

Corp., Dkt. No. C-2492, 101 F.T.C. 373, 1974 WL 175259, at *1 (F.T.C. Mar. 9, 1983); *see also, e.g., In the matter of the Readers' Digest Ass'n*, Dkt. No. C-2075, 102 F.T.C. 1268, 1971 WL 128725, at *2 (F.T.C. Sept. 30, 1983) (concluding that "the public interest requires eliminating" a provision where "the costs that the [provision] imposes on respondent appear to outweigh any consumer benefits [that it] may confer"). Furthermore, the public interest is served by setting aside orders and provisions that restrict constitutionally protected speech where such restrictions "cause[] injury to [respondent] and the public that outweighs any benefit that may be derived from the restriction." *In the Matter of the American College of Obstetricians and Gynecologists*, Dkt. No. C-2855, 104 F.T.C. 524, 1984 WL 565347, at *1 (F.T.C. Aug. 28, 1984).

Here, the Order should be vacated in its entirety because "the Complaint does not provide even an 'ephemeral possibilit[y]' of harm, let alone a 'reason to believe' the law has been violated." Dissenting Statement at 2. The fact that the Complaint fails to identify any violation of section 7 "invalidates any justification for the order," *id.* at 6, and confirms that the Order confers no benefit on consumers. In light of the utter lack of justification for the Order, the harm that the Order causes to Mr. Sheffield easily outweighs its nonexistent benefits. *See Readers' Digest Ass'n*, 102 F.T.C. 1268, 1971 WL 128725, at *2. Furthermore, the only restrictions imposed by the Order—preventing Exxon from appointing Mr. Sheffield or any Pioneer employee to its Board and prohibiting Exxon from appointing Mr. Sheffield to serve as an adviser in any capacity to Exxon's management—"unnecessarily inhibit" Mr. Sheffield, thousands of Pioneer employees, and even Exxon "from engaging in conduct which, in and of itself, is innocuous and may, in certain circumstances, be procompetitive." *In the matter of Occidental Petroleum Corp.*, 101 F.T.C. 373, 1974 WL 175259, at *1. Vacatur of the Order is warranted to remove these unnecessary restrictions.

The Order "ignored the public interest by using [the FTC's] Complaint to obtain a consent agreement" that specifically targeted Mr. Sheffield, "an individual who was *not* party to the agreement." Dissenting Statement at 1. The public interest is harmed when an individual's constitutional and other legally protected rights are trampled upon by a federal agency without due process or other protections. As outlined in detail in Mr. Sheffield's

Comment, the FTC shared the draft Complaint with Mr. Sheffield only two days before Exxon signed the Consent Order, without ever engaging with Mr. Sheffield's counsel on the allegations in the Complaint. *See* Ex. 1, Sheffield Comment at 21–22. The "factual failings" of the Complaint are therefore "exacerbated by the process failings that the Majority embraced in this investigation," including the Majority's decision to "hide[] behind the caption that names only Exxon" despite the fact that the Order directly targets Mr. Sheffield, whose name appears "47 times in an eight-page redacted Complaint." Dissenting Statement at 4–5.

In addition to violating Mr. Sheffield's constitutional right to due process, the Order and Complaint disregard Mr. Sheffield's First Amendment rights, leveraging his protected government petitioning to support the FTC's flawed narrative that Mr. Sheffield is a purported advocate for collusion among oil producers, *see id.* at 4–5. Vacatur of the Order is therefore also warranted to protect Mr. Sheffield's constitutional rights to due process and to petition the government for redress. *See In the Matter of the American College of Obstetricians and Gynecologists*, 104 F.T.C. 524, 1984 WL 565347, at *2 (modifying order to clarify that "this order shall not be construed to prevent [respondent] from . . . [e]xercising rights permitted under the First Amendment to the United States Constitution to petition any federal or state government, executive agency, or legislative body concerning legislation, rules or procedures.").

In light of all of these factors, the Order should be set aside and vacated in its entirety.

Dated: March 14, 2025.

Respectfully submitted,

/s/ David Gelfand

David Gelfand,

Jeremy Calsyn,

Cleary Gottlieb Steen & Hamilton LLP, 2112 Pennsylvania Avenue NW, Washington, DC 20037, 202–974–1522, Counsel for Scott Sheffield.

[FR Doc. 2025–06562 Filed 4–16–25; 8:45 am]

BILLING CODE 6750–01–P

GENERAL SERVICES ADMINISTRATION

[Notice—MA–2025–05; Docket No. 2025–0002; Sequence No. 3]

Federal Management Regulation (FMR); Rescinding FMR Bulletin B–2023–55

AGENCY: Office of Government-wide Policy (OGP), General Services Administration (GSA).

ACTION: Notice of rescission of FMR Bulletin B–2023–55.

SUMMARY: GSA is issuing a notice to rescind Federal Management Regulation (FMR) Bulletin B–2023–55, "Fleet Management Information Systems" dated May 19, 2023 due to recent Executive orders.

DATES: *Applicability date:* April 17, 2025.

FOR FURTHER INFORMATION CONTACT: For clarification of content please contact Mr. Alexander J. Kurien, Deputy Associate Administrator, Office of Government-wide Policy, Office of Asset and Transportation Management, at 202–495–9628 or by email at vehicle.policy@gsa.gov.

SUPPLEMENTARY INFORMATION:

Background

GSA is rescinding FMR Bulletin B–2023–55 in line with Executive Orders (E.O.) 14148, *Initial Rescissions of Harmful Executive Orders and Actions*, dated January 20, 2025, and E.O. 14154, *Unleashing American Energy*, dated January 20, 2025, which revoked E.O. 14057, *Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability*, dated December 8, 2021.

Larry Allen,

Associate Administrator, Office of Government-wide Policy.

[FR Doc. 2025–06582 Filed 4–16–25; 8:45 am]

BILLING CODE 6820–14–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Minority Health and Health Disparities; Cancellation of Meeting

Notice is hereby given of the cancellation of the National Institute on Minority Health and Health Disparities Special Emphasis Panel, June 18, 2025, 9:00 a.m. to June 18, 2025, 6:00 p.m., National Institutes of Health, NIMHD, DEM II, Suite 800, 6707 Democracy Boulevard, Bethesda, MD 20892 which