

**PART 389—RULEMAKING PROCEDURES—FEDERAL MOTOR CARRIER SAFETY REGULATIONS**

■ 14. The authority citation for part 389 continues to read as follows:

**Authority:** 49 U.S.C. 113, 501 *et seq.*, subchapters I and III of chapter 311, chapter 313, and 31502; sec. 5204 of Pub. L. 114–94, 129 Stat. 1312, 1536; 42 U.S.C. 4917; and 49 CFR 1.87.

■ 15. Amend § 389.39 by revising paragraph (d)(1) to read as follows:

**§ 389.39 Direct final rulemaking procedures.**

\* \* \* \* \*

(d) \* \* \*

(1) If FMCSA receives an adverse comment within the comment period, it will either publish a document withdrawing the direct final rule before it becomes effective and may issue an NPRM or proceed by any other means permitted under the Administrative Procedure Act, consistent with procedures at 49 CFR 5.13(l).

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**PART 553—RULEMAKING PROCEDURES**

■ 16. The authority citation for part 553 continues to read as follows:

**Authority:** 49 U.S.C. 322, 30103, 30122, 30124, 30125, 30127, 30146, 30162, 32303, 32502, 32504, 32505, 32705, 32901, 32902, 33102, 33103, and 33107; delegation of authority at 49 CFR 1.95.

■ 17. Amend § 553.14 by revising paragraph (d) to read as follows:

**§ 553.14 Direct final rulemaking.**

\* \* \* \* \*

(d) If NHTSA receives any written adverse comment within the specified time after publication of the direct final rule in the **Federal Register**, the agency will either publish a document withdrawing the direct final rule before it becomes effective and may issue an NPRM or proceed by any other means permitted under the Administrative Procedure Act, consistent with procedures at 49 CFR 5.13(l).

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**PART 601—ORGANIZATION, FUNCTIONS, AND PROCEDURES**

■ 18. The authority citation for part 601 is revised to read as follows:

**Authority:** 5 U.S.C. 552; 49 U.S.C. 5334; 49 CFR 1.91.

**§§ 601.28 and 601.31 [Removed and Reserved]**

■ 19. Remove and reserve §§ 601.28 and 601.31.

■ 20. Amend § 601.32 by revising paragraph (b)(6) to read as follows:

**§ 601.32 Petitions for rulemaking or exemptions.**

\* \* \* \* \*

(b) \* \* \*

(6) In the case of a petition for exemption, except in cases in which good cause is shown, the petition must be submitted at least 60 days before the requested effective date of the exemption.

■ 21. Amend § 601.33 by revising paragraph (d) to read as follows:

**§ 601.33 Processing of petitions.**

\* \* \* \* \*

(d) *Notification.* Whenever the Administrator determines that a petition should be granted or denied, and after consultation with the Office of Regulation and Legislation in the case of denial, the office concerned and the Office of Chief Counsel prepare a notice of that grant or denial for issuance to the petitioner, and the Administrator issues it to the petitioner.

■ 22. Amend § 601.36 by revising paragraphs (b), (c), and (d) to read as follows:

**§ 601.36 Procedures for direct final rulemaking.**

\* \* \* \* \*

(b) The **Federal Register** document will state that any adverse comment must be received in writing by FTA within the specified time after the date of publication and that, if no written adverse comment is received, the rule will become effective a specified number of days after the date of publication.

(c) If no written adverse comment is received by FTA within the specified time of publication in the **Federal Register**, FTA will publish a notice in the **Federal Register** indicating that no adverse comment was received and confirming that the rule will become effective on the date that was indicated in the direct final rule.

(d) If FTA receives any written adverse comment within the specified time of publication in the **Federal Register**, FTA will either publish a document withdrawing the direct final rule before it becomes effective and may issue an NPRM, or proceed by any other means permitted under the Administrative Procedure Act, consistent with procedures at 49 CFR 5.13(l).

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**PART 605—SCHOOL BUS OPERATIONS**

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

**Authority:** 49 U.S.C. 5323(f); 49 U.S.C. 5334; and 49 CFR 1.91.

■ 24. Revise § 605.31 to read as follows:

**§ 605.31 Notification to the respondent.**

On receipt of any complaint under § 605.30, or on the Administrator’s own motion if at any time he or she shall have reason to believe that a violation may have occurred, the Administrator will provide written notification to the recipient (“Respondent”) that a violation has probably occurred. The Administrator will inform the respondent of the conduct which constitutes a probable violation of the agreement in a manner consistent with the fair notice requirements of 49 CFR 5.69.

■ 25. Revise § 605.32 to read as follows:

**§ 605.32 Accumulation of evidentiary material.**

The Administrator will allow the respondent not more than 30 days to show cause, by submission of evidence, why no violation occurred. A like period shall be allowed to the complainant, if any, during which the complainant may submit evidence to rebut the evidence offered by the respondent. The Administrator may undertake such further investigation, as deemed necessary, including the holding of an evidentiary hearing or hearings in a manner consistent with the record requirements of 49 CFR 5.81.

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**DEPARTMENT OF STATE**

**22 CFR Part 7**

[Public Notice: 12976]

**RIN 1400–AG28**

**Security Review Committee**

**AGENCY:** Department of State.

**ACTION:** Final rule.

**SUMMARY:** The Secretary of State is promulgating rules defining the membership and operating procedures of the Department of State’s Security Review Committee, an internal panel that reviews serious security incidents.

**DATES:** This rule is effective on May 27, 2026.

**FOR FURTHER INFORMATION CONTACT:** Alice Kottmyer, Attorney Adviser,

Office of Management, Office of the Legal Adviser, [kottmyeram@state.gov](mailto:kottmyeram@state.gov).

**SUPPLEMENTARY INFORMATION:**

**Why is the Department promulgating this rule?**

In 2022, section 9302(d) of Public Law 117–263 established the Security Review Committee (SRC), which required the Secretary of State to also publish rules relating to the SRC's membership and operating procedures. The SRC is an internal review process by a panel composed of designated assistant secretary-level federal employees, who are directed to assess a serious security incident involving loss of life, serious injury, or significant destruction of property at or related to a U.S. diplomatic mission abroad. The Committee determines whether the Department of State's security policies, procedures, and programs worked appropriately and as intended. Meetings of an SRC are not open to the public.

**Regulatory Analysis**

*Administrative Procedure Act*

This rulemaking is a rule of agency organization, practice and procedure, and hence is exempt from notice and comment rulemaking pursuant to 5 U.S.C. 553(b).

*Regulatory Flexibility Act*

The Department of State, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this regulation and, by approving it, certifies that this rule will not have a significant economic impact on a substantial number of small entities.

*Unfunded Mandates Act of 1995*

This rule will not 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 year and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

*Congressional Review Act*

This rule is exempt from the Congressional Review Act, pursuant to 5 U.S.C. 804(3)(C).

*Executive Order 12866, 14192, and 13563*

The Office of Information and Regulatory Affairs has designated this rulemaking as not significant under Executive Order 12866, section 3(f), Regulatory Planning and Review. The Department has reviewed the regulation

to ensure its consistency with the regulatory philosophy and principles set forth in Executive Order 12866. The Department of State has considered this rule in light of Executive Order 13563 and affirms that this regulation is consistent with the guidance therein. Since this rule is not significant, it is not subject to the provisions of Executive Order 14192.

*Executive Orders 12372 and 13132*

This regulation will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with section 6 of Executive Order 13132, it is determined that this rule does not have sufficient federalism implications to require consultations or warrant the preparation of a federalism summary impact statement. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities do not apply to this regulation.

*Executive Order 12988*

The Department of State has reviewed the rule considering sections 3(a) and 3(b)(2) of Executive Order 12988 to eliminate ambiguity, minimize litigation, establish clear legal standards, and reduce burdens.

*Executive Order 13175*

The Department of State has determined that this rulemaking will not have Tribal implications, will not impose substantial direct compliance costs on Indian Tribal governments, and will not pre-empt Tribal law. Accordingly, the requirements of Section 5 of Executive Order 13175 do not apply to this rulemaking.

*Paperwork Reduction Act*

This rule does not impose any new reporting or record-keeping requirements subject to the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

**List of Subjects in 22 CFR Part 7**

Organization and functions (Government agencies).

■ For the reasons set forth in the preamble, the Department of State adds part 7 to title 22 of the Code of Federal Regulations to read as follows:

**PART 7—SECURITY REVIEW COMMITTEE**

Sec.

7.1 Introduction.

7.2 Security Review Committee Membership.

7.3 Security Review Committee Operating Procedures.

**Authority:** 22 U.S.C. 2651a; 22 U.S.C. 4801 *et seq.*; 22 U.S.C. 4833.

**§ 7.1 Introduction.**

The Secretary of State is required to convene a Security Review Committee in case of a serious security incident involving loss of life, serious injury, or significant destruction of property at, or related to, a U.S. diplomatic mission abroad, and in any case of a serious breach of security involving intelligence activities of a foreign government directed at a U.S. mission abroad.

**§ 7.2 Security Review Committee Membership.**

(a) The Security Review Committee is comprised of officials filling the positions below, to include an official authorized to perform the duties of the position listed below in paragraphs (a)(1) through (6) by operation of federal law or through delegation of authority from the Secretary of State:

- (1) the Executive Director of the Executive Office for Management;
- (2) the Assistant Secretary of State responsible for the region where the incident occurred;
- (3) the Assistant Secretary of State for Diplomatic Security;
- (4) the Assistant Secretary of State for Intelligence and Research;
- (5) an Assistant Secretary-level representative from any involved United States Government department or agency; and
- (6) other personnel determined by the Secretary of State to be necessary or appropriate.

(b) The Executive Director of the Executive Office for Management serves as chairperson of the SRC, unless otherwise designated by the Secretary of State in a particular case.

**§ 7.3 Security Review Committee Operating Procedures.**

(a) All U.S. diplomatic posts must follow standard incident reporting requirements established by Diplomatic Security, including an official cable notification of an initial report of a potential serious security incident not later than three days after such incident occurs, whenever feasible.

(b) The Under Secretary for Management directs Diplomatic Security to assemble a Security Investigative Team within 10 days of receiving a report of a potential serious security incident.

(c) When directed by the Secretary, either Deputy Secretary, or the Under Secretary for Management, the Assistant

Secretary for Diplomatic Security forms the Security Investigative Team and reviews the Security Investigative Team's composition for any conflict, appearance of conflict, or lack of independence and on an expedited basis seeks approval from the Under Secretary for Management for the composition of the Security Investigative Team.

(d) The Under Secretary for Management approves the composition of the Security Investigative Team. The Under Secretary for Management will endeavor to respond within five days to Diplomatic Security's request for approval of the composition of the Security Investigative Team.

(e) The Security Investigative Team investigates the potential serious security incident and independently establishes what occurred consistent with the statutory requirements. The Security Investigative Team collects information, conducts interviews, reviews relevant information and evidence, and makes a written administrative Report of Investigation within 90 days of the occurrence of the potential serious security incident.

(f) The Secretary convenes a Security Review Committee within 60 days of the occurrence of the potential serious security incident, or within 120 days of the potential serious security incident if the Secretary extends the period by 60 days.

(g) The Security Review Committee reviews the Report of Investigation and any other evidence, reporting, and relevant information related to a potential serious security incident. The Security Review Committee makes a written report to the Secretary no later than 60 days after receiving the Report of Investigation, unless the Secretary extends this period for an additional 60 days. The written SRC report provides a full account of what occurred, makes required determinations as set out in the Security Review Committee statute, and makes recommendations, as warranted.

(h) The Bureau of Legislative Affairs will provide the designated committees of Congress with the following: a notification within eight days of identifying a potential serious security incident; a notification promptly upon establishment of a Security Review Committee; a copy of any written report by the Security Review Committee submitted to the Secretary of State no later than 90 days after the Secretary of State receives it.

(i) Nothing in 22 CFR part 7 precludes the Secretary from immediately directing the formation of a Security Investigative Team or a Security Review

Committee following an initial report of a potential serious security incident.

Dated: April 21, 2026. .

**Alice M. Kottmyer,**

*Attorney-Adviser, Office of the Legal Adviser,  
U.S. Department of State.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG-2026-0495]

RIN 1625-AA00

### Safety Zone; Cheboygan River, Black River, Indian River, Crooked River, Cheboygan, MI

**AGENCY:** Coast Guard, Department of Homeland Security.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone for navigable waters of the Cheboygan River from the Cheboygan Lock and Dam Complex to the Cheboygan River's outlet from Mullett Lake, the Black River from its confluence with the Cheboygan River to Alverno Dam, the Indian River from its outlet at Burt Lake to its mouth at Mullett Lake, and the Crooked River from its outlet at Crooked Lake to its mouth at Burt Lake. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards associated with flood waters. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port, Sector Northern Great Lakes, or their designated representative.

**DATES:** This rule is effective without actual notice from April 27, 2026 through May 8, 2026. For the purposes of enforcement, actual notice will be used from April 22, 2026, until April 27, 2026.

**ADDRESSES:** To view available documents go to <https://www.regulations.gov> and search for USCG-2026-0495.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this rule, contact LT Rebecca Simpson, Sector Northern Great Lakes Waterways Management Division, U.S. Coast Guard; telephone 906-635-3237, or email [ssmprevention@uscg.mil](mailto:ssmprevention@uscg.mil).

**SUPPLEMENTARY INFORMATION:**

## I. Table of Abbreviations

CFR Code of Federal Regulations

COTP Captain of the Port

DHS Department of Homeland Security

FR Federal Register

NPRM Notice of proposed rulemaking

§ Section

U.S.C. United States Code

## II. Background and Authority

The Coast Guard received notification of dangerous flood waters and debris on the Cheboygan River from the Cheboygan Lock and Dam Complex to the Cheboygan River's outlet from Mullett Lake and the Black River from its confluence with the Cheboygan River to Alverno Dam. These dangerous flood waters also encompass the Indian River from its outlet at Burt Lake to its mouth at Mullett Lake as well as the Crooked River from its outlet at Crooked Lake to its mouth at Burt Lake. The Captain of the Port (COTP) Northern Great Lakes has determined that potential hazards associated with flood waters are a safety concern for any vessels in this area.

Because of these potential hazards, the Coast Guard is issuing this rule without prior notice and comment. As is authorized by 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it is impracticable. The Coast Guard was notified of the dangers to vessels on April 21, 2026, and we must establish this safety zone by April 22, 2026, to protect personnel, vessels, and the marine environment. Therefore, we do not have enough time to solicit and respond to comments.

For the same reasons, the Coast Guard finds that under 5 U.S.C. 553(d)(3), good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**.

## III. Discussion of the Rule

This rule establishes a safety zone from April 22, 2026 through May 8, 2026. The safety zone will cover all navigable waters in the Cheboygan River from the Cheboygan Lock and Dam Complex to the Cheboygan River's outlet from Mullett Lake, the Black River from its confluence with the Cheboygan River to Alverno Dam, the Indian River from its outlet at Burt Lake to its mouth at Mullett Lake as well as the Crooked River from its outlet at Crooked Lake to its mouth at Burt Lake. Vessels and persons will not be allowed to enter the zone during this time, unless authorized by the Captain of the Port.