

replace it with the text “dated July 30, 2026, and effective September 15, 2026”.

26. Correct FR Doc. No. 2026–16159, published on August 7, 2026, at 91 FR 51066 (Docket No. FAA–2026–6966; Airspace Docket No. 26–AGL–10), as follows:

a. Remove the text “FAA Order JO 7400.11K”, everywhere it appears, and replace it with the text “FAA Order JO 7400.11M”; and

b. Remove the text “dated August 4, 2025, and effective September 15, 2025”, everywhere it appears, and replace it with the text “dated July 30, 2026, and effective September 15, 2026”.

27. Correct FR Doc. No. 2026–16249, published on August 10, 2026, at 91 FR 51381 (Docket No. FAA–2026–0859; Airspace Docket No. 25–AAL–161), as follows:

a. Remove the text “FAA Order JO 7400.11K”, everywhere it appears, and replace it with the text “FAA Order JO 7400.11M”; and

b. Remove the text “dated August 4, 2025, and effective September 15, 2025”, everywhere it appears, and replace it with the text “dated July 30, 2026, and effective September 15, 2026”.

28. Correct FR Doc. No. 2026–16292, published on August 11, 2026, at 91 FR 51573 (Docket No. FAA–2026–6970; Airspace Docket No. 26–AGL–12), as follows:

a. Remove the text “FAA Order JO 7400.11K”, everywhere it appears, and replace it with the text “FAA Order JO 7400.11M”; and

b. Remove the text “dated August 4, 2025, and effective September 15, 2025”, everywhere it appears, and replace it with the text “dated July 30, 2026, and effective September 15, 2026”.

29. Correct FR Doc. No. 2026–16289, published on August 11, 2026, at 91 FR 51574 (Docket No. FAA–2026–6967; Airspace Docket No. 26–AGL–11), as follows:

a. Remove the text “FAA Order JO 7400.11K”, everywhere it appears, and replace it with the text “FAA Order JO 7400.11M”; and

b. Remove the text “dated August 4, 2025, and effective September 15, 2025”, everywhere it appears, and replace it with the text “dated July 30, 2026, and effective September 15, 2026”.

30. Correct FR Doc. No. 2026–16393, published on August 12, 2026, at 91 FR 52003 (Docket No. FAA–2026–6370; Airspace Docket No. 26–AEA–9), as follows:

a. Remove the text “FAA Order JO 7400.11K”, everywhere it appears, and replace it with the text “FAA Order JO 7400.11M”; and

b. Remove the text “dated August 4, 2025, and effective September 15, 2025”, everywhere it appears, and replace it with the text “dated July 30, 2026, and effective September 15, 2026”.

31. Correct FR Doc. No. 2026–18126, published on September 4, 2026, at 91 FR 56775 (Docket No. FAA–2026–7824; Airspace Docket No. 26–AEA–10), as follows:

a. Remove the text “FAA Order JO 7400.11K”, everywhere it appears, and replace it with the text “FAA Order JO 7400.11M”; and

b. Remove the text “dated August 4, 2025, and effective September 15, 2025”, everywhere it appears, and replace it with the text “dated July 30, 2026, and effective September 15, 2026”.

32. Correct FR Doc. No. 2026–18437, published on September 10, 2026, at 91 FR 57492 (Docket No. FAA–2026–3238; Airspace Docket No. 26–ASW–3), as follows:

a. Remove the text “FAA Order JO 7400.11K”, everywhere it appears, and replace it with the text “FAA Order JO 7400.11M”; and

b. Remove the text “dated August 4, 2025, and effective September 15, 2025”, everywhere it appears, and replace it with the text “dated July 30, 2026, and effective September 15, 2026”.

Issued in Washington, DC, on October 15, 2026.

Brian Eric Konie,

Acting Manager, Airspace Regulation Group.

[FR Doc. 2026–21422 Filed 10–19–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

25 CFR Parts 140, 141, 211, 213, 225, 226, 227, 243, 249, 273, and 700

[267A2100DD/AAKP3000000/
A0A501010.000000]

RIN 1076–AF81

Civil Penalties Inflation Adjustments; Annual Adjustments

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Final rule.

SUMMARY: This rule provides for annual adjustments to the level of civil monetary penalties contained in Bureau

of Indian Affairs (Bureau) regulations to account for inflation under the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 and Office of Management and Budget (OMB) guidance.

DATES: This rule is effective on October 20, 2026.

ADDRESSES:

- *Federal eRulemaking Portal:* This rule may be found on the internet at <https://www.regulations.gov> by entering “RIN 1076–AF81” in the search box.

- *Alternative Format:* On request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**, individuals can obtain this document in an alternate format, usable by people with disabilities, at the Office of the Assistant Secretary—Indian Affairs, Room 4660, 1849 C Street NW, Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT:

Oliver Whaley, Director, Office of Regulatory Affairs and Collaborative Action (RACA), Office of the Assistant Secretary—Indian Affairs; Department of the Interior, RACA@bia.gov; telephone (202) 738–6065. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services.

SUPPLEMENTARY INFORMATION:

- I. Background
- II. Calculation of 2026 Annual Adjustments
- III. Procedural Requirements
 - A. Regulatory Planning and Review (Executive Order (E.O.s) 12866 and 14192)
 - B. Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*)
 - C. Congressional Review Act (CRA)
 - D. Unfunded Mandates Reform Act (2 U.S.C. 1501 *et seq.*)
 - E. Takings (E.O. 12630)
 - F. Federalism (E.O. 13132)
 - G. Civil Justice Reform (E.O. 12988)
 - H. Consultation With Indian Tribes (E.O. 13175 and Departmental Policy)
 - I. Paperwork Reduction Act
 - J. National Environmental Policy Act
 - K. Effects on the Energy Supply (E.O. 13211)
 - L. Clarity of This Regulation
 - M. Administrative Procedure Act

I. Background

On November 2, 2015, the President signed into law the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (sec. 701 of Pub. L. 114–74) (“the Act”). The Act requires Federal agencies to adjust the level of civil monetary penalties with an initial “catch-up” adjustment through rulemaking and then make subsequent annual adjustments for inflation. The purpose of these adjustments is to

maintain the deterrent effect of civil penalties and to further the policy goals of the underlying statutes.

The Office of Management and Budget (OMB) issued guidance for Federal agencies on calculating the catch-up adjustment. See February 24, 2016, Memorandum for the Heads of Executive Departments and Agencies, from Shaun Donovan, Director, Office of Management and Budget, re: *Implementation of the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015* (M–16–06). Under the guidance, the Department identified applicable civil monetary penalties and calculated the catch-up adjustment. A civil monetary penalty is any assessment with a dollar amount that is levied for a violation of a Federal civil statute or regulation, and is assessed or enforceable through a civil action in Federal court or an administrative proceeding. A civil monetary penalty does not include a penalty levied for violation of a criminal statute, or fees for services, licenses, permits, or other regulatory review. The calculated catch-up adjustment is based on the percent change between the Consumer Price Index for all Urban Consumers (CPI-U) for the month of October in the year of the previous adjustment (or in the year of establishment, if no adjustment has been made) and the October 2015 CPI-U.

The Bureau issued an interim final rule providing for calculated catch-up adjustments on June 30, 2016 (81 FR 42478), with an effective date of August 1, 2016, and requesting comments post-promulgation. The Bureau issued a final rule affirming the catch-up adjustments set forth in the interim final rule on December 2, 2016 (81 FR 86953). The Bureau then issued a final rule making the next scheduled annual inflation adjustment for 2017 on January 23, 2017 (82 FR 7649), for 2018 on February 6, 2018 (83 FR 5192), for 2019 on April 15, 2019 (84 FR 15098), for 2020 on February 19, 2020 (85 FR 9366), for 2021 on January 28, 2021 (86 FR 7344), for 2022 on March 9, 2022 (87 FR 13153), for 2023 on March 2, 2023 (88 FR 13018), for 2024 on March 13, 2024 (89 FR 18359), and for 2025 on June 5, 2025 (90 FR 23855).

II. Calculation of 2026 Annual Adjustments

OMB recently issued guidance to assist Federal agencies in implementing the annual adjustments required by the Act. See April 17, 2026, Memorandum for the Heads of Executive Departments and Agencies, from Russell T. Vought, Director, Office of Management and

Budget, re: *Cancellation of Penalty Inflation Adjustments for 2026, Regarding the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015* (M–26–11). The guidance informs agencies of the cancellation of the inflation adjustment for 2026 based on the lack of October 2025 CPI-U data from the Bureau of Labor Statistics due to the lapse in appropriations.

III. Procedural Requirements

A. Regulatory Planning and Review (E.O.s 12866 and 14192)

This rule has been determined to be not significant for purposes of E.O. 12866. This rule adjusts the level of existing civil monetary penalties and does not promulgate a new regulation defined in E.O. 14192.

In accordance with 5 U.S.C. 553(b)(4), a summary of this rule may be found at <https://www.regulations.gov> by searching for “RIN 1076–AF81.”

B. Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*)

The Regulatory Flexibility Act (RFA) requires an agency to prepare a regulatory flexibility analysis for rules unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. The RFA applies only to rules for which an agency is required to first publish a proposed rule. See 5 U.S.C. 603(a) and 604(a). A proposed inflation adjustment rule was not published in accordance with the Act. See Section III.M, “Administrative Procedure Act,” below.

C. Congressional Review Act (CRA)

This rule is not a major rule under 5 U.S.C. 804(2). This rule:

(a) Does not have an annual effect on the economy of \$100 million or more.

(b) Will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions.

(c) Does not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises.

D. Unfunded Mandates Reform Act (2 U.S.C. 1501 *et seq.*)

This rule does not impose an unfunded mandate on State, local, or tribal governments, or the private sector of more than \$100 million per year. The rule does not have a significant or unique effect on State, local, or tribal governments or the private sector. A statement containing the information required by the Unfunded Mandates

Reform Act (2 U.S.C. 1531 *et seq.*) is not required.

E. Takings (E.O. 12630)

This rule does not affect a taking of private property or otherwise have taking implications under E.O. 12630. A takings implication assessment is not required.

F. Federalism (E.O. 13132)

Under the criteria in section 1 of E.O. 13132, this rule does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement. A federalism summary impact statement is not required.

G. Civil Justice Reform (E.O. 12988)

This rule complies with the requirements of E.O. 12988. Specifically, this rule: (a) meets the criteria of section 3(a) requiring that all regulations be reviewed to eliminate errors and ambiguity and be written to minimize litigation; and (b) meets the criteria of section 3(b)(2) requiring that all regulations be written in clear language and contain clear legal standards.

H. Consultation With Indian Tribes (E.O. 13175 and Departmental Policy)

The Department of the Interior strives to strengthen its government-to-government relationship with Indian tribes through a commitment to consultation with Indian Tribes and recognition of their right to self-governance and tribal sovereignty. We have evaluated this rule under the Department's consultation policy and under the criteria in E.O. 13175 and have determined that it has no substantial direct effects on federally recognized Indian Tribes and that consultation under the Department's tribal consultation policy is not required.

I. Paperwork Reduction Act

This rule does not contain information collection requirements, and a submission to the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*) is not required. We may not conduct or sponsor, and you are not required to respond to, a collection of information unless it displays a currently valid OMB control number.

J. National Environmental Policy Act

This rule does not constitute a major Federal action significantly affecting the quality of the human environment. A detailed statement under the National Environmental Policy Act of 1969

(NEPA) is not required because the rule is covered by a categorical exclusion. This rule is excluded from the requirement to prepare a detailed statement because it is a regulation of an administrative nature. For further information see 43 CFR 46.210(i). We have also determined that the rule does not involve any of the extraordinary circumstances listed in 43 CFR 46.215 that would require further analysis under NEPA.

K. Effects on the Energy Supply (E.O. 13211)

This rule is not a significant energy action under the definition in E.O. 13211. A Statement of Energy Effects is not required.

L. Clarity of This Regulation

We are required by E.O. 12866 and 12988 and by the Presidential Memorandum of June 1, 1998, to write all rules in plain language. This means that each rule we publish must:

- (a) Be logically organized;
- (b) Use the active voice to address readers directly;
- (c) Use clear language rather than jargon;
- (d) Be divided into short sections and sentences; and
- (e) Use lists and tables wherever possible.

If you feel that we have not met these requirements, send us comments by one of the methods listed in the **FOR FURTHER INFORMATION CONTACT** section. To better help us revise the rule, your comments should be as specific as possible. For example, you should tell us the numbers of the sections or paragraphs that you find unclear, which sections or sentences are too long, the sections where you believe lists or tables would be useful, etc.

M. Administrative Procedure Act

The Act requires agencies to publish annual inflation adjustments by no later than January 15, of each year, notwithstanding section 553 of the Administrative Procedure Act (APA) (5 U.S.C. 553). OMB has interpreted this direction to mean that the usual APA public procedure for rulemaking—which includes public notice of a proposed rule, an opportunity for public comment, and a delay in the effective date of a final rule—is not required when agencies issue regulations to implement the annual adjustments to civil penalties that the Act requires. Accordingly, we are issuing the annual adjustments as a final rule without prior notice or an opportunity for comment and with an effective date immediately upon publication in the **Federal Register**.

Section 553(b) of the APA provides that, when an agency for good cause finds that “notice and public procedure . . . are impracticable, unnecessary, or contrary to the public interest,” the agency may issue a rule without providing notice and an opportunity for prior public comment. Under section 553(b), the Bureau finds that there is good cause to promulgate this rule without first providing for public comment. It would not be possible to meet the deadlines imposed by the Act if we were to first publish a proposed rule, allow the public sufficient time to submit comments, analyze the comments, and publish a final rule. Also, the Bureau is promulgating this final rule to implement the statutory directive in the Act, which requires agencies to publish a final rule and to update the civil penalty amounts by applying a specified formula. The Bureau has no discretion to vary the amount of the adjustment to reflect any views or suggestions provided by commenters. Accordingly, it would serve no purpose to provide an opportunity for public comment on this rule prior to promulgation. Thus, providing for notice and public comment is impracticable and unnecessary.

Furthermore, the Bureau finds under section 553(d)(3) of the APA that good cause exists to make this final rule effective immediately upon publication in the **Federal Register**. In the Act, Congress expressly required Federal agencies to publish annual inflation adjustments to civil penalties in the **Federal Register** by January 15 of each year, notwithstanding section 553 of the APA. Under the statutory framework and OMB guidance, the new penalty levels take effect immediately upon the effective date of the adjustment. The statutory deadline does not allow time to delay this rule’s effective date beyond publication.

List of Subjects

25 CFR Part 140

Business and industry, Indians, Penalties.

25 CFR Part 141

Business and industry, Credit, Indians—business and finance, Penalties.

25 CFR Part 211

Geothermal energy, Indians—lands, Mineral resources, Mines, Oil and gas exploration, Reporting and recordkeeping requirements.

25 CFR Part 213

Indians—lands, Mineral resources, Mines, Oil and gas exploration, Reporting and recordkeeping requirements.

25 CFR Part 225

Geothermal energy, Indians—lands, Mineral resources, Mines, Oil and gas exploration, Penalties, Reporting and recordkeeping requirements, Surety bonds.

25 CFR Part 226

Indians—lands.

25 CFR Part 227

Indians—lands, Mineral resources, Mines, Oil and gas exploration, Reporting and recordkeeping requirements.

25 CFR Part 243

Indians, Livestock.

25 CFR Part 249

Fishing, Indians.

25 CFR Part 273

Elementary and secondary education, Grant programs—Indians, Indians—education, Schools.

25 CFR Part 700

Indians, Indians—lands, Livestock.

William Henry Kirkland III,

Assistant Secretary—Indian Affairs.

[FR Doc. 2026–21474 Filed 10–19–26; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 635

[Docket No. 260813–0186; RTID 0648–XG124]

Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; Closure of the General Category October Through November Fishery for 2026

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Temporary rule; closure.

SUMMARY: NMFS closes the General category fishery for Atlantic bluefin tuna (BFT) for the remainder of the October through November time period. The General category may only retain, possess, or land large medium and giant