drs.faa.gov/browse/excelExternalWindow/DRSDOCID170146585920251129034243.0001>.