

(b)(14), (23), (24), and (27) of this section, all persons are prohibited from:

* * * * *

■ 3. Amend § 751.307 by revising paragraph (b)(1) to read as follows:

§ 751.307 Phase-out of processing trichloroethylene to manufacture of HFC–134a.

* * * * *

(b) * * *

(1) Beginning December 31, 2027, each manufacturer of HFC–134a who processes TCE as an intermediate is not permitted to process TCE as an intermediate at an annual volume greater than 75 percent of the baseline.

* * * * *

■ 4. Amend § 751.313 by revising paragraph (h) introductory text to read as follows:

§ 751.313 Phase-out of disposal of TCE to industrial pre-treatment, treatment, or publicly owned treatment works.

* * * * *

(h) Except for those uses specified in paragraphs (b), (c), and (d) of this section, all persons engaged in the uses specified in paragraphs (h)(i) or (ii) of this section are prohibited from disposal of TCE to industrial pre-treatment, industrial treatment, or publicly owned treatment works after December 31, 2027:

* * * * *

■ 5. Amend § 751.321 by:

■ a. Revising paragraph (d).

■ b. Adding paragraphs (f) and (g).

The revisions and additions read as follows:

§ 751.321 Downstream notification.

* * * * *

(d) Beginning on December 16, 2025, and before [DATE 30 DAYS AFTER PUBLICATION OF FINAL RULE IN THE **FEDERAL REGISTER**], each person who manufactures (including imports), processes, or distributes in commerce TCE or any TCE-containing products must, prior to or concurrent with the shipment, notify companies to whom TCE is shipped, in writing, of the restrictions described in this subpart in accordance with paragraph (e) of this section.

* * * * *

(f) Beginning [DATE 30 DAYS AFTER PUBLICATION OF FINAL RULE IN THE **FEDERAL REGISTER**], each person who manufactures (including imports), processes, or distributes in commerce TCE or any TCE-containing products must, prior to or concurrent with the shipment, notify companies to whom TCE is shipped, in writing, of the restrictions described in this subpart in

accordance with paragraph (g) of this section.

(g) The notification required under paragraph (f) of this section must occur by inserting the following text in section 1(c) and 15 of the Safety Data Sheet (SDS) provided with the TCE or with any TCE-containing product:

“After June 16, 2025, this chemical/product is and can only be domestically manufactured, imported, processed, or distributed in commerce for the following purposes until the following prohibitions take effect: (1) Processing as an intermediate (a) for the manufacture of HFC–134a until June 18, 2033, and (b) for all other processing as a reactant/intermediate until December 31, 2027; (2) Industrial and commercial use as a solvent for open-top batch vapor degreasing until December 18, 2025; (3) Industrial and commercial use as a solvent for closed-loop batch vapor degreasing until December 18, 2025, except for industrial and commercial use in batch vapor degreasing for land-based DOD defense systems by Federal agencies and their contractors until December 18, 2029, and except for industrial and commercial use as a solvent for closed-loop batch vapor degreasing necessary for rocket engine cleaning by Federal agencies and their contractors until December 18, 2031, and except for industrial and commercial use of TCE in closed-loop and open-top batch vapor degreasing for essential aerospace parts and components and narrow tubing used in medical devices until December 18, 2031, and except for industrial and commercial use as a solvent for closed-loop batch vapor degreasing for rayon fabric scouring for end use in rocket booster nozzle production by Federal agencies and their contractors until December 18, 2034; (4) Industrial and commercial use in processing aid (a) for lithium battery separator manufacturing until December 18, 2029, and (b) for lead-acid battery separator manufacturing until December 18, 2044, and (c) for specialty polymeric microporous sheet material manufacturing until December 18, 2039, and (d) in process solvent used in battery manufacture; in process solvent used in polymer fiber spinning, fluoroelastomer manufacture and Alcantara manufacture; in extraction solvent used in caprolactam manufacture; and in precipitant used in beta-cyclodextrin manufacture until December 31, 2027; (5) Industrial and commercial uses for vessels of the Armed Forces and their systems, and in the maintenance, fabrication, and sustainment for and of such vessels and systems until December 18, 2034; (6)

Industrial and commercial use for laboratory use (a) for essential laboratory activities until December 18, 2074 and (b) for asphalt testing and recovery using manual centrifuge processes until December 18, 2029 and for asphalt testing and recovery until December 18, 2034; and (7) Industrial and commercial use as a processing aid in the manufacture of nuclear fuel until September 15, 2028.

* * * * *

[FR Doc. 2026–20964 Filed 10–13–26; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

45 CFR Part 1336

RIN 0970–AD50

Further Reducing Bureaucracy and Burden From the Administration for Native Americans

AGENCY: Administration for Native Americans (ANA), Administration for Children and Families (ACF), Department of Health and Human Services (HHS).

ACTION: Notice of proposed rulemaking.

SUMMARY: The Department of Health and Human Services, Administration for Children and Families proposes to further amend the Native American Programs Act regulations to streamline the part.

DATES: In order to be considered, written comments on this proposed rule must be received on or before November 13, 2026.

ADDRESSES: You may submit written comments, identified by docket number ACF–2026–0826 and/or RIN number 0970–AD50, by one of the following methods:

- *Federal eRulemaking Portal:* Go to <https://www.regulations.gov>. Follow the instructions for submitting comments.

- *Email:* Deregulation@acf.hhs.gov. Include the docket number ACF–2026–0826 and/or RIN number 0970–AD50 in the subject line of the message.

Instructions: All submissions received must include the agency name and docket number or RIN number for this rulemaking. All comments received are a part of the public record and will be posted for public viewing on www.regulations.gov, without change. Please be advised that the substance of the comments and the identity of individuals or entities submitting the

comments will be subject to public disclosure. The docket on <https://www.regulations.gov> will include a plain language summary of the notice of proposed rulemaking (NPRM).

FOR FURTHER INFORMATION CONTACT: Adam N. Jones, Deputy Chief of Staff, Immediate Office of the Assistant Secretary, Administration for Children and Families, Department of Health and Human Services, Washington, DC 202–417–0115 or Deregulation@acf.hhs.gov.

SUPPLEMENTARY INFORMATION:

I. Statutory Authority

This proposed regulation is being issued under the authority granted to the Secretary of Health and Human Services by the Native American Programs Act of 1974, as amended (42 U.S.C. 2991 *et seq.*), hereafter referred to as the “Act.”

II. Background

The Native American Programs Act of 1974 (NAPA), as amended (42 U.S.C. 2991 *et seq.*), authorizes the Administration for Native Americans (ANA) to promote social development and economic self-sufficiency in Native communities through competitive grant funding. Under Section 803 of NAPA (42 U.S.C. 2991b), ANA provides financial assistance on a single-year or multi-year basis to public and nonprofit private agencies, including governing bodies of Indian Tribes on federal and state reservations, Alaska Native villages and regional corporations established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 *et seq.*), and public and nonprofit agencies serving Native Hawaiians and Indian and Alaska Native organizations in urban or rural areas that are not reservations or Alaska Native villages. ANA implements its mission through competitive discretionary grants that support Native-led, community-based projects aimed at strengthening families and communities and reducing long-term dependency through social and economic development, Native language preservation, and environmental regulatory enhancement. ANA typically provides short-term “seed” funding ranging from 12 to 60 months to help communities launch or expand sustainable efforts. In Federal Fiscal Year (FFY) 2025, ANA awarded a total of \$50,738,495, which included new awards and continued funding for previously awarded projects. The regulations that implement the NAPA, 45 CFR part 1336, were last amended in 2026 by 91 FR 36756.

III. Executive Summary

This would follow a final rule that was published in June 2026 (*see* 91 FR 36756) that repealed all of Part 1336 except for five sections. Those five sections now are fragmented and could be streamlined to ease readability and understanding. The five sections that currently remain in regulation are titled: Definitions, Notice of ineligibility, Appeal of ineligibility, Financial and administrative requirements, and Appeals. Many of these sections have language that is duplicative of statute, yet components of the section are not duplicative. Therefore, this rulemaking proposes to remove the language that is duplicative and streamline the remaining text.

Severability

The provisions of this NPRM, if finalized, are intended to be severable, such that, in the event a court were to invalidate any particular provision or deem it to be unenforceable, the remaining provisions would continue to be valid. The changes address a variety of issues relevant to the Administration for Native Americans. None of the provisions contained herein are central to an overall intent of the proposed rule, nor are any provisions dependent on the validity of other, separate provisions.

IV. Discussion of Proposed Changes

Subpart A—Definitions

§ 1336.10 Definitions

Section 1336.10 identifies the definitions that are applicable to part 1336, unless context otherwise requires. This proposal removes the definition for “Economic and social self-sufficiency” as the term is not used in the proposed new part. Further, this NPRM seeks to update the definition of “ANA” as the Administration for Native Americans is no longer under the Office of Human Development Services. Therefore, this proposal would remove that reference while maintaining the remainder of the definition. This rule proposes to also redesignate this section from § 1336.10 to § 1336.1 in accordance with the proposed streamlining of the part. There are no other proposed changes to definitions in this section.

Subpart C—Native American Projects

§ 1336.34 Notice of Ineligibility

Section 1336.34 states the process of notice for an organization if the Commissioner determines them to be ineligible for funding, or the activities proposed by the organization are ineligible. This NPRM proposes to streamline this section by maintaining

the requirement that if an organization or activities proposed by an organization are determined to be ineligible for funding, the Commissioner must inform the applicant of this decision and must state the legal and factual grounds for which this decision was made. This NPRM seeks to remove the detailed requirements that state that a copy of part 1336 must be included in that letter, as well as requiring the letter to include the template paragraph that currently exists in regulation. The reason for this proposal is in part to simplify the regulatory text, which does not benefit from including template paragraphs, but also to recognize the fact that the address listed in the current section is no longer the appropriate office of ANA. This rule proposes to also redesignate this section from § 1336.34 to § 1336.2 and retitle it “Notices of ineligibility and appeals” in accordance with the proposed streamlining of the part.

§ 1336.35 Appeal of Ineligibility

Section 1336.35 currently identifies the process that must be followed to appeal a finding of ineligibility for funding. This section is proposed to be removed as the language detailing this appeals process conflicts with the Departmental Appeals Board (DAB) procedures which are identified in 45 CFR part 16. To simplify the appeals process and ensure consistency among other ACF programs, we propose to add a new paragraph to proposed section 1336.2 entitled “appeals” (proposed 1336.2(b)) describing that an applicant who has had their application rejected because it has been found ineligible for funding or because the activities it is proposing are ineligible for funding by the Commissioner may appeal the Commissioner’s ruling to the DAB following the process identified in 45 CFR part 16.

Subpart E—Financial Assistance Provisions

§ 1336.50 Financial and Administrative Requirements

Section 1336.50 currently describes financial and administrative requirements applicable to grantees. This section is proposed to be streamlined and renumbered as section 1336.3 under the same name. This NPRM seeks to remove current § 1336.50(a) as the regulations identified in this subpart apply regardless of being cited here. HHS accepts that this list may be helpful for grantees to identify which requirements are applicable to them, and if this proposed rule is finalized, intends to provide training

and technical assistance to ensure grantees are still aware of applicable regulatory requirements.

Current section 1336.50(b)(1) details that recipients of financial assistance under sections 803, 804, and 805 of the Act must provide a matching share of 20 percent of the approved cost of the assisted project, unless a waiver is attained. This proposed rule removes this section because it is duplicative of 42 U.S.C. 2991b(c). We propose to streamline current section 1336.50(b)(2) by removing unnecessary language while preserving the all core aspects of the regulation and renumbering as § 1336.3(a)(1).

We propose to renumber current section 1336.50(b)(3) as 1336.3(a)(2) and retain in part. The language proposed for deletion is in paragraph (i) which was an overly wordy explanation for why an applicant could request a waiver for the non-Federal matching requirement and is proposed to be replaced with the proper statutory reference. Paragraph (ii) is proposed to be retained, but this NPRM seeks to remove the last two sentences of the paragraph which provide examples of allowable documentation, as opposed to requirements imposed on grantees. Current section 1336.50(b)(4) is proposed to be renumbered to 1336.3(a)(3) with no changes.

We propose to remove current section 1336.50(c)(1) as it does not contain any requirements but rather restates language from section 803(c) of the Act and other parts of the regulation. Paragraph (2) is then proposed to be renumbered as paragraph (1) with a minor edit to add a statutory reference. There are no other proposed changes to the rest of current section 1336.50, other than to renumber as appropriate.

§ 1336.52 Appeals

Section 1336.52 currently identifies the right to appeal decisions to suspend, terminate, or deny funding pursuant to the remedies for noncompliance under 2 CFR 200.339–200.343 and the process for which to do so. We propose to remove this section as the language detailing this appeals and hearing process is duplicative of the DAB procedures which are identified in 45 CFR part 16. To ensure that grantees are still aware of the appeals process, without having to rewrite part 16 in this section, we propose to add a new paragraph to proposed section 1336.2 entitled “appeals” (proposed 1336.2(b)) which describes that a recipient who has had their financial assistance suspended or terminated, or whose non-competing continuation applications for refunding have denied under 2 CFR

200.339 and 200.340 may appeal the ruling to the DAB following the process identified in 45 CFR part 16.

V. Regulatory Process Matters

Paperwork Reduction Act

Under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*, as amended) (PRA), all Departments are required to submit to the Office of Management and Budget (OMB) for review and approval any new or modified reporting or recordkeeping requirements inherent in a proposed or final rule. This NPRM does not contain any information collections requiring OMB approval under the PRA and, therefore, will not create any new paperwork burdens or modify existing burdens subject to OMB review.

Executive Order 13132

Executive Order 13132 requires federal agencies to consult with State and local government officials if they develop regulatory policies with federalism implications. Federalism is rooted in the belief that issues that are not national in scope or significance are most appropriately addressed by the level of government close to the people. This proposed rule would not have substantial direct impact on the States, on the relationship between the federal government and the States, or on the distribution of power and responsibilities among the various levels of government. This NPRM would not pre-empt State law. The changes proposed in the NPRM are removing unnecessary and obsolete regulations from the Native American Program rules. Therefore, in accordance with Section 6 of Executive Order 13132, it is determined that this action does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement.

Assessment of Federal Regulations and Policies on Families

Assessment of Federal Regulations and Policies on Families Section 654 of the Treasury and General Government Appropriations Act of 1999 (Pub. L. 105–277) requires federal agencies to determine whether a policy or regulation may negatively affect family well-being. If the agency determines a policy or regulation negatively affects family well-being, then the agency must prepare an impact assessment addressing seven criteria specified in the law. HHS believes it is not necessary to prepare a family policymaking assessment because the actions proposed in this NPRM will not have

any impact on the autonomy or integrity of the family as an institution.

VI. Regulatory Impact Analysis

We have examined the impacts of the proposed rule under Executive Order 12866, Executive Order 13563, Executive Order 14192, the Regulatory Flexibility Act (5 U.S.C. 601–612), and the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4).

Executive Orders 12866 and 13563 direct us to assess all benefits and costs of available regulatory alternatives and, when regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 14192 requires that any new incremental costs associated with significant new regulations “shall, to the extent permitted by law, be offset by the elimination of existing costs associated with at least ten prior regulations.” The Office of Information and Regulatory Affairs (OIRA) has determined that this proposed rule is a significant action under Executive Order 12866 Section 3(f).

The Regulatory Flexibility Act (RFA) requires agencies to consider the impact of their regulatory proposals on small entities. Because this action would simply repeal obsolete and unnecessary language, we propose to certify that the proposed rule would not have a significant economic impact on a substantial number of small entities.

The Unfunded Mandates Reform Act of 1995 (UMRA) generally requires that each agency conduct a cost-benefit analysis; identify and consider a reasonable number of regulatory alternatives; and select the least costly, most cost effective, or least burdensome alternative that achieves the objectives of the rule before promulgating any proposed or final rule that includes a Federal mandate that may result in expenditures of more than \$100 million (adjusted for inflation) in at least one year by State, local, and tribal governments, in the aggregate, or by the private sector. Each agency issuing a rule with relevant effects over that threshold must also seek input from State, local, and tribal governments. The current threshold after adjustment for inflation is \$193 million, using the most current (2025) Implicit Price Deflator for the Gross Domestic Product. This proposed rule would not result in an expenditure in any year that meets or exceeds this amount.

VII. Tribal Consultation Statement

Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, requires agencies to consult with Indian Tribes when

regulations have “substantial direct effects 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.” Similarly, ACF’s Tribal Consultation Policy says that consultation is triggered for any legislative proposal, new rule adoption, or other policy change that significantly affects Tribes, meaning there exists a reasonable presumption that it has or may have substantial direct effects on one or more Indian Tribes, on the relationship between the Federal Government and Indian tribes, on the amount or duration of ACF program funding, on the delivery of ACF programs or services to one or more Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes.

ACF conducted a Tribal consultation in August 2026, in which a panel on “Reducing Administrative Burden” was hosted. Commenters expressed general support for de-regulation and simplifying of regulatory text. This proposed rule begins another comment period by which we are requesting further input from Tribes on the proposed changes.

List of Subjects in 45 CFR Part 1336

Administrative practice and procedure, American Samoa, Grant programs—Indians, Grant programs—social programs, Guam, Hawaiian Natives, Indians, Northern Mariana Islands, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, ACF proposes to amend 45 CFR part 1336 as follows:

PART 1336—NATIVE AMERICAN PROGRAMS

■ 1. The authority citation for part 1336 continues to read:

Authority: 42 U.S.C. 618, 9858 *et seq.*

§ 1336.1 Definitions.

For the purposes of this part, unless the context otherwise requires:

Act means the Native American Programs Act of 1974, as amended (42 U.S.C. 2991 *et seq.*).

Alaskan Native means a person who is an Alaskan Indian, Eskimo, or Aleut, or any combination thereof. The term also includes any person who is regarded as an Alaskan Native by the Alaskan Native Village or group of which he or she claims to be a member and whose father or mother is (or, if deceased, was) regarded as an Alaskan Native by an Alaskan Native Village or

group. The term includes any Alaskan Native as so defined, either or both of whose adoptive parents are not Alaskan Natives.

American Indian or Indian means any individual who is a member or a descendant of a member of a North American tribe, band, Pueblo or other organized group of native people who are indigenous to the Continental United States, or who otherwise have a special relationship with the United States or a State through treaty, agreement, or some other form of recognition. This includes any individual who claims to be an Indian and who is regarded as such by the Indian tribe, group, band, or community of which he or she claims to be a member.

ANA means the Administration for Native Americans

Applicant means an organization which has applied for financial assistance from ANA.

Budget period means the interval of time into which a project period is divided for budgetary and funding purposes, and for which a grant is made. A budget period usually lasts one year in a multi-year project period.

Indian tribe means a distinct political community of Indians which exercises powers of self-government.

Native American means American Indian, Indian, Native Hawaiian, and Alaskan Native, as defined in the Act, or in this section.

Project period means, for discretionary grants and cooperative agreements, the total time for which the recipient’s project or program is approved for support, including any extension, subject to the availability of funds, satisfactory progress, and a determination by HHS that continued funding is in the best interest of the Government.

Recipient means an organization which has applied for financial assistance, and to which financial assistance is awarded under this Act. The term includes grantees and recipients of cooperative agreements.

§ 1336.2 Notice of ineligibility and appeals.

(a) *Notices of ineligibility.* Upon a finding by the Commissioner that an organization that has applied for funding is ineligible or that the activities proposed by an organization are ineligible, the Commissioner shall inform the applicant of the decision stating the legal and factual grounds for the Commissioner’s finding of ineligibility.

(b) *Appeals.* An applicant that has had its application rejected either because it has been found ineligible or

because the activities it proposes are ineligible for funding by the Commissioner of ANA, and recipients whose financial assistance has been suspended or terminated, or whose non-competing continuation applications for refunding have been denied, pursuant to the remedies for noncompliance at 2 CFR 200.339–200.343, may appeal the Commissioner’s ruling to the HHS Departmental Appeals Board through the process at 45 CFR part 16.

§ 1336.3 Financial and administrative requirements.

(a) *Cost sharing or matching.*

(1) *Application.* If an applicant or recipient wishes to request a waiver of the requirement for a 20 percent non-Federal matching share for financial assistance under sections 803, 804, and 805 of the Act, the following conditions must be met:

(i) If an applicant for an initial award or an applicant for a non-competing continuation award anticipates that it will be unable to meet the cost-sharing or matching requirement, the applicant may request a waiver of the 20 percent non-Federal matching share. It must include with its application for funding, the submission of a revised SF424A, a written justification that clearly explains why the applicant cannot provide the matching share including the amount of non-Federal share to be waived, and how it meets the criteria indicated in paragraph (a)(2) of this section. For an applicant for an initial award, or an applicant seeking a non-competing continuation award, a request for a waiver must be submitted at the time of the initial application or non-competing continuation (NCC) application.

(ii) If a recipient is unable to contribute part or all of the required non-Federal matching share during a budget period due to an emergency situation the recipient may request a waiver of all or part of the requirement for a 20 percent non-Federal matching share. Any requests for an emergency waiver may be submitted at any time during a budget period as soon as the adverse effect is known to the recipient and must be submitted in accordance with the requirements specified in paragraph (a)(2) of this section.

(2) *Criteria.* Both of the following criteria must be met for an applicant or recipient to be eligible for a waiver of the non-Federal matching requirement:

(i) Applicant or recipient documents an inability to meet requirements of 42 U.S.C. 2991b(c) through an institutional audit if available, or a full disclosure of applicant’s or recipient’s total assets and liabilities.

(ii) Applicants or recipients can document that reasonable efforts to obtain cash or in-kind contributions for the purposes of the project from third parties have been unsuccessful, including evidence and the results of such attempts.

(3) *Approval.* For a waiver to be approved, ANA must determine that it will not prevent the award of other grants at levels it believes are desirable for the purposes of the program. Waiver of all or part of the non-Federal share shall apply only to the budget period for which application was made.

(b) *Maintenance of effort.*

(1) To be eligible for a waiver from the requirements of 42 U.S.C. 2991b(d)(1), the applicant must demonstrate to ANA that the organization whose funds previously supported the project discontinued its support:

(i) As a result of funding limitations; and

(ii) Not as a result of an adverse evaluation of the project's purpose or the manner in which it was conducted; and

(iii) Not because it anticipated that Federal funds would replace the original source of project funding.

(2) In addition, the applicant must demonstrate in the request for a waiver that the maintenance of effort requirement would result in insurmountable hardship for the recipient or would otherwise be inconsistent with the purposes of this part.

(c) *Delegation of project operations.*

(1) Each subgrant awarded to a delegate agency must have specific prior approval by ANA. Such delegation must be formalized by written agreement.

(2) The agreement must specify the activities to be performed by the delegate agency, the time schedule, the policies and procedures to be followed, the dollar limitations, and the costs

allowed. The applicant must submit a budget for each delegate agency as part of its application.

(d) *Unallowable costs.* ANA funds may not be used by recipients to purchase real property.

(e) *Office of the Chief Executive.* The costs of salaries and expenses of the Office of Chief Executive of a federally recognized Indian tribal government (as defined in § 75.2 of this title) are allowable, provided that such costs exclude any portion of salaries and expenses of the Office of Chief Executive that are a cost of general government and provided they are related to a project assisted under this part.

Robert F. Kennedy, Jr.,

Secretary, Department of Health and Human Services.

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