

of competent jurisdiction as applied to any person or circumstance shall be construed so as to continue to give the maximum effect to the provision permitted by law, including as applied to persons not similarly situated or to dissimilar circumstances, unless such holding is that the provision of this subpart is invalid and unenforceable in all circumstances, in which event the provision shall be severable from the remainder of this subpart and shall not affect the remainder thereof.

Markwayne Mullin,

Secretary, U.S. Department of Homeland Security.

[FR Doc. 2026–20884 Filed 10–9–26; 8:45 am]

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POSTAL REGULATORY COMMISSION

39 CFR Part 3050

[Docket No. RM2027–2; Order No. 9760]

Periodic Reporting

AGENCY: Postal Regulatory Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Commission is acknowledging a recent Postal Service filing requesting the Commission initiate a rulemaking proceeding to consider changes to analytical principles relating to periodic reports. This document informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* October 28, 2026.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at <https://www.prc.gov>. Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION:

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I. Introduction

On October 5, 2026, the Postal Service filed a petition pursuant to 39 CFR

3050.11 and Order No. 9377¹ requesting that the Commission initiate a rulemaking proceeding to consider a proposed change to analytical principles relating to periodic reports.² The Petition identifies the proposed analytical change filed in this docket in a proposal accompanying the Petition.

II. Background

The Postal Service Reform Act of 2022³ modified and expanded the Postal Service's ability to enter into interagency agreements (IAAs) to provide property and services to, or on behalf of, other government agencies. Specifically, 39 U.S.C. 3703 for the first time authorizes the Postal Service to enter into agreements with agencies of any state government, local government, or tribal government to provide property or nonpostal services to the public on behalf of such agencies for non-commercial purposes. At the same time, with respect to the Postal Service's pre-existing authority under 39 U.S.C. 411 to provide property and services to other Federal agencies, the PSRA specifies that “[t]he Postal Service may establish a program to provide property and nonpostal services to other Government [*i.e.*, federal] agencies within the meaning of section 411,⁴ but only if such program provides a net contribution to the Postal Service, defined as reimbursement that covers at least 100 percent of the costs attributable” 39 U.S.C. 3704.

Under the PSRA, the Postal Service must submit a report to the Commission after the close of each fiscal year that:

[A]nalyzes costs, revenues, rates, and quality of service for each agreement or substantially similar set of agreements for the provision of property or nonpostal services under section 3703 or the program as a whole under section 3704, and any other nonpostal service authorized under [Chapter 37 of Title 39 of the United States Code], using such methodologies as the Commission may prescribe, and in sufficient detail to

¹ Docket No. RM2023–7, Order on Motion for Reconsideration and Clarification of Order No. 6659, December 1, 2025 (Order No. 9377).

² Petition of the United States Postal Service to Initiate a Proceeding to Change Analytical Principles, October 5, 2026 (Petition). The proposed change is attached to the Petition (Proposal).

³ Postal Service Reform Act of 2022 (PSRA), Public Law 117–108, 136 Stat. 1127 (2022).

⁴ Prior to the enactment of the PSRA, the Postal Service's authority for these agreements was governed by 39 U.S.C. 411, which authorizes the Postal Service to “furnish property and services” to “Executive agencies within the meaning of [5 U.S.C. 105] and the Government Publishing Office” 39 U.S.C. 411. Section 105 of Title 5 of the United States Code specifies that an “‘Executive agency’ means an Executive department, a Government corporation, and an independent establishment” of the U.S. Government, as those terms are defined in 5 U.S.C. chapter 1. 5 U.S.C. 105.

demonstrate compliance with the requirements of [Chapter 37 of Title 39 of the United States Code].

39 U.S.C. 3705(a)(1). Upon receiving the Postal Service's report and providing an opportunity for public comment, the Commission must make a written determination of compliance. 39 U.S.C. 3705(e).

In its FY 2022 *Annual Compliance Determination* (ACD), the Commission directed the Postal Service to develop a proposed methodology (or methodologies) for calculating and attributing costs and revenue to IAAs authorized under 39 U.S.C. 3703 and 3704, and to initiate a rulemaking proceeding to establish such methodology (or methodologies) in accordance with 39 CFR 3050.11.⁵ As directed, the Postal Service initiated Docket No. RM2023–7 on May 26, 2023, proposing a categorical approach to calculating and attributing costs and revenue to similar types, or groupings, of IAAs.⁶

On August 31, 2023, the Commission conditionally approved the Postal Service's proposed methodology, subject to seven conditions.⁷ As relevant here, the first condition provided that, whenever the Postal Service enters into an IAA that is outside the scope of the IAA categories approved in Docket No. RM2023–7, the Postal Service should file a petition pursuant to 39 CFR 3050.11 requesting that the Commission initiate a rulemaking proceeding to consider a proposal to change an analytical principle underlying the Postal Service's periodic reports.⁸ The current approved IAA categories are Retail Services; Fulfillment; Addressing

⁵ Docket No. ACR2022, *Annual Compliance Determination*, March 29, 2023, at 102 (FY 2022 ACD).

⁶ Docket No. RM2023–7, Petition of the United States Postal Service for the Initiation of a Proceeding to Consider Proposed Changes in Analytical Principles (Proposal Two), May 26, 2023.

⁷ Docket No. RM2023–7, Order on Analytical Principles Used in Periodic Reporting (Proposal Two), Directing the Postal Service's Participation in Further Proceedings, and Providing Notice of Filing Attachment Under Seal, August 31, 2023 (Order No. 6659).

⁸ Order No. 6659 at 14. The Commission notes that the Postal Service subsequently sought clarification that Condition 1 applies only after a new IAA goes into effect, which the Commission confirmed in Order No. 9377. *See* Order No. 9377 at 7, 41. The Postal Service also sought reconsideration of three of the other seven conditions from Order No. 6659, but those issues are not relevant to this proceeding. The Commission ultimately denied the Postal Service's motion for reconsideration as to those issues, which the Postal Service appealed to the United States Court of Appeals for the District of Columbia Circuit. That appeal is currently pending. *See* Order No. 9377; Petition for Review, *U.S. Postal Serv. v. Postal Regul. Comm'n*, No. 25–1289 (D.C. Cir. filed Dec. 26, 2025, ECF No. 2152063).

and Geospatial Technology Services; Short-Term Rental/Conference and Training Center Services; Lease Agreements; and Contracting Services.⁹

III. Proposal

The Postal Service explains that in December of 2025 (FY 2026 Quarter 1) it entered into an agreement with the United States Census Bureau (“Census”) to participate in a pilot study wherein mail carriers would assist in providing “enumeration support” for the 2026 Census Test Run. Proposal at 2. “In-field enumeration” involves Census employees or other designees attempting to contact residents who did not respond to the mailed Census form. *Id.* Activities conducted by mail carriers “mainly included a review of the Census provided addresses that ha[d] not responded to the Census form that [were] on their route[.]” “provid[ing] vacancy status of . . . residence[s],” “educat[ing] potential respondents on completing the survey,” and “administer[ing] the survey in person if needed.” *Id.* Both city and rural carriers participated in the pilot, after receiving training from Census. *Id.* Carriers “used the knowledge of their routes to resolve enumeration cases that were assigned to known vacant addresses[.]” and “[t]he remaining enumeration cases [were] then . . . attempted along the carrier’s line of travel.” *Id.* Carriers used their Mobile Delivery Devices (MDDs) to record their time spent on Census activities. *Id.*

Because the Postal Service asserts that the Census IAA does not fall neatly within any of the existing IAA categories, the Postal Service proposes a new IAA category to be called “Side-Along Services,” to which the Census IAA and any subsequent similar IAAs would be assigned. *Id.* at 2–3. Noting that the 2026 Census Test Run was a pilot, the Postal Service asserts that “[t]he proposed inclusion of this category does not guarantee such an agreement would exist in the future but would provide the appropriate reporting structure for this type of agreement.” *Id.* at 3.

The Postal Service “proposes a simple cost structure for [the Side-Along Services] category.” *Id.* It states that “[s]ince total Census activity time was recorded by each carrier, the total hours can be converted to costs by multiplying each craft type’s respective productive hourly wage rate and piggyback factor.” *Id.* The Postal Service concedes that

“[i]n the future, each agreement would need to be evaluated for additional cost characteristics,” but states that “that process would not deviate from current evaluations that occur with new and unique IAAs.” *Id.* The Postal Service provides, under seal, a sample cost structure using FY 2025 rates and factors with preliminary hourly data. *Id.*

The Postal Service asserts that if its proposal is approved by late November, it will be able to use the new “Side-Along Services” category to organize and present final (as opposed to preliminary) cost and revenue information in the FY 2026 *Annual Compliance Report*. *Id.*

IV. Notice and Comment

Pursuant to 39 CFR 3050.11(d)(1), the Commission establishes Docket No. RM2027–2 for consideration of matters raised by the Petition. More information on the Petition may be accessed via the Commission’s website at <https://www.prc.gov>. Interested persons may submit comments on the Petition and the Postal Service’s Proposal by October 28, 2026. Pursuant to 39 U.S.C. 505, Christopher Mohr is designated as an officer of the Commission (Public Representative) to represent the interests of the general public in this proceeding.

V. Ordering Paragraphs

It is ordered:

1. The Commission establishes Docket No. RM2027–2 for consideration of the matters raised by the Petition of the United States Postal Service to Initiate a Proceeding to Change Analytical Principles, filed October 5, 2026.

2. Comments by interested persons in this proceeding are due October 28, 2026.

3. Pursuant to 39 U.S.C. 505, the Commission appoints Christopher Mohr to serve as an officer of the Commission (Public Representative) to represent the interests of the general public in this docket.

4. This Order, or abstract thereof, will be published in the **Federal Register**.

By the Commission.

Danielle LeFlore,
Legal Assistant.

[FR Doc. 2026–20865 Filed 10–9–26; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 4

[PS Docket Nos. 21–346 and 15–80; ET Docket No. 04–35; Report No. 3236; FR ID 372261]

Petition for Reconsideration of Action in Rulemaking Proceeding

AGENCY: Federal Communications Commission.

ACTION: Petition for reconsideration.

SUMMARY: Petition for Reconsideration (Petition) has been filed in the Commission’s proceeding by Thomas Goode on behalf of the Alliance for Telecommunications Industry Solutions.

DATES: Oppositions to the Petition must be filed on or before October 29, 2026. Replies to oppositions to the Petition must be filed on or before November 9, 2026.

ADDRESSES: Federal Communications Commission, 45 L Street NE, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Jeanne Stockman, Attorney Advisor, Public Safety and Homeland Security Bureau at (202) 418–7830 or Jeanne.Stockman@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission’s document, Report No. 3236, released September 23, 2026. The full text of the Petition can be accessed online via the Commission’s Electronic Comment Filing System at: <https://apps.fcc.gov/ecfs/> and downloaded at <https://www.fcc.gov/ecfs/document/26110061418/1>. The Commission will not send a Congressional Review Act (CRA) submission to Congress or the Government Accountability Office pursuant to the CRA, 5 U.S.C. 801(a)(1)(A), because no rules are being adopted by the Commission.

Subject: Resilient Networks; Amendments to Part 4 of the Commission’s Rules Concerning Disruptions to Communications; New Part 4 of the Commission’s Rules Concerning Disruptions to Communications (PS Docket Nos. 21–346 and 15–80; ET Docket No. 04–35).

Number of Petitions Filed: 1.

Federal Communications Commission.

Aleta Bowers,

Federal Register Liaison Officer, Office of the Secretary.

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⁹ See Order No. 6659; Docket No. RM2026–4, Order on Analytical Principles Used for Periodic Reports Concerning Updating Interagency Agreement Reporting for Hybrid Agreements, June 18, 2026 (Order No. 9617).