

DEPARTMENT OF HOMELAND SECURITY**Office of the Secretary****6 CFR Chs. I and II****[DHS Docket No. OGC–RP–04–001]****Unified Agenda of Federal Regulatory and Deregulatory Actions****AGENCY:** Office of the Secretary, DHS.**ACTION:** Regulatory agenda.

SUMMARY: This regulatory agenda is a summary of projected regulations, existing regulations, and completed actions of the Department of Homeland Security (DHS) and its components. This agenda provides the public with information about DHS's regulatory and deregulatory activity. DHS expects that this information will enable the public to be more aware of, and effectively participate in, the Department's regulatory and deregulatory activity. DHS invites the public to submit comments on any aspect of this agenda.

FOR FURTHER INFORMATION CONTACT:**General**

Please direct general comments and inquiries on the agenda to the

Regulatory Affairs Law Division, Office of the General Counsel, U.S. Department of Homeland Security, 2707 Martin Luther King Jr. Avenue SE, Mail Stop 0485, Washington, DC 20528–0485.

Specific

Please direct specific comments and inquiries on individual actions identified in this agenda to the individual listed in the summary portion as the point of contact for that action.

SUPPLEMENTARY INFORMATION: DHS provides this notice pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96–354, Sept. 19, 1980) and Executive Order 12866 “Regulatory Planning and Review” (Sept. 30, 1993) as incorporated in Executive Order 13563 “Improving Regulation and Regulatory Review” (Jan. 18, 2011), which require the Department to publish an agenda of regulations. The regulatory agenda is a summary of existing and projected regulations as well as actions completed since the publication of the last regulatory agenda for the Department. DHS's last regulatory agenda was published online on September 4, 2025, at <https://www.reginfo.gov/public/do/eAgendaMain>.

Beginning in fall 2007, the internet became the basic means for disseminating the Unified Agenda. The complete Unified Agenda is available online at www.reginfo.gov.

The Regulatory Flexibility Act (5 U.S.C. 602) requires Federal agencies to publish their regulatory flexibility agendas in the **Federal Register**. A regulatory flexibility agenda shall contain, among other things, a brief description of the subject area of any rule which is likely to have a significant economic impact on a substantial number of small entities. DHS's printed agenda entries include regulatory actions that are in the Department's regulatory flexibility agenda. Printing of these entries is limited to fields that contain information required by the agenda provisions of the Regulatory Flexibility Act. Additional information on these entries is available in the Unified Agenda published on the internet.

The semiannual agenda of the Department conforms to the Unified Agenda format developed by the Regulatory Information Service Center.

Christina E. McDonald,

Associate General Counsel for Regulatory Affairs.

U.S. CITIZENSHIP AND IMMIGRATION SERVICES—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
257	U.S. Citizenship and Immigration Services Employment-Based Immigrant Visa, Fifth Preference (EB–5) Fee Rule.	1615–AC93

U.S. CITIZENSHIP AND IMMIGRATION SERVICES—COMPLETED ACTIONS

Sequence No.	Title	Regulation Identifier No.
258	Petition for Immigrant Worker Reforms	1615–AC85
259	Weighted Selection Process for Registrants and Petitioners Seeking To File Cap-Subject H–1B Petitions	1615–AD01

U.S. CUSTOMS AND BORDER PROTECTION—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
260	Electronic Export Manifest For Vessel Cargo	1651–AB59

U.S. CUSTOMS AND BORDER PROTECTION—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
261	9–11 Response & Biometric Entry-Exit Fee for H–1B and L–1 Visas	1651–AB48

TRANSPORTATION SECURITY ADMINISTRATION—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
262	Vetting of Certain Surface Transportation Employees (Reg Plan Seq No. 80)	1652-AA69
263	Normalizing Unmanned Aircraft Systems Beyond Visual Line of Sight Operations (Reg Plan Seq No. 82)	1652-AA80

References in boldface appear in The Regulatory Plan in part II of this issue of the **Federal Register**.

TRANSPORTATION SECURITY ADMINISTRATION—LONG-TERM ACTIONS

Sequence No.	Title	Regulation Identifier No.
264	Amending Vetting Requirements for Employees With Access to a Security Identification Display Area (SIDA).	1652-AA70
265	Enhancing Surface Cyber Risk Management	1652-AA74

CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
266	Cyber Incident Reporting for Critical Infrastructure Act (CIRCIA) Reporting Requirements (Reg Plan Seq No. 85).	1670-AA04

References in boldface appear in The Regulatory Plan in part II of this issue of the **Federal Register**.

CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY—LONG-TERM ACTIONS

Sequence No.	Title	Regulation Identifier No.
267	Ammonium Nitrate Security Program	1670-AA00

CUSTOMS REVENUE FUNCTIONS—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
268	Low-Value Shipments	1685-AA38

Department of Homeland Security (DHS)	Final Rule Stage
U.S. Citizenship and Immigration Services (USCIS)	

257. U.S. CITIZENSHIP AND IMMIGRATION SERVICES EMPLOYMENT-BASED IMMIGRANT VISA, FIFTH PREFERENCE (EB-5) FEE RULE

Legal Authority: 8 U.S.C. 1101, 1103, 1153, 1184, 1186a, 1186b, 1254a, 1254b, 1304, 1356; Pub. L. 107–609; 48 U.S.C. 1806; Pub. L. 107–296, 116 Stat. 2135 (6 U.S.C. 101 note); Pub. L. 115–218, 132 Stat. 1547; Pub. L. 116–159, 134 Stat. 709; Pub. L. 117–103, 136 Stat. 49.

Abstract: On October 23, 2025, DHS proposed to adjust the fees USCIS charges for Employment-Based Fifth Preference (EB-5) immigration benefit requests. This rule also proposes to codify in regulation certain elements of the EB-5 Reform and Integrity Act of 2022 and make one technical amendment. DHS intends that the rule

will provide USCIS the resources necessary to accomplish the goals of the EB-5 Reform and Integrity Act of 2022 and enhance and maintain the integrity of the EB-5 program. Following review of public comments, DHS plans to issue a final rule. On Jan. 31, 2024, DHS adjusted these fees as part of a larger fee rule with other changes; however, it did not implement EB-5 Reform and Integrity Act of 2022 requirements. Timetable:

Action	Date	FR Cite
NPRM	10/23/25	90 FR 48516
NPRM Comment Period End.	12/22/25	
Final Action	09/00/26	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Carol Cribbs, Deputy Chief Financial Officer, Department of Homeland Security, U.S. Citizenship and Immigration Services, 5900 Capital Gateway Drive, Camp Springs, MD 20588

Phone: 240 721–3000

RIN: 1615–AC93

Department of Homeland Security (DHS)	Completed Actions
U.S. Citizenship and Immigration Services (USCIS)	

258. PETITION FOR IMMIGRANT WORKER REFORMS

Legal Authority: 6 U.S.C. 111, 112; 8 U.S.C. 1103(a); 8 U.S.C. 1153(b); 8 U.S.C. 1154(a)(1)(E) and (F); 8 U.S.C. 1182(a)(5)(C) and (r)

Abstract: USCIS is withdrawing this rule from the Unified Agenda. The Department of Homeland Security (DHS) is proposing to amend its regulations governing employment-based immigrant petitions in the first, second, and third preference classifications. Petitions for these classifications are filed by employers, or in certain cases by aliens on their own behalf, to bring talent and skills to the United States. The proposed rule would, if finalized, implement reforms to

ensure the integrity of the program, such as defining bona fide job offer and clarifying site visit authority. It would also codify current policy guidance and implement administrative decisions regarding successorship-in-interest and ability to pay; update provisions governing extraordinary ability and outstanding professors and researchers; modernize outdated provisions for individuals of extraordinary ability and outstanding professors and researchers; clarify evidentiary requirements for first preference classifications, second preference national interest waiver (NIW) classifications, and physicians of national and international renown; and correct errors and omissions.

Timetable:

Action	Date	FR Cite
Withdrawn	11/12/25	

Regulatory Flexibility Analysis

Required: Yes

Agency Contact: Paul Buono, Chief, Business and Foreign Workers Division, Office of Policy and Strategy, Department of Homeland Security, U.S. Citizenship and Immigration Services, 5900 Capital Gateway Drive, Suite 4S190, Camp Springs, MD 20588-0009
Phone: 240 721-3000
RIN: 1615-AC85

259. WEIGHTED SELECTION PROCESS FOR REGISTRANTS AND PETITIONERS SEEKING TO FILE CAP-SUBJECT H-1B PETITIONS

Legal Authority: 6 U.S.C. 101,111, 112, and 202; 8 U.S.C. 1101(a)(15)(H)(i)(b); 1103(a), 1182(n) and (p); 8 U.S.C. 1184(a), (c), (g), and (i);

Abstract: DHS is amending its regulations governing the process by which USCIS selects H-1B registrations for the filing of H-1B petitions subject to the numerical limitations under INA section 214(g), or the way in which USCIS selects H-1B petitions for any year in which the registration requirement is suspended. Under the rule, all registrations (or petitions, if applicable) would be weighted to generally favor beneficiaries whose proffered wages correspond to higher Occupational Employment and Wage Statistics wage levels. The rule would retain beneficiary-centric selection of registrations. The rule would not affect the order of selection between the regular cap and the advanced degree exemption, and would not alter the prevailing wage level associated with a given position for U.S. Department of Labor purposes.

Timetable:

Action	Date	FR Cite
NPRM	09/24/25	90 FR 45986
NPRM Comment Period End.	10/24/25	
Final Rule	12/29/25	90 FR 60864
Final Rule Effective.	02/27/26	

Regulatory Flexibility Analysis

Required: Yes

Agency Contact: Paul Buono, Chief, Business and Foreign Workers Division, Office of Policy and Strategy, Department of Homeland Security, U.S. Citizenship and Immigration Services, 5900 Capital Gateway Drive, Suite 4S190, Camp Springs, MD 20588-0009
Phone: 240 721-3000
RIN: 1615-AD01

Department of Homeland Security(DHS)	Proposed Rule Stage
U.S. Customs and Border Protection (USCBP)	

260. ELECTRONIC EXPORT MANIFEST FOR VESSEL CARGO

Legal Authority: Not Yet Determined
Abstract: U.S. Customs and Border Protection (CBP) proposes to amend its regulations to require the advance submission of electronic export manifest (EEM) information to CBP for cargo transported by vessel departing the United States. The proposed rule would identify the parties eligible to transmit advance vessel EEM information, and their responsibilities, and describe the time frames for transmission of the information prior to cargo loading or conveyance departure. Requiring this data in advance would significantly improve cargo safety and security while minimizing disruption to the flow of commerce in the sea environment. The rule would eliminate the need for outbound vessel carriers to submit CBP Form 1302A and reduce the number of cargo returns.

Timetable:

Action	Date	FR Cite
NPRM	02/10/26	91 FR 6074
Comment Period End.	04/13/26	

Regulatory Flexibility Analysis

Required: Yes

Agency Contact: Thomas Pagano, Chief, Outbound Enforcement Branch, Department of Homeland Security, U.S. Customs and Border Protection, Office of Field Operations, 1300 Pennsylvania Ave. NW, Washington, DC 20229
Phone: 202 344-3277
Email: cbpexportmanifest@cpb.dhs.gov

RIN: 1651-AB59

Department of Homeland Security (DHS)	Final Rule Stage
U.S. Customs and Border Protection (USCBP)	

261. 9-11 RESPONSE & BIOMETRIC ENTRY-EXIT FEE FOR H-1B AND L-1 VISAS

Legal Authority: Pub. L. 114-113, sec. 402; Pub. L. 115-123, sec. 30203

Abstract: The 9-11 Response and Biometric Entry-Exit Fees for H-1B and L-1 Visas (9-11 Response Fees) are fees paid by certain employers of H-1B and L nonimmigrant workers. To implement Public Law 114-113, DHS is amending and clarifying the regulations to specify that the 9-11 Response Fees will apply to all H-1B and L-1 extension petitions in addition to all previously covered H-1B and L-1 petitions.

Timetable:

Action	Date	FR Cite
NPRM	06/06/24	89 FR 48339
NPRM Comment Period End.	07/08/24	
Final Rule	07/00/26	

Regulatory Flexibility Analysis

Required: Yes

Agency Contact: Larry Panetta, Director, Biometric Entry-Exit Strategic Transformation Admissibility and Passenger Programs, Department of Homeland Security, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW, A21104, Washington, DC 20004

Phone: 202 344-1253

Email: larry.a.panetta@cbp.dhs.gov

RIN: 1651-AB48

Department of Homeland Security (DHS)	Final Rule Stage
Transportation Security Administration (TSA)	

262. VETTING OF CERTAIN SURFACE TRANSPORTATION EMPLOYEES

Regulatory Plan: This entry is Seq. No. 80 in part II of this issue of the **Federal Register**.

RIN: 1652-AA69

263. • NORMALIZING UNMANNED AIRCRAFT SYSTEMS BEYOND VISUAL LINE OF SIGHT OPERATIONS

Regulatory Plan: This entry is Seq. No. 82 in part II of this issue of the **Federal Register**.

RIN: 1652-AA80

Department of Homeland Security (DHS)	Long-Term Actions
Transportation Security Administration (TSA)	

264. AMENDING VETTING REQUIREMENTS FOR EMPLOYEES WITH ACCESS TO A SECURITY IDENTIFICATION DISPLAY AREA (SIDA)

Legal Authority: Pub. L. 114–190, sec. 3405

Relevant Executive Orders: 14157; 14159; 14165

Abstract: The FAA Extension, Safety, and Security Act of 2016 (FESSA) requires TSA to enhance the eligibility requirements and disqualifying criminal offenses for individuals seeking or having unescorted access to any Security Identification Display Area (SIDA) of an airport. TSA will propose a rule to revise its regulations, reflecting current knowledge of insider threat and intelligence, concerning access to any SIDA of an airport. TSA will propose additions to the list of disqualifying criminal offenses and criteria, develop an appeal and waiver process for the issuance of credentials for unescorted access, and propose an extension of the lookback period for disqualifying crimes. As part of TSA's reevaluation of the eligibility and redress standards for aviation workers required by the Act, TSA is also reevaluating the current vetting process to minimize any security risks that may exist.

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Bob Scott, Airport Policy Director, Department of Homeland Security, Transportation Security Administration, Airports Security Programs, Aviation Division, Policy, Plans, and Engagement, 6595 Springfield Center Drive, Springfield, VA 20598–6028

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RIN: 1652–AA70

265. ENHANCING SURFACE CYBER RISK MANAGEMENT

Legal Authority: 49 U.S.C. 114; Pub. L. 110–53, secs. 1405, 1512 and 1531

Relevant Executive Orders: 13800

Abstract: In 2021, in response to an ongoing threat to pipeline systems, TSA issued emergency security directives to owners and operators of TSA-designated critical pipelines that transport hazardous liquids and natural gas. The directives required covered entities to implement a number of urgently needed protections against cyber intrusions. TSA also issued security directives to owners and operators in the freight, passenger, and transit-rail sectors. This rulemaking will codify critical cybersecurity requirements for pipeline and rail modes. Through this rulemaking, TSA will also address certain requirements in the Implementing Recommendations of the 9/11 Commission Act of 2007 related to information and operational technology systems. TSA published an advance notice of proposed rulemaking in November 2022, and a notice of proposed rulemaking in November 2024.

Timetable:

Action	Date	FR Cite
ANPRM	11/30/22	87 FR 73527
ANPRM Comment Period End.	01/17/23	
ANPRM Comment Period Extended.	12/23/22	87 FR 78911
ANPRM Comment Period Extended End.	02/01/23	
NPRM	11/07/24	89 FR 88488
NPRM Comment Period End.	02/05/25	
Final Rule	To Be Determined	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Ashlee Marks, Section Chief, Policy Development Section, Surface Policy Division, Department of Homeland Security, Transportation Security Administration, Policy, Plans, and Engagement, 6595 Springfield Center Drive, Springfield, VA 20598–6028

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RIN: 1652–AA74

Department of Homeland Security (DHS)	Final Rule Stage
Cybersecurity and Infrastructure Security Agency (CISA)	

266. CYBER INCIDENT REPORTING FOR CRITICAL INFRASTRUCTURE ACT (CIRCA) REPORTING REQUIREMENTS

Regulatory Plan: This entry is Seq. No. 85 in part II of this issue of the **Federal Register**.

RIN: 1670–AA04

Department of Homeland Security (DHS)	Long-Term Actions
Cybersecurity and Infrastructure Security Agency (CISA)	

267. AMMONIUM NITRATE SECURITY PROGRAM

Legal Authority: 6 U.S.C. 488 *et seq.*

Abstract: This rule would implement a December 2007 amendment to the Homeland Security Act. The amendment is titled “Secure Handling of Ammonium Nitrate.” It requires the Department of Homeland Security to “regulate the sale and transfer of ammonium nitrate by an ammonium nitrate facility . . . to prevent the misappropriation or use of ammonium nitrate in an act of terrorism.” The Cybersecurity and Infrastructure Security Agency (CISA) issued an Advance Notice of Proposed Rulemaking in 2008 and a Notice of Proposed Rulemaking in 2011. CISA is planning to issue a Supplemental Notice of Proposed Rulemaking.

Timetable:

Action	Date	FR Cite			
ANPRM	10/29/08	73 FR 64280	Homeland Security, Cybersecurity and Infrastructure Security Agency, CISA–WB2 Stop 0612, 4200 Wilson Blvd., Arlington, VA 20598–0612 Phone: 202 384–2756 Email: <i>john.walker@cisa.dhs.gov</i> RIN: 1670–AA00		
ANPRM Correction.	11/05/08	73 FR 65783			
ANPRM Comment Period End.	12/29/08				
NPRM	08/03/11	76 FR 46908	Department of Homeland Security (DHS)	Proposed Rule Stage	
Notice of Public Meetings.	10/07/11	76 FR 62311			
Notice of Public Meetings.	11/14/11	76 FR 70366			
NPRM Comment Period End.	12/01/11				
Notice of Availability.	06/03/19	84 FR 25495			
Notice of Availability Comment Period End.	09/03/19		268. • LOW-VALUE SHIPMENTS Legal Authority: 19 U.S.C. 1321; 19 U.S.C. 1498; 19 U.S.C. 1623 Relevant Executive Orders: 14324 Abstract: This rule amends CBP regulations to implement the indefinite suspension of the <i>de minimis</i> exemption for goods valued at \$800 or less, modify the electronic filing requirements for certain informal entries of goods valued at \$2,500 or less, and establish a new		
Supplemental NPRM.	To Be Determined				
Regulatory Flexibility Analysis Required: Yes Agency Contact: John Travis Walker, Associate Director for Chemical Security, Acting, Department of					
electronic informal entry type for merchandise entering through the mail environment. Additionally, this rule provides for new bonding requirements for informal entries including in the mail environment. Timetable:					
Action		Date	FR Cite		
NPRM		09/00/26			
Regulatory Flexibility Analysis Required: Yes Agency Contact: Christopher Mabelitini, Director, Intellectual Property Rights & E–Commerce Division, Department of Homeland Security, Customs Revenue Functions, 1300 Pennsylvania Avenue NW, Washington, DC 20229 Phone: 202 325–6915 RIN: 1685–AA38					
[FR Doc. 2026–16605 Filed 8–13–26; 8:45 am] BILLING CODE 9110–9B–P					