(ii) a government of a ''major non-NATO ally,'' as that term is defined by section 2013(7) of the American Servicemembers' Protection Act of 2002 (22 U.S.C. 7432(7));

(f) the term ''immediate family member'' means a spouse or child;

(g) the term ''alien'' has the meanings given to the term in section 101(a)(3) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1101(a)(3)); and

(h) the term ''foreign person'' means a person that is not a United States person.

Sec. 9. For those persons whose property and interests in property are blocked pursuant to this order who might have a constitutional presence in the United States, I find that because of the ability to transfer funds or other assets instantaneously, prior notice to such persons of measures to be taken pursuant to section 1 of this order would render those measures ineffectual. I therefore determine that for these measures to be effective in addressing the national emergency declared in this order, there need be no prior notice of a listing or determination made pursuant to section 1 of this order.

Sec. 10. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including adopting rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to implement this order. The Secretary of the Treasury may, consistent with applicable law, redelegate any of these functions within the Department of the Treasury. All executive departments and agencies of the United States shall take all appropriate measures within their authority to implement this order.

Sec. 11. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to submit recurring and final reports to the Congress on the national emergency declared in this order, consistent with section 401(c) of the NEA (50 U.S.C. 1641(c)) and section 204(c) of IEEPA (50 U.S.C. 1703(c)).

Sec. 12. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP
THE WHITE HOUSE,
February 6, 2025.

Annex

1. Karim Khan, Prosecutor of the ICC.

Lisa M. Palluconi,
Acting Director, Office of Foreign Assets Control. Department of the Treasury.

[FR Doc. 2025–12036 Filed 6–30–25; 8:45 am]
BILLING CODE 4810–AL–P

DEPARTMENT OF DEFENSE

Department of the Air Force

32 CFR Part 989

[Docket ID: USAF–2025–HQ–0003]

RIN 0701–AA97

Removal of Environmental Impact Analysis Process (EIAP) Regulation

AGENCY: Department of the Air Force, Department of Defense (DoD).

ACTION: Interim final rule; request for comments.

SUMMARY: The DAF is rescinding its National Environmental Policy Act (NEPA) regulations because the Council on Environmental Quality's (CEQ) NEPA regulations, which they were meant to supplement, have been rescinded, and because the DoD is promulgating Department-wide NEPA procedures that will guide DAF's NEPA process.

DATES: This interim final rule is effective July 1, 2025. Comments must be received on or before July 31, 2025.

ADDRESSES: You may submit comments, identified by docket number and/or Regulation Identifier Number (RIN), by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Department of Defense, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Regulatory Directorate, 4800 Mark Center Drive, Mailbox #24, Suite 05F16, Alexandria, VA 22350–1700.

The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Mr. Jack Bush at 703–695–1773 or by email at *af.a4c.nepaworkflow@us.af.mil.*

SUPPLEMENTARY INFORMATION:

Inspection of Public Comments: All comments received before the close of the comment period are available for viewing by the public at *http://www.regulations.gov.* Comments are posted as soon as possible after they have been received. Follow the search instructions on that website to view public comments. DAF will not post public comments that make threats to individuals or institutions or suggest that the commenter will take actions to harm an individual. DAF will post acceptable substantive comments from multiple unique commenters.

Plain Language Summary: In accordance with 5 U.S.C. 553(b)(4), a plain language summary of this rule may be found at *https://www.regulations.gov/.*

I. Background

Title 32 CFR part 989 provides guidance for implementing the procedural provisions of NEPA and was drafted to supplement the CEQ regulations at 40 CFR parts 1500 through 1508. *See* 32 CFR 989.1(b). The DAF regulation is applicable to all DAF activities and organizations. However, the CEQ's regulations have been repealed, effective April 11, 2025. *See Removal of National Environmental Policy Act Implementing Regulations,* (90 FR 10610; Feb. 25, 2025). This action was necessitated by and is consistent with Executive Order (E.O.) 14154, *Unleashing American Energy* (90 FR 8353; January 20, 2025), in which President Trump rescinded President Carter's E.O. 11991, *Relating to Protection and Enhancement of Environmental Quality* (42 FR 26967; May 24, 1977), which was the basis CEQ had invoked for its authority to make rules to begin with. DAF's regulations, which were a ''supplement[] . . . to be used in conjunction with'' those CEQ regulations, thus stand in obvious need of fundamental revision. President Trump in E.O. 14154 further directed agencies to revise their NEPA implementing procedures, consistent with the E.O., including its direction to CEQ to rescind its regulations.

In addition, Congress recently amended NEPA in significant part, in the Fiscal Responsibility Act of 2023 (FRA), Public Law 118–5, signed on June 3, 2023, in which Congress added substantial detail and direction in Title I of NEPA, including in particular on

procedural issues that CEQ and individual acting agencies had previously addressed in their own procedures. The DAF recognized the need to update its regulations in light of these significant legislative changes. Since the DAF's regulations were originally designed as a supplement to CEQ's NEPA regulations, the DAF had been awaiting CEQ action before revising its regulations, consistent with CEQ direction. *See* 40 CFR 1507.3(b) (2024); *see also* 86 FR 34154 (June 29, 2021). However, with CEQ's regulations now rescinded, and with the DAF's NEPA implementing procedures still unmodified more than two years after this significant legislative overhaul, it is exigent that the DAF move quickly to conform its procedures to the statute as amended.

Finally, the Supreme Court on May 29, 2025 issued a landmark decision, *Seven County Infrastructure Coalition* v. *Eagle County, Colorado,* 145 S. Ct. 1497 (2025), in which it decried the ''transform[ation]'' of NEPA from its roots as ''a modest procedural requirement,'' into a significant ''substantive roadblock'' that ''paralyze[s]'' ''agency decisionmaking.'' *Id.* at 1507, 1513 (quotations omitted). The Supreme Court explained that part of that problem had been caused by decisions of lower courts, which it rejected, issuing a ''course correction'' mandating that courts give ''substantial deference'' to reasonable agency conclusions underlying their NEPA processes. *Id.* at 1513–14. But the Court also acknowledged, and through its course correction sought to address, the effect on ''litigation-averse agencies'' which, in light of judicial ''micromanage[ment],'' had been ''tak[ing] ever more time and . . . prepar[ing] ever longer EISs for future projects.'' *Id.* at 1513. The DAF is therefore issuing this Interim Final Rule (IFR) to align its actions with the Supreme Court's decision and streamline its process of ensuring reasonable NEPA decisions. This revision has thus been called for, authorized, and directed by all three branches of government at the highest possible levels.

DoD has elected to respond to these instructions by promulgating Department-wide NEPA procedures, *Department of Defense National Environmental Policy Act Implementing Procedures,* which will guide DAF's NEPA process henceforth. The Supreme Court could not have been clearer in *Seven County* that NEPA is a procedural statute. *See* 145 S.Ct. at 1507 (''NEPA is a purely procedural statute.''); *id.* at 1510 (''NEPA is purely procedural. . . . NEPA 'does not mandate particular results, but simply prescribes the necessary process' for an agency's environmental review of a project;''); *id.* at 1511 (NEPA is a *purely procedural statute*''); *id.* at 1513 (NEPA is properly understood as ''a modest procedural requirement''); *id.* at 1514 (''NEPA's status as a purely procedural statute''); *see also id.* at 1507 (''Simply stated, NEPA is a procedural cross-check, not a substantive roadblock.''). Mindful of this, DOD has decided that the flexibility to respond to new developments in this fast-evolving area of law, afforded by using non-codified procedures, outweighs the public-transparency virtues of codifying its regulations going forward. Notably, DoD can—and will—ensure that accessibility to the public by posting these procedures online, retaining the transparency virtues. By contrast, not codifying its procedures will enable it to rapidly update these procedures in response to future court decisions (such as *Seven County*), Presidential directives, or the needs of the services. The use of non-codified procedures is, moreover, consistent with the approach that several other Federal agencies have used for decades.

DoD has, correspondingly, directed all military departments to repeal their respective NEPA implementing regulations by June 30, 2025, per a May 21, 2025, memorandum. Thus, with this action, the DAF rescinds its NEPA implementing regulations at 32 CFR part 989. The DAF is furthermore taking this action because the CEQ NEPA regulations, which the DAF regulations supplemented, were repealed effective April 11, 2025. The DAF is rescinding its NEPA regulations to avoid confusion from maintaining a regulation that was drafted to supplement a regulation that has now been revoked. The DAF intends to continue to rely on categorical exclusions previously published in appendix B of 32 CFR part 989 or adopted by public notice in the **Federal Register** (*e.g.,* 89 FR 92911), all of which have now been incorporated into the Appendix to *Department of Defense National Environmental Policy Act Implementing Procedures.*

DAF acknowledges that third parties may claim to have reliance interests in DAF's existing NEPA procedures. Moreover, as the Supreme Court has just explained, NEPA ''is a purely procedural statute'' that ''imposes no substantive environmental obligations or restrictions.'' *Seven County,* 145 S. Ct. at 1507. Any asserted reliance interests grounded in substantive environmental concerns are not in accord with the best meaning of the law and are entitled to ''no . . . weight.'' *Dep't of Homeland Sec.* v. *Regents of the Univ. of California,* 140 S. Ct. 1891, 1914 (2020).

Because reliance interests are inherently backward-looking, it is unclear how any party could assert reliance interests in *prospective* procedures. To the extent such interests exist, DAF concludes that they are ''outweigh[ed]'' by ''other interests and policy concerns.'' *Id.* Namely, the complex web of regulations that preexisted the 2023 amendments to NEPA and the new Procedures repeatedly ''led to more agency analysis of separate projects, more consideration of attenuated effects, more exploration of alternatives to proposed agency action, more speculation and consultation and estimation and litigation,'' which in turn has meant that ''[f]ewer projects make it to the finish line,'' or even ''to the starting line.'' *Seven County,* 145 S. Ct. at 1513–14. This has increased the cost of projects dramatically, ''both for the agency preparing the EIS and for the builder of the project,'' resulting in systemic harms to America's infrastructure and economy. *Id.* at 1514. Correspondingly, the wholesale revision and simplification of this regime, effectuated by the DoD's new NEPA procedures, is necessary to ensure efficient and predictable reviews, with significant upsides for the economy and for projects of all sorts. This set of policy considerations drastically outweighs any claimed reliance interests in the preexisting procedures.

DAF has taken this action as part of DoD's broader approach to revising its implementation of NEPA, in which DoD and its components have revised their NEPA implementing procedures to conform to the 2023 statutory amendments, to respond to President Trump's direction in E.O. 14154 to, ''[c]onsistent with applicable law, prioritize efficiency and certainty over any other objectives, including those of activist groups, that do not align with the policy goals set forth in section 2 of [that] order or that could otherwise add delays and ambiguity to the permitting process,'' and to address the pathologies of the NEPA process and NEPA litigation as identified by the Supreme Court. Where DoD and its components have retained an aspect of their preexisting NEPA implementing procedures, it is because that aspect is compatible with these guiding principles; where DoD and its components have revised or removed an aspect, it is because that aspect is not so compatible.

II. Publication as an Interim Final Rule

A. Notice-and-Comment Rulemaking Is Not Required

DAF is repealing its prior procedures and practices for implementing NEPA, a ''purely procedural statute'' which ''simply prescribes the necessary process for an agency's environmental review of a project—a review that is, even in its most rigorous form, ''only one input into an agency's decision and does not itself require any particular substantive outcome.'' *Seven County,* 145 S.Ct. at 1507, 1511 (internal quotation omitted). ''NEPA imposes no *substantive* constraints on the agency's ultimate decision to build, fund, or approve a proposed project,'' and ''is relevant only to the question of whether an agency's final decision''—*i.e.,* that decision to authorize, fund, or otherwise carry out a particular proposed project or activity—''was reasonably explained.'' *Id.* at 1511. As such, notice and comment procedures are not required because this revision falls within the Administrative Procedure Act (APA) exception for ''rules of agency organization, procedure, or practice.'' 5 U.S.C. 553(b)(A). DAF's existing regulations do not dictate what outcomes such consideration must produce, nor do they impose binding legal obligations on private citizens. Rather, they prescribe how DAF will conduct its NEPA reviews: detailing the structure of environmental impact statements, specifying submission requirements, and directing the timing of public comment periods. These are procedural provisions, not ones that impose substantive environmental obligations or restrictions. DAF recognized as much, indeed, even when codifying them: DAF was explicit that was ''issuing its NEPA Guidelines as regulations that will be published in the *Code of Federal Regulations*'' to ''ensure that its NEPA procedures are more accessible to the public,'' and not because the agency had changed its mind that the procedures were just that, procedural. 57 FR 15122; 55 FR 46444. Indeed, both emphasized that ''[t]he rule amends and codifies already existing policies and procedures for compliance with NEPA,'' and contained no substantive changes that would impose obligations on private citizens. 57 FR 15144; 55 FR 46448. Thus, because procedural rules do not require notice and comment, they do not require notice and comment to be removed from the Code of Federal Regulations. *See* 5 U.S.C. 553(b)(A).[1]

Moreover, even if (and to the extent that) DAF's regulations were not procedural rules, they may be characterized as interpretative rules or general statements of policy under 5 U.S.C. 553(b)(A). An interpretative rule provides an interpretation of a statute, rather than making discretionary policy choices that establish enforceable rights or obligations for regulated parties under delegated congressional authority. The definitions in Appendix A of DAF's procedures, for instance, may be classified as such. General statements of policy provide notice of an agency's intentions as to how it will enforce statutory requirements, again without creating enforceable rights or obligations for regulated parties under delegated congressional authority. The prefatory sections DAF's procedures, for instance, may be classified as general statements of policy. Both of these types of agency action are expressly exempted from notice and comment by statute, 5 U.S.C. 553(b)(A), and do not require notice and comment for removal.

Accordingly, although DAF is voluntarily providing notice and an opportunity to comment on this interim final rule, the agency has determined that notice-and-comment procedures are not required. The fact that DAF previously undertook notice-and-comment rulemaking in promulgating these regulations is immaterial: As the Supreme Court has held, where notice-and-comment procedures are not required, prior use of them in promulgating a rule does not bind the agency to use such procedures in repealing it. *Perez* v. *Mortg. Bankers Ass'n,* 575 U.S. 92, 101 (2015).

B. DAF Has Good Cause for Proceeding With an Interim Final Rule

Moreover, DAF also finds that, to the extent that prior notice and solicitation of public comment would otherwise be required or this action could not immediately take effect, the need to expeditiously replace its existing rules satisfies the ''good cause'' exceptions in 5 U.S.C. 553(b)(B) and (d). The APA authorizes agencies to issue regulations without notice and public comment when an agency finds, for good cause, that notice and comment is ''impracticable, unnecessary, or contrary to the public interest,'' 5 U.S.C. 553(b)(B), and to make the rule effective immediately for good cause. 5 U.S.C. 553(d)(3). As discussed in Section I, above, DAF's prior rules were promulgated to supplement the CEQ's NEPA regulations. Following the rescission of CEQ's regulations, DAF's current rules are left hanging in air, supplementing a NEPA regime that no longer exists. DAF, thus far and as a temporary, emergency measure, has been continuing to operate under its prior procedures *as if* the CEQ NEPA regime still existed. This is not, however, tenable in the long term. As soon as proper procedures are available—which they now are, in the form of DoD's Department-wide procedures—this makeshift regime needs to be rescinded immediately. Because of this need for speed and certainty, notice-and-comment is, to the extent it was required at all, impracticable and contrary to the public interest.

For the same reasons stated in the present section, above, DAF finds that ''good cause'' exists under 5 U.S.C. 553(d)(3) to waive the 30-day delay of the effective date that would otherwise be required. This IFR will accordingly be effective immediately.

C. DAF Solicits Comment

As explained above, notice and comment is not required prior to issuing this rule because DAF's NEPA procedures were procedural and because, even if comment were required under the APA, good cause exists to forego it. Nevertheless, DAF has elected voluntarily to solicit comment on this action, in an abundance of caution and for reasons of good government. DAF is soliciting comment on this interim final rule, and may make further revisions to this action, if DAF's review of any comments submitted suggests that further revisions are warranted. Commenters have 30 days from the date of publication of this interim final rule to submit comments.

III. Executive Order 12866, ''Regulatory Planning and Review,'' and Executive Order 13563, ''Improving Regulation and Regulatory Review''

Executive Orders 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is

[1] Just so, DoD's new procedures will also be purely procedural, guiding the Department's own compliance with NEPA. Indeed, it is hard to see how they could be otherwise, since the Supreme Court has recently repeatedly emphasized that ''NEPA is a purely procedural statute.'' *Seven County,* 145 S.Ct. at 1507, *see id.* at 1510 (''NEPA is purely procedural. . . . NEPA 'does not mandate particular results, but simply prescribes the necessary process' for an agency's environmental review of a project;''); *id.* at 1511 (NEPA is a *purely procedural statute*''); *id.* at 1513 (NEPA is properly understood as ''a modest procedural requirement''); *id.* at 1514 (''NEPA's status as a purely procedural statute''); *see also id.* at 1507 (''Simply stated, NEPA is a procedural cross-check, not a substantive roadblock.''). Procedures for implementing a purely procedural statute must be, by their nature, procedural rules. Surely cannot be legislative rules; as such, they do not need to be promulgated via notice-and-comment rulemaking. *See* 5 U.S.C. 553(b)(A).

necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health, and safety effects; distribution of impacts; and equity. The Office of Information and Regulatory Affairs (OIRA) in the Office of Management and Budget (OMB), has determined that this rulemaking is ''significant'' under section 3(f) of Executive Order 12866.

IV. Executive Order 14192, ''Unleashing Prosperity Through Deregulation''

Executive Order 14192 was issued on January 31, 2025, and requires that ''any new incremental costs associated with new regulations shall, to the extent permitted by law, be offset by the elimination of existing costs associated with at least 10 prior regulations.'' This rule is expected to be an Executive Order 14192 deregulatory action.

V. Congressional Review Act (5 U.S.C. 801 et seq.)

OIRA has determined that this rulemaking does not meet the criteria set forth in 5 U.S.C. 804(2) under Subtitle E of the Small Business Regulatory Enforcement Fairness Act of 1996 (also known as the Congressional Review Act). This action, in any event, is not a ''rule'' at all under 5 U.S.C. 804(3)(C). Therefore, this rule is not major under the Congressional Review Act.

VI. Paperwork Reduction Act (44 U.S.C. 3501 et seq.)

The rule does not contain any information collection requirements that require the approval of the OMB under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

VII. Public Law 96–354, ''Regulatory Flexibility Act'' (5 U.S.C. 601)

The Secretary of the Air Force certified that this rule is not subject to the Regulatory Flexibility Act (5 U.S.C. 601) because it will not have a significant economic impact on a substantial number of small entities. Also, the rule repeals DAF NEPA implementing regulations for the EIAP at 32 CFR part 989, which outline procedures for environmental impact analysis for all DAF activities and programs. Therefore, the Regulatory Flexibility Act, as amended, does not require preparation of a regulatory flexibility analysis. *See* 5 U.S.C. 603(a) and 604(a).

VIII. Sec. 202, Public Law 104–4, ''Unfunded Mandates Reform Act''

Section 202 of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1532) requires agencies to assess anticipated costs and benefits before issuing any rule whose mandates require spending in any 1 year of $100 million in 1995 dollars, updated annually for inflation. This rulemaking will not result in the expenditure by State, local, or Tribal Governments, in the aggregate, or by the private sector, which exceeds the threshold. Thus, no written assessment of unfunded mandates is required.

IX. Executive Order 13132, ''Federalism''

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. Therefore, in accordance with Executive Order 13132, the Secretary of the Air Force has determined that this rulemaking does not have sufficient federalism implications to warrant preparation of a federalism assessment.

X. Executive Order 13175, ''Consultation and Coordination With Indian Tribal Governments''

Executive Order 13175 establishes certain requirements that an agency must meet when it promulgates a rule that imposes substantial direct compliance costs on one or more Indian Tribes, preempts Tribal law, or effects the distribution of power and responsibilities between the Federal Government and Indian Tribes. This rule will not have a substantial effect on Indian Tribal Governments.

List of Subjects in 32 CFR Part 989

Environmental impact statements.

PART 989—[REMOVED]

■ Accordingly, by the authority of 5 U.S.C. 301, 32 CFR part 989 is removed.

Approved by:

Dated: June 27, 2025.

Tommy W. Lee,

Acting Air Force Federal Register Liaison Officer.

[FR Doc. 2025–12280 Filed 6–30–25; 8:45 am]

BILLING CODE 3911–44–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

46 CFR Part 315

[Docket Number MARAD–2025–0090]

RIN 2133–AC03

Deregulatory—Revision; Agency Agreements and Appointment of Agents

AGENCY: Maritime Administration (MARAD), Department of Transportation DOT)

ACTION: Final rule.

SUMMARY: MARAD is revising its regulations pertaining to the award and administration of agency agreements in the form of service agreements and ship manager contracts. The rule is intended to correct numerous citations in accordance with the codification of Title 46 of the United States Code; improve accessibility by modernizing text and updating agency contact information; and remove obsolete references.

DATES: This final rule is effective on July 1, 2025.

Privacy Act: Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). For information on DOT's compliance with the Privacy Act, please visit *https://www.transportation.gov/privacy.*

Information Collection: MARAD will publish a separate **Federal Register** notice notifying the public of Office of Management and Budget (OMB) approval of the information collections in this rulemaking.

FOR FURTHER INFORMATION CONTACT: Mitch Hudson, Office of the Chief Counsel, Division of Legislation and Regulation, (202) 366–9373 or via email at *Mitch.Hudson@dot.gov.* Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 to contact the above individual during business hours. The FIRS is available twenty-four hours a day, seven days a week, to leave a message or question. You will receive a reply during normal business hours. You may send mail to Department of Transportation, Maritime Administration, Office of the Chief Counsel, Division of Legislation and Regulations, W24–220, 1200 New Jersey Avenue SE, Washington, DC 20590–0001.

SUPPLEMENTARY INFORMATION: