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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: Notice of proposed rulemaking; request for comments.

SUMMARY: This proposed rule would insert sunset provisions into certain regulations, consistent with the Executive order (E.O.), *Zero-Based Regulatory Budgeting to Unleash American Energy* (April 9, 2025), and agency policy. Each sunset provision would establish a conditional sunset date for covered regulations, as defined by the E.O. In this notice of proposed rulemaking (NOPR), the U.S. Department of Energy (DOE) proposes regulatory revisions identical to those set forth in a direct final rule published elsewhere in this issue of the *Federal Register*. If DOE receives significant adverse comments, DOE will publish a notice of withdrawal for the direct final rule and will proceed with this proposed rule.

DATES: DOE will accept comments, data, and information regarding this NOPR no later than **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**.

ADDRESSES: See section IV of this document, “Public Participation,” for details. Interested persons are encouraged to submit comments using the Federal eRulemaking

Portal at www.regulations.gov under docket number DOE-HQ-2025-0603. Follow the instructions for submitting comments. Alternatively, interested persons may submit comments, identified by docket number DOE-HQ-2025-0603, by any of the following methods:

(1) *Email: FederalRegisterOP@hq.doe.gov.* Please include the docket number DOE-HQ-2025-0603 in the subject line of the message.

(2) *Postal Mail:* U.S. Department of Energy, Office of the General Counsel, 1000 Independence Avenue SW, Office, Washington, DC 20585.

(3) *Hand Delivery/Courier:* U.S. Department of Energy, Office of the General Counsel, 1000 Independence Avenue SW, Office, Washington, DC 20585. Telephone: (202) 287- 1445. If possible, please submit all items on a CD, in which case it is not necessary to include printed copies.

No telefacsimiles (“faxes”) will be accepted.

Docket: The docket for this proposed 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. See

section IV of this document, *Public Participation*, for information on how to submit comments through www.regulations.gov.

FOR FURTHER INFORMATION CONTACT: Ms. Clara Wheelock, U.S.

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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

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

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.

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 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. Proposed Rule Overview

A. Sunset Provisions for Specific Covered Regulations

This notice of proposed rulemaking would insert a sunset provision into its regulations codified in each of the parts previously listed. This NOPR would amend 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 states: "Sections in this part will automatically expire [365 days from the effective date of a final rule] unless the section 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 NOPR would set 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 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 preliminarily 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 NOPR would set a conditional sunset date that is 5 years from the effective date for these provisions. DOE requests comment on the costs and benefits of extending these regulations.

B. Sunset Provisions for Covered Regulations Generally

This NOPR also would add 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 proposed general sunset provisions would reiterate 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 proposed general sunset provisions would 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, section 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 proposed rule would provide 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).

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 notice of proposed rulemaking. The President’s directive provides an independent and sufficient justification for this proposed 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). Similarly, EPCA and its amendments seek to conserve energy supplies and improve energy efficiency of various consumer products and commercial equipment and DOE is directed to routinely consider whether to make those standards more stringent. DOE requests comment regarding the effects of EPCA’s anti-backsliding provision on technological developments, resource allocations, market forces, and unnecessary intervention into consumer, industrial and energy markets.

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 proposed 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. Public Participation

DOE will accept comments, data, and information regarding this NOPR on or before the date provided in the **DATES** section. Interested parties may submit comments, data, and other information using any of the methods described in the **ADDRESSES** section at the beginning of this document.

Submitting comments via www.regulations.gov. The www.regulations.gov web page will require you to provide your name and contact information. Your contact information will not be publicly viewable except for your first and last name(s), organization name (if any), and submitter representative name (if any). If your comment is not processed properly because of technical difficulties, DOE will use this information

to contact you. If DOE cannot read your comment due to technical difficulties and cannot contact you for clarification, DOE may not be able to consider your comment.

However, your contact information will be publicly viewable if you include it in the comment itself or in any documents attached to your comment. Any information that you do not want to be publicly viewable should not be included in your comment, nor in any document attached to your comment. Otherwise, persons viewing comments will see only first and last names, organization names, correspondence containing comments, and any documents submitted with the comments.

Do not submit to *www.regulations.gov* information the disclosure of which is restricted by statute, such as trade secrets and commercial or financial information (hereinafter referred to as Confidential Business Information (“CBI”). Comments submitted through *www.regulations.gov* cannot be claimed as CBI. Comments received through the website will waive any CBI claims for the information submitted. For information on submitting CBI, see the Confidential Business Information section.

DOE processes submissions made through *www.regulations.gov* before posting. Normally, comments will be posted within a few days of being submitted. However, if large volumes of comments are being processed simultaneously, your comment may not be viewable for up to several weeks. Please keep the comment tracking number that *www.regulations.gov* provides after you have successfully uploaded your comment.

Submitting comments via email, hand delivery/courier, or postal mail. Comments and documents submitted via email, hand delivery/courier, or postal mail also will be posted to *www.regulations.gov*. If you do not want your personal contact information to be publicly viewable, do not include it in your comments or any accompanying

documents. Instead, provide your contact information in a cover letter. Include your first and last names, email address, telephone number, and optional mailing address. The cover letter will not be publicly viewable as long as it does not include any comments.

Include contact information each time you submit comments, data, documents, and other information to DOE. If you submit via postal mail or hand delivery/courier, please provide all items on a CD, if feasible, in which case it is not necessary to submit printed copies. No telefacsimiles (faxes) will be accepted.

Comments, data, and other information submitted to DOE electronically should be provided in PDF (preferred), Microsoft Word or Excel, WordPerfect, or text (ASCII) file format. Provide documents that are written in English, and that are free of any defects or viruses. Documents should not contain special characters or any form of encryption. If possible, documents should carry the electronic signature of the author.

Confidential Business Information. Pursuant to 10 CFR 1004.11, any person submitting information that they believe to be confidential and exempt by law from public disclosure should submit via email, postal mail, or hand delivery/courier two well-marked copies: One copy of the document marked “confidential” including all the information believed to be confidential, and one copy of the document marked “non-confidential” that deletes the information believed to be confidential. Submit these documents via email or on a CD, if feasible. DOE will make its own determination about the confidential status of the information and will treat it according to its determination. It is DOE’s policy that all comments, including any personal information provided in the comments, may be included in the public docket, without change and as received, except for information deemed to be exempt from public disclosure.

V. Procedural Issues and Regulatory Review

The regulatory reviews conducted for this proposed rule are identical to those conducted for the direct final rule published elsewhere in this issue of the *Federal Register*. Please see the direct final rule for further details.

VI. Approval of the Office of the Secretary

The Secretary of Energy has approved publication of this notice of proposed rulemaking 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.

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

For the reasons set forth in the preamble, DOE proposes to amend 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 [365 days from the effective date of a final rule] 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 [365 days from the effective date of a final rule] 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 [365 days from the effective date of a final rule] 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 [365 days from the effective date of a final rule] 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: 41 U.S.C. 8102 *et seq.*; 42 U.S.C. 2012, 2013, 2051, 2061, 2165, 2201b, 2201i, and 2201p; 42 U.S.C. 5814 and 5815; 42 U.S.C. 7151, 7251, 7254, and 7256; 50 U.S.C. 2401 *et seq.*

10. Add § 708.44 to read as follows:

§ 708.44 Sunset Provision.

Sections in this part will automatically expire [365 days from the effective date of a final rule] 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 [5 years from the effective date of a final rule] 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 [365 days from the effective date of a final rule] 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 [5 years from the effective date of a final rule] 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 [365 days from the effective date of a final rule] 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 [365 days from the effective date of a final rule] 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 continues to read as follows:

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

22. Add § 760.2 to read as follows:

§ 760.2 Sunset Provision.

Sections in this part will automatically expire [365 days from the effective date of a final rule] 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**

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

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

24. Add § 766.108 to read as follows:

§ 766.108 Sunset Provision.

Sections in this part will automatically expire [365 days from the effective date of a final rule] 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

25. 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.

26. Add § 782.9 to read as follows:

§ 782.9 Sunset Provision.

Sections in this part will automatically expire [365 days from the effective date of a final rule] 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

27. 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).

28. Add § 783.2 to read as follows:

§ 783.2 Sunset Provision.

Sections in this part will automatically expire [365 days from the effective date of a final rule] unless the section expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

PART 784 – Patent Waiver Regulation

29. 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.

30. Add § 784.14 to read as follows:

§ 784.14 Sunset Provision.

Sections in this part will automatically expire [365 days from the effective date of a final rule] 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

31. 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.

32. Add § 824.17 to read as follows:

§ 824.17 Sunset Provision.

Sections in this part will automatically expire [365 days from the effective date of a final rule] unless the section expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

PART 840 – EXTRAORDINARY NUCLEAR OCCURRENCES

33. 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).

34. Add § 840.6 to read as follows:

§ 840.6 Sunset Provision.

Sections in this part will automatically expire [365 days from the effective date of a final rule] 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

35. 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).

36. Add § 860.9 to read as follows:

§ 860.9 Sunset Provision.

Sections in this part will automatically expire [5 years from the effective date of a final rule] 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

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

Authority: 42 U.S.C. 2201.

38. Add § 861.8 to read as follows:

§ 861.8 Sunset Provision.

Sections in this part will automatically expire [365 days from the effective date of a final rule] 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

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

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

40. Add § 862.8 to read as follows:

§ 862.8 Sunset Provision.

Sections in this part will automatically expire [5 years from the effective date of a final rule] 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

41. 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.

42. Add § 950.43 to read as follows:

§ 950.43 Sunset Provision.

Sections in this part will automatically expire [365 days from the effective date of a final rule] 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

43. 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.*

44. Add § 960.6 to read as follows:

§ 960.6 Sunset Provision.

Sections in this part will automatically expire [365 days from the effective date of a final rule] 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

45. 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.*

46. Add § 963.18 to read as follows:

§ 963.18 Sunset Provision.

Sections in this part will automatically expire [365 days from the effective date of a final rule] 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

47. 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.

48. Add § 1009.7 to read as follows:

§ 1009.7 Sunset Provision.

Sections in this part will automatically expire [365 days from the effective date of a final rule] 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

49. 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.*

50. Add § 1015.506 to read as follows:

§ 1015.506 Sunset Provision.

Sections in this part will automatically expire [365 days from the effective date of a final rule] 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

51. 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).

52. Add § 1016.33 to read as follows:

§ 1016.33 Sunset Provision.

Sections in this part will automatically expire [5 years from the effective date of a final rule] 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

53. 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.

54. Add § 1045.226 to read as follows:

§ 1045.226 Sunset Provision.

Sections in this part will automatically expire [5 years from the effective date of a final rule] 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

55. 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.*

56. Add § 1046.21 to read as follows:

§ 1046.21 Sunset Provision.

Sections in this part will automatically expire [5 years from the effective date of a final rule] unless the section expires earlier, is rescinded, or the sunset provision is extended pursuant to 10 CFR 1061.101.

57. Adding part 1061 to read as follows:

PART 1061 – GENERAL SUNSET PROVISIONS

Authority: 42 U.S.C. 7254; Executive Order 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.