

§ 646.143 must show on dated commercial records the information specified in paragraphs (a)(2)(i) through (viii) of this section for each disposition of more than 10,000 cigarettes or 500 single-unit consumer-sized cans or packages of smokeless tobacco.

(Approved by the Office of Management and Budget under control number 1140–[TBD])

- 8. Amend § 646.150 by revising the section heading and paragraphs (a) and (b)(2) to read as follows:

**§ 646.150 Retaining records.**

(a) *General.* Each distributor that distributes more than 10,000 cigarettes, or 500 single-unit consumer-sized cans or packages of smokeless tobacco in a single transaction must retain the records required by §§ 646.146 and 646.147 for five years following the close of the year in which the records are made. Such distributors must keep the required records on their business premises (or otherwise make the records available from the business premises) and may keep them in electronic form. If storing records electronically, the distributors must maintain an electronic record-keeping system, including stored information, on their business premises or remotely, using a server located within the United States or its territories, or, if using a host facility, the facility must have a business premises within the United States or its territories that is subject to U.S. legal process. The distributors must also ensure that ATF can access the electronic records on the premises by request.

(b) \* \* \*

(2) The tobacco products manufacturer will retain the required record for each disposition of more than 10,000 cigarettes, or 500 single-unit consumer-sized cans or packages of smokeless tobacco, from the agent's premises for the full retention period specified in paragraph (a) of this section; and

\* \* \* \* \*

(Approved by the Office of Management and Budget under control number 1140–[TBD])

- 9. Revise the undesignated center heading preceding § 646.153 to read as follows:

Other Provisions Relating to Distributing Cigarettes and Smokeless Tobacco

- 10. Revise § 646.153 to read as follows:

**§ 646.153 Authority of appropriate ATF officers to enter business premises.**

Any ATF officer may, during normal business hours, enter the business premises of any person described in § 646.146 to inspect the records required under §§ 646.146 and 646.147, or to inspect any cigarettes or smokeless tobacco kept or stored by the person at the premises.

**§ 646.154 [Amended]**

- 11. Amend § 646.154(a) by adding the text “or contraband smokeless tobacco” after the text “contraband cigarettes”.

- 12. Revise § 646.155 to read as follows:

**§ 646.155 Forfeitures.**

(a) Any contraband cigarettes or contraband smokeless tobacco involved in any violation of the provisions of 18 U.S.C. chapter 114 are subject to seizure and forfeiture. The provisions of 18 U.S.C. chapter 46 relating to civil forfeitures extend to any seizure or civil forfeiture under this section. Any cigarettes or smokeless tobacco so seized and forfeited must be either—

- (1) Destroyed and not resold; or
- (2) Used for undercover investigative operations for detecting and prosecuting crimes, and then destroyed and not resold.

(b) Any vessel, vehicle, or aircraft used to transport, carry, convey, conceal, or possess any contraband cigarettes or contraband smokeless tobacco with respect to which there has been committed any violation of any provision of 18 U.S.C. chapter 114 or the regulations in this part is subject to seizure and forfeiture pursuant to 49 U.S.C. 80302–03. The provisions of 18 U.S.C. chapter 46 relating to civil forfeitures extend to any seizure or civil forfeiture under this section.

**Robert Cekada,**

*Director.*

[FR Doc. 2026–09160 Filed 5–7–26; 8:45 am]

**BILLING CODE 4410–FY–P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 100**

**[Docket Number USCG–2025–1108]**

**RIN 1625–AA08**

**Special Local Regulations; Marine Events Within the USCG East District**

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

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is amending a special local regulation for certain waters of the Patapsco River, in Baltimore, MD by adding a new period during which this regulation would be subject to enforcement. This action is necessary to provide for the safety of life on these navigable waters during the 3rd and 4th weeks of June, during Fleet Week events. This rule prohibits persons and vessels from entering the regulated area during this enforcement period unless authorized by the Captain of the Port Maryland-National Capital Region or the Coast Guard Patrol Commander.

**DATES:** This rule is effective June 8, 2026. In 2026, the rule will be subject to enforcement from 10 a.m. to 6 p.m. each day from June 24 to June 28.

**ADDRESSES:** To view available documents go to <https://www.regulations.gov> and search for USCG–2025–1108.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this rulemaking, call or email LCDR Kate Newkirk, U.S. Coast Guard Sector Maryland-National Capital Region; telephone 410–576–2674, email [Kate.M.Newkirk@uscg.mil](mailto:Kate.M.Newkirk@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**

“Historic Ships in Baltimore, Inc.” is the sponsor of an event titled “Air Show Baltimore,” which is held every two years, on the Patapsco River, including the Inner Harbor, in Baltimore, MD. To address potential hazards arising from the event, the Coast Guard has promulgated a Special Local Regulation (SLR) which is codified in 33 CFR 100.501. Normally, Air Show Baltimore is held on one four-day (Thursday through Sunday) weekend in September or October, as provided in Table 2 to Paragraph (i)(2) to § 100.501. This year, however, “Historic Ships in Baltimore, Inc.,” together with Fleet Week 2026, and Sail250, Inc., all of Baltimore, MD, have notified the Coast Guard that they will be conducting the Air Show Baltimore in conjunction with a Fleet Week celebration from 12 noon to 4 p.m. daily from June 24, 2026, to July 1, 2026.

The biennial air show consists of various types of military aircraft performing low-flying, high-speed precision maneuvers and aerial stunts. The U.S. Navy's Blue Angels flight demonstration squadron aircraft will fly between 12 noon and 4 p.m. on June 24–28, 2026. The new enforcement period would begin two hours before and end two hours after the hours during which air shows would be scheduled to occur. To address this, the Coast Guard proposed to change the existing rule by adding the new enforcement period to the existing entry in Table 2 to Paragraph (i)(2) to § 100.501 on January 27, 2026 (91 FR 3401.)

### III. Discussion of Comments and the Rule

During the comment period that ended on February 26, 2026, we received four comments, but all of them were outside the scope of the rulemaking.

There are no changes in the regulatory text of this rule from the text of the rule proposed in the NPRM. This rule establishes a safety zone which will be subject to enforcement this year from 12 noon on June 24, 2026 until 4 p.m. on June 28, 2026. The existing SLR is subject to all the requirements which pertain generally to SLRs in § 100.501, as well as to specific requirements set out in paragraph (h)(2) of that section. The regulated area, which would not change, and periods during which the SLR are currently subject to enforcement are set out in the first row of Table 2 to paragraph (i)(2) of § 100.501. The existing SLR is currently only subject to enforcement on one of three four-day (Thursday through Sunday) weekends in September or October on alternating years. The sole purpose of the rule would be to create four new potential enforcement periods. This year, from 10 a.m. to 6 p.m. from June 24 to July 1.

Except for Air Show Baltimore participants and vessels already at berth, a vessel or person would be required to get permission from the COTP or PATCOM before entering the regulated area during the enforcement period. Vessel operators would request permission to enter and transit through the regulated area by contacting the COTP or PATCOM on VHF-FM channel 16. A person or vessel not registered with the event sponsor as a participant or assigned as official patrols would be considered a non-participant. Official Patrols are any vessel assigned or approved by the Commander, Coast Guard Sector Maryland-National Capital Region with a commissioned warrant, or

petty officer on board and displaying a Coast Guard ensign.

If permission is granted by the COTP or PATCOM, a non-participant would be allowed to enter the regulated area or pass directly through the regulated area as instructed. Vessels would be required to operate at a safe speed that minimizes wake while within the regulated area, in a manner that would not endanger event participants or any other craft. Official patrol vessels would direct non-participants while within the regulated area. The air show aerobatics areas located within the regulated areas is restricted to Air Show Baltimore participants.

### IV. Regulatory Analyses

We developed this rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analysis based on a number of these statutes and Executive orders.

#### A. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term “small entities” comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. Section 605 of the RFA allows an agency to certify a rule, in lieu of preparing an analysis, if the rulemaking is not expected to have a significant economic impact on a substantial number of small entities.

The Coast Guard certifies that, although some small entities may intend to transit the safety zone above, this rule will not have a significant economic impact on a substantial number of small entities. Vessel traffic will be able to safely transit around this safety zone. This safety zone will only impact a small designated area for a few hours. It is during a time when vessel traffic is normally low. In addition, the Coast Guard will issue a Broadcast Notice to Mariners via VHF FM marine channel 16, which will allow small entities to adjust their transit plans, and the rule allows vessels to request permission to enter the zone from the COTP.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), if this rule will affect your small business, organization, or governmental jurisdiction and you have questions, contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards by calling 1–888–REG–FAIR (1–888–734–3247).

#### B. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

#### C. Federalism and Indian Tribal Governments

We have analyzed this rule under Executive Order 13132, Federalism, and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in that Order.

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

#### D. Unfunded Mandates Reform Act

As required by The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538), the Coast Guard certifies that this rule will not result in an annual expenditure of \$100,000,000 or more (adjusted for inflation) by a State, local, or tribal government, in the aggregate, or by the private sector.

#### E. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment.

This rule is a safety zone. It is categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1.

#### List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 100 as follows:

**PART 100— SAFETY OF LIFE ON NAVIGABLE WATERS**

■ 1. The authority citation for part 100 continues to read as follows:

Authority: 46 U.S.C. 70041; 33 CFR 1.05–1.

■ 2. In § 100.501, amend table 2 to paragraph (i)(2) by revising the entry for “Air Show Baltimore” to read as follows:

**§ 100.501 Special Local Regulations; Marine Events Within the USCG East District.**

\* \* \* \* \*  
 (i) \* \* \*  
 (2) \* \* \*

TABLE 2 TO PARAGRAPH (I)(2)

Event	Regulated area	Enforcement period(s) <sup>1</sup>	Sponsor
Air Show Baltimore.	Regulated area: All navigable waters of the Patapsco River, within an area bounded by a line connecting position latitude 39°16'00" N, longitude 076°36'30" W, thence east to latitude 39°16'00" N, longitude 076°33'00" W, thence south to latitude 39°14'30" N, longitude 076°33'00" W, thence west to latitude 39°14'30" N, longitude 076°36'30" W, thence north to point of origin, located between Port Covington and Seagirt Marine Terminal, Baltimore, MD. Spectator Area: All navigable waters of Patapsco River located between the northern boundary defined by a line drawn from the vicinity of North Locust Point Marine Terminal, Pier 1 thence east to Canton Industrial area, Pier 5; the south boundary is defined by a line drawn from vicinity of Whetstone Point thence east to Lazaretto Point. This area is located generally where Northwest Harbor, East Channel joins Patapsco River, Fort McHenry Channel, near Fort McHenry National Monument, Baltimore, MD. This area is bound by a line to the north commencing at position latitude 39°16'01" N, longitude 076°34'46" W, thence east to latitude 39°16'01" N, longitude 076°34'09" W, and bound by a line to the south commencing at position latitude 39°15'39" N, longitude 076°35'23" W, thence east to latitude 39°15'26" N, longitude 076°34'03" W. This spectator area is restricted to certain vessels as described in this paragraph (i)(2)..	Biennial, even years: ..... 1. The 2nd Thursday in September, following a Friday, Saturday and Sunday; or. 2. The Thursday, Friday, Saturday and Sunday before Columbus Day (observed); or. 3. The Thursday, Friday, Saturday and Sunday after Columbus Day (observed); or. 4. from 10 a.m. to 6 p.m. from June 24 to July 1.	Historic Ships in Baltimore, Inc.
*	*	*	*

\* \* \* \* \*

Dated: May 05, 2026.  
**Patrick C. Burkett,**  
*Captain, U.S. Coast Guard, Captain of the Port, Maryland-National Capital Region.*  
 [FR Doc. 2026–09166 Filed 5–7–26; 8:45 am]  
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**DEPARTMENT OF HOMELAND SECURITY**  
**Coast Guard**  
**33 CFR Part 165**  
**[Docket Number USCG–2026–0336]**  
**RIN 1625–AA00**  
**Safety Zone; Hudson River, Manhattan, NY**  
**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 Hudson River in the vicinity of Pier 66, New York City, Manhattan, NY. The safety zone is needed to protect personnel, vessels,

and the marine environment from potential hazards associated with the Hudson Tunnel Project construction activities. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port, New York, or their designated representative.  
**DATES:** This rule is effective without actual notice from May 8, 2026, through January 20, 2029. For the purposes of enforcement, actual notice will be used from May 1, 2026, until May 8, 2026.  
**ADDRESSES:** To view available documents referred to as being available in the docket, go to <https://www.regulations.gov> and search for USCG–2026–0336.  
**FOR FURTHER INFORMATION CONTACT:** If you have questions about this rule, contact Mr. Jeff Yunker, Sector New York Waterways Management Division,