

H. Executive Order 13175 (Consultation and Coordination With Indian Tribal Governments)

This rule does not have tribal implications under Executive Order 13175 because it would 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.

I. Congressional Review Act

The reporting requirements of the Congressional Review Act (Subtitle E of the Small Business Regulatory Enforcement Fairness Act of 1996), 5 U.S.C. 801–08, do not apply to this rule. This rule relates primarily to agency management, personnel, and organization. 5 U.S.C. 804(3)(B). The rule makes technical amendments to 28 CFR part 27, as necessary to conform to recent Department organizational changes. This action is accordingly not a “rule” as that term is used by the Congressional Review Act, *see* 5 U.S.C. 804(3), and the reporting requirement of 5 U.S.C. 801 does not apply.

List of Subjects in 28 CFR Part 27

Government employees, Justice Department, Organization and functions (Government agencies), Whistleblowing.

Authority and Issuance

For the reasons stated above, the Department of Justice amends 28 CFR part 27 as follows:

PART 27—WHISTLEBLOWER PROTECTION FOR FEDERAL BUREAU OF INVESTIGATION EMPLOYEES

■ 1. The authority citation for part 27 continues to read as follows:

Authority: 5 U.S.C. 301, 3151; 28 U.S.C. 509, 510, 515–519; 5 U.S.C. 2303; President’s Memorandum to the Attorney General, Delegation of Responsibilities Concerning FBI Employees Under the Civil Service Reform Act of 1978, 3 CFR p. 284 (1997); Presidential Policy Directive 19, “Protecting Whistleblowers with Access to Classified Information” (October 10, 2012).

■ 2. Amend § 27.4 by revising the section heading and paragraph (a) to read as follows:

§ 27.4 Corrective action and other relief; Director, Office of Adjudication, Recruitment and Management.

(a) If, in connection with any investigation, the Conducting Office determines that there are reasonable grounds to believe that a reprisal has been or will be taken, the Conducting Office shall report this conclusion,

together with any findings and recommendations for corrective action, to the Director of the Office of Adjudication, Recruitment, and Management (the Director). If the Conducting Office’s report to the Director includes a recommendation for corrective action, the Director shall provide an opportunity for comments on the report by the FBI and the Complainant. The Director, upon receipt of the Conducting Office’s report, shall proceed in accordance with paragraphs (e) and (f) of this section. A determination by the Conducting Office that there are reasonable grounds to believe that a reprisal has been or will be taken shall not be cited or referred to in any proceeding under these regulations, without the Complainant’s consent.

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Todd Blanche,
Attorney General.

[FR Doc. 2026–17815 Filed 8–31–26; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 926

[SATS No. MT–041–FOR; Docket No. OSM–2023–0002; S1D1S SS08011000 SX064A000 266S180110; S2D2S SS08011000 SX064A000 26XS501520]

Montana Regulatory Program

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior.

ACTION: Final rule; correction.

SUMMARY: The Office of Surface Mining Reclamation and Enforcement (OSM) published a document in the **Federal Register** on August 21, 2026, not approving, with one exception, an amendment to the Montana regulatory program under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). OSM made an error in the document by adding an entry to 30 CFR 926.12 at paragraph (c), a paragraph that already existed. This document corrects the final regulation.

DATES: The correction is effective as of September 21, 2026.

FOR FURTHER INFORMATION CONTACT: Attn: Jeffrey Fleischman, Field Office Director, Office of Surface Mining Reclamation and Enforcement, 100 East B Street, Casper, Wyoming 82602, Telephone: (307) 261–6550, Email: jfleischman@osmre.gov.

SUPPLEMENTARY INFORMATION: This is a summary of errata from OSM’s final rule published August 21, 2026 (91 FR 54218), FR Doc. 2026–17055 on page 54223, columns 2–3. In our August 21, 2026, final rule, OSM amended 30 CFR 926.12 (State program provisions and amendments not approved) to add our decision regarding State Program Amendment MT–041–FOR (Docket No. OSM–2023–0002) at paragraph (c). Paragraph (c) already existed and contained OSM’s decision regarding State Program Amendment MT–042–FOR (Docket No. OSM–2023–0007). *See* 90 FR 3673, 3687 (January 15, 2025).

OSM is now correcting 30 CFR 926.12 by changing the designation of paragraph (c) to paragraph (d) to contain the entry that OSM published in the August 21, 2026, **Federal Register** (91 FR 54218).

Correction

In FR Doc 2026–17055, which published August 21, 2026, at 91 FR 54218, on page 54223 in the second column correct amendatory instruction 2 and accompanying regulatory text to read as follows:

■ 2. Amend § 926.12 by adding paragraph (d) to read as follows:

§ 926.12 State program provisions and amendments not approved.

* * * * *

(d) The following portions of the program amendment by letter dated February 16, 2023, Administrative Record No. MT–041–01, which proposed changes to the Montana approved program as a result of the Montana Legislature’s 2023 passage of a Senate Bill (SB 328) are not approved:

(1) Montana’s proposed definition of “affected drainage basin” in MCA § 82–4–203(3).

(2) Montana’s proposed definition recodifications in the MCA § 82–4–203(4)(a)—Alluvial Valley Floor, MCA § 82–4–203(5)—Approximate Original Contour, MCA § 82–4–203(6)—Aquifer, MCA § 82–4–203(7)—Area of Land Affected, MCA § 82–4–203(8)—Bench, MCA § 82–4–203(9)—Board, MCA § 82–4–203(10)—Coal Conservation Plan, MCA § 82–4–203(11)—Coal Preparation, MCA § 82–4–203(12)—Coal Preparation Plant, MCA § 82–4–203(13)—Contour Strip Mining, MCA § 82–4–203(14)—Cropland, MCA § 82–4–203(15)—Degree, MCA § 82–4–203(16)—Department, MCA § 82–4–203(17)—Developed Water Resources, MCA § 82–4–203(18)—Ephemeral Drainageway, MCA § 82–4–203(19)—Failure to Conserve Coal, MCA § 82–4–203(20)—Fill Bench, MCA § 82–4–203(21)—Fish and Wildlife Habitat, MCA § 82–4–

203(22)—Forestry, MCA § 82–4–203(23)—Grazing Land, MCA § 82–4–203(24)—Higher or Better Uses, MCA § 82–4–203(25)—Hydrologic Balance, MCA § 82–4–203(26)—Imminent Danger to the Health and Safety of the Public, MCA § 82–4–203(27)—Industrial or Commercial, 82–4–203(28)—In situ Coal Gasification, MCA § 82–4–203(29)—Intermittent Stream, MCA § 82–4–203(30)—Land Use, MCA § 82–4–203(31)—Marketable Coal, MCA § 82–4–203(32)—Material Damage, MCA § 82–4–203(33)—Method of Operation, MCA § 82–4–203(34)—Mineable Coal, MCA § 82–4–203(35)—Mineral, MCA § 82–4–203(36)—Operation, MCA § 82–4–203(37)—Operator, MCA § 82–4–203(38)—Overburden, MCA § 82–4–203(39)—Pastureland, MCA § 82–4–203(40)—Perennial Stream, MCA § 82–4–203(41)—Person, MCA § 82–4–203(42)—Prime Farmland, MCA § 82–4–203(43)—Prospecting, MCA § 82–4–203(44)—Reclamation, MCA § 82–4–203(45)—Recovery Fluid, MCA § 82–4–203(46)—Recreation, MCA § 82–4–203(47)—Reference Area, MCA § 82–4–203(48)—Remining, MCA § 82–4–203(49)—Residential, MCA § 82–4–203(50)—Restore or Restoration, MCA § 82–4–203(51)—Strip Mining, MCA § 82–4–203(52)—Subsidence, MCA § 82–4–203(53)—Surface Owner, MCA § 82–4–203(54)—Topsoil, MCA § 82–4–203(55)—Underground Mining, MCA § 82–4–203(56)—Unwarranted Failure to Comply, MCA § 82–4–203(57)—Waiver, MCA § 82–4–203(58)—Wildlife Habitat Enhancement Feature, MCA § 82–4–203(59)—Written Consent.

(3) Montana's proposal to strike the words "if it is satisfied" from MCA § 82–4–232(6)(k).

(4) Montana's proposed changes to MCA at §§ 82–4–232(6)(k)(ii) and 82–4–232(6)(k)(iii).

(5) Montana's addition of subpart "C" language in MCA § 82–4–232(6)(k)(iv), which could allow for final bond release to occur in the phased bond release process normally reserved for reclamation activities associated with phase II bond release.

(6) Montana's proposed changes in the MCA § 82–4–232(6)(k)(v), which would remove the period specified for operator responsibility.

Marcelo Calle,

Acting Regional Director, Unified Regions, 5, 7–11.

[FR Doc. 2026–17821 Filed 8–31–26; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2026–1028]

RIN 1625–AA00

Safety Zone; Fort Myers Beach, FL

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 Fort Myers Beach. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards associated with high-speed boat racing. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port, Sector St. Petersburg, or their designated representative.

DATES: This rule is effective from September 11, 2026, through September 13, 2026.

ADDRESSES: To view available documents go to <https://www.regulations.gov> and search for USCG–2026–1028.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, contact Lieutenant Ryan McNaughton, Sector St. Petersburg Prevention Department, U.S. Coast Guard; telephone 813–918–7270, email ryan.a.mcnaughton@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 the Roar Offshore high-speed boat race will be occurring on the waters of Fort Myers Beach, FL. The Captain of the Port (COTP) St. Petersburg has determined that potential hazards associated with high-speed vessels are a safety concern for anyone within the designated safety zone.

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 event too late in the planning process and we must establish this safety zone by September 11, 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 September 11 through September 13, 2026. The safety zone will cover all navigable waters in Fort Myers Beach within the following points: Point 1 at 26°26'27" N, 081°55'55" W, thence to Point 2 at 26°25'33" N, 081°56'34" W, thence to Point 3 at 26°26'38" N, 081°58'40" W thence to Point 4 at 26°27'25" N, 081°58'8" W; thence returning to Point 1. 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.

Small businesses may send comments to the Small Business and Agriculture Regulatory Enforcement Ombudsman