to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health, and safety effects; distributive impacts; and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, reducing costs, harmonizing rules, and promoting flexibility. This rule has been determined to be not significant for purposes of Executive Order 12866; and therefore, has not been reviewed by the Office of Management and Budget (OMB).

Executive Order 12988

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule is not intended to have a retroactive effect. This rule will not preempt any State or local laws, regulations, or policies unless they present an irreconcilable conflict with this rule.

Regulatory Flexibility Analysis

Pursuant to the requirements set forth in the Regulatory Flexibility Act (5 U.S.C. 601–612), AMS has considered the economic impact of the action on small entities. Accordingly, AMS has prepared this Regulatory Flexibility Analysis (RFA).

The purpose of the RFA is to fit regulatory actions to the scale of businesses subject to such actions so that small businesses will not be unduly or disproportionately burdened. The Small Business Administration's definition (13 CFR 121.201) of small agricultural service firms, which includes dairy processors, varies based on the type of dairy product manufactured. Small butter manufacturers processors are defined as having 750 or fewer employees. Seventeen (17) plants producing grade label butter in the U.S. participate in the Grade Label Program. According to AMS calculations, about twelve (12), or approximately two-thirds, are operated by dairy farmer cooperatives, while the remaining five (5) are independently owned. AMS estimates that six (6) of the seventeen (17) participating butter processors would be considered small businesses.

AMS has determined that establishment of this proposal will not have a significant economic impact on small entities. The Dairy Program Grading and Inspection Program is a voluntary program. Small businesses have the option to participate. The change will not unduly or disproportionately burden small butter processing entities. It will reduce costs to small businesses by providing an alternative to a redundant butterfat test currently performed by USDA. AMS expects most or all plants to choose a review of records. AMS estimates the cost to plants for meeting USDA butterfat testing requirements ranges from $5,000 to $32,000 annually. The significant cost difference depends on whether the plant has an approved onsite laboratory or must ship samples to an outside AMS laboratory, and the frequency of butterfat samples submitted for testing.

The change will add a review of records of butterfat tests that manufacturers currently conduct in the normal course of business to ensure quality and compliance with composition standards as an alternative to a USDA-inspector test. The plants will be charged for the inspectors' time to conduct the records review, estimated to take four hours annually. At an hourly rate of $110, a records review will cost the plant approximately $440. This results in annual net saving to plants ranging from $4,560 to $31,560.

Program provisions will be applied uniformly to both large and small businesses and is not expected to burden small entities unduly or disproportionately.

Executive Order 13175

This rule has been reviewed under E.O. 13175—Consultation and Coordination with Indian Tribal Governments, which requires agencies to consider whether their rulemaking actions would have Tribal implications. AMS has determined that this rule is unlikely to have substantial direct effects on one or more Indian Tribes, on the relationship between the Federal Government and Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes.

List of Subjects in 7 CFR Part 58

Dairy product, Food grades and standards, Food labeling, Reporting and recordkeeping requirements.

For reasons set forth in the preamble, the Agricultural Marketing Service amends 7 CFR part 58 as follows:

PART 58—GRADING AND INSPECTION, GENERAL SPECIFICATIONS FOR APPROVED PLANTS AND STANDARDS FOR GRADES OF DAIRY PRODUCTS

■ 1. The authority for part 58 continues to read as follows:

Authority: 7 U.S.C. 1621–1627.

■ 2. Amend § 58.148 by adding paragraph (h) to read as follows:

§ 58.148 Plant records.

* * * * *

(h) Butterfat test records. Retain for 12 months.

■ 3. Amend § 58.336 by revising paragraphs (a) and (b) to read as follows:

§ 58.336 Frequency of sampling for quality control of cream, butter and related products.

(a) *Microbiological.* Samples shall be taken from churnings or batches and should be taken as often as is necessary to ensure microbiological control.

(b) *Sampling and testing.*—(1) *Composition.* Sampling and testing for product composition shall be made on churns or batches as often as is necessary to ensure adequate composition control. For in-plant control, the Kohman or modified Kohman test may be used.

(2) *Sampling.* Butterfat sampling may be performed as part of an in-plant quality program.

* * * * *

Erin Morris,

Associate Administrator, Agricultural Marketing Service.

[FR Doc. 2025–00760 Filed 1–15–25; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF HOMELAND SECURITY

8 CFR Part 204

[CIS No. 2800–25; DHS Docket No. USCIS–2006–0010]

RIN 1615–AB50

Eligibility of Arriving Aliens in Removal Proceedings To Apply for Adjustment of Status and Jurisdiction To Adjudicate Applications for Adjustment of Status; Correction

AGENCY: U.S. Citizenship and Immigration Services (USCIS), Department of Homeland Security (DHS)

ACTION: Interim final rule; correcting amendments.

SUMMARY: On May 12, 2006, the Department of Homeland Security (DHS) and the Department of Justice (DOJ) published an interim final rule titled ''*Eligibility of Arriving Aliens in Removal Proceedings To Apply for Adjustment of Status and Jurisdiction To Adjudicate Applications for Adjustment of Status*'' The rule amended DHS and DOJ regulations governing applications for adjustment of

status filed by paroled ''arriving aliens'' seeking to become lawful permanent residents and removed certain provisions. In that rule, DHS removed a paragraph from its regulations and redesignated the paragraph that followed to close the gap. DHS inadvertently failed to make a conforming amendment to a related regulatory provision to reflect the redesignation. This document describes the oversight and corrects the CFR. This action makes no substantive changes.

DATES: Effective on January 16, 2025.

FOR FURTHER INFORMATION CONTACT: Samantha Deshommes, Chief, Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security, 5900 Capital Gateway Drive, Camp Springs, MD 20746; telephone 240–721–3000 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION:

Need for Correction

On May 12, 2006, DHS and DOJ published an interim final rule, with a request for comments, in the **Federal Register** titled ''*Eligibility of Arriving Aliens in Removal Proceedings To Apply for Adjustment of Status and Jurisdiction To Adjudicate Applications for Adjustment of Status.*'' [1] The 2006 interim final rule amended DHS and DOJ regulations governing applications for adjustment of status filed by paroled ''arriving aliens'' seeking to become lawful permanent residents. As part of the rulemaking, DHS and DOJ amended their respective regulations. Among other changes, DHS removed then paragraph (c)(8) of 8 CFR 245.1 and redesignated then paragraph (c)(9) as paragraph (c)(8) to close the gap.[2] DHS did not substantively amend then paragraph (c)(9). DHS merely shifted that provision to paragraph (c)(8) after DHS removed paragraph (c)(8)'s content. Accordingly, 8 CFR 245.1(c)(8) now contains the same content that was previously in paragraph (c)(9), and paragraph (c)(9) no longer exists.

DHS, however, inadvertently failed to make conforming changes to a separate provision of DHS's regulations, 8 CFR 204.2(a)(1)(iii), which continues to reference 8 CFR 245.1(c)(9). Specifically, the second sentence of 8 CFR 204.2(a)(1)(iii) refers to 8 CFR 245.1(c)(9) and 245.1(c)(9)(iii)(F).[3] DHS should have amended the references in this sentence to refer to paragraphs (c)(8) and (c)(8)(iii)(F) respectively. This document now corrects this oversight in the CFR to ensure that 8 CFR 204.2(a)(1)(iii) correctly cross-references 8 CFR 245.1(c)(8).

DHS is not substantively changing 8 CFR 204.2(a)(1)(iii) and 245.1(c)(8). Those long-standing provisions codify and implement certain statutory requirements that generally prohibit USCIS from approving certain visa petitions [4] or applications for adjustment of status [5] based on a marriage that occurred during exclusion, deportation, or removal proceedings, or related judicial proceedings. Prior to the 2006 interim final rule, then 8 CFR 245.1(c)(9) implemented the statutory prohibition for adjustment of status applications. Similarly, 8 CFR 204.2(a)(1)(iii) implements the prohibition for certain visa petitions. DHS did not either substantively or non-substantively revise the content of 8 CFR 245.1(c)(9), related to adjustment of status based on marriages during exclusion, deportation, or removal proceedings, or related judicial proceedings, when DHS redesignated that paragraph as 8 CFR 245.1(c)(8) in 2006.[6] Similarly, this correction document is not substantively amending the content in 8 CFR 204.2(a)(1)(iii) related to visa petitions based on such marriages, or making any edits to 8 CFR 245.1(c)(8). Rather, DHS is merely amending 8 CFR 204.2(a)(1)(iii) to correctly cross-reference the provisions of 8 CFR 245.1(c)(8) to reflect DHS's redesignation of that paragraph in the 2006 interim final rule.

Administrative Procedure Act

Section 553(b) of the Administrative Procedure Act (APA) generally requires agencies to publish a notice of proposed rulemaking in the **Federal Register** to provide a period for public comment before the provisions of a rule take effect.[7] In addition, section 553(d) of the APA requires agencies to delay the effective date of final rules by a minimum of 30 days after the date of their publication in the **Federal Register**.[8] An agency may bypass notice-and-comment rulemaking and a delayed effective date when the agency ''for good cause finds . . . that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.'' [9]

DHS believes there is good cause for publishing this correction document without prior notice and opportunity for public comment and with an effective date of less than 30 days because DHS finds that such procedures are unnecessary. As explained above, this document corrects an oversight in the regulatory text and does not make substantive changes to the policies that were adopted in the 2006 interim final rule or any other rule, including those reflected in 8 CFR 204.2(a)(1)(iii) and 8 CFR 245.1(c)(8) that generally prohibit USCIS from approving certain visa petitions and applications for adjustment of status based on a marriage that occurred during exclusion, deportation, or removal proceedings, or related judicial proceedings subject to certain exemptions. This document merely corrects a cross-reference in 8 CFR 204.2(a)(1)(iii) to ensure that it accurately reflects that DHS redesignated then 8 CFR 245.1(c)(9) as 8 CFR 245.1(c)(8) in the 2006 interim final rule, which was itself a non-substantive change. Therefore, DHS believes that it has good cause to waive the notice and comment and effective date requirements of section 553 of the APA.

List of Subjects in 8 CFR Part 204

Administrative practice and procedure, Adoption and foster care, Immigration, Reporting and recordkeeping requirements.

Accordingly, for the reasons set forth in the preamble, 8 CFR part 204 is amended as follows:

PART 204—IMMIGRANT PETITIONS

■ 1. The authority citation for part 204 continues to read as follows:

Authority: 8 U.S.C. 1101, 1103, 1151, 1153, 1154, 1182, 1184, 1186a, 1255, 1324a, 1641; 8 CFR part 2.

■ 2. Amend § 204.2 by revising the second sentence of paragraph (a)(1)(iii) to read as follows:

§ 204.2 Petitions for relatives, widows and widowers, and abused spouses and children.

(a) * * *

(1) * * *

(iii) * * * Determination of commencement and termination of proceedings and exemptions shall be in accordance with § 245.1(c)(8) of this chapter, except that the burden in visa petition proceedings to establish eligibility for the exemption in

[1] *See* 71 FR 27585 (May 12, 2006) (2006 interim final rule).

[2] *See id.* at 27591.

[3] *See* 8 CFR 204.2(a)(1)(iii) (2024).

[4] *See* INA sec. 204(g), 8 U.S.C. 1154(g).

[5] *See* INA sec. 245(e), 8 U.S.C. 1255(e).

[6] *See* 71 FR at 27591.

[7] *See* 5 U.S.C. 553(b).

[8] *See* 5 U.S.C. 553(d)(3).

[9] *See* 5 U.S.C. 553(b)(B), (d)(3).

§ 245.1(c)(8)(iii)(F) of this chapter shall rest with the petitioner.

* * * * *

Christina E. McDonald,

Associate General Counsel for Regulatory Affairs, U.S. Department of Homeland Security.

[FR Doc. 2025–01031 Filed 1–15–25; 8:45 am]

BILLING CODE 9111–97–P

DEPARTMENT OF ENERGY

10 CFR Part 430

[EERE–2024–BT–TP–0010]

RIN 1904–AB99

Energy Conservation Program: Test Procedure for General Service Lamps

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Final rule.

SUMMARY: The U.S. Department of Energy (''DOE'') is adopting clarifications to the test procedures for general service lamps (''GSLs'') located in appendix W, appendix BB and appendix DD. Specifically, DOE is clarifying instructions that GSLs must not be tested as colored lamps and that lamps with additional components that do not affect light output must be turned off during testing. The clarifications also specify that non-integrated lamps be tested with a fluorescent lamp ballast, high intensity discharge (''HID'') lamp ballast or external light-emitting diode (''LED'') driver selected based on compatibility lists and availability; and provide specifications regarding the starting method, ballast factor, and number of lamps. This rulemaking is limited in scope and is providing clarifications to the current test procedures that are required for certification of compliance with existing applicable GSL energy conservation standards. Further, this rulemaking does not satisfy the Energy Policy and Conservation Act (''EPCA'') requirement that, at least once every 7 years, DOE review the test procedures for GSLs.

DATES: The effective date of this rule is February 18, 2025. The amendments will be mandatory for product testing starting July 15, 2025. The incorporation by reference of certain material listed in the rule was approved by the Director of the Federal Register as of November 21, 2016.

ADDRESSES: The docket, which includes **Federal Register** notices, comments, and other supporting documents/materials, is available for review at *www.regulations.gov.* All documents in the docket are listed in the *www.regulations.gov* index. However, not all documents listed in the index may be publicly available, such as those containing information that is exempt from public disclosure.

A link to the docket web page can be found at *www.regulations.gov/docket/EERE-2024-BT-TP-0010.* The docket web page contains instructions on how to access all documents, including public comments, in the docket.

For further information on how to review the docket contact the Appliance and Equipment Standards Program staff at (202) 287–1445 or by email: *ApplianceStandardsQuestions@ee.doe.gov.*

FOR FURTHER INFORMATION CONTACT: Dr. Jordan Wilkerson, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Office, EE–5B, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (202) 287–1445. Email: *ApplianceStandardsQuestions@ee.doe.gov.*

Ms. Kiana Daw, U.S. Department of Energy, Office of the General Counsel, GC–33, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (202) 586–4798. Email: *kiana.daw@hq.doe.gov.*

Table of Contents

I. Authority and Background

GSLs are included in the list of ''covered products'' for which the DOE is authorized to establish and amend energy conservation standards and test procedures. (42 U.S.C. 6291(30)(BB); 42 U.S.C. 6291(30)(DD); 42 U.S.C. 6295(i)(6)) GSLs include but are not limited to general service incandescent lamps (''GSILs''), incandescent reflector lamps (''IRLs''), compact fluorescent lamps (''CFLs''), and integrated LED lamps. DOE's test procedure for GSILs and IRLs are set forth at 10 CFR part 430, subpart B, appendix R (''appendix R''). DOE's test procedure for CFLs is set forth at 10 CFR part 430, subpart B, appendix W (''appendix W''). DOE's test procedure for integrated LED lamps is set forth at 10 CFR part 430, subpart B, appendix BB (''appendix BB''). DOE's test procedure for GSLs that are not GSILs, IRLs, CFLs, or integrated LED lamps is set forth at 10 CFR part 430, subpart B, appendix DD (''appendix DD''). The following sections discuss DOE's authority to establish and amend test procedures for GSLs and relevant background information regarding DOE's consideration of test procedures for this product.

A. Authority

The Energy Policy and Conservation Act, Public Law 94–163, as amended (''EPCA''),[1] authorizes DOE to regulate the energy efficiency of a number of consumer products and certain industrial equipment. (42 U.S.C. 6291–6317, as codified) Title III, Part B of EPCA [2] established the Energy Conservation Program for Consumer Products Other Than Automobiles, which sets forth a variety of provisions designed to improve energy efficiency. These products include GSLs, the subject of this document. (42 U.S.C. 6295(6))

The energy conservation program under EPCA consists essentially of four parts: (1) testing, (2) labeling, (3) Federal energy conservation standards, and (4) certification and enforcement procedures. Relevant provisions of EPCA specifically include definitions (42 U.S.C. 6291), test procedures (42 U.S.C. 6293), labeling provisions (42

[1] All references to EPCA in this document refer to the statute as amended through the Energy Act of 2020, Public Law 116–260 (Dec. 27, 2020), which reflect the last statutory amendments that impact Parts A and A–1 of EPCA.

[2] For editorial reasons, upon codification in the U.S. Code, Part B was redesignated Part A.