making.'' [23] This contrasts with permanent scheduling actions, which are subject to formal rulemaking procedures done ''on the record after opportunity for a hearing,'' and final decisions that conclude the scheduling process and are subject to judicial review.[24] The specific language chosen by Congress indicates its intent that DEA issue *orders* instead of proceeding by rulemaking when temporarily scheduling substances. Given that Congress specifically requires the Administrator (as delegated by the Attorney General) to follow rulemaking procedures for *other* kinds of scheduling actions,[25] it is noteworthy that, in section 811(h)(1), Congress authorized the issuance of temporary scheduling actions by order rather than by rule.

Even assuming that this action is subject to the notice-and-comment requirements of the APA, the Administrator finds that there is good cause to forgo these requirements pursuant to 5 U.S.C. 553(b)(B), as any further delays in the process for issuing temporary scheduling orders would be impracticable and contrary to the public interest given the manifest urgency to avoid an imminent hazard to public safety.

Although DEA believes this temporary scheduling order is not subject to the notice-and-comment requirements of the APA, DEA notes that in accordance with 21 U.S.C. 811(h)(4), the Administrator took into consideration comments submitted by the then-Acting Assistant Secretary in response to the notices that DEA transmitted to the then-Acting Assistant Secretary pursuant to such subsection.

Further, DEA believes that this temporary scheduling action is not a ''rule'' as defined by 5 U.S.C. 601(2), and, accordingly, is not subject to the requirements of the Regulatory Flexibility Act (RFA). The requirements for the preparation of an initial regulatory flexibility analysis in 5 U.S.C. 603(a) are not applicable where, as here, DEA is not required by the APA or any other law to publish a general notice of proposed rulemaking. Therefore, in this instance, since DEA believes this temporary scheduling action is not a ''rule,'' it is not subject to the requirements of the RFA when issuing this temporary action.

In accordance with the principles of Executive Orders (E.O.) 12866 and 13563, this action is not a significant regulatory action. E.O. 12866 directs agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health, and safety effects; distributive impacts; and equity). E.O. 13563 is supplemental to and reaffirms the principles, structures, and definitions governing regulatory review as established in E.O. 12866. E.O. 12866, Section 3(f), provides the definition of a ''significant regulatory action,'' requiring review by the Office of Management and Budget. Because this is not a rulemaking action, this is not a significant regulatory action as defined in Section 3(f) of E.O. 12866. In addition, DEA scheduling actions are not subject to either E.O. 14192, Unleashing Prosperity Through Deregulation, or E.O. 14294, Fighting Overcriminalization in Federal Regulations.

This action 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 E.O. 13132, it is determined that this action does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

List of Subjects in 21 CFR Part 1308

Administrative practice and procedure, Drug traffic control, Reporting and recordkeeping requirements.

For the reasons set out above, DEA amends 21 CFR part 1308 as follows:

PART 1308—SCHEDULES OF CONTROLLED SUBSTANCES

■ 1. The authority citation for part 1308 continues to read as follows:

Authority: 21 U.S.C. 811, 812, 871(b), 956(b), unless otherwise noted.

■ 2. In § 1308.11, add paragraph (h)(87) to read as follows:

§ 1308.11 Schedule I.

* * * * *

(h) * * *

* * * * * * *

(87) 2-Fluorodeschloroketamine, its salts, isomers, and salts of isomers (other name: 2-(2-fluorophenyl)-2-(methylamino)cyclohexan-1-one; also known as 2-FDCK)	7284

Signing Authority

This document of the Drug Enforcement Administration was signed on May 14, 2026, by DEA Administrator Terrance C. Cole. That document with the original signature and date is maintained by DEA. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DEA Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of DEA. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Heather Achbach,

Federal Register Liaison Officer, Drug Enforcement Administration.

[FR Doc. 2026–10253 Filed 5–21–26; 8:45 am]

BILLING CODE 4410–09–P

[23] 5 U.S.C. 551(6) (emphasis added).

[24] 21 U.S.C. 811(a) and 877.

[25] *See* 21 U.S.C. 811(a).

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

24 CFR Part 50

[Docket No. FR–6598–I–01]

RIN 2502–AJ82

Removal of Environmental Clearance Officer Review and Comment for Assessments for Projects Over 200 Lots/Dwelling Units or Beds

AGENCY: Office of Community Planning and Development, Department of Housing and Urban Development (HUD).

ACTION: Interim final rule; request for comments.

SUMMARY: This interim final rule revises the Department of Housing and Urban Development's (HUD's) environmental review regulations by removing HUD's requirement that Environmental Assessments for projects over 200 dwelling units or beds shall be sent to the Field Environmental Clearance Officer (FECO) or Program Environmental Clearance Officer (PECO) for review and comment. This revision aligns with recent executive actions directing efficiency for environmental permitting and streamlines processing times for these projects while meeting all other regulatory and statutory requirements for environmental review. This interim final rule also requests public comment on this regulatory change.

DATES:

Effective date: June 22, 2026.

Comments are due by: July 21, 2026.

ADDRESSES: Interested persons are invited to submit comments regarding this interim final rule. All submissions must refer to the docket number and title. There are two methods for submitting public comments.

1. *Electronic Submission of Comments.* Interested persons may submit comments electronically through the Federal eRulemaking Portal at *https://www.regulations.gov.*

2. *Submission of Comments by Mail.* Comments may be submitted by mail to the Regulations Division, Office of General Counsel, Department of Housing and Urban Development, 2415 Eisenhower Avenue, Alexandria, VA 22314.

In accordance with 5 U.S.C. 553(b)(4), a summary of this proposed rule may be found at *www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Brian Schlosnagle, Acting Director, Environmental Planning Division, Office of Community Planning and Development, U.S. Department of Housing and Urban Development, 2415 Eisenhower Avenue, Alexandria, VA, Room W9164; telephone number (202) 402–7553 (this is not a toll-free number). HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.*

SUPPLEMENTARY INFORMATION:

I. Background

Federal agencies, including HUD, have responsibilities under the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321–4347) and other NEPA-related Federal environmental laws and authorities. (See 24 CFR 50.4). HUD's regulations implementing NEPA and other environmental requirements for programs where HUD performs environmental reviews are in 24 CFR part 50, titled ''Protection and Enhancement of Environmental Quality.''

HUD's environmental procedures of July 16, 1971, published by the Council on Environmental Quality at 37 FR 22673 (October 20, 1972), established a ''normal environmental clearance'' and ''special environmental clearance'' for certain projects and set out thresholds for use of the ''special environmental clearance'', including housing assistance or insurance for 100 unit multifamily structures and 100 bed nursing homes. HUD subsequently published a series of revisions to its environmental procedures, as well as a 1974 proposed rule that was not finalized. In 1979, HUD codified its environmental procedures in 24 CFR part 50, 44 FR 67906, which required completion of a ''special environmental clearance,'' to be concurred in by the Area Environmental Clearance Officer (ECO), for multifamily projects with over 200 units or mortgage amounts over $5,000,000. The current version of part 50, promulgated in 1996, 61 FR 50916, requires in the last sentence of § 50.32 that Environmental Assessments for projects over 200 lots/dwelling units or beds be sent to the Field Environmental Clearance Office (FECO) or, in the absence of a FECO, to the Program Environmental Clearance Officer (PECO) for review and comment.

II. This Interim Final Rule

Through this interim final rule, HUD is removing the last sentence of 24 CFR 50.32 which contains the requirement that Environmental Assessments for projects over 200 dwelling units or beds shall be sent to the FECO or PECO for review and comment. This round of review and comment is not required under the relevant environmental legal authorities, including NEPA, nor is it discussed in the preambles of HUD's 1996 rulemakings that promulgated § 50.32 in its current form. 61 FR 50914, 61 FR 15340.

Currently, the review and comment requirement in § 50.32 represents an extraneous step in the environmental review process. This requirement adds a third or fourth review to the environmental process for new construction and substantial rehabilitation projects over 200 units that have already been certified by environmental review preparers and supervisors. This extra step in the review process has the potential to add processing time to projects that often have tight closing deadlines and requires duplicative technical assistance when such assistance is already available, as needed, from HUD Program Environmental Specialists and ECOs.

This update ensures that HUD's environmental review procedures are administered in accordance with Administration priorities while meeting the statutory requirements under NEPA and other related laws and authorities, including Executive Order 14154 *Unleashing American Energy.* This E.O. directs relevant agencies, including HUD, to require efficiency and expediency for environmental permitting [1] and to streamline processing times for projects. Section 5(d) of E.O. 14154 specifies that HUD, in addition to other relevant agencies, must undertake all available efforts to eliminate all delays in permitting processes. Section 6(a) of E.O. 14154 directs all agencies to adhere only to statutory requirements for environmental considerations in all Federal permitting adjudications or regulatory processes, and to eliminate extraneous requirements. This interim final rule's removal of a time-consuming level of environmental review that is not required by statute aligns with E.O. 14154's directives.

This interim final rule makes no other changes to § 50.32 or other HUD regulations. Following this rulemaking, including consideration of any public comments received on this interim final rule, HUD will update relevant guidance documents [2] to reflect regulatory changes that result from this rulemaking.

III. Justification for Final Rulemaking

In general, HUD publishes a rule for public comment in accordance with both the APA, 5 U.S.C. 553, and the agency's regulation on rulemaking at 24 CFR part 10. Both the APA and part 10, however, provide for exceptions from that general rule where HUD finds good cause to omit advance notice of the opportunity for public comment. The

[1] ''Permitting'' as used in relevant executive actions including Executive Order 14154 refers to NEPA processes and environmental reviews more broadly.

[2] For example, HUD's Multifamily Accelerated Processing (MAP) Guide at 9.2.2.E. *https://www.hud.gov/sites/dfiles/OCHCO/documents/4430GHSGG.pdf.*

good cause requirement is satisfied when prior public procedure is ''impracticable, unnecessary, or contrary to the public interest.'' 5 U.S.C. 553(b)(B). See also 24 CFR 10.1. To publish a rule for effect prior to receiving and responding to public comments (*i.e.,* an interim final rule), the agency must make a finding that ''good cause'' exists.

The last sentence of 24 CFR 50.32 requires relevant HUD program staff to send assessments for new construction or substantial rehabilitation projects that are over 200 lots/dwelling units or beds to the Field Environmental Clearance Officer (FECO) or, in the absence of a FECO, to the Program Environmental Clearance Officer in Headquarters for review and comment. This is the third or fourth of several rounds of environmental review under HUD's existing regulations, and it is not required by statute or regulation. See the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321–4347), and the Council on Environmental Quality's recently removed [3] regulations at 40 CFR parts 1500–1508. HUD promulgated this requirement in its current form in 1996 through a proposed and final rule, neither of which discuss the requirement or the reasoning behind its promulgation. 61 FR 50914, 61 FR 15340. HUD believes the requirement was preexisting before HUD established CEST (categorically excluded from NEPA, but subject to the related laws and authorities at 58.5 or 50.4) and Environmental Assessment level reviews and stayed in the promulgated regulation.

The additional HUD staff review required at § 50.32 for new construction or substantial rehabilitation projects that are over 200 lots/dwelling units or beds has the potential to add processing time to projects that often have very tight closing deadlines. It also requires a duplicative technical assistance process where technical assistance is already available, as needed, from HUD Program Environmental Specialists and ECOs. Additionally, this additional review would affect approximately 80 projects each year. Given that the number of projects and stakeholders affected by this IFR is minimal, HUD finds that the requirement under § 50.32 is unnecessary for HUD to implement.

Additionally, HUD's regulations at 24 CFR 10.1 state that notice and public procedure may be omitted with respect to rules governing the Department's organization or its own internal practices or procedures. This rule is limited to removing one requirement in the Department's environmental review procedures in 24 CFR part 50. HUD created the regulatory requirement removed by this rule; it is not required by statute and unnecessarily added to statutory requirements implemented in HUD's environmental review regulations. Therefore, the requirement concerns only HUD-created policy and procedure. The rule does not revise or change any statutorily required policy and procedure. Thus, this rule is not establishing policy outside of HUD's own internal procedures.

Since the requirement under § 50.32 is not required by legal authorities, would only add unnecessary, time-consuming levels of environmental review, and concerns internal practices or procedures, HUD has determined that it is unnecessary to solicit advance public comment.

IV. Findings and Certifications

Regulatory Review—Executive Orders 12866 and 13563

Under Executive Order 12866 (Regulatory Planning and Review), a determination must be made regarding whether a regulatory action is significant and, therefore, subject to review by the Office of Management and Budget in accordance with the requirements of the order. Executive Order 13563 (Improving Regulations and Regulatory Review) directs executive agencies to analyze regulations that are ''outmoded, ineffective, insufficient, or excessively burdensome, and to modify, streamline, expand, or repeal them in accordance with what has been learned.'' As previously discussed, this final rule removes unnecessary regulations and is consistent with Executive Order 13563.

This interim final rule was determined not to be a significant regulatory action under section 3(f) of Executive Order 12866 and therefore was not reviewed by OMB.

Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*) generally requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Because HUD has determined that good cause exists to issue this interim final rule without prior public comment, this rule is not subject to the requirement to publish an initial or final regulatory flexibility analysis under the RFA as part of such action.

Executive Order 14192, Regulatory Costs

Executive Order 14192, entitled ''Unleashing Prosperity Through Deregulation,'' was issued on January 31, 2025. Section 3(c) of Executive Order 14192 requires that any 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 10 prior regulations. This interim final rule removes unnecessary and time-consuming levels of environmental review that are not required by law and therefore is a repeal of a regulation that results in reduced regulatory costs for purposes of Executive Order 14192.

Federalism (Executive Order 13132)

Executive Order 13132 (entitled ''Federalism'') prohibits an agency from publishing any rule that has federalism implications if the rule either: imposes substantial direct compliance costs on State and local governments and is not required by statute; or preempts state law, unless the agency meets the consultation and funding requirements of section 6 of the Executive Order. This interim final rule does not have federalism implications and does not impose substantial direct compliance costs on state and local governments nor preempt state law within the meaning of the Executive Order.

Environmental Impact

A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations at 24 CFR part 50, which implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)). The FONSI is available through the docket file at *https://www.regulations.gov.* The FONSI is also available for public inspection during regular business hours in the Regulations Division, Office of General Counsel, Department of Housing and Urban Development, 2415 Eisenhower Avenue, Alexandria, VA 22314. Due to security measures at the HUD Headquarters building, you must schedule an appointment in advance to review the FONSI by calling the Regulations Division at 202–708–3055 (this is not a toll-free number). HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.*

[3] 90 FR 10610; 91 FR 618.

Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) (UMRA) establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and Tribal governments, and on the private sector. This interim final rule does not impose any Federal mandates on any State, local, or Tribal governments, or on the private sector, within the meaning of the UMRA.

List of Subjects in 24 CFR Part 50

Environmental impact statements.

Accordingly, for the reasons described in the preamble, HUD amends 24 CFR part 50 as follows:

PART 50—PROTECTION AND ENHANCEMENT OF ENVIRONMENTAL QUALITY

■ 1. The authority citation for part 50 is revised to read as follows:

Authority: 42 U.S.C. 3535(d) and 4321–4336e.

Subpart E—Environmental Assessments and Related Reviews

■ 2. Revise § 50.32 to read as follows:

§ 50.32 Responsibility for environmental processing.

The program staff in the HUD office responsible for processing the project application or recommending a policy action is responsible for conducting the compliance finding, EA, or EIS. The collection of data and studies as part of the information contained in the environmental review may be done by an applicant or the applicant's contractor. The HUD program staff may use any information supplied by the applicant or contractor, provided HUD independently evaluates the information, will be responsible for its accuracy, supplements the information, if necessary, to conform to the requirements of this part, and prepares the environmental finding.

Ronald J. Kurtz,

Assistant Secretary for Community Planning and Development.

[FR Doc. 2026–10356 Filed 5–21–26; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2026–0620]

RIN 1625–AA00

Safety Zone; Cheboygan 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 on the Cheboygan River from the Cheboygan Lock & Dam Complex to the Lincoln Bridge. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards associated with work to repair the safety cable and spillway gates damaged from 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 May 22, 2026 through May 31, 2026. For the purposes of enforcement, actual notice will be used from May 18, 2026, until May 22, 2026.

ADDRESSES: To view available documents go to *https://www.regulations.gov* and search for USCG–2026–0620.

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.*

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 that flood waters have damaged the safety cable and spillway gates of the Cheboygan Lock & Dam Complex on the Cheboygan River in Cheboygan, MI, necessitating their immediate repair. The Captain of the Port (COTP) Northern Great Lakes has determined that potential hazards associated with the repairs are a safety concern for anyone from the Lincoln Bridge to the Cheboygan Lock & Dam Complex. Therefore, the COTP is issuing this rule under the authority in 46 U.S.C. 70034, which is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone.

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 this issue on May 16, 2026, but we must establish this safety zone by May 18, 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 reason, 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 May 18, 2026 through May 31, 2026. The safety zone will cover all navigable waters in the Cheboygan River from the Cheboygan Lock & Dam Complex to the Lincoln Bridge. Vessels and persons will not be allowed to enter the zone during this time, unless authorized by the Captain of the Port.

IV. Regulatory Analyses

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

A. Impact on Small Entities

The regulatory flexibility analysis provisions of the Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, do not apply to rules that are not subject to notice and comment. Because the Coast Guard has, for good cause, waived the notice and comment requirement that would otherwise apply to this rulemaking, the Regulatory Flexibility Act's flexibility analysis provisions do not apply here.

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.