

Tract of the Lower Rio Grande Valley National Wildlife Refuge and extending east approximately one and one-half (1.50) miles;

- Starting approximately one-half (0.50) mile south of the intersection of Military Highway 281 and Farm to Market Road 2520 and extending east approximately two (2.0) miles;
- Starting approximately one (1.0) mile south of the intersection of U.S. Highway 281 and Francisca Street and extending south and east along the levee to a point where West Alton Gloor Boulevard meets the levee;
- Starting approximately four-tenths (0.4) of a mile east of the intersection of Calle Amistosa and Mexico Boulevard and extending southwest approximately one-half (0.5) of a mile;
- Starting at the intersection of East 12th Street and East Levee Street and extending southeast along the levee a point where Impala Drive meets the levee; and
- Starting approximately six-tenths (0.60) of a mile southeast of the intersection of Boca Chica Highway and North Oklahoma Avenue and extending approximately two and one-half (2.5) miles northeast to the intersection of Boca Chica Highway and Gavito Ranch Road.

There is presently an acute and immediate need to construct additional physical barriers and roads in the vicinity of the border of the United States in order to prevent unlawful entries into the United States in the project area pursuant to section 102(a) of IIRIRA. In order to ensure the expeditious construction of additional physical barriers and roads in the project area, I have determined that it is necessary that I exercise the authority that is vested in me by section 102(c) of IIRIRA.

Accordingly, pursuant to section 102(c) of IIRIRA, I hereby waive in their entirety, with respect to the construction of physical barriers and roads (including, but not limited to, accessing the project areas, creating and using staging areas, the conduct of earthwork, excavation, fill, and site preparation, and installation and upkeep of physical barriers and roads) in the project area, all of the following statutes, including all federal, state, or other laws, regulations, and legal requirements of, deriving from, or related to the subject of, the following statutes, as amended: The National Environmental Policy Act (Pub. L. 91–190, 83 Stat. 852 (Jan. 1, 1970) (42 U.S.C. 4321 *et seq.*)); the Endangered Species Act (Pub. L. 93–205, 87 Stat. 884 (Dec. 28, 1973) (16 U.S.C. 1531 *et*

seq.); the Federal Water Pollution Control Act (commonly referred to as the Clean Water Act (33 U.S.C. 1251 *et seq.*)); the National Historic Preservation Act (Pub. L. 89–665, 80 Stat. 915 (Oct. 15, 1966), as amended, repealed, or replaced by Pub. L. 113–287 (Dec. 19, 2014) (formerly codified at 16 U.S.C. 470 *et seq.*, now codified at 54 U.S.C. 100101 note and 54 U.S.C. 300101 *et seq.*)); the Migratory Bird Treaty Act (16 U.S.C. 703 *et seq.*); the Migratory Bird Conservation Act (16 U.S.C. 715 *et seq.*); the Clean Air Act (42 U.S.C. 7401 *et seq.*); the Archeological Resources Protection Act (Pub. L. 96–95 (16 U.S.C. 470aa *et seq.*)); the Paleontological Resources Preservation Act (16 U.S.C. 470aaa *et seq.*); the Federal Cave Resources Protection Act of 1988 (16 U.S.C. 4301 *et seq.*); the National Trails System Act (16 U.S.C. 1241 *et seq.*), the Safe Drinking Water Act (42 U.S.C. 300f *et seq.*); the Noise Control Act (42 U.S.C. 4901 *et seq.*); the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (42 U.S.C. 6901 *et seq.*); the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 *et seq.*); the Archaeological and Historic Preservation Act (Pub. L. 86–523, as amended, repealed, or replaced by Pub. L. 113–287 (Dec. 19, 2014) (formerly codified at 16 U.S.C. 469 *et seq.*, now codified at 54 U.S.C. 312502 *et seq.*)); the Antiquities Act (formerly codified at 16 U.S.C. 431 *et seq.* and 16 U.S.C. 431a *et seq.*, now codified 54 U.S.C. 320301 *et seq.*); the Historic Sites, Buildings, and Antiquities Act (formerly codified at 16 U.S.C. 461 *et seq.*, now codified at 54 U.S.C. 320301–320303 & 320101–320106); the Eagle Protection Act (16 U.S.C. 668 *et seq.*); the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 *et seq.*); the Administrative Procedure Act (5 U.S.C. 551 *et seq.*); Section 438 of the Energy Independence and Security Act (42 U.S.C. 17094); the National Fish and Wildlife Act of 1956 (Pub. L. 84–1024 (16 U.S.C. 742a, *et seq.*)); the Fish and Wildlife Coordination Act (Pub. L. 73–121 (16 U.S.C. 661 *et seq.*)); the Wild and Scenic Rivers Act (Pub. L. 90–542 (16 U.S.C. 1281 *et seq.*)); the Farmland Protection Policy Act (7 U.S.C. 4201 *et seq.*); the National Wildlife Refuge System Administration Act (Pub. L. 89–669 (16 U.S.C. 668dd–668ee)); the National Wildlife Refuge System Improvement Act of 1997 (Pub. L. 105–57); the Wild Horse and Burro Act (16 U.S.C. 1331 *et seq.*); the Rivers and Harbors Act of 1899 (33 U.S.C. 403 *et seq.*); and the Coastal Zone Management

Act (Pub. L. 92–583 (16 U.S.C. 1451 *et seq.*)).

This waiver does not revoke or supersede any other waiver determination made pursuant to section 102(c) of IIRIRA. Such waivers shall remain in full force and effect in accordance with their terms. I reserve the authority to execute further waivers from time to time as I may determine to be necessary under section 102 of IIRIRA.

Kristi Noem,

Secretary of Homeland Security.

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DEPARTMENT OF HOMELAND SECURITY

Guidance on Referrals for Potential Criminal Regulatory Enforcement

ACTION: Notice.

SUMMARY: On May 9, 2025, President Trump issued Executive Order (E.O.) 14294 on *Fighting Overcriminalization in Federal Regulations* to address the use of criminal enforcement of criminal regulatory offenses. The E.O. establishes that enforcement of criminal regulatory offenses (particularly those that are strict liability offenses) is disfavored by the Federal government. This notice describes the Department of Homeland Security's (DHS) plan to address enforcement of criminal regulatory offenses.

DATES: June 18, 2025.

FOR FURTHER INFORMATION CONTACT: Joseph N. Mazzara, Office of the General Counsel, Department of Homeland Security, 202–447–4318.

SUPPLEMENTARY INFORMATION: On May 9, 2025, the President issued E.O. 14294, *Fighting Overcriminalization in Federal Regulations*.¹ The E.O. sets forth a number of requirements related to enforcement of criminal regulatory offenses. One such requirement is that each agency must publish guidance describing the agency's plan to address enforcement of criminally liable regulatory offenses by June 23, 2025.²

The E.O. does not apply to the enforcement of immigration laws or regulations promulgated to implement such laws nor shall it apply to the enforcement of laws or regulations related to national security or defense.³ To the extent that DHS takes any

¹ 90 FR 20363 (May 14, 2025).

² See sec. 7 of E.O. 14294 (requiring issuance of the guidance 45 days from issuance of the E.O.).

³ See sec. 8 of E.O. 14294.

criminal enforcement actions not within one of those exemptions, DHS will apply the policy in this notice to such actions.

This notice announces a general criminal enforcement policy. When DHS is deciding whether to refer alleged violations of criminal regulatory offenses of DHS regulations to the Department of Justice (DOJ), officers and employees of the Department will consider, to the extent consistent with law, the following factors:

- The harm or risk of harm, pecuniary or otherwise, caused by the alleged offense;
- The potential gain to the putative defendant that could result from the offense;
- Whether the putative defendant held specialized knowledge, expertise, or was licensed in an industry related to the rule or regulation at issue;
- Evidence, if any is available, of the putative defendant's general awareness of the unlawfulness of his conduct as well as his knowledge or lack thereof of the regulation at issue;⁴ and
- Other factors as appropriate.

This general policy was developed following consultation with the Attorney General. This guidance 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.

This notice also announces DHS's plan for its forthcoming report required by section 4 of E.O. 14294. Section 4 requires that DHS post on its agency's public website and submit a report, created in consultation with the Attorney General, to the Director of the Office of Management and Budget (OMB) containing: (1) a list of all criminal regulatory offenses⁵ enforceable by DHS or DOJ; and (2) for each such criminal regulatory offense, the range of potential criminal penalties for a violation and the applicable *mens rea* standard⁶ for the criminal regulatory offense. DHS is reviewing its regulations to compile a list of the criminal regulatory offenses covered by the reporting requirement and will

submit the report to OMB by the May 9, 2026, deadline.

Joseph N. Mazzara,

Acting General Counsel, U.S. Department of Homeland Security.

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DEPARTMENT OF THE INTERIOR

National Park Service

**[NPS–WASO–NRNHL–DTS#–40379;
PPWOCRADIO, PCU00RP14.R50000]**

National Register of Historic Places; Notification of Pending Nominations and Related Actions

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The National Park Service is soliciting electronic comments on the significance of properties nominated before May 31, 2025, for listing or related actions in the National Register of Historic Places.

DATES: Comments should be submitted electronically by July 3, 2025.

ADDRESSES: Comments are encouraged to be submitted electronically to *National_Register_Submissions@nps.gov* with the subject line “Public Comment on <property or proposed district name, (County) State>.” If you have no access to email, you may send them via U.S. Postal Service and all other carriers to the National Register of Historic Places, National Park Service, 1849 C Street NW, MS 2013, Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: Sherry A. Frear, Chief, National Register of Historic Places/National Historic Landmarks Program, 1849 C Street NW, MS 2013, Washington, DC 20240, *sherry_frear@nps.gov*, 202–913–3763.

SUPPLEMENTARY INFORMATION: The properties listed in this notice are being considered for listing or related actions in the National Register of Historic Places. Nominations for their consideration were received by the National Park Service before May 31, 2025. Pursuant to Section 60.13 of 36 CFR part 60, comments are being accepted concerning the significance of the nominated properties under the National Register criteria for evaluation.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time.

While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Nominations submitted by State or Tribal Historic Preservation Officers
Key: State, County, Property Name, Multiple Name(if applicable), Address/Boundary, City, Vicinity, Reference Number.

ARIZONA

Pima County

Wilshire Heights Historic District, East of Craycroft Road between Broadway Boulevard and 22nd Street, Tucson, SG100011979

Pinal County

Thompson, Boyce, Southwestern Arboretum (Boundary Increase), 38645 East Arboretum Way, Superior vicinity, BC100012002

CALIFORNIA

Placer County

Placer County Administrative Center, 175 Fulweiler Ave, Auburn, SG100011991

Riverside County

Trujillo Adobe, 3669 W Center Street, Riverside, SG100011987

DISTRICT OF COLUMBIA

District of Columbia

Euram Building, 21 Dupont Circle NW, Washington, SG100011988

GEORGIA

Brooks County

Cross Roads School, (Rosenwald Schools in Georgia, 1912–1937), 40 Hodges Road, Dixie, MP100011993

MARYLAND

Baltimore Independent City

Baltimore City Municipal Office Building, 200 N Holliday Street, Baltimore, SG100011983

Frederick County

Kemp Property, 1761 Eagle Rock Lane, Frederick, SG100011982

MONTANA

Beaverhead County

The Bridges of Poindexter Slough Historic District, Milepost 2.65–2.90 on Montana Secondary Highway 222, Dillon vicinity, SG100011992

NEW YORK

Ulster County

Roosa House, 882 Berme Road, High Falls (Marbletown), SG100011986

OHIO

Franklin County

Mt. Vernon Avenue Historic District, Roughly bounded by Mt. Vernon, Monroe, Atcheson, and 22nd Streets, Columbus, SG100011985

⁴ See sec. 7 of E.O. 14294.

⁵ *Criminal regulatory offense* means a Federal regulation that is enforceable by a criminal penalty. Sec. 3(b) of E.O. 14294.

⁶ *Mens rea* means the state of mind that by law must be proven to convict a particular defendant of a particular crime. Sec. 3(c) of E.O. 14294.