

OMB. OMB's guidelines were published at 67 FR 8452 (Feb. 22, 2002), and DOE's guidelines were published at 67 FR 62446 (Oct. 7, 2002). Pursuant to OMB Memorandum M-19-15, Improving Implementation of the Information Quality Act (April 24, 2019), DOE published updated guidelines which are available at: <https://www.energy.gov/cio/departments-energy-information-quality-guideline>. DOE has reviewed this proposed rule rescission under the OMB and DOE guidelines and has concluded that it is consistent with applicable policies in those guidelines.

#### K. Review Under Executive Order 13211

E.O. 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use," 66 FR 28355 (May 22, 2001), requires Federal agencies to prepare and submit to OIRA at OMB, a Statement of Energy Effects for any significant energy action. A "significant energy action" is defined as any action by an agency that promulgates or is expected to lead to promulgation of a final rule, and that: (1) is a significant regulatory action under Executive Order 12866, or any successor order and is likely to have a significant adverse effect on the supply, distribution, or use of energy; or (2) is designated by the Administrator of OIRA as a significant energy action. For any significant energy action, the agency must give a detailed statement of any adverse effects on energy supply, distribution, or use should the proposal be implemented, and of reasonable alternatives to the action and their expected benefits on energy supply, distribution, and use.

This proposed rule rescission is not a significant regulatory action under E.O. 12866. Moreover, it would not have a significant adverse effect on the supply, distribution, or use of energy, nor has it been designated as such by the Administrator at OIRA. Accordingly, DOE has not prepared a Statement of Energy Effects.

#### L. Review Under Additional Executive Orders and Presidential Memoranda

DOE has examined this rescission and has tentatively determined that it is consistent with the policies and directives outlined in Executive Order 14192, "Unleashing Prosperity Through Deregulation." This rescission is expected to be an Executive Order 14192 deregulatory action.

### III. Approval of the Office of the Secretary

The Secretary of Energy has approved publication of this proposed rule; request for comment.

#### List of Subjects in 10 CFR Part 1040

Age, Civil rights, Equal employment opportunity, Individuals with disabilities, Sex discrimination.

#### Signing Authority

This document of the Department of Energy was signed on May 9, 2025, by Chris Wright, Secretary, Department of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on May 9, 2025.

**Jennifer Hartzell,**

*Alternate Federal Register Liaison Officer,  
U.S. Department of Energy.*

For the reasons set forth in the preamble, DOE proposes to amend part 1040 of chapter X of title 10 of the Code of Federal Regulations, as set forth below:

### PART 1040—NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS OR ACTIVITIES

■ 1. The authority citation for subpart E of part 1040 continues to read as follows:

**Authority:** Age Discrimination Act of 1975, as amended (42 U.S.C. 6101 *et seq.*); 45 CFR part 90.

#### § 1040.88 [Amended]

■ 2. Amend § 1040.88, by removing and reserving paragraphs (b) and (c).

[FR Doc. 2025-08595 Filed 5-12-25; 9:30 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2025-0758; Project Identifier MCAI-2024-00651-T]

RIN 2120-AA64

### Airworthiness Directives; Airbus SAS Airplanes

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** The FAA proposes to supersede Airworthiness Directive (AD) 2022-15-05, which applies to certain Airbus SAS Model A318 series airplanes; Model A319-111, -112, -113, -114, -115, -131, -132, and -133 airplanes; Model A320-211, -212, -214, -216, -231, -232, and -233 airplanes; and Model A321-111, -112, -131, -211, -212, -213, -231, and -232 airplanes. AD 2022-15-05 requires repetitive high frequency eddy current (HFEC) inspections for cracks on the web horizontal flange and inner cap, and applicable corrective actions. Since the FAA issued AD 2022-15-05, additional cracks have been found at the door stop fitting number 1 holes at frame (FR) 68, after disassembly of the door stop fitting as part of the inspections required by AD 2022-15-05. This proposed AD would continue to require the actions in AD 2022-15-05, but with reduced compliances times for some inspections, and would require an additional inspection at door stop fitting number 1, as specified in a European Union Aviation Safety Agency (EASA) AD, which is proposed for incorporation by reference. The FAA is proposing this AD to address the unsafe condition on these products.

**DATES:** The FAA must receive comments on this proposed AD by June 30, 2025.

**ADDRESSES:** You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- **Federal eRulemaking Portal:** Go to [regulations.gov](https://www.regulations.gov). Follow the instructions for submitting comments.

- **Fax:** 202-493-2251.

- **Mail:** U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

- **Hand Delivery:** Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**AD Docket:** You may examine the AD docket at *regulations.gov* under Docket No. FAA–2025–0758; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

**Material Incorporated by Reference:**

- For EASA material identified in this proposed AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email [ADs@easa.europa.eu](mailto:ADs@easa.europa.eu); website [easa.europa.eu](http://easa.europa.eu). You may find this material on the EASA website at [ad.easa.europa.eu](http://ad.easa.europa.eu). It is also available at *regulations.gov* under Docket No. FAA–2025–0758.

- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

**FOR FURTHER INFORMATION CONTACT:**

Nathan Weigand, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206–231–3531; email: [nathan.p.weigand@faa.gov](mailto:nathan.p.weigand@faa.gov).

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include “Docket No. FAA–2025–0758; Project Identifier MCAI–2024–00651–T” at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to *regulations.gov*, including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this NPRM.

**Confidential Business Information**

CBI is commercial or financial information that is both customarily and actually treated as private by its owner.

Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as “PROPIN.” The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Nathan Weigand, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206–231–3531; email: [nathan.p.weigand@faa.gov](mailto:nathan.p.weigand@faa.gov). Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

**Background**

The FAA issued AD 2022–15–05, Amendment 39–22125 (87 FR 45013, July 27, 2022) (AD 2022–15–05), for all Airbus SAS Model A318–111, A318–112, A318–121, A318–122, A319–111, A319–112, A319–113, A319–114, A319–115, A319–131, A319–132, A319–133, A320–211, A320–212, A320–214, A320–216, A320–231, A320–232, A320–233, A321–111, A321–112, A321–131, A321–211, A321–212, A321–213, A321–231, and A321–232 airplanes, except those airplanes with certain modifications installed that convert the airplane to a corporate jet. AD 2022–15–05 was prompted by MCAI originated by EASA, which is the Technical Agent for the Member States of the European Union. EASA issued AD 2022–0030, dated February 25, 2022 (EASA AD 2022–0030), to correct an unsafe condition identified as cracks on the web horizontal flange and inner cap on FR 68, left-hand (LH) and right-hand (RH) sides, at stringer (STGR) 22, which could result in reduced structural integrity of the fuselage.

AD 2022–15–05 requires repetitive HFEC inspections for cracks on the web horizontal flange and inner cap and applicable corrective actions in accordance with EASA AD 2022–0030, which specifies using the original or later-approved revisions of Airbus Service Bulletin A320–53–1491. The FAA issued AD 2022–15–05 to address a report that during the inspection for the door stop fitting holes at FR 66 and FR 68 required by EASA AD 2016–0238, dated December 2, 2016; corrected January 4, 2017 (which prompted FAA

AD 2018–03–12, Amendment 39–19185 (83 FR 5906, February 12, 2018)), cracks were found on the web horizontal flange and inner cap on FR 68, LH and RH sides, at STGR 22.

**Actions Since AD 2022–15–05 Was Issued**

Since the FAA issued AD 2022–15–05, EASA superseded EASA AD 2022–0030, dated February 25, 2022, and issued EASA AD 2024–0210, dated October 29, 2024 (EASA AD 2024–0210) (also referred to as “the MCAI”), for all Airbus SAS Model A318–111, A318–112, A318–121, A318–122, A319–111, A319–112, A319–113, A319–114, A319–115, A319–131, A319–132, A319–133, A320–211, A320–212, A320–214, A320–215, A320–216, A320–231, A320–232, A320–233, A321–111, A321–112, A321–131, A321–211, A321–212, A321–213, A321–231, and A321–232 airplanes, except those airplanes with certain modifications installed that convert the airplane to a corporate jet. The MCAI states that after EASA AD 2022–0030 was issued, cracks have been found at the door stop fitting number 1 holes at FR 68, after the door stop fitting disassembly as part of the inspections in Airbus Service Bulletin A320–53–1491 Revision 1. Therefore, Airbus issued revision 2 of its service bulletin to include an additional inspection of the FR 68 door stop fitting number 1 holes with a larger inspection area, and an additional HFEC inspection on FR68 around the door stop fitting number 1 nuts. Some compliance times have been reduced and the procedures in the service bulletin have been updated.

The FAA is proposing this AD to address cracks on the door stop 1, web horizontal flange and inner cap on FR 68, LH and RH sides, at STGR 22, which could result in reduced structural integrity of the fuselage. You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2025–0758.

**Material Incorporated by Reference Under 1 CFR Part 51**

EASA AD 2024–0210 specifies procedures for repetitive inspections of certain areas of the fuselage and taking corrective actions if there are cracks or discrepancies by following the manufacturer’s service information. EASA AD 2024–0210 also specifies reporting all inspection findings to Airbus. Specifically, the inspections are high frequency eddy current inspections of the frame horizontal flange radii, inner cap fillet radius, the door stop 1 fasteners, and the frame inner cap corner at FR 68. The instructions for the inspections depend on whether a repair

part has been installed. On-condition corrective actions include additional inspections for cracking, inspections to determine if a certain modification or repair was done, and repair of cracking at the web horizontal flange. This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the ADDRESSES section.

FAA’s Determination

This product has been approved by the aviation authority of another country and is approved for operation in the United States. Pursuant to the FAA’s bilateral agreement with this State of Design Authority, it has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA is issuing this NPRM after determining that the unsafe condition described previously is likely to exist or develop in other products of the same type design.

Proposed AD Requirements in This NPRM

This proposed AD would retain all the requirements of AD 2022–15–05, with reduced compliance times for some actions, additional inspections, and updated procedures and figures.

This proposed AD would require accomplishing the actions specified in EASA AD 2024–0210 described previously, except for any differences identified as exceptions in the regulatory text of this proposed AD. See “Differences Between This NPRM and the MCAI” for a discussion of these differences.

Explanation of Required Compliance Information

In the FAA’s ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some civil aviation authority (CAA) ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, the FAA proposes to incorporate EASA AD 2024–0210 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2024–0210 in its entirety through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Using common terms that are the same as the heading of a particular section in EASA AD 2024–0210 does not mean

that operators need to comply only with that section. For example, where the AD requirement refers to “all required actions and compliance times,” compliance with this AD requirement is not limited to the section titled “Required Action(s) and Compliance Time(s)” in EASA AD 2024–0210. Material required by EASA AD 2024–0210 for compliance will be available at *regulations.gov* under Docket No. FAA–2025–0758 after the FAA final rule is published.

Differences Between This NPRM and the MCAI

Where the MCAI specifies reporting information to the manufacturer, this NPRM does not propose to require reporting. The FAA has determined that it does not need the data from the reports.

Although the MCAI applies to Model A320–215 airplanes, this proposed AD would not because that model does not have an FAA type certificate.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 1,924 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspection for repair part High frequency eddy current inspection.	1 work-hour × \$85 per hour = \$85 ..... 27 work-hours × \$85 per hour = \$2,295 per inspection cycle.	\$0 0	\$85 ..... \$2,295 per inspection cycle.	\$163,540. \$4,415,580 per inspection cycle.

The FAA estimates the following costs to do any on-condition inspections that would be required based on the

results of the high frequency eddy current inspections. The FAA has no way of determining the number of

airplanes that might need these on-condition inspections:

ESTIMATED COSTS OF ON-CONDITION ACTIONS

Action	Labor cost	Parts cost	Cost per product
On-condition inspections .....	Up to 30 work-hours × \$85 per hour = \$2,550 .....	\$0	Up to \$2,550.

The extent of cracking and other conditions found during the inspections could vary significantly from airplane to airplane. The FAA has no way of determining which conditions may be found on each airplane, the cost to correct or repair each airplane, or the number of airplanes that may require repair.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA’s authority to issue rules on aviation safety. Subtitle I,

section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency’s authority.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds

necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

The FAA determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect 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.

For the reasons discussed above, I certify this proposed regulation:

(1) Is not a “significant regulatory action” under Executive Order 12866,

(2) Would not affect intrastate aviation in Alaska, and

(3) Would not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

#### The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

### PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

#### § 39.13 [Amended]

■ 2. The FAA amends § 39.13 by:

- a. Removing Airworthiness Directive (AD) 2022–15–05, Amendment 39–22125 (87 FR 45013, July 27, 2022); and
- b. Adding the following new AD:

**Airbus SAS:** Docket No. FAA–2025–0758; Project Identifier MCAI–2024–00651–T.

#### (a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by June 30, 2025.

#### (b) Affected ADs

This AD replaces AD 2022–15–05, Amendment 39–22125 (87 FR 45013, July 27, 2022) (AD 2022–15–05).

#### (c) Applicability

This AD applies to Airbus SAS Model airplanes identified in paragraphs (c)(1) through (4) of this AD, certificated in any category, as identified in European Union Aviation Safety Agency (EASA) AD 2024–0210, dated October 29, 2024 (EASA AD 2024–0210).

(1) Model A318–111, –112, –121, and –122 airplanes.

(2) Model A319–111, –112, –113, –114, –115, –131, –132, and –133 airplanes.

(3) Model A320–211, –212, –214, –216, –231, –232, and –233 airplanes.

(4) Model A321–111, –112, –131, –211, –212, –213, –231, and –232 airplanes.

#### (d) Subject

Air Transport Association (ATA) of America Code 53, Fuselage.

#### (e) Unsafe Condition

This AD was prompted by a report that cracks were found on the web horizontal flange and inner cap on frame (FR) 68, left-hand (LH) and right-hand (RH) sides, at stringer (STGR) 22, and at the door stop fitting number 1 holes at FR 68. The FAA is issuing this AD to address the cracks on the door stop 1, web horizontal flange and inner cap on FR 68, LH and RH sides, at STGR 22. The unsafe condition, if not addressed, could result in reduced structural integrity of the fuselage.

#### (f) Compliance

Comply with this AD within the compliance times specified, unless already done.

#### (g) Requirements

Except as specified in paragraphs (h) and (i) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, EASA AD 2024–0210.

#### (h) Exceptions to EASA AD 2024–0210

(1) Where EASA AD 2024–0210 refers to “22 November 2021 [the effective date of EASA AD 2021–0242]”, this AD requires using August 31, 2022 (the effective date of AD 2022–15–05).

(2) Where EASA AD 2024–0210 refers to its effective date, this AD requires using the effective date of this AD.

(3) Where paragraph (1) of EASA AD 2024–0210 refers to “the SDI”, this AD requires replacing that text with “the applicable inspections”.

(4) This AD does not adopt the “Remarks” section of EASA AD 2024–0210.

(5) This AD does not adopt paragraphs (2) and (3) of EASA AD 2024–0210.

(6) Where paragraph (4) of EASA AD 2024–0210 states “discrepancies”, this AD requires replacing that word with “conditions”.

(7) Where paragraph (4) of EASA AD 2024–0210 states “within the compliance time specified therein”, this AD requires replacing that text with “before further flight”.

(8) Where paragraph (6) of EASA AD 2024–0210 specifies “the instructions provided by Airbus”, for this AD, those instructions must be approved by the FAA, EASA, or Airbus SAS’s EASA DOA. If approved by the DOA, the approval must include the DOA-authorized signature.

#### (i) No Reporting Requirement

Although paragraph (7) of and the material referenced in EASA AD 2024–0210 specify to submit certain information to the manufacturer, this AD does not include that requirement.

#### (j) Additional AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, AIR–520, Continued Operational Safety Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as

appropriate. If sending information directly to the manager of the Continued Operational Safety Branch, send it to the attention of the person identified in paragraph (k) of this AD and email to: [AMOC@faa.gov](mailto:AMOC@faa.gov). Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, Continued Operational Safety Branch, FAA; or EASA; or Airbus SAS’s EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(3) *Required for Compliance (RC):* Except as required by paragraphs (h), (i), and (j)(2) of this AD, if any material contains procedures or tests that are identified as RC, those procedures and tests must be done to comply with this AD; any procedures or tests that are not identified as RC are recommended. Those procedures and tests that are not identified as RC may be deviated from using accepted methods in accordance with the operator’s maintenance or inspection program without obtaining approval of an AMOC, provided the procedures and tests identified as RC can be done and the airplane can be put back in an airworthy condition. Any substitutions or changes to procedures or tests identified as RC require approval of an AMOC.

#### (k) Additional Information

For more information about this AD, contact Nathan Weigand, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206–231–3531; email: [nathan.p.weigand@faa.gov](mailto:nathan.p.weigand@faa.gov).

#### (l) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference of the material listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this material as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(i) European Union Aviation Safety Agency (EASA) AD 2024–0210, dated October 29, 2024.

(ii) [Reserved]

(3) For EASA material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email [ADs@easa.europa.eu](mailto:ADs@easa.europa.eu); website [easa.europa.eu](http://easa.europa.eu). You may find this material on the EASA website at [ad.easa.europa.eu](http://ad.easa.europa.eu).

(4) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

(5) You may view this material at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, visit [www.archives.gov/federal-register/cfr/ibr-locations](http://www.archives.gov/federal-register/cfr/ibr-locations), or email [fr.inspection@nara.gov](mailto:fr.inspection@nara.gov).

Issued on May 12, 2025.

**Peter A. White,**

*Deputy Director, Integrated Certificate Management Division, Aircraft Certification Service.*

[FR Doc. 2025–08664 Filed 5–15–25; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### 14 CFR Parts 300, 302, and 399

#### 49 CFR Parts 1, 5, 7, 106, 389, 553, and 601

[Docket No. DOT–OST–2025–0007]

RIN 2105–AF32

### Administrative Rulemaking, Guidance, and Enforcement Procedures

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

**ACTION:** Notice of Proposed Rulemaking (NPRM).

**SUMMARY:** This NPRM proposes to reinstate and expound upon procedural reforms for the Department's rulemakings, guidance documents, and enforcement actions rescinded by a final rule published by the Department on April 2, 2021, "Administrative Rulemaking, Guidance, and Enforcement Procedures." Accordingly, this proposed rule would revise and update the Department's internal policies and procedures relating to the issuance of rulemaking documents. In addition, this NPRM proposes updates to the Department's procedural requirements governing the review and clearance of guidance documents, and the initiation and conduct of enforcement actions, including administrative enforcement proceedings and judicial enforcement actions brought in Federal court.

**DATES:** Comments must be received by June 16, 2025. DOT will consider late-filed comments to the extent practicable.

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

- *Federal Rulemaking Portal:* <https://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Mail:* Docket Management System; U.S. Department of Transportation, Docket Operations, M–30, Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590–0001.

- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M–30, Ground Floor, Room W12–140, 1200

New Jersey Avenue SE, Washington, DC 20590–0001 between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.

- *Instructions:* You must include the agency name and docket number DOT–OST–2025–007 or the Regulatory Identification Number (RIN 2105–AF32) for the rulemaking at the beginning of your comment. All comments received will be posted without change to <https://www.regulations.gov>, including any personal information provided.

**FOR FURTHER INFORMATION CONTACT:** Jill Laptosky, Office of Regulation and Legislation, Office of the General Counsel, 202–493–0308, [Jill.Laptosky@dot.gov](mailto:Jill.Laptosky@dot.gov).

**SUPPLEMENTARY INFORMATION:** The Department proposes to reinstate procedural reforms to its policies and procedures governing the issuance of rulemakings and guidance documents, and the initiation and conduct of enforcement actions repealed by a final rule published by the Department on April 2, 2021, "Administrative Rulemaking, Guidance, and Enforcement Procedures" (86 FR 17292), which the Department issued in response to two Executive Orders that were revoked by the President in Executive Order 14148, "Initial Rescissions of Harmful Executive Orders and Actions" (January 20, 2025).<sup>1</sup> The reforms proposed in this NPRM set forth (1) updated policies and procedures governing the development and issuance of regulations by the Department's operating administrations and components of the Office of the Secretary; (2) enhanced procedures for the review and clearance of guidance documents; and (3) improved procedural requirements governing the Department's administrative enforcement actions and judicial enforcement actions brought in Federal court, including express rights of regulated parties to enforce the protections proposed in this NPRM through administrative proceedings.

In rescinding these procedures in 2021, the Department argued that many of the provisions that would be reinstated through this action were already contained in existing internal procedures, could be accomplished by internal directives as necessary and appropriate, and could slow important regulatory efforts. The Department has reconsidered these justifications for the 2021 rulemaking and supports the recodification of the procedures. While many of the procedures contained in this notice of proposed rulemaking are

contained in internal procedures, they are not found in one comprehensive and consolidated source. Codifying the Department's procedures concerning enforcement and the development and issuance of rulemaking and guidance documents into the Code of Federal Regulations leaves no doubt to departmental staff and regulated entities on the expectations regarding the procedural safeguards and expectations governing the Department's administrative actions. In addition, the Department finds that any administrative delay associated with these procedures would not only be minimal, based on past practice with these procedures, but also would be outweighed by the Department's production of higher quality rulemaking, guidance documents, and enforcement actions. The Department produces its best work when it is informed by robust public input, the best available data, and sound law and economics, and these procedures increase opportunities to receive those essential building blocks for good governance that would strengthen the overall quality and fairness of the Department's administrative actions. In addition, the Department proposes to revise the existing policies and procedures because they are inconsistent with current departmental and Administration policy, and do not consider the costs and implications of government regulation and intervention adequately.

### Rulemaking Procedures

The procedures set forth in this proposed rule would apply to all phases of the Department's rulemaking process, from advance notices of proposed rulemakings to the promulgation of final rules, including substantive rules, rules of interpretation, and rules prescribing agency procedures and practice requirements applicable to outside parties. The proposal outlines regulatory policies, such as ensuring that there are no more regulations than necessary, that where they impose burdens, regulations are narrowly tailored to address identified market failures or statutory mandates, and that they specify performance objectives when appropriate.

The proposal would reestablish the Department's Regulatory Reform Task Force and assign it an important role in the development of the Department's regulatory portfolio and ongoing review of regulations. As proposed, the Regulatory Reform Task Force would be chaired by the Regulatory Reform Officer and tasked with evaluating

<sup>1</sup> Executive Order No. 14148, "Initial Rescissions of Harmful Executive Orders and Actions," 90 FR 8237 (January 28, 2025).