and regulatory principles that underpin the Commercial Water Heater Rule and the Consumer Furnace Rule.

In addition, a matter titled ''Procedures, Interpretations, and Policies for Consideration in New or Revised Energy Conservation Standards and Test Procedures for Consumer Products and Commercial/Industrial Equipment'' (''Process Rule'') appears in the Unified Agenda.[21] The Unified Agenda's abstract states that the Department ''is considering a notice-and-comment rulemaking to amend its Process Improvement Rule to reflect statutory changes as well as innovative, collaborative approaches to reflect more efficient rulemaking.''[22] Moreover, the Process Rule was received at OMB on January 9, 2026, and is currently pending review by the Office of Information and Regulatory Affairs. Because changes to the Process Rule and Interpretive Rule could affect how DOE approaches standards rulemakings, amending the compliance dates now would help avoid forcing manufacturers and consumers to make irreversible transition investments while DOE is considering these matters.

C. Amendment of the Compliance Deadlines Is Warranted Due to Pending Supreme Court Review of These Rules

On January 20, 2026, AGA, APGA, NPGA, and NCTP, Inc., doing business as Thermo Products (''Petitioners'') petitioned the U.S. Supreme Court to review the D.C. Circuit decision upholding DOE's Consumer Furnace Rule and Commercial Water Heater Rule.[23] The petition maintains that the lower court inappropriately deferred to the Department in violation of *Loper Bright Enterprises* v. *Raimondo,* 603 U.S. 369, 395 (2024), and the majority erred in analyzing the sections of EPCA that protected performance characteristics. The interests of justice require amendment of the compliance dates for the Commercial Water Heater Rule and the Consumer Furnace Rule pending judicial review. First, there is significant likelihood that Petitioners will succeed on the merits in a challenge of both rules at the Supreme Court.[24] Second, if the Court grants certiorari, the briefing could extend for months, and it could be some time before the Court issues an opinion. Hence, a decision may not be issued until 2027, after the compliance date for the Commercial Water Heater Rule.

In short, the pending petition for writ of certiorari creates near-term uncertainty for manufacturers and the market. Specifically, it creates uncertainty for manufacturers, distributors, contractors, and consumers who must plan for compliance in advance of the compliance dates. This uncertainty is particularly relevant for the Commercial Water Heater Rule, given the proximity of the current compliance date (October 6, 2026) and the lead times associated with the rule. Finally, an amendment of the compliance dates pending judicial review will not substantially injure other parties or undermine the public interest. In summary, ''[t]here is generally no public interest in the perpetuation of unlawful agency action.'' *Shawnee Tribe* v. *Mnuchin,* 984 F.3d 94, 102 (D.C. Cir. 2021) (internal quotation marks omitted). In conclusion, prompt action by DOE to amend the compliance dates would provide greater regulatory certainty and reduce the risk of disruption and compliance expenditures while Petitioners' petition for writ of certiorari is pending.

III. Conclusion

For the reasons stated above, Joint Requesters respectfully request that the Department amend the compliance dates for the Commercial Water Heater Rule and the Consumer Furnace Rule. If you have any questions regarding this submission, please do not hesitate to contact the undersigned.

Respectfully submitted,

/S/

Matthew J. Agen,

Chief Regulatory Counsel, Energy, American Gas Association, 400 N Capitol Street NW, Washington, DC 20001, *magen@aga.org.*

/S/

Eric Kurilla,

Executive Vice President, Vice President of Operations & Advocacy, American Public Gas Association, 201 Massachusetts Avenue NE, Suite C–4, Washington, DC 20002, *ekurilla@apga.org.*

/S/

Benjamin Nussdorf,

General Counsel/Senior Vice President, Regulatory & Industry Affairs, National Propane Gas Association, 1140 Connecticut Ave. NW, Suite 1075, Washington, DC 20036, *bnussdorf@npga.org.*

cc: Michael Helmer, *Principal Deputy Assistant Secretary*
Louis Hrkman, *Principal Deput Assistant Secretary*
Joshua Campbell, *Deputy General Counsel for Energy Efficiency and Clean Energy Demonstrations*
Carolyn Snyder, *Deputy Assistant Secretary for the Office of Innovation, Affordability and Consumer Choice.*

[FR Doc. 2026–08145 Filed 4–24–26; 8:45 am]

BILLING CODE 6450–01–P

[21] *See* RIN 1904–AF72.

[22] *See https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202504&RIN=1904-AF72.*

[23] Petition for Writ of Certiorari at Supreme Court of the United States, *AGA* v. *DOE,* No. 25–879 (Jan. 20, 2026).

[24] *Id.*

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

12 CFR Parts 24, 43, and 128

[Docket ID OCC–2025–0075]

RIN 1557–AF32

Streamlining Regulations Concerning Public Welfare Investments, Open Market Collateralized Loan Obligations, and Federal Savings Association Nondiscrimination Requirements

AGENCY: Office of the Comptroller of the Currency, Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Office of the Comptroller of the Currency invites public comment on a notice of proposed rulemaking (proposed rule) to rescind or amend certain regulations that are unnecessary, based on anything other than the best reading of the underlying statutory authority, or lacking clear statutory authority, consistent with the criteria set out in the Executive Order titled Ensuring Lawful Governance and Implementing the President's ''Department of Government Efficiency'' Deregulatory Initiative. The proposed rule would remove certain references to minority- and women-owned entities; remove the portion of the credit risk retention requirements that provides an alternative compliance option for lead arrangers of open market collateralized loan obligations; and remove certain duplicative non-discrimination requirements for Federal savings associations.

DATES: Comments must be received by May 27, 2026.

ADDRESSES: Commenters are encouraged to submit comments through the Federal eRulemaking Portal. Please use the title ''Streamlining Regulations Concerning Public Welfare Investments, Open Market Collateralized Loan Obligations, and Federal Savings Association Nondiscrimination Requirements'' to facilitate the organization and distribution of the comments. You may submit comments by any of the following methods:

- *Federal eRulemaking Portal—Regulations.gov:*

Go to *https://regulations.gov/.* Enter Docket ID ''OCC–2025–0075'' in the Search Box and click ''Search.'' Public comments can be submitted via the ''Comment'' box below the displayed document information or by clicking on the document title and then clicking the ''Comment'' box on the top-left side of the screen. For help with submitting effective comments, please click on ''Commenter's Checklist.'' For assistance with the *Regulations.gov* site, please call 1–866–498–2945 (toll free) Monday–Friday, 9 a.m.–5 p.m. EST, or email *regulationshelpdesk@gsa.gov.*

• *Mail:* Chief Counsel's Office, Attention: Comment Processing, Office of the Comptroller of the Currency, 400 7th Street SW, Suite 3E–218, Washington, DC 20219.

• *Hand Delivery/Courier:* 400 7th Street SW, Suite 3E–218, Washington, DC 20219.

Instructions: You must include ''OCC'' as the agency name and Docket ID ''OCC–2025–0075'' in your comment. In general, the OCC will enter all comments received into the docket and publish the comments on the *Regulations.gov* website without change, including any business or personal information provided such as name and address information, email addresses, or phone numbers. Comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

You may review comments and other related materials that pertain to this action by the following method:

• *Viewing Comments Electronically—Regulations.gov:*

Go to *https://regulations.gov/.* Enter Docket ID ''OCC–2025–0075'' in the Search Box and click ''Search.'' Click on the ''Dockets'' tab and then the document's title. After clicking the document's title, click the ''Browse All Comments'' tab. Comments can be viewed and filtered by clicking on the ''Sort By'' drop-down on the right side of the screen or the ''Refine Comments Results'' options on the left side of the screen. Supporting materials can be viewed by clicking on the ''Browse Documents'' tab. Click on the ''Sort By'' drop-down on the right side of the screen or the ''Refine Results'' options on the left side of the screen checking the ''Supporting & Related Material'' checkbox. For assistance with the *Regulations.gov* site, please call 1–866–498–2945 (toll free) Monday-Friday, 9 a.m.-5 p.m. EST, or email *regulationshelpdesk@gsa.gov.*

The docket may be viewed after the close of the comment period in the same manner as during the comment period.

FOR FURTHER INFORMATION CONTACT: Chris Rafferty, Counsel, (202) 649–5490; Office of the Comptroller of the Currency, 400 7th Street SW, Washington, DC 20219. If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

SUPPLEMENTARY INFORMATION:

I. Background

The OCC has conducted a review of its existing regulations for consistency with the criteria set out in Executive Order 14219 (E.O. 14219), Ensuring Lawful Governance and Implementing the President's ''Department of Government Efficiency'' Deregulatory Initiative, which requires agencies to review all regulations subject to their sole or joint jurisdiction for consistency with law and Administration policy.[1] Among other criteria, E.O. 14219 requires agencies to identify regulations that (1) are based on anything other than the best reading of the underlying statutory authority and (2) implicate matters of social, political, or economic significance that are not authorized by clear statutory authority.[2] The OCC is issuing this proposed rule to streamline parts 24, 43, and 128 of title 12 of the Code of Federal Regulations by rescinding or amending regulations that meet the criteria of E.O. 14219 or are otherwise unnecessary, duplicative, or burdensome.

II. Description of the Proposed Rule

A. Part 24—Community Development Corporation and Project Investments and Other Public Welfare Investments

Consistent with E.O. 14219, the OCC is issuing this proposed rule to amend the Community Development Corporation and Project Investments and Other Public Welfare Investments regulations codified at 12 CFR part 24.

Twelve U.S.C. 24(Eleventh) authorizes national banks and their subsidiaries to make investments ''designed primarily to promote the public welfare, including the welfare of low- and moderate-income families and communities (such as through the provision of housing, services, or jobs),'' subject to certain percentage of capital limitations. Part 24 implements this statute to provide authority for national banks to make public welfare investments (PWIs). Under § 24.3, a PWI is an investment made directly or indirectly by a national bank or its subsidiary that primarily benefits low- and moderate-income (LMI) individuals, LMI areas, or other areas targeted by a governmental entity for redevelopment, or an investment that would receive consideration as a ''qualified investment'' under the investment test in the Community Reinvestment Act's implementing regulations.[3] Section 24.6, which incorporates definitions provided for in § 24.2, describes examples that meet the requirements of § 24.3. The examples of PWIs that benefit LMI areas and individuals include certain investments in small businesses and small farms, including minority- and women-owned small businesses and small farms, and minority- and women-owned depository institutions.

Consistent with E.O. 14219, the OCC is issuing this proposed rule to amend part 24 by removing references to minority- and women-owned entities. These amendments align the PWI examples with the text of the enabling statute. Further, the use of more streamlined text would better highlight the operative components in each example. The amendments in part 24, consistent with the minimum statutory requirements, would generally permit national banks and their subsidiaries to continue to make PWIs to the same extent as currently permitted.[4]

B. Part 43—Risk Retention for Open Market Collateralized Loan Obligations

Consistent with E.O. 14219, the OCC is issuing this proposed rule to rescind the portion of its credit risk retention regulation that provides an alternative compliance option for lead arrangers of open market collateralized loan obligations (CLO) codified at 12 CFR 43.9.

On December 24, 2014, the OCC published a joint final rule implementing the credit risk retention requirements under section 15G of the Securities Exchange Act of 1934 as amended by section 941 of the Dodd-Frank Act.[5] Generally, the final rule requires securitizers of asset-backed securities (ABS) to retain at least five percent of the credit risk associated with

[1] 90 FR 10583 (Feb. 19, 2025).

[2] *Id.*

[3] *See* 12 CFR 24.3.

[4] For the proposed examples, the primary determinant of whether an investment meets the requirements of § 24.3 would, as in the current rule, continue to be (1) the location of the investment (*i.e.,* in an LMI area or targeted redevelopment area) or (2) the benefit the investment would provide for LMI individuals.

[5] 79 FR 77602 (Dec. 24, 2014).

related ABS transactions.[6] The preamble to the final rule explains that for open market CLO transactions, the CLO manager is the appropriate party to hold risk retention.[7] As an alternative to the standard options for vertical or horizontal risk retention, the final rule includes a provision to permit the lead arranger in an open market CLO transaction to hold risk retention in lieu of the CLO manager (lead arranger option).[8]

In 2018, plaintiffs successfully sued the Securities and Exchange Commission and the Board of Governors of the Federal Reserve System to block the final rule's credit risk retention requirements from applying to CLO managers in open market CLO transactions.[9] While the OCC was not a party to the case, it is likely the court's conclusions would apply to open market CLO managers under the OCC's risk retention rule.

As open market CLO managers are no longer subject to the current risk retention rule, the lead arranger option in 12 CFR 43.9 is now irrelevant. Therefore, the OCC is issuing this proposed rule to rescind the lead arranger option for its credit risk retention regulation and make conforming amendments to cross-references in part 43.

C. Part 128—Nondiscrimination Requirements

Consistent with E.O. 14219, the OCC is issuing this proposed rule to rescind its ''Nondiscrimination Requirements'' regulation for Federal savings associations (FSAs) codified at 12 CFR part 128.[10] The regulation is duplicative of other legal authorities that address discrimination and lacks clear statutory authority. Additionally, rescinding part 128 would reduce burden for FSAs by removing regulatory requirements that are not applicable to national banks.

Part 128 prohibits FSAs from engaging in discriminatory practices in connection with: (i) lending and other services, including the purchase of a loan or securities; (ii) applications; (iii) advertising; (iv) appraisals; (v) underwriting; and (vi) employment. These requirements were originally promulgated by the Office of Thrift Supervision (OTS) at 12 CFR part 528 before the OTS's powers, authorities, rights, and duties were transferred to the OCC pursuant to Title III of the Dodd-Frank Act.[11]

E.O. 14219 requires agencies to identify regulations that (1) are based on anything other than the best reading of the underlying statutory authority and (2) implicate matters of social, political, or economic significance that are not authorized by clear statutory authority.[12] Twelve CFR part 128 implicates nondiscrimination, which is a matter of social, political, or economic significance, and is not authorized by clear statutory authority. Current part 128 cites to 12 U.S.C. 1464 (the OCC's general rulemaking powers for FSAs under the Home Owners' Loan Act) and 12 U.S.C. 5412(b)(2)(B) (the transfer provision for authorities from OTS to the OCC). Twelve U.S.C. 1464 does not address nondiscrimination. Further, the OTS did not have clear statutory authority to promulgate 12 CFR part 528 in the first instance,[13] and thus 12 U.S.C. 5412 did not transfer clear statutory authority to the OCC for part 128.

Additionally, part 128 largely reiterates the prohibitions on discrimination contained in the Equal Credit Opportunity Act and its implementing regulations,[14] the Fair Housing Act and its implementing regulations,[15] and other laws concerning nondiscrimination and their implementing regulations.[16] Accordingly, part 128 is generally duplicative of other legal authorities that address discrimination and unnecessary.[17]

Request for Comments

The OCC invites comment on all aspects of this proposed rule.

III. Regulatory Analyses

Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (PRA) [18] states that no agency may conduct or sponsor, nor is the respondent required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number. The OCC has reviewed the notice of proposed rulemaking and determined that it would not create any new or revise any existing, collections of information under the PRA. Accordingly, no PRA submissions to OMB will be made with respect to this proposed rule.

Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA), 5 U.S.C. 601 *et seq.,* requires an agency, in connection with a proposed rule, to prepare an Initial Regulatory Flexibility Analysis describing the impact of the rule on small entities (defined by the Small Business Administration (SBA) for purposes of the RFA to include commercial banks and savings institutions with total assets of $850 million or less and trust companies with total assets of $47 million or less) or to certify that the proposed rule would not have a significant economic impact on a substantial number of small entities. The OCC currently supervises approximately 609 small entities.[19]

The OCC estimates that the proposed rule would not have a significant economic impact on a substantial number of small entities, as the proposed rule would rescind or amend existing regulations and does not contain any new mandates. Accordingly, an Initial Regulatory Flexibility Analysis is not required, and

[6] *Id.*

[7] *Id.* at 77650.

[8] *Id.* at 77750–1, *codified at* 12 CFR 43.9.

[9] *Loan Syndications & Trading Ass'n* v. *SEC,* 882 F.3d 220 (D.C. Cir. 2018).

[10] 76 FR 48950 (Aug. 9, 2011).

[11] Dodd-Frank Wall Street Reform and Consumer Protection Act, Public Law 111–203, 124 Stat. 1376, 1522 (2010). The Dodd-Frank Act transferred 12 CFR part 528 to the OCC with respect to Federal saving associations and to the Federal Deposit Insurance Corporation (FDIC) with respect to State saving associations. The FDIC republished these regulations at 12 CFR part 390.

[12] 90 FR 10583 (Feb. 19, 2025).

[13] The former OTS rule cites to 12 U.S.C. 2810 (disclosure of data by the Department of Housing and Urban Development under 12 U.S.C. 29); 12 U.S.C. 2901 *et seq.* (Community Reinvestment Act, which does not impose substantive nondiscrimination requirements); 12 U.S.C. 1691 *et seq.* (Equal Credit Opportunity Act, for which the Bureau of Consumer Financial Protection has exclusive rulemaking authority); and 42 U.S.C. 1981–1982 (civil rights statutes relating to equal rights under the law and the property rights of citizens, which do not grant the OCC rulemaking authority).

[14] 15 U.S.C. 1691 *et seq.*

[15] 42 U.S.C. 3605.

[16] *See* Equal Employment Opportunity Act of 1972, Pub. L. 92–261, 86 Stat.103 (1972); Home Mortgage Disclosure Act, 12 U.S.C. 2801 *et seq.;* Civil Rights Act of 1964, Pub. L. 88–352, 78 Stat. 241 (1964).

[17] Similarly, on February 3, 2021, the FDIC rescinded and removed 12 CFR part 390, which, as noted above, was applicable to State savings associations. The FDIC based its rescission on the fact that the provision was largely duplicative of other regulations and burdensome to subject State savings associations to additional requirements to which insured State nonmember banks are not subject. 86 FR 8082 (Feb. 3, 2021).

[18] 44 U.S.C. 3501 *et seq.*

[19] The OCC bases the estimate of the number of small entities on the Small Business Administration's size thresholds for commercial banks and savings institutions (NAICS Code: 522110), and trust companies (NAICS Code: 523991), which are $850 million and $47 million, respectively. Consistent with the General Principles of Affiliation 13 CFR 121.103(a), the OCC counts the assets of affiliated financial institutions when determining whether to classify an OCC-supervised institution as a small entity. The OCC uses December 31, 2024, to determine size because a ''financial institution's assets are determined by averaging the assets reported on its four quarterly financial statements for the preceding year.'' See footnote 8 of the U.S. Small Business Administration's *Table of Size Standards.*

the OCC certifies that the proposed rule would not have a significant economic impact on a substantial number of small entities.

Unfunded Mandates Reform Act of 1995

The OCC analyzed the proposed rule under the factors set forth in the Unfunded Mandates Reform Act of 1995 (UMRA) (2 U.S.C. 1532). Under this analysis, the OCC considered whether the proposed rule includes a Federal mandate that may result in 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 for inflation). Because the proposed rule would rescind or amend existing regulations and does not contain any new mandates, the OCC estimates that the proposed rule would not result in an expenditure of $100 million or more annually by State, local, and Tribal governments, or by the private sector (adjusted for inflation). The OCC's estimates that the costs associated with the proposed rule, if finalized as proposed, would be de minimis. Accordingly, the OCC has not prepared the written statement described in section 202 of the UMRA.

Riegle Community Development and Regulatory Improvement Act of 1994

Pursuant to section 302(a) of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4802(a)), in determining the effective date and administrative compliance requirements for new regulations that impose additional reporting, disclosure, or other requirements on insured depository institutions, the OCC will consider, consistent with the principles of safety and soundness and the public interest: (1) any administrative burdens that the proposed rule would place on depository institutions, including small depository institutions and customers of depository institutions and (2) the benefits of the proposed rule. The OCC requests comment on any administrative burdens that the proposed rule would place on depository institutions, including small depository institutions and their customers, and the benefits of the proposed rule that the OCC should consider in determining the effective date and administrative compliance requirements for a final rule.

Providing Accountability Through Transparency Act of 2023

The Providing Accountability Through Transparency Act of 2023 [20] requires that a notice of proposed rulemaking include the internet address of a summary of not more than 100 words in length of a proposed rule, in plain language, that shall be posted on the internet website *www.regulations.gov.*

The OCC invites public comment on the proposed rule to rescind or amend certain regulations that are unnecessary, based on anything other than the best reading of the underlying statutory authority, or lacking clear statutory authority, consistent with the criteria set out in the Executive Order titled Ensuring Lawful Governance and Implementing the President's ''Department of Government Efficiency'' Deregulatory Initiative. The proposed rule would remove certain references to minority- and women-owned entities; remove the credit risk retention requirements for open market collateralized loan obligations; and remove certain duplicative non-discrimination requirements for Federal savings associations.

The proposal and the required summary can be found at *https://www.regulations.gov* by searching for Docket ID OCC–2025–0075 and *https://occ.gov/topics/laws-and-regulations/occ-regulations/proposed-issuances/index-proposed-issuances.html.*

[20] 5 U.S.C. 553(b)(4).

Executive Orders 12866 and 14192

Executive Order 12866, as amended, provides that the Office of Information and Regulatory Affairs (OIRA) will review all ''significant regulatory actions'' as defined therein. OIRA has determined that this proposed rule is a ''significant regulatory action'' for purposes of section 3(f) of Executive Order 12866.

Executive Order 14192, titled ''Unleashing Prosperity Through Deregulation,'' separately requires that an agency, unless prohibited by law, identify at least ten existing regulations to be repealed when the agency publicly proposes for notice and comment or otherwise promulgates a new regulation with total costs greater than zero. Executive Order 14192 further requires that new incremental costs associated with new regulations shall, to the extent permitted by law, be offset by the elimination of existing costs associated with at least ten prior regulations. This proposed rule is considered a deregulatory action under Executive Order 14192.

List of Subjects

12 CFR Part 24

Community development, Credit, Investments, Low and moderate income housing, Manpower, National banks, Reporting and recordkeeping requirements, Rural areas, Small businesses.

12 CFR Part 43

Automobile loans, Banks and banking, Commercial loans, Commercial real estate, Credit risk, Mortgages, National banks, Reporting and recordkeeping requirements, Risk retention, Securitization.

12 CFR Part 128

Advertising, Aged, Civil rights, Credit, Equal employment opportunity, Fair housing, Individuals with disabilities, Martial status discrimination, Mortgages, Religious discrimination, Reporting and recordkeeping requirements, Savings associations, Sex discrimination, Signs and symbols.

Authority and Issuance

For the reasons set forth in the preamble, the Office of the Comptroller of the Currency proposes to amend 12 CFR parts 24, 43, and 128 as follows:

PART 24—COMMUNITY AND ECONOMIC DEVELOPMENT ENTITIES, COMMUNITY DEVELOPMENT PROJECTS, AND OTHER PUBLIC WELFARE INVESTMENTS

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

Authority: 12 U.S.C. 24(Eleventh), 93a, 481 and 1818.

§ 24.2 [Amended]

■ 2. Amend § 24.2(h) by removing the phrase ''or minority-owned small business''.

§ 24.6 [Amended]

■ 3. Amend § 24.6 by:

■ a. In paragraph (b)(2), removing the phrase '', including minority- and women-owned small businesses or small farms,'';

■ b. In paragraph (d)(1), removing the phrase '', including minority- and women-owned small businesses,''; and

■ c. In paragraph (d)(4), removing the phrase ''minority- and women-owned''.

PART 43—CREDIT RISK RETENTION

■ 4. The authority citation for part 43 is revised to read as follows:

Authority: 12 U.S.C. 93a, 1464, and 15 U.S.C. 78o–11.

§ 43.3 [Amended]

■ 5. Amend § 43.3(b) by removing ''§ 43.9,''.

§ 43.9 [Removed and Reserved]

■ 6. Remove and reserve § 43.9.

PART 128—[REMOVED AND RESERVED]

■ 7. Remove and reserve part 128.

Jonathan V. Gould,

Comptroller of the Currency.

[FR Doc. 2026–08143 Filed 4–24–26; 8:45 am]

BILLING CODE 4810–33–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2026–3868; Project Identifier AD–2025–01169–T]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for all The Boeing Company Model 737–600, –700, –700C, –800, –900, and –900ER series airplanes. This proposed AD was prompted by reports of fuselage skin cracks found near the aft drain mast. This proposed AD would require inspection of the aft drain mast area and surrounding fuselage skin for any repair, repetitive inspections of the fuselage skin and structure common to the aft drain mast for any crack and any corrosion, and applicable on-condition actions. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by June 11, 2026.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to *regulations.gov*. Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.
- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2026–3868; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For Boeing material identified in this proposed AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminster Blvd., MC 110–SK57, Seal Beach, CA 90740–5600; telephone 562–797–1717; website *myboeingfleet.com.*
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available at *regulations.gov* under Docket No. FAA–2026–3868.

FOR FURTHER INFORMATION CONTACT: Luis Cortez-Muniz, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206–231–3958; email: *luis.a.cortez-muniz@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments using a method listed under the **ADDRESSES** section. Include ''Docket No. FAA–2026–3868; Project Identifier AD–2025–01169–T'' at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to *regulations.gov,* including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this NPRM.

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as ''PROPIN.'' The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Luis Cortez-Muniz, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206–231–3958; email: *luis.a.cortez-muniz@faa.gov.* Any commentary that the FAA receives that is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

The FAA has received reports indicating cracks were found in the fuselage skin underneath the aft drain mast on a Model 737–400 airplane. The FAA issued an NPRM that proposed to amend 14 CFR part 39 by adding an AD that would apply to certain Boeing Model 737–100, –200, –200C, –300, –400, and –500 series airplanes. That NPRM was published in the **Federal Register** on February 13, 2026 (91 FR 6798). During cross model evaluation, Boeing determined that Model 737–600, –700, –700C, –800, –900, and –900ER series airplanes could also be affected by the unsafe condition due to configuration similarity; however, there have been no reports of any cracking on these models. This condition, if not addressed, could result in the inability of the principal structural element (PSE) to sustain limit loads, which could result in rapid decompression of the fuselage and the loss of structural integrity of the airplane.

FAA's Determination

The FAA is issuing this NPRM after determining that the unsafe condition described previously is likely to exist or develop on other products of the same type design.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed Boeing Alert Requirements Bulletin 737–53A1421 RB, dated March 20, 2025. This material specifies procedures for external general visual inspection of the aft drain mast area and surrounding fuselage skin for any repair; repetitive internal detailed inspection of the aft drain mast fitting, surrounding fuselage skin, and structure for any crack and any corrosion; repetitive external detailed inspection of the fuselage skin common to the area