DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Part 774

[Docket No. 260406–0093]

RIN 0694–AJ98

Extension of Authorized Integrated Circuit (IC) Designer Status and Application Deadline To Become an Approved IC Designer

AGENCY: Bureau of Industry and Security, Department of Commerce.

ACTION: Final rule.

SUMMARY: The Bureau of Industry and Security (BIS) is revising the Export Administration Regulations (EAR) by extending by about eight months the triggering date for authorized integrated circuit designer status and submission date for applications to become an approved integrated circuit (IC) designer. The new date is December 31, 2026.

DATES: *Effective date:* The effective date of this rule is April 7, 2026. *Extended date to apply to become an approved IC designer:* Applications must be received by December 31, 2026, after which time, applicants may be considered authorized IC designers for 180 days.

FOR FURTHER INFORMATION CONTACT: Carlos Monroy at 202–482–3246 or by email: *Carlos.Monroy@bis.doc.gov* or *rpd2@bis.doc.gov.*

SUPPLEMENTARY INFORMATION: On January 16, 2025, BIS published an interim final rule (IFR) (90 FR 5298) (FDD IFR), adding certain presumptions for ''front-end fabricators'' and ''OSAT'' companies seeking to export, reexport, or transfer (in-country) certain ''applicable advanced logic integrated circuits'' under ECCN 3A090.a (see § 742.6(a)(6)(iii)(A) and Note 1 to 3A090.a), unless the presumption is overcome via Note 1 to 3A090.a. The FDD IFR provided three ways to overcome the presumption that involve Approved IC designers, approved ''OSAT'' companies, or via identifying authorized IC designers with criteria included in Note 1 to 3A090.a. To be listed, entities must submit requests to BIS and be approved through the End-user Review Committee (ERC).

This final rule revises Note 1 to ECCN 3A090.a by removing the April 13, 2026 date wherever it occurs, and replacing it with December 31, 2026. This change will allow entities additional time to apply to be approved IC designers and allows BIS additional time to process these applications.

Export Control Reform Act of 2018

On August 13, 2018, the President signed into law the John S. McCain National Defense Authorization Act for Fiscal Year 2019, which included ECRA (codified, as amended, at 50 U.S.C. 4801–4852). ECRA provides the legal basis for BIS's principal authorities and serves as the authority under which BIS issues this rule. In particular, and as noted elsewhere, Section 1753 of ECRA (50 U.S.C. 4812) authorizes the regulation of exports, reexports, and transfers (in-country) of items subject to U.S. jurisdiction. Further, Section 1754(a)(1)–(16) of ECRA (50 U.S.C. 4813(a)(1)–(16)) authorizes, *inter alia,* the establishment of a list of controlled items; the prohibition of unauthorized exports, reexports, and transfers (in-country); the requirement of licenses or other authorizations for exports, reexports, and transfers (in-country) of controlled items; apprising the public of changes in policy, regulations, and procedures; and any other action necessary to carry out ECRA that is not otherwise prohibited by law. Pursuant to Section 1762(a) of ECRA (50 U.S.C. 4821(a)), these changes can be imposed in a final rule without prior notice and comment.

Rulemaking Requirements

1. BIS has examined the impact of this rule as required by Executive Orders (E.O.) 12866 and 13563, which direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (*e.g.,* potential economic, environmental, public, health, and safety effects, distributive impacts, and equity). This final rule is not significant under Executive Order 12866. Therefore, E.O. 14192 does not apply.

2. Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501 *et seq.*), unless that collection of information displays a currently valid Office of Management and Budget (OMB) Control Number. This regulation involves collections of information approved by OMB under the following control numbers: OMB Control Number 0694–0088–Simple Network Application Process and Multipurpose Application Form; OMB Control Number 0694–0096–Five Year Records Retention Period; OMB Control Number 0694–0137–License Exemptions and Exclusions; OMB Control Number 0694–0152–Automated Export System (AES) Program.

For OMB control number 0694–0088, Simple Network Application Process and Multipurpose Application Form, BIS estimates that the extension included in this final rule will result in a net increase of 75 advisory opinions submitted to BIS with an increase of 38 burden hours. However, the increase in burden falls within the existing burden estimates associated with this control number. For OMB Control number 0694–0137, *License Exceptions and Exclusions,* BIS estimates the extension included in this final rule will result an increase of 20 approved IC designers, and an increase in 385 burden hours, but the increase in burden falls within the existing burden estimates associated with this control number. For OMB Control number 0607–0152, *Automated Export System (AES)* Program, BIS expects an increase of 100 submissions, for an increase in 5 burden hours, but the increase in burden falls within the existing burden estimates associated with this control numbers. Changes impacting OMB Control Number 0694–0096, *Five Year Records Retention Period,* are not expected to result in a change in burden hours.

3. This rule does not contain policies with federalism implications as that term is defined in Executive Order 13132.

4. Pursuant to section 1762 of the Export Control Reform Act of 2018, thisactionis exempt from the Administrative Procedure Act (5 U.S.C. 553) requirements for notice of proposed rulemaking, opportunity for public participation, and delay in effective date.

5. Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this rule under the APA (5 U.S.C. 553) or by any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are not applicable. Accordingly, no regulatory flexibility analysis is required, and none has been prepared.

List of Subjects in 15 CFR Part 774

Exports, Reporting and recordkeeping requirements.

For the reasons stated in the preamble, part 774 of the Export Administration Regulations (15 CFR parts 730 through 774) is amended as follows:

PART 774—THE COMMERCE CONTROL LIST

■ 1. The authority citation for part 774 continues to read as follows:

Authority: 50 U.S.C. 4801–4852; 50 U.S.C. 4601 *et seq.;* 50 U.S.C. 1701 *et seq.;* 10 U.S.C. 8720; 10 U.S.C. 8730(e); 22 U.S.C. 287c, 22 U.S.C. 3201 *et seq.;* 22 U.S.C. 6004; 42 U.S.C. 2139a; 15 U.S.C. 1824; 50 U.S.C. 4305; 22 U.S.C. 7201 *et seq.;* 22 U.S.C. 7210; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228.

Supplement No. 1 to Part 774 [Amended]

■ 2. In supplement no. 1 to part 774, in ECCN 3A090, amend note 1 to 3A090.a in paragraphs a.(2) and (3) by removing the date ''April 13, 2026'', wherever it occurs, and adding in its place the date ''December 31, 2026.''

Julia A. Khersonsky,

Deputy Assistant Secretary for Strategic Trade.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R01–OAR–2025–0915 and EPA–R01–OAR–2020–0562; FRL–13065–02–R1]

Air Plan Approval; Rhode Island; Regional Haze State Implementation Plan for the Second Implementation Period; Prong 4 (Visibility) for the 2015 8-Hour Ozone National Ambient Air Quality Standard

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving a State Implementation Plan (SIP) revision submitted by the State of Rhode Island on March 7, 2025, as satisfying the applicable requirements under the Clean Air Act (CAA) and EPA's Regional Haze Rule (RHR) for the program's second implementation period. Rhode Island's SIP submission addresses the requirement that states must periodically revise their long-term strategies for making reasonable progress towards the national goal of preventing any future, and remedying any existing, anthropogenic impairment of visibility, including regional haze, in mandatory Class I Federal areas. The SIP submission also addresses other applicable requirements for the second implementation period of the regional haze program. EPA is also approving the remaining element of Rhode Island's September 23, 2020, infrastructure SIP (ISIP) submittal for the 2015 ozone National Ambient Air Quality Standard (NAAQS). The approval of Rhode Island's second implementation period regional haze plan addresses ISIP requirements related to visibility protection. The EPA is taking this action pursuant to sections 110 and 169A of the Clean Air Act.

DATES: This rule is effective on May 11, 2026.

ADDRESSES: EPA has established a docket for this action under Docket Identification No. EPA–R01–OAR–2025–091. All documents in the docket are listed on the *https://www.regulations.gov* website. Although listed in the index, some information is not publicly available, *i.e.,* CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available at *https://www.regulations.gov* or at the U.S. Environmental Protection Agency, EPA Region 1 Regional Office, Air and Radiation Division, 5 Post Office Square—Suite 100, Boston, MA. EPA requests that if at all possible, you contact the contact listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection.

FOR FURTHER INFORMATION CONTACT: Ayla Martinelli, Air Quality Branch, U.S. Environmental Protection Agency, EPA Region 1, 5 Post Office Square—Suite 100, (Mail code 5–MI), Boston, MA 02109–3912, tel. (617) 918–1057, email *martinelli.ayla@epa.gov.*

SUPPLEMENTARY INFORMATION:

Throughout this document whenever ''we,'' ''us,'' or ''our'' is used, we mean EPA.

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I. Background and Purpose

On November 20, 2025, EPA published a Notice of Proposed Rulemaking (NPRM) for the State of Rhode Island (90 FR 52270). The NPRM proposed approval of the second implementation period regional haze requirements contained in CAA sections 169A, 169B and 40 CFR 51.308, as well as the remaining element of the ISIP under CAA section 110(a)(2)(D)(i)(II) regarding visibility protection (also known as ''prong 4''). EPA is now finalizing its proposed determination that the Rhode Island regional haze SIP submission for the second implementation period meets the applicable statutory and regulatory requirements and is thus approving Rhode Island's submission into its SIP. With the approval of the regional haze plan, EPA is also finalizing its proposed determination that Rhode Island has met prong 4 of the ISIP for the 2015 ozone NAAQS. Other specific requirements of the Rhode Island submittal and the rationale for EPA's proposed action are explained in the NPRM and will not be restated here. Two public comments were received on the NPRM.

II. Response to Comments

EPA received two comments during the comment period. The first comment we received, from the Citizen Rulemaking Alliance (CRA), opposes the proposed action. The second comment we received, from MANEVU, supports EPA's proposed action to approve Rhode Island's regional haze plan submittal. However, the comment from MANEVU also objected to EPA's recently adopted policy referenced in the NPRM regarding the ''Uniform Rate of Progress'' (URP).

Comment: The CRA argues that the ''record as posted appears insufficient for meaningful comment under the [Administrative Procedure Act] APA and to support an approval under CAA section 110(k).'' According to the commenter, 5 U.S.C. 553(b)–(c) requires that commenters ''have access to the 'critical factual material' on which the Agency relies to formulate and justify its proposal.'' ''For Regional Haze second planning period SIPs, the essential elements include, at a minimum: The State's identification of emissions units 'reasonably anticipated to cause or contribute to visibility impairment' at affected Class I areas and the basis for source selection (40 CFR 51.308(f)(2)(i), (f)(2)(iii)); The four-factor reasonable progress analyses for each selected source or emissions unit (costs of compliance, time necessary for compliance, energy and non-air quality environmental impacts, and remaining useful life), and the rationale for selected (or rejected) control measures (40 CFR 51.308(f)(2)(i), (f)(2)(ii)(A), (f)(2)(iii)); Baseline and projected emissions inventories and any modeling inputs/outputs used to establish or evaluate reasonable progress goals (40 CFR 51.308(f)(1), (f)(2)(vi)); Documentation of interstate consultation and consultation with Federal Land Managers and responses to their comments (40 CFR 51.308(f)(2)(i), (i)); The State's public notice, comments received, and responses (40 CFR 51.102; 51.308(i)(2)).'' The comment claims that ''without these materials, the public cannot meaningfully test whether the State's source selection was reasonable,