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DEPARTMENT OF ENERGY

10 CFR Parts 300, 602, 605, 706, 708, 712, 719, 725, 727, 733, 760, 766, 782, 783, 784, 824, 840, 860, 861, 862, 950, 960, 963, 1009, 1015, 1016, 1045, 1046, and 1061

[Docket No. DOE-HQ-2025-0603]

RIN 1990-AA54

Zero-Based Regulating

AGENCY: Department of Energy (DOE).

ACTION: Direct final rule; request for comments.

SUMMARY: This direct final rule inserts sunset provisions into certain regulations, consistent with Executive order (E.O.), *Zero-Based Regulatory Budgeting to Unleash American Energy* (April 9, 2025), and agency policy. Each sunset provision will establish a conditional sunset date for covered regulations, as defined by E.O 14270. If DOE does not extend a particular regulation before its conditional sunset date, that regulation will expire, cease to be enforceable and will be removed from the Code of Federal Regulations. The conditional sunset date may be extended by DOE as many times as appropriate, but never to a date more than five years in the future.

DATES: The effective date of this rule is **[INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**. If significant adverse comments are received by **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**, a timely withdrawal of this rule will be published in the *Federal Register* and DOE will address the comments received in a subsequent final rule as a response to the companion proposed rule published in this issue of the *Federal Register*, or take other action as appropriate.

ADDRESSES: The docket for this rulemaking, which includes *Federal Register* notices, public meeting attendee lists and transcripts (if one is held), comments, and other supporting documents and 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 information that is exempt from public disclosure.

The docket web page can be found at *www.regulations.gov/docket/DOE-HQ-2025-0603*.

The docket web page contains instructions on how to access all documents, including public comments, in the docket, as well as a summary of the rulemaking.

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I. Background

A. Zero-Based Regulatory Budgeting to Unleash American Energy

On April 9, 2025, President Donald J. Trump issued Executive Order (E.O.) 14270, *Zero-Based Regulatory Budgeting to Unleash American Energy*. 90 FR 15643. In E.O. 14270, the President directed the Department of Energy (DOE), among other agencies, to “the extent consistent with applicable law” to “issue a sunset rule, effective not later than September 30, 2025” to insert a conditional sunset date into regulations promulgated under a variety of energy-related statutes. *Id.*, section 4(a). E.O. 14270 identified five statutes relevant to DOE: the Atomic Energy Act of 1954; the National Appliance Energy Conservation Act of 1987; the Energy Policy Act of 1992; the Energy Policy Act of 2005; and the Energy Independence and Security Act of 2007. *Id.*, section 3(b). E.O. 14270 directed DOE to issue its sunset rule with an effective date “not later than September 30, 2025.” *Id.*, section 4(a).

E.O. 14270 ordered that the “sunset rule shall provide” that each regulation issued pursuant to the identified statutes and their amendments, “in effect on the date of this order,” shall have a conditional sunset date “1 year after the effective date of the sunset rule.” *Id.*, section 4(b). Under the sunset provision, each regulation expires on the conditional sunset date unless DOE “finds an extension is warranted” and extends the sunset date of the regulation. *Id.*, section 4(d). Regulations that expire will cease to be effective and, to the maximum extent permitted by law, shall be removed from the *Code of Federal Regulations*. *Id.*, section 4(b).

E.O. 14270 also directed DOE to insert a sunset provision into each regulation promulgated under the same five statutes, going forward. E.O. 14270 directed DOE to insert a conditional sunset date for future covered regulations “not more than 5 years in the future” following the effective date of a particular regulation.¹ E.O. 14270 exempted permitting regimes authorized by statute. *Id.*, section 5(c).

B. Identified DOE Statutes and Regulations

¹ *Id.*, section 4(c). Thus, DOE will include a conditional sunset date in future regulations to which the E.O. would apply, consistent with the approach taken herein.

As stated previously, E.O. 14270 directed DOE to issue a rule that inserts conditional sunset dates into each of the covered regulations, which are defined as “regulation[s] issued in whole or in part pursuant to a statutory authority listed in sections 3(b)-(j) of this order.” *Id.*, sections 2(c), 4(a). For DOE, the identified statutes are the Atomic Energy Act of 1954; the National Appliance Energy Conservation Act of 1987; the Energy Policy Act of 1992; the Energy Policy Act of 2005; and the Energy Independence and Security Act of 2007. *Id.*, section 3(b). The Atomic Energy Act of 1954 governs the development and use of nuclear energy. Pub. L. 83-703 (1954). The National Appliance Energy Conservation Act of 1987 established energy efficiency standards for appliances. The Energy Policy Act of 1992 amended the Energy Policy and Conservation Act (EPCA) to further increase energy efficiency in the United States. The Energy Policy Act of 2005 addressed energy production in the United States. The Energy Independence and Security Act of 2007 aimed to increase the energy independence of the nation.

DOE regulations promulgated under the authority of these statutes and for which it would be consistent with applicable law to include a conditional sunset date are codified in 10 CFR parts 300, 602, 605, 706, 708, 712, 719, 725, 727, 733, 760, 766, 782, 783, 784, 824, 840, 860, 861, 862, 950, 960, 963, 1009, 1015, 1016, 1045, and 1046. These regulations may be issued pursuant to multiple statutes, including statutes not listed in E.O. 14270. The CFR parts listed previously include regulations where DOE relied on one of the five statutes identified in E.O. 14270, or their amendments, for any section in that part, and where it would be consistent with applicable law to sunset.

There are several regulations codified in 10 CFR that are promulgated under the authority of these statutes but are not included in this rulemaking. E.O. 14270 directs DOE to issue a sunset rule “to the extent consistent with applicable law.” E.O. 14270, section 4. Thus, this rulemaking does not include regulations that could not be sunset “consistent with applicable law.” Specifically, there are several regulations that are required by Congress or are required to fulfill DOE’s statutory duties, and conditional sunset dates for these provisions may have a

chilling effect on the market. For example, 10 CFR parts 820, 830, and 835 either directly or indirectly serve as underlying nuclear safety requirements for Price Anderson Amendments Act (PAAA) indemnification, which provides a system of financial protection for persons (including DOE contractors) who may be liable and persons who may be injured by a nuclear incident. The potential for these regulations to sunset would be inconsistent with the requirements of PAAA and because this indemnification is a critical element of obtaining contractors to perform work for the Department, the potential for these regulations to sunset could negatively affect DOE's ability to secure contracts necessary for it to perform its statutory duties. For these reasons, regulations that are required by Congress or are required to fulfill DOE's statutory duties and would have a chilling effect on the market if DOE inserted a conditional sunset are excluded from the rulemaking.

II. Direct Final Rule Overview

A. Sunset Provisions for Specific Covered Regulations

The direct final rule (DFR) inserts a sunset provision into its regulations codified in each of the parts previously listed. This DFR amends the identified parts of title 10 of the *Code of Federal Regulations* to add a sunset provision to the end of the identified parts. The sunset provision added to parts 300, 602, 605, 706, 708, 719, 727, 733, 760, 766, 782, 783, 784, 824, 840, 861, 950, 960, 963, 1009, and 1015 state the identified part will automatically expire one year from the effective date unless the part expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

For sunset provisions added to parts 712, 725, 860, 862, 1016, 1045, and 1046, the DFR sets a conditional sunset date of five years from the effective date. These parts govern access to classified information/classified programs, administer the Human Reliability Program, protect worker health and safety, and establish processes to govern the production of nuclear material for the nuclear couriers and Security personnel at DOE and National Nuclear Security Administration (NNSA) facilities. The identified parts implicate DOE and NNSA abilities to

protect DOE and NNSA personnel, facilities, materials, and information. Thus, the Secretary has determined that an extension of the conditional sunset date for these parts for a period of five years is warranted. Accordingly, instead of a conditional sunset date of one year from the effective date, the DFR sets a conditional sunset date that is 5 years from the effective date for these provisions.

B. Sunset Provisions for Covered Regulations Generally

The direct final rule also adds part 1061 to Chapter X of title 10 of the Code of Federal Regulations, which outlines how these sunset provisions are applied to covered regulations. The general sunset provisions reiterates that sections to which the sunset provisions apply would “automatically expire and cease to be effective on the identified conditional sunset date unless the section expires, is rescinded, or is extended prior to that date.”

The general sunset provisions extend the conditional sunset date upon a written determination by the Secretary of Energy or his designee that “an extension of the section is warranted[.]” The written determination may extend the conditional sunset date for period not to exceed five years. Additionally, 10 CFR 1061.101 requires DOE to publish in the *Federal Register* a written determination in which DOE extends the conditional sunset date of a covered regulation. Consistent with the E.O. 14270, the direct final rule states that “Amendments to an existing regulation shall not extend its sunset date[.]” and provides that “that DOE will give the public an opportunity to comment on the costs and benefits of extending any regulations covered by a sunset provision, through a request for information, before allowing any regulation to expire.” See E.O. 14270, section 4(d).

Through publication of this direct final rule, DOE is also providing a comment period until **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**. If significant adverse comments are received, a timely withdrawal of this rule will be published in the *Federal Register* and DOE will address the comments received in a

subsequent final rule as a response to the companion proposed rule published in this issue of the *Federal Register* or take other action, as appropriate

III. Justifications and Authority

A. Executive Order 14270

E.O. 14270, *Zero-Based Regulatory Budgeting to Unleash American Energy*, states “each of the Covered Agencies *shall* issue a sunset rule,” and further specifies the general terms of those rules. E.O. 14270, section 4(a). Consistent with this direction, DOE issues this direct final rule. The President’s directive provides an independent and sufficient justification for this rulemaking. E.O. 14270 does not direct the Secretary to rescind or reissue any particular regulation. The Secretary retains his full authority to issue and repeal regulations under the five relevant statutes and their amendments. The President has directed only the manner in which the Secretary is to review and extend the conditional sunset dates for covered regulations, as defined in E.O. 14270.

B. DOE’s Determination

Independent of E.O. 14270, DOE separately determines that it is good public policy to routinely review agency regulations and that this sunset rule is an appropriate mechanism to compel that review. Energy markets and needs are constantly changing. So is new energy technology. DOE’s regulations must adapt to this changing landscape to foster innovation and growth. Having regulations expire unless extended would ensure DOE’s regulations are programmatically reviewed. Simply promising to review rules is insufficient because it fails to provide the agency with an adequate incentive to periodically review its regulations.

E.O. 14270 covers a diversity of statutes, which all involve energy-production issues wherein science and technology are constantly evolving, and wherein regulations must adapt to the current energy needs of the country. For example, the Atomic Energy Act of 1954 is designed to “encourage scientific and industrial progress,” a goal that requires that the regulatory structure keep up with the rapid pace of scientific and industrial innovation. 42 U.S.C. 2013(b).

The sunset provisions do not force the expiration or the extension of any particular regulation. The decision whether to extend a conditional sunset date will come later, as DOE reviews the various covered regulations, as defined by E.O. 14270. DOE will consider the ongoing need for each individual regulation at that time, along with the particular statutory authorities for each regulation.

DOE is not the first governmental entity to consider a sunset rule—it is not even the first Federal agency to adopt one. On January 19, 2021, Health and Human Services adopted a sunset rule, 86 FR 5694, although it was later withdrawn, 87 FR 32246. Beyond that, many states have automatic sunset provisions. In New Jersey, for example, regulations automatically expire after seven years unless extended by the agency. N.J. Stat. Ann. sec. 52:14B-5.1(b). Indiana likewise has a seven-year sunset rule. Ind. Code sec. 4-22-2.5-2. And in 2019, the state of Idaho underwent a sunset review process for its entire regulatory code—ultimately rescinding more than 19,000 regulatory restrictions as part of the process. Office of Gov. Brad Little, Idaho's Historic Regulatory Cuts (July 2019). Other countries have also imposed sunset provisions, including South Korea. OECD Reviews of Regulatory Reform, Regulatory Policy in Korea, Toward Better Regulation, at 86 (2017),

https://publicadministration.un.org/unpsa/Portals/0/UNPSA_Submitted_Docs/2019/4cd3e219-c819-40f3-8246-7a024d9a82a9/2020%20UNPSA_the%20Regulatory%20Reform%20Sinmungo_Evaluation%20Report_27112019_032807_e4d166a9-f6ef-4a6c-9aaf-99748fa94284.pdf?ver=2019-11-27-032807-637.

Previous administrations have also recommended sunset provisions. An Obama administration report from the Council of Economic Advisors explained that sunset provisions could be useful in the context of occupational licensing “because, even if licensing was justified when first introduced, technological and economic changes may have rendered it unnecessary or overly restrictive.” *Occupational Licensing: A Framework for Policymakers*, The White House,

at 48-50 (July 2015), https://obamawhitehouse.archives.gov/sites/default/files/docs/licensing_report_final_nonembargo.pdf.

Overall, a sunset rule is one of the most important tools a government can use to reduce regulatory costs. Russell S. Sobel & John A. Dove, *State Regulatory Review: A 50 State Analysis of Effectiveness* 36 (Mercatus Ctr., Working Paper No. 12-18, 2012), <https://www.mercatus.org/system/files/State-Regulatory-Review-50-State-Analysis-Effectiveness.pdf>. This is consistent with the Secretary's policy of deregulation. The agency is committed to repealing outdated and unnecessary regulations as a pathway to maximize human freedom, stimulate economic growth, and promote innovation. Unless a regulation is statutorily required or critical to the public interest, the agency's general policy view is that it should be withdrawn and removed as expeditiously as possible. The sunset rule is the best way to achieve the Secretary's policy.

The Secretary's general authority to issue a sunset rule comes from DOE's general "housekeeping" authority, *see* 5 U.S.C. 301, as well as the same regulatory authority used to initially issue the regulations under the relevant statutes. Furthermore, "[t]he Secretary is authorized to prescribe such procedural and administrative rules and regulations as he may deem necessary or appropriate to administer and manage the functions" vested in DOE. 42 U.S.C. 7254.

IV. Procedural Issues and Regulatory Review

A. Executive Order 12866

E.O. 12866, "Regulatory Planning and Review" requires agencies, to the extent permitted by law, to (1) propose or adopt a regulation only upon a reasoned determination that its benefits justify its costs; (2) tailor regulations to impose the least burden on society, consistent with obtaining regulatory objectives, taking into account, among other things, and to the extent practicable, the costs of cumulative regulations; (3) select, in choosing among alternative regulatory approaches, those approaches that maximize net benefits; (4) to the extent feasible, specify performance objectives, rather than specifying the behavior or manner of compliance that

regulated entities must adopt; and (5) identify and assess available alternatives to direct regulation, including providing economic incentives to encourage the desired behavior, such as user fees or marketable permits, or providing information upon which choices can be made by the public. For the reasons stated in the preamble, this DFR is consistent with these principles. Although the agency remains free to extend the sunset date on any particular regulation, the sunset rule is expected to generally result in decreased regulatory burdens and to ensure that regulations remain up to date in light of changing circumstances.

Section 6(a) of E.O. 12866 also requires agencies to submit “significant regulatory actions” to the Office of Information and Regulatory Affairs (OIRA) of the Office of Management and Budget (OMB) for review. OIRA has determined that this regulatory action is a “significant regulatory action” under section 3(f) of E.O. 12866. Accordingly, this action was subject to review under that Executive Order by OIRA.

B. Administrative Procedure Act

A direct final rule is a regulatory document that is used for non-controversial regulatory amendments.² The direct final rule process allows an agency to issue a rule without having to go through the review process twice (*i.e.*, at the proposed and final rule stages), while at the same time offering the public the opportunity to challenge the agency’s view that the rule is non-controversial. Consistent with E.O. 14270, this rulemaking would add a conditional sunset date to covered regulations, as defined by E.O. 14270. As previously explained, adding these conditional sunset dates does not require DOE to rescind or extend a regulation. Therefore, because DOE does not anticipate significant public comments on this rulemaking and considers it to be non-controversial, DOE is using the “direct final rule procedure” for this rule. The amendments are effective on **[INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**. However, if DOE receives significant adverse comments on

² Direct final rules fall under the “unnecessary” prong of the “good cause” exemption in 5 U.S.C. 553(b)(B), which DOE relies on here. *See* Admin. Conference of the U.S., Recommendation 95-4, Procedures for Noncontroversial and Expedited Rulemaking, 60 FR 43108, 43110–43111 (Aug. 18, 1995).

any part of this direct final rule by **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**, then DOE will publish a document that withdraws any such part of this action and will address the comments received in a subsequent final rule as a response to the companion notice of proposed rulemaking published in this issue of the *Federal Register* or take other action as appropriate.

C. Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) requires that an agency prepare an initial regulatory flexibility analysis whenever an agency is required by section 553 of this title, or any other law, to publish general notice of proposed rulemaking for any proposed rule. DOE is not obligated to prepare a regulatory flexibility analysis for this rulemaking because there is not a requirement to publish a general notice of proposed rulemaking under the Administrative Procedure Act. *See* 5 U.S.C. 601(2), 603(a). DOE notes that the companion proposed rule addresses whether the preparation of an initial regulatory analysis is warranted.

D. Paperwork Reduction Act of 1995

This direct final rule imposes no new information or record-keeping requirements. Accordingly, OMB clearance is not required under the Paperwork Reduction Act. 44 U.S.C. 3501 *et seq.*

E. National Environmental Policy Act of 1969

DOE has considered this DFR in accordance with NEPA, as amended, DOE's NEPA implementing regulations, set forth in 10 CFR part 1021, and DOE's NEPA implementing procedures published outside the Code of Federal Regulations on June 30, 2025. DOE has determined that NEPA does not apply to this action as this DFR is an administrative and routine action excepted from NEPA review necessary to add sunset provisions to certain DOE's regulations consistent with E.O. 14270. DOE has determined that this rulemaking is a Federal action, but it is not "major" and therefore not subject to NEPA. This action is one in which NEPA does not apply because it does not fall within the definition of "major Federal action" in

section 110(10) of NEPA, 42 U.S.C. 4336e(10). For more information, please see appendix A of 10 CFR part 1021 (“A6, Procedural rulemakings”) and appendix A of DOE’s NEPA implementing procedures, A6, Procedural rulemakings (June 30, 2025). Furthermore, before allowing specific regulations to expire, DOE will determine whether NEPA applies and, as appropriate, determine the level of NEPA review required in accordance with DOE’s NEPA implementing procedures (Sections 2.1 and 2.2).

F. Executive Order 12988

With respect to the review of existing regulations and the promulgation of new regulations, section 3(a) of E.O. 12988, *Civil Justice Reform*, imposes on Executive agencies the general duty to adhere to the following requirements: (1) eliminate drafting errors and ambiguity, (2) write regulations to minimize litigation, (3) provide a clear legal standard for affected conduct rather than a general standard, and (4) promote simplification and burden reduction. 61 FR 4729 (Feb. 7, 1996). Regarding the review required by section 3(a), section 3(b) of E.O. 12988 specifically requires that Executive agencies make every reasonable effort to ensure that the regulation (1) clearly specifies the preemptive effect, if any, (2) clearly specifies any effect on existing Federal law or regulation, (3) provides a clear legal standard for affected conduct while promoting simplification and burden reduction, (4) specifies the retroactive effect, if any, (5) adequately defines key terms, and (6) addresses other important issues affecting clarity and general draftsmanship under any guidelines issued by the Attorney General.

Section 3(c) of E.O. 12988 requires Executive agencies to review regulations in light of applicable standards in section 3(a) and section 3(b) to determine whether they are met or it is unreasonable to meet one or more of them. DOE has completed the required review and determined that, to the extent permitted by law, this procedural rulemaking meets the relevant standards of E.O. 12988.

G. Executive Order 13132

E.O. 13132, *Federalism*, imposes certain requirements on Federal agencies formulating and

implementing policies or regulations that preempt State law or that have federalism implications. 64 FR 43255 (Aug. 10, 1999), E.O. 13132 requires agencies to examine the constitutional and statutory authority supporting any action that would limit the policymaking discretion of the States and to carefully assess the necessity for such actions. The E.O. also requires agencies to have an accountable process to ensure meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications. On March 14, 2000, DOE published a statement of policy describing the intergovernmental consultation process it will follow in the development of such regulations. 65 FR 13735.

DOE has examined this DFR and has determined that it will not preempt State law and will 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. The DFR does not directly affect any substantive DOE regulation that might implicate federalism because it is a procedural rule. Accordingly, no further action is required by E.O. 13132.

H. Executive Order 13175

Under E.O. 13175, *Consultation and Coordination with Indian Tribal Governments*, DOE may not issue a discretionary rule that has Tribal implications and imposes substantial direct compliance costs on Indian Tribal governments. 65 FR 67249, (Nov. 9, 2000). DOE has determined that this DFR will not have such effects and has concluded that E.O. 13175 does not apply to this DFR.

I. Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) requires each Federal agency to assess the effects of Federal regulatory actions on State, local, and Tribal governments and the private sector. Public Law 104-4, sec. 201 (codified at 2 U.S.C. 1531). For a regulatory action likely to result in a rule that may cause the expenditure by State, local, and Tribal governments, in the aggregate, or by the private sector of \$100 million or more in any one year

(adjusted annually for inflation), section 202 of UMRA requires a Federal agency to publish a written statement that estimates the resulting costs, benefits, and other effects on the national economy. 2 U.S.C. 1532(a), (b). The UMRA also requires a Federal agency to develop an effective process to permit timely input by elected officers of State, local, and Tribal governments on a “significant intergovernmental mandate,” and requires an agency plan for giving notice and opportunity for timely input to potentially affected small governments before establishing any requirements that might significantly or uniquely affect them. On March 18, 1997, DOE published a statement of policy on its process for intergovernmental consultation under UMRA. 62 FR 12820. DOE’s policy statement is also available at www.energy.gov/sites/prod/files/gcprod/documents/umra_97.pdf.

DOE examined this DFR according to UMRA and its statement of policy and determined that adding the sunset provisions does not contain a Federal intergovernmental mandate, nor is it expected to require expenditures of \$100 million or more in any one year by State, local, and Tribal governments, in the aggregate, or by the private sector. As stated previously, adding the sunset provision does not direct the Secretary to rescind or reissue any particular regulation, but rather the provisions require the Secretary to review whether extending the regulations is warranted. As a result, the analytical requirements of UMRA do not apply.

J. Treasury and General Government Appropriations Act of 1999

Section 654 of the Treasury and General Government Appropriations Act, 1999 (Pub. L. 105–277) requires Federal agencies to issue a Family Policymaking Assessment for any rule that may affect family well-being. This DFR will not have any impact on the autonomy or integrity of the family as an institution. Accordingly, DOE has concluded that it is not necessary to prepare a Family Policymaking Assessment.

K. Treasury and General Government Appropriations Act, 2001

Section 515 of the Treasury and General Government Appropriations Act, 2001 (44 U.S.C. 3516, note) provides for Federal agencies to review most disseminations of information to the

public under information quality guidelines established by each agency pursuant to general guidelines issued by 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 www.energy.gov/sites/prod/files/2019/12/f70/DOE%20Final%20Updated%20IQA%20Guidelines%20Dec%202019.pdf.

DOE has reviewed this direct final rule under the OMB and DOE guidelines and has concluded that it is consistent with applicable policies in those guidelines.

L. 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 (2) is likely to have a significant adverse effect on the supply, distribution, or use of energy; or (3) 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 regulatory action will 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.

M. Additional Executive Orders and Presidential Memoranda

DOE has examined this direct final rule and has determined that it is consistent with the policies and directives outlined in E.O. 14154 *Unleashing American Energy*; E.O. 14192,

Unleashing Prosperity Through Deregulation; and Presidential Memorandum, *Delivering Emergency Price Relief for American Families and Defeating the Cost-of-Living Crisis*. This DFR is not subject to E.O. 14192, *Unleashing Prosperity Through Deregulation*, 90 FR 9065 (February 6, 2025). As stated previously, adding a sunset provision to covered regulations does not rescind or extend any particular regulation. Thus, this action is neither regulatory nor deregulatory under E.O. 14192. Moreover, E.O. 14270 explicitly states that “[n]either a determination to extend the conditional sunset date of a particular regulation, nor a regulation that expires as a result of [E.O. 14270], shall count towards the ten-for-one regulatory requirement in Executive Order 14192[.]” E.O. 14270, section 5(a).

N. Congressional Review Act

As required by 5 U.S.C. 801, DOE will report to Congress on the promulgation of this rule. The report will state that it has been determined that the rule is not a “major rule” as defined by 5 U.S.C. 804(2). The DFR does not rescind or reissue any particular regulation but rather the DFR requires the Secretary to review whether extending the regulations is warranted.

V. Approval of the Office of the Secretary

The Secretary of Energy has approved publication of this direct final rule and request for comments.

List of Subjects

10 CFR Part 300

Administrative practice and procedure, Buildings and facilities, Business and industry, Energy conservation, Grant programs-energy, Housing, Reporting and recordkeeping requirements, Technical assistance.

10 CFR Part 602

Grant programs—health, Medical research, Occupational safety and health, Reporting and recordkeeping requirements.

10 CFR Part 605

Accounting, Administrative practice and procedure, Adult education, Aged, Agriculture, American Samoa, Bilingual education, Blind, Business and industry, Civil rights, Colleges and universities, Communications, Community development, Community facilities, Copyright, Credit, Cultural exchange programs, Educational facilities, Educational research, Education, Education of disadvantaged, Education of individuals with disabilities, Educational study programs, Electric power, Electric power rates, Electric utilities, Elementary and secondary education, Energy conservation, Equal educational opportunity, Federally affected areas, Government contracts, Grant programs, Grants administration, Guam, Home improvement, Homeless, Hospitals, Housing, Human research subjects, Indians, Indians-education, Infants and children, Insurance, Intergovernmental relations, International organizations, Inventions and patents, Loan programs, Manpower training programs, Migrant labor, Mortgage insurance, Nonprofit organizations, Northern Mariana Islands, Pacific Islands Trust Territories, Privacy, Renewable Energy, Reporting and recordkeeping requirements, Rural areas, Scholarships and fellowships, School construction, Schools, Science and technology, Securities, Small businesses, State and local governments, Student aid, Teachers, Telecommunications, Telephone, Urban areas, Veterans, Virgin Islands, Vocational education, Vocational rehabilitation, Waste treatment and disposal, Water pollution control, Water resources, Water supply, Watersheds, Women.

10 CFR Part 706

Administrative practice and procedure, Labor management relations, Security measures.

10 CFR Part 708

Administrative practice and procedure, Whistleblowing.

10 CFR Part 712

Administrative practice and procedure, Alcohol abuse, Classified information, Drug abuse, Government contracts, Government employees, Health, Occupational safety and health, Radiation protection, Security measures.

10 CFR Part 719

Government contracts, Legal services.

10 CFR Part 725

Classified information, Nuclear energy, Reporting and recordkeeping requirements.

10 CFR Part 727

Classified information, Computer technology, Government employees, National defense.

10 CFR Part 733

Investigations, Reporting and recordkeeping requirements, Science and technology, Scientists.

10 CFR Part 760

Public lands-mineral resources, Reporting and recordkeeping requirements, Radioactive materials.

10 CFR Part 766

Confidential business information, Electric utilities, Nuclear energy, Radioactive materials, Reporting and recordkeeping requirements, Waste treatment and disposal.

10 CFR Part 782

Claims, Copyright, Inventions and patents.

10 CFR Part 783

Inventions and patents.

10 CFR Part 784

Inventions and patents.

10 CFR Part 824

Government contracts, Nuclear energy, Penalties, Security measures.

10 CFR Part 840

Administrative practice and procedure, Government contracts, Nuclear energy, Reporting and recordkeeping requirements.

10 CFR Part 860

Federal buildings and facilities, Penalties, Security measures.

10 CFR Part 861

Federal buildings and facilities, Penalties, Traffic regulations.

10 CFR Part 862

Aircraft, Federal buildings and facilities, Security measures.

10 CFR Part 950

Government contracts, Radiation protection.

10 CFR Part 960

Hazardous waste, Nuclear energy, Radiation protection.

10 CFR Part 963

Hazardous waste, Nuclear energy, Radiation protection.

10 CFR Part 1009

Fees.

10 CFR Part 1015

Administrative practice and procedure, Antitrust, Claims, Fraud, Government employees, Privacy.

10 CFR Part 1016

Classified information, Nuclear energy, Reporting and recordkeeping requirements, Security measures.

10 CFR Part 1045

Classified information.

10 CFR Part 1046

Government contracts, Reporting and recordkeeping requirements, Security measures.

10 CFR Part 1061

Administrative practice and procedure.

Signing Authority

This document of the Department of Energy was signed on May 13, 2026, by Chris Wright, Secretary 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 27, 2026.

Treena V. Garrett
Federal Register Liaison Officer,
U.S. Department of Energy

For the reasons set forth in the preamble, DOE amends chapters II, III, and X of title 10 of the Code of Federal Regulations, as set forth below.

PART 300 – VOLUNTARY GREENHOUSE GAS REPORTING PROGRAM: GENERAL GUIDELINES

1. The authority citation for part 300 continues to read as follows:

Authority: 42 U.S.C. 7101, *et seq.*, and 42 U.S.C. 13385(b).

2. Add § 300.14 to read as follows:

§ 300.14 Sunset provision.

Sections in this part will automatically expire [INSERT DATE 410 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER] unless the section expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

PART 602 – EPIDEMIOLOGY AND OTHER HEALTH STUDIES FINANCIAL ASSISTANCE PROGRAM

3. The authority citation for part 602 continues to read as follows:

Authority: 42 U.S.C. 2051; 42 U.S.C. 5817; 42 U.S.C. 5901-5920; 42 U.S.C. 7254 and 7256; 31 U.S.C. 6301-6308.

4. Add § 602.20 to read as follows:

§ 602.20 Sunset provision.

Sections in this part will automatically expire [INSERT DATE 410 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER] unless the section expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

PART 605 – THE OFFICE OF SCIENCE FINANCIAL ASSISTANCE PROGRAM

5. The authority citation for part 605 continues to read as follows:

Authority: Section 31 of the Atomic Energy Act, as amended, Pub. L. 83-703, 68 Stat. 919 (42 U.S.C. 2051); sec. 107 of the Energy Reorganization Act of 1974, Pub. L. 93-438, 88 Stat. 1240 (42 U.S.C. 5817); Federal Nonnuclear Energy Research and Development Act of 1974, Pub. L.

93-577, 88 Stat. 1878 (42 U.S.C. 5901 *et seq.*); secs. 644 and 646 of the Department of Energy Organization Act, Pub. L. 95-91, 91 Stat. 599 (42 U.S.C. 7254 and 7256); Federal Grant and Cooperative Agreement Act, as amended (31 U.S.C. 6301 *et seq.*).

6. Add § 605.21 to read as follows:

§ 605.21 Sunset provision.

Sections in this part will automatically expire [INSERT DATE 410 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]unless the section expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

PART 706 – SECURITY POLICIES AND PRACTICES RELATING TO LABOR-MANAGEMENT RELATIONS

7. The authority citation for part 706 continues to read as follows:

Authority: Sec. 161, 68 Stat. 948, as amended; 42 U.S.C. 2201.

8. Add § 706.41 to read as follows:

§ 706.41 Sunset provision.

Sections in this part will automatically expire [INSERT DATE 410 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]unless the section expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

PART 708 – DOE CONTRACTOR EMPLOYEE PROTECTION PROGRAM

9. The authority citation for part 708 continues to read as follows:

Authority: 42 U.S.C. 2201(b), 2201(c), 2201(i), and 2201(p); 42 U.S.C. 5814 and 5815; 42 U.S.C. 7251, 7254, 7255, and 7256; and 5 U.S.C. Appendix 3.

10. Add § 708.44 to read as follows:

§ 708.44 Sunset provision.

Sections in this part will automatically expire [INSERT DATE 410 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]unless the section expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

PART 712 – HUMAN RELIABILITY PROGRAM

11. The authority citation for part 712 continues to read as follows:

Authority: 42 U.S.C. 2165; 42 U.S.C. 2201; 42 U.S.C. 5814-5815; 42 U.S.C. 7101 *et seq.*; 50 U.S.C. 2401 *et seq.*; E.O. 10450, 3 CFR 1949-1953 Comp., p. 936, as amended; E.O. 10865, 3 CFR 1959-1963 Comp., p. 398, as amended; 3 CFR Chap. IV.

12. Add § 712.39 to read as follows:

§ 712.39 Sunset provision.

Sections in this part will automatically expire July 13, 2031, unless the section expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

PART 719 – CONTRACTOR LEGAL MANAGEMENT REQUIREMENTS

13. The authority citation for part 719 continues to read as follows:

Authority: 42 U.S.C. 2201, 5814, 5815 and 7101, *et seq.*; 50 U.S.C. 2401, *et seq.*

14. Add § 719.53 to read as follows:

§ 719.53 Sunset provision.

Sections in this part will automatically expire [INSERT DATE 410 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]unless the section expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

PART 725 – PERMITS FOR ACCESS TO RESTRICTED DATA

15. The authority citation for part 725 continues to read as follows:

Authority: Sec. 161 of the Atomic Energy Act of 1954, as amended, 68 Stat. 943, 42 U.S.C. 2201.

16. Add § 725.32 to read as follows:

§ 725.32 Sunset provision.

Sections in this part will automatically expire July 13, 2031, unless the section expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

PART 727 – CONSENT FOR ACCESS TO INFORMATION ON DEPARTMENT OF ENERGY COMPUTERS

17. The authority citation for part 727 continues to read as follows:

Authority: 42 U.S.C. 7101, *et seq.*; 42 U.S.C. 2011, *et. seq.*; 50 U.S.C. 2425, 2483; E.O. No. 12958, 60 FR 19825, 3 CFR, 1995 Comp., p. 333; and E.O. 12968, 60 FR 40245, 3 CFR, 1995 Comp., p. 391.

18. Add § 727.7 to read as follows:

§ 727.7 Sunset provision.

Sections in this part will automatically expire [INSERT DATE 410 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER] unless the section expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

PART 733 – ALLEGATIONS OF RESEARCH MISCONDUCT

19. The authority citation for part 733 continues to read as follows:

Authority: 42 U.S.C. 2201; 7254; 7256; 7101 *et seq.*; 50 U.S.C. 2401 *et seq.*

20. Add § 733.9 to read as follows:

§ 733.9 Sunset provision.

Sections in this part will automatically expire [INSERT DATE 410 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER] unless the section expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

PART 760 – DOMESTIC URANIUM PROGRAM

21. The authority citation for part 760 is added to read as follows:

Authority: The Atomic Energy Act of 1954, as amended (68 Stat. 919, 42 U.S.C. 2011 *et seq.*)

§ 760.1 [Amended]

22. Amend § 760.1 by removing the parenthetical authority citation at the end of the section.

23. Add § 760.2 to read as follows:

§ 760.2 Sunset provision.

Sections in this part will automatically expire [INSERT DATE 410 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]unless the section expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

PART 766 – URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND; PROCEDURES FOR SPECIAL ASSESSMENT OF DOMESTIC UTILITIES

24. The authority citation for part 766 continues to read as follows:

Authority: 42 U.S.C. 2201, 2297g, 2297g-1, 2297g-2, 7254.

25. Add § 766.108 to read as follows:

§ 766.108 Sunset provision.

Sections in this part will automatically expire [INSERT DATE 410 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]unless the section expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

PART 782 – CLAIMS FOR PATENT AND COPYRIGHT INFRINGEMENT

26. The authority citation for part 782 continues to read as follows:

Authority: Dept. of Energy Organization Act; sec. 651, 91 Stat. 601, 42 U.S.C. 7261; Atomic Energy Act of 1954; sec. 107(d), 88 Stat. 1241, 42 U.S.C. 5817(d); sec. 161(g), 80 Stat. 443, 42 U.S.C. 2201(g); sec. 172, 62 Stat. 933, 42 U.S.C. 2223; Foreign Assistance Act of 1961, sec. 2356, 75 Stat. 440, 22 U.S.C. 2356; Patents, Invention Secrecy Act; sec. 183, 66 Stat. 4, 35 U.S.C. 183; Judiciary and Judicial Procedure Act, sec. 1498, 62 Stat. 601, 28 U.S.C. 1498.

27. Add § 782.9 to read as follows:

§ 782.9 Sunset provision.

Sections in this part will automatically expire [INSERT DATE 410 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]unless the section expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

PART 783 – WAIVER OF PATENT RIGHTS

28. The authority citation for part 783 continues to read as follows:

Authority: Secs. 152, 161, 68 Stat. 944, 948, as amended; (42 U.S.C. 2182, 2201).

29. Add § 783.3 to read as follows:

§ 783.3 Sunset provision.

Sections in this part will automatically expire [INSERT DATE 410 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]unless the section expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

PART 784 – PATENT WAIVER REGULATION

30. The authority citation for part 784 continues to read as follows:

Authority: 42 U.S.C. 7151; 42 U.S.C. 5908; 42 U.S.C. 2182; 35 U.S.C. 202 and 210; 42 U.S.C. 7261a.

31. Add § 784.14 to read as follows:

§ 784.14 Sunset provision.

Sections in this part will automatically expire [INSERT DATE 410 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]unless the section expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

PART 824 – PROCEDURAL RULES FOR THE ASSESSMENT OF CIVIL PENALTIES FOR CLASSIFIED INFORMATION SECURITY VIOLATIONS

32. The authority citation for part 824 continues to read as follows:

Authority: 42 U.S.C. 2201, 2282b, 7101 *et seq.*, 50 U.S.C. 2401 *et seq.*; 28 U.S.C. 2461 note.

33. Add § 824.17 to read as follows:

§ 824.17 Sunset provision.

Sections in this part will automatically expire [INSERT DATE 410 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]unless the section expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

PART 840 – EXTRAORDINARY NUCLEAR OCCURRENCES

34. The authority citation for part 840 continues to read as follows:

Authority: Sec. 161 of the Atomic Energy Act of 1954, Pub. L. 83-703, 68 Stat. 919 (42 U.S.C. 2201); sec. 170 of the Atomic Energy Act of 1954, Pub. L. 85-256, 71 Stat. 576, as amended by Pub. L. 89-645, 80 Stat. 891 (42 U.S.C. 2210); Department of Energy Organization Act, Pub. L. 95-91, 91 Stat. 565-613 (42 U.S.C. 7101-7352).

35. Add § 840.6 to read as follows:

§ 840.6 Sunset provision.

Sections in this part will automatically expire [INSERT DATE 410 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]unless the section expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

PART 860 – TRESPASSING ON DEPARTMENT OF ENERGY PROPERTY

36. The authority citation for part 860 continues to read as follows:

Authority: Sec. 161, 68 Stat. 948, sec. 229, 70 Stat. 1070; (42 U.S.C. 2201; 2278a); sec. 104, 88 Stat. 1237, sec. 105, 88 Stat. 1238 (42 U.S.C. 5814, 5815); sec. 5, Pub. L. 100-185, 101 Stat. 1279 (18 U.S.C. 3559); sec. 6, Pub. L. 100-185, 101 Stat. 1280 (18 U.S.C. 3571); sec. 7041, Pub. L. 100-690, 102 Stat. 4899 (18 U.S.C. 3559).

37. Add § 860.9 to read as follows:

§ 860.9 Sunset provision.

Sections in this part will automatically expire July 13, 2031, unless the section expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

PART 861 – CONTROL OF TRAFFIC AT NEVADA TEST SITE

38. The authority citation for part 861 continues to read as follows:

Authority: 42 U.S.C. 2201.

39. Add § 861.8 to read as follows:

§ 861.8 Sunset provision.

Sections in this part will automatically expire [INSERT DATE 410 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]unless the section expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

PART 862 – RESTRICTIONS ON AIRCRAFT LANDING AND AIR DELIVERY AT DEPARTMENT OF ENERGY NUCLEAR SITES

40. The authority citation for part 862 continues to read as follows:

Authority: 42 U.S.C. 2201(b), 2201(i) and 2278(a).

41. Add § 862.8 to read as follows:

§ 862.8 Sunset provision.

Sections in this part will automatically expire July 13, 2031, unless the section expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

PART 950 – STANDBY SUPPORT FOR CERTAIN NUCLEAR PLANT DELAYS

42. The authority citation for part 950 continues to read as follows:

Authority: 42 U.S.C. 2201, 42 U.S.C. 7101 *et seq.*, and 42 U.S.C. 16014.

43. Add § 950.43 to read as follows:

§ 950.43 Sunset provision.

Sections in this part will automatically expire [INSERT DATE 410 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]unless the section expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

PART 960 – GENERAL GUIDELINES FOR THE PRELIMINARY SCREENING OF POTENTIAL SITES FOR A NUCLEAR WASTE REPOSITORY

44. The authority citation for part 960 continues to read as follows:

Authority: 42 U.S.C. 2011 *et seq.*, 42 U.S.C. 7101 *et seq.*, 42 U.S.C. 10101 *et seq.*

45. Add § 960.6 to subpart D to read as follows:

§ 960.6 Sunset provision.

Sections in this part will automatically expire [INSERT DATE 410 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]unless the section expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

PART 963 – YUCCA MOUNTAIN SITE SUITABILITY GUIDELINES

46. The authority citation for part 963 continues to read as follows:

Authority: 42 U.S.C. 2011 *et seq.*; 42 U.S.C. 7101 *et seq.*; 42 U.S.C. 10101, *et seq.*

47. Add § 963.18 to read as follows:

§ 963.18 Sunset provision.

Sections in this part will automatically expire [INSERT DATE 410 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]unless the section expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

PART 1009 – GENERAL POLICY FOR PRICING AND CHARGING FOR MATERIALS AND SERVICES SOLD BY DOE

48. The authority citation for part 1009 continues to read as follows:

Authority: Sec. 644 of the Dept. of Energy Organization Act, Pub. L. 95-91, 91 Stat. 565 (42 U.S.C. 7254); Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 *et seq.*) “User Fee Statute”, 31 U.S.C. 483a, 42 U.S.C. 2111, 2112 and 2201.

49. Add § 1009.7 to read as follows:

§ 1009.7 Sunset provision.

Sections in this part will automatically expire [INSERT DATE 410 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]unless the section expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

PART 1015 – COLLECTION OF CLAIMS OWED THE UNITED STATES

50. The authority citation for part 1015 continues to read as follows:

Authority: 31 U.S.C. 3701, 3711, 3716, 3717, 3718, and 3720B; 42 U.S.C. 2201 and 7101, *et seq.*; 50 U.S.C. 2401 *et seq.*

51. Add § 1015.506 to subpart E to read as follows:

§ 1015.506 Sunset provision.

Sections in this part will automatically expire [INSERT DATE 410 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]unless the section expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

PART 1016 – SAFEGUARDING OF RESTRICTED DATA BY ACCESS PERMITTEES

52. The authority citation for part 1016 continues to read as follows:

Authority: Sec. 161i of the Atomic Energy Act of 1954, 68 Stat. 948 (42 U.S.C. 2201).

53. Add § 1016.33 to read as follows:

§ 1016.33 Sunset provision.

Sections in this part will automatically expire July 13, 2031, unless the section expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

PART 1045 – NUCLEAR CLASSIFICATION AND DECLASSIFICATION

54. The authority citation for part 1045 continues to read as follows:

Authority: 42 U.S.C. 2011; E.O. 13526, 75 FR 705, 3 CFR 2010 Comp., pp. 298-327.

55. Add § 1045.226 to read as follows:

§ 1045.226 Sunset provision.

Sections in this part will automatically expire July 13, 2031, unless the section expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

**PART 1046 – MEDICAL, PHYSICAL READINESS, TRAINING, AND ACCESS
AUTHORIZATION STANDARDS FOR PROTECTIVE FORCE PERSONNEL**

56. The authority citation for part 1046 continues to read as follows:

Authority: 42 U.S.C. 2011, *et seq.*; 42 U.S.C. 7101, *et seq.*; 50 U.S.C. 2401, *et seq.*

57. Add § 1046.21 to read as follows:

§ 1046.21 Sunset Provision.

Sections in this part will automatically expire July 13, 2031, unless the section expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

58. Add part 1061 to read as follows:

PART 1061 – GENERAL SUNSET PROVISIONS

Authority: 42 U.S.C. 7254; E.O. 14270 (April 9, 2025).

§ 1061.101 Sunset Provisions.

(a) Pursuant to a sunset provision, an affected section will automatically expire and cease to be effective on the identified conditional sunset date unless the section expires, is rescinded, or is extended prior to that date.

(b) If, prior to the expiration of a Section, the Secretary of Energy or designee (Secretary) makes a written determination that an extension of the Section is warranted, the Secretary may continue the sections for a period stated in the determination, which shall not exceed five calendar years from the date of the determination. DOE shall promptly publish in the *Federal Register* a written determination of any extension under this section.

(c) Amendments to an existing regulation shall not extend its sunset date.

(d) DOE will give the public an opportunity to comment on the costs and benefits of extending any regulations covered by a sunset provision, through a request for information or other means, before allowing any regulation to expire.

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