

intent. *Microsoft*, 56 F.3d at 1456. “The Tunney Act was not intended to create a disincentive to the use of the consent decree.” *Id.*

The United States’ predictions about the efficacy of the remedy are to be afforded deference by the Court. *See, e.g., Microsoft*, 56 F.3d at 1461 (recognizing courts should give “due respect to the Justice Department’s . . . view of the nature of its case”); *United States v. Iron Mountain, Inc.*, 217 F. Supp. 3d 146, 152–53 (D.D.C. 2016) (“In evaluating objections to settlement agreements under the Tunney Act, a court must be mindful that [t]he government need not prove that the settlements will perfectly remedy the alleged antitrust harms[;] it need only provide a factual basis for concluding that the settlements are reasonably adequate remedies for the alleged harms.” (internal citations omitted)); *United States v. Republic Servs., Inc.*, 723 F. Supp. 2d 157, 160 (D.D.C. 2010) (noting “the deferential review to which the government’s proposed remedy is accorded”); *United States v. Archer-Daniels-Midland Co.*, 272 F. Supp. 2d 1, 6 (D.D.C. 2003) (“A district court must accord due respect to the government’s prediction as to the effect of proposed remedies, its perception of the market structure, and its view of the nature of the case.”). The ultimate question is whether “the remedies [obtained by the Final Judgment are] so inconsonant with the allegations charged as to fall outside of the ‘reaches of the public interest.’” *Microsoft*, 56 F.3d at 1461 (quoting *W. Elec. Co.*, 900 F.2d at 309).

Moreover, the Court’s role under the APPA is limited to reviewing the remedy in relationship to the violations that the United States has alleged in its Complaint and does not authorize the Court to “construct [its] own hypothetical case and then evaluate the decree against that case.” *Microsoft*, 56 F.3d at 1459; *see also U.S. Airways*, 38 F. Supp. 3d at 75 (noting that the court must simply determine whether there is a factual foundation for the government’s decisions such that its conclusions regarding the proposed settlements are reasonable); *InBev*, 2009 U.S. Dist. LEXIS 84787, at *20 (“[T]he ‘public interest’ is not to be measured by comparing the violations alleged in the complaint against those the court believes could have, or even should have, been alleged”). Because the “court’s authority to review the decree depends entirely on the government’s exercising its prosecutorial discretion by bringing a case in the first place,” it follows that “the court is only authorized to review the decree itself,” and not to “effectively redraft the

complaint” to inquire into other matters that the United States did not pursue. *Microsoft*, 56 F.3d at 1459–60.

In its 2004 amendments to the APPA, Congress made clear its intent to preserve the practical benefits of using judgments proposed by the United States in antitrust enforcement, Public Law 108–237 § 221, and added the unambiguous instruction that “[n]othing in this section shall be construed to require the court to conduct an evidentiary hearing or to require the court to permit anyone to intervene.” 15 U.S.C. 16(e)(2); *see also U.S. Airways*, 38 F. Supp. 3d at 76 (indicating that a court is not required to hold an evidentiary hearing or to permit intervenors as part of its review under the Tunney Act). This language explicitly wrote into the statute what Congress intended when it first enacted the Tunney Act in 1974. As Senator Tunney explained: “[t]he court is nowhere compelled to go to trial or to engage in extended proceedings which might have the effect of vitiating the benefits of prompt and less costly settlement through the consent decree process.” 119 Cong. Rec. 24,598 (1973) (statement of Sen. Tunney). “A court can make its public interest determination based on the competitive impact statement and response to public comments alone.” *U.S. Airways*, 38 F. Supp. 3d at 76 (citing *Enova Corp.*, 107 F. Supp. 2d at 17).

VIII. Determinative Documents

There are no determinative materials or documents within the meaning of the APPA that were considered by the United States in formulating the proposed Final Judgment.

Dated: December 12, 2025
Respectfully submitted,
FOR PLAINTIFF
UNITED STATES OF AMERICA

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NEIGHBORHOOD REINVESTMENT CORPORATION

Sunshine Act Meetings

TIME AND DATE: 2:00 p.m., Thursday, December 18, 2025.

PLACE: via ZOOM.

STATUS: Parts of this meeting will be open to the public. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Regular Board of Directors meeting.

The General Counsel of the Corporation has certified that in her opinion, one or more of the exemptions set forth in the Government in the Sunshine Act, 5 U.S.C. 552b(c)(2) permit closure of the following portion(s) of this meeting:

- Executive (Closed) Session

Agenda

- I. Call to Order
- II. Action Item: Temporary Delegation of Authority to the President & CEO
- III. Action Item: Approval of Government in Sunshine Act Notice Waiver
- IV. Discussion Item: FY25 External Audit With CliftonLarsonAllen
- V. Sunshine Act Approval of Executive (Closed) Session
- VI. Executive Session: FY25 External Audit With CliftonLarsonAllen
- VII. Executive Session: CEO Report
- VIII. Executive Session: CFO Report
- IX. Executive Session: General Counsel Report
- X. Executive Session: CIO Report
- XI. Executive Session: Chief Audit Executive Report
- XII. Action Item: Approval of Meeting Minutes for June 26 Annual Board Meeting and September 11 Regular Board Meeting
- XIII. Action Item: Audit Committee Appointments
- XIV. Action Item: Capital Corporations—Master Investment Agreement
- XV. Action Item: Internal Audit Report Acceptance
 - a. Active Directory Management
 - b. Cyber Attack Incident Response II
 - c. Network Affiliations
- XVI. Discussion Item: Change to FY25/26 Internal Audit Plan
- XVII. Discussion Item: Lapse in Funding Policy—OMB Requested Edit
- XVIII. Discussion Item: Management Program Background and Updates
 - a. 2026 Board Calendar
 - b. 2026 Board Agenda Planner
 - c. CFO Report
 - i. Financials (Through 9/30/25)
 - ii. Single Invoice Approvals \$100K and Over

- iii. Vendor Payments \$350K and Over
- iv. Exceptions
- d. FY25–FY27 SP Scorecard—Q4
- e. Network Watchlist Report

PORTIONS OPEN TO THE PUBLIC:

Everything except the Executive (Closed) Session.

PORTIONS CLOSED TO THE PUBLIC:

Executive (Closed) Session.

CONTACT PERSON FOR MORE INFORMATION:

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Jenna Sylvester,

Paralegal.

[FR Doc. 2025–23277 Filed 12–16–25; 11:15 am]

BILLING CODE 7570–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–237 and 50–249; NRC–2024–0080]

Constellation Energy Generation, LLC; Dresden Nuclear Power Station, Units 2 and 3; Subsequent License Renewal and Record of Decision

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has issued Subsequent Renewed Facility Operating License Nos. DPR–19 and DPR–25 to Constellation Energy Generation, LLC (CEG, or the licensee), for Dresden Nuclear Power Station, Units 2 and 3 (Dresden). In addition, the NRC has prepared a record of decision (ROD) that supports the NRC’s decision to issue Subsequent Renewed Facility Operating License Nos. DPR–19 and DPR–25.

DATES: The Subsequent Renewed Facility Operating License Nos. DPR–19 and DPR–25 were issued on December 16, 2025.

ADDRESSES: Please refer to Docket ID NRC–2024–0080 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC–2024–0080. Address questions about Docket IDs in *Regulations.gov* to Bridget Curran; telephone: 301–415–1003; email: Bridget.Curran@nrc.gov. For technical questions, contact the individual(s) listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *NRC’s Agencywide Documents Access and Management System*

(ADAMS): You may obtain publicly available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select “Begin ADAMS Public Search.” For problems with ADAMS, please contact the NRC’s Public Document Room (PDR) reference staff at 1–800–397–4209, at 301–415–4737, or by email to PDR.Resource@nrc.gov. For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the “Availability of Documents” section.

- *NRC’s PDR:* The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to PDR.Resource@nrc.gov or call 1–800–397–4209 or 301–415–4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT:

Mark Yoo, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–8583; email: Mark.Yoo@nrc.gov.

SUPPLEMENTARY INFORMATION:**I. Discussion**

Notice is hereby given that the NRC has issued Subsequent Renewed Facility Operating License Nos. DPR–19 and DPR–25 to CEG for Dresden. CEG is the operator of the facilities. Subsequent Renewed Facility Operating License Nos. DPR–19 and DPR–25 authorize operation of Dresden, Units 2 and 3, by CEG at reactor core power levels not in excess of 2,957 megawatts thermal, in accordance with the provisions of the Dresden subsequent renewed licenses and technical specifications. Notice is also given that the ROD that supports the NRC’s decision to issue Subsequent Renewed Facility Operating License Nos. DPR–19 and DPR–25 is available in the “Availability of Documents” section of this document.

As discussed in the ROD and the final supplemental environmental impact statement (SEIS), published as NUREG–1437, Supplement 17, Second Renewal, “Generic Environmental Impact Statement for License Renewal of Nuclear Plants: Regarding Subsequent License Renewal for Dresden Nuclear Power Station, Units 2 and 3, Final Report,” dated September 2025, the final SEIS documents the NRC staff’s environmental review, including the determination that the adverse environmental impacts of subsequent license renewal (SLR) for Dresden are

not so great that preserving the option of SLR for energy planning decisionmakers would be unreasonable. The final SEIS conclusion is based on (1) information provided in the environmental report submitted by CEG, as supplemented, (2) the NRC staff’s consultations with Federal, State, local, and Tribal agencies, (3) the NRC staff’s independent environmental review, and (4) the NRC staff’s consideration of public comments received during the scoping process and on the 2025 draft SEIS.

Dresden is a boiling water reactor site located near Morris, Illinois. CEG submitted its application for the subsequent renewed license, “Dresden Nuclear Power Station, Units 2 and 3—Subsequent License Renewal Application,” on April 17, 2024, as supplemented by letters through May 8, 2025 (see “Availability of Documents” section of this document). The NRC staff has determined that CEG’s application complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and NRC’s regulations. As required by the Act and NRC regulations in Chapter 1 of title 10 of the *Code of Federal Regulations* (10 CFR), the NRC has made appropriate findings, which are set forth in the subsequent renewed licenses.

A public notice of the NRC’s acceptance for docketing of the subsequent renewed license application and an opportunity for a hearing was published in the **Federal Register** on June 24, 2024 (89 FR 52514). Further, a notice of intent to conduct environmental scoping was published on August 5, 2024 (89 FR 63450). On August 6, 2024, the NRC amended its environmental protection regulations by updating the Commission’s 2013 findings on the environmental effects of renewing the operating license of a nuclear power plant. This final rule redefines the number and scope of the environmental issues that must be addressed during the review of each application for license renewal (LR) and specifically considers the environmental effects of SLR. As part of this update, the NRC issued Revision 2 to the LR Generic Environmental Impact Statement (GEIS) to account for new information and to address the impacts of initial license renewal as well as one 20-year period of SLR. The final rule became effective for NRC staff on September 5, 2024. On September 9, 2025, the NRC staff issued its Safety Evaluation (SE) concerning the Dresden subsequent license renewal application (SLRA). In May 2025, the NRC staff issued a draft SEIS for public comment, providing the preliminary results of the