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List of Subjects in 7 CFR Part 3555

Administrative practice and procedure, Business and industry, Conflicts of interest, Credit, Environmental impact statements, Fair housing, Flood insurance, Grant programs—housing and community development, Home improvement, Housing, Loan programs—housing and community development, Low and moderate-income housing, Manufactured homes, Mortgage insurance, Mortgages, Reporting and recordkeeping requirements, Rural areas.

For the reasons discussed in the preamble, the Agency is amending 7 CFR part 3555 as follows:

PART 3555—GUARANTEED RURAL HOUSING PROGRAM

■ 1. The authority citation for part 3555 continues to read as follows:

Authority: 5 U.S.C. 301; 42 U.S.C. 1471 *et seq.*

Subpart A—General

■ 2. Amend § 3555.10 by adding in alphabetical order the definitions of

Accessory Dwelling Unit and *Living Unit* to read as follows:

§ 3555.10 Definitions and abbreviations.

* * * * *

Accessory Dwelling Unit. A habitable living unit located within or detached from a single family dwelling, subordinate in size, has means of separate ingress and egress meeting the minimum requirements for a living unit, which together constitutes a single interest in real estate.

* * * * *

Living Unit. A unit which contains a continuous and sufficient supply of safe and potable water, sanitary facilities and a safe method of sewage disposal, heating adequate for healthful and comfortable living conditions, domestic hot water, electricity adequate for lighting and mechanical equipment, and kitchen facilities adequate for the preparation and cooking of food. The unit must contain at least one bathroom, or similar space, which includes a water closet, lavatory, and bathtub or shower; and kitchen or kitchenette facilities which include a sink with potable running water and a stove utility hookup, or similar cooking instrument.

* * * * *

Subpart C—Loan Requirements

■ 3. Amend § 3555.102 by revising paragraphs (b) and (c) to read as follows:

§ 3555.102 Loan restrictions.

* * * * *

(b) *Income producing land or buildings.* Purchase or improvement of land or buildings which are typically used principally for income-producing purposes. This restriction shall not apply when loan funds are used for the financing of an otherwise qualifying property which contains, or will contain, a single or multiple accessory dwelling units;

(c) *Business or income-producing enterprise.* Purchase or the construction of buildings which are largely or in part specifically designed to accommodate a business or income-producing enterprise. This restriction shall not apply when loan funds are used for the financing of an otherwise qualifying property with design features which accommodate a home-based business or businesses; such as childcare, product sales, or craft production; which do not require specific commercial real estate features;

* * * * *

Subpart E—Underwriting the Property

■ 4. Amend § 3555.201 by revising paragraph (b)(2) to read as follows:

§ 3555.201 Site requirements.

* * * * *

(b) * * *
(2) The site must not include income-producing land or buildings to be used principally for income-producing purposes. This limitation shall not apply when an otherwise qualifying property contains, or will contain, a single or multiple accessory dwelling units. Vacant land without eligible residential improvements, or property used primarily for agriculture, farming, or commercial enterprise is ineligible for a loan guarantee.

* * * * *

George Kelly,

Administrator, Rural Housing Service.

[FR Doc. 2026-22038 Filed 10-28-26; 8:45 am]

BILLING CODE 3410-XV-P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

19 CFR Part 4

[CBP Dec. 26-18]

RIN 1651-AB68

Pleasure Vessels of Malta Entitled To Cruising Licenses

AGENCY: U.S. Customs and Border Protection; the Department of Homeland Security.

ACTION: Final rule.

SUMMARY: This document amends U.S. Customs and Border Protection (CBP) regulations by adding the Republic of Malta (Malta) to the list of countries whose pleasure vessels may be issued U.S. cruising licenses. The U.S. Department of State has notified CBP that yachts used and employed exclusively as pleasure vessels and belonging to any resident of the United States are allowed to arrive at and depart from Maltese ports, and to cruise in Maltese waters without complying with formal entry and clearance procedures. Therefore, CBP is extending reciprocal cruising privileges to Maltese-flagged pleasure vessels.

DATES: This amendment is effective October 29, 2026. These reciprocal privileges became applicable for Malta as of June 10, 2026.

FOR FURTHER INFORMATION CONTACT: W. Richmond Beevers, Chief, Cargo

Security, Carriers and Restricted Merchandise Branch, Regulations and Rulings, Office of Trade, (202) 325–0084, ccrbranchcomments@cbp.dhs.gov.

SUPPLEMENTARY INFORMATION:

I. Background

Under 46 U.S.C. 60504, the Secretary of Homeland Security (Secretary) may allow foreign-flagged yachts used only for pleasure to arrive at and depart from U.S. ports and cruise in U.S. waters without paying any duties or fees, provided that the President is satisfied that the foreign country allows yachts owned by U.S. residents and used only for pleasure to arrive at and depart from its ports and cruise in its waters without entering, clearing, or paying any duties or fees. The statute also provides the Secretary discretion to require foreign yachts to obtain cruising licenses and to prescribe the form and conditions of those licenses. *See* 46 U.S.C. 60504; Public Law 109–304, 9(b), 120 Stat. 1485, 1680–81 (2006).

The Secretary has delegated to the Commissioner of CBP the authority to prescribe and approve cruising licenses for foreign countries under section 4.94(b) of title 19 of the Code of Federal Regulations (CFR). *See* DHS Delegation No. 07010.3, Revision 03.2. Accordingly, CBP has promulgated regulations governing cruising privileges for U.S. and foreign pleasure vessels. Section 4.94(a) of title 19 of the CFR provides that U.S.-documented vessels with a recreational endorsement, used exclusively for pleasure, not engaged in any trade, and not violating the customs or navigation laws of the United States, may proceed from port to port in the United States or to foreign ports without clearing, and is not subject to entry upon its arrival in the United States, as long as they have not visited hovering vessels, received merchandise while in the customs waters beyond the territorial sea, or received merchandise while on the high seas. When returning from a foreign port or place, such pleasure vessels are required to report their arrival pursuant to 19 CFR 4.2.

Generally, foreign-flagged yachts entering the United States are required to comply with the laws applicable to foreign vessels arriving at, departing from, and proceeding between ports of the United States. *See* section 433 of the Tariff Act of 1930, as amended (19 U.S.C. 1433). However, CBP may issue cruising licenses to pleasure vessels from certain countries if it is found that yachts of the United States are exempt from formal entry and clearance procedures (e.g., filing manifests, obtaining permits to proceed, and

paying entry and clearance fees) in those countries. *See* 19 CFR 4.94(b).

To obtain a cruising license, the owner of a foreign-flagged yacht must file an application with a port director. 19 CFR 4.94(c). If CBP issues a foreign-flagged yacht a cruising license, the yacht may arrive at and depart from the United States and cruise in specified waters of the United States without entering and clearing, without filing manifests and obtaining or delivering permits to proceed, and without the payment of certain fees. *Id.* Such fees include entrance and clearance fees, fees for receiving manifests and granting permits to proceed, duty on tonnage, tonnage tax, or light money. *Id.* A port director may issue a cruising license for a period not to exceed one year. *Id.* Upon arrival at each port in the United States, the master of a foreign-flagged yacht with a cruising license must report the fact of arrival to the appropriate CBP office. *Id.* Section 4.94(b) sets forth the list of countries whose yachts are eligible for cruising licenses.

By diplomatic note dated February 4, 2026, the Embassy of the Republic of Malta, in Washington, DC, informed the Department of State that Malta allows yachts from the United States, used exclusively as pleasure vessels and belonging to any resident of the United States, to arrive at and depart from Maltese ports, and to cruise in the waters of Malta without entering and clearing Maltese Customs and without the payment of any related charges for entry or clearance, dues, duty per ton, tonnage, taxes, or charges for a cruising license. By letter dated June 10, 2026, the Department of State advised the Chief, Cargo Security, Carriers and Restricted Merchandise Branch, CBP, that the Maltese treatment of U.S. pleasure vessels in Maltese waters appears to satisfy the conditions for reciprocal privileges and therefore recommended that Malta be added to the list of countries under the provisions of 19 CFR 4.94(b).

The Chief, Cargo Security, Carriers and Restricted Merchandise Branch, has determined that satisfactory evidence has been furnished to grant the reciprocal privileges allowed under 19 CFR 4.94(b), effective June 10, 2026. Accordingly, under the authority of 46 U.S.C. 60504, Maltese-flagged yachts used only for pleasure may proceed from port to port in the United States or to foreign ports without clearing and are not subject to entry upon arrival at a U.S. port, including the payment of any duties or fees. This final rule revises the list of countries in 19 CFR 4.94(b) to include Malta for the above reasons.

Administrative Procedure Act

CBP has initiated this rulemaking pursuant to an exchange of diplomatic notes between the U.S. Department of State and the Embassy of the Republic of Malta. This rule implements the reciprocal cruising privileges established through that diplomatic exchange. Therefore, this amendment involves a foreign affairs function of the United States and is being made without notice or public procedure under 5 U.S.C. 553(a)(1). For the same reason, the 30-day delayed effective date does not apply under 5 U.S.C. 553(a)(1).

Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), as amended by the Small Business Regulatory Enforcement Fairness Act of 1996, requires an agency to prepare and make available to the public a regulatory flexibility analysis that describes the effect of a proposed rule on small entities (*i.e.*, small businesses, small organizations, and small governmental jurisdictions) when the agency is required to publish a general notice of proposed rulemaking for a rule. Because no notice of proposed rulemaking is required for this rule, CBP is not required to prepare a regulatory flexibility analysis for this rule.

Signing Authority

Pursuant to 46 U.S.C. 60504, the Secretary of Homeland Security has the authority to issue cruising licenses for foreign pleasure vessels and promulgate regulations related to those cruising licenses under 19 CFR 4.94. This regulation is being issued in accordance with Department of Homeland Security Delegation 07010.3, Revision 03.2, which delegates to the Commissioner of CBP the authority to prescribe and approve cruising licenses for foreign countries under 19 CFR 4.94(b).

Rodney S. Scott, Commissioner, having reviewed and approved this document, has delegated the authority to electronically sign this document to Susan S. Thomas, the Executive Assistant Commissioner, Office of Trade, for purposes of publication in the **Federal Register**.

List of Subjects in 19 CFR Part 4

Exports, Freight, Harbors, Maritime carriers, Oil pollution, Reporting and recordkeeping requirements, Vessels.

Amendment to the Regulations

For the reasons set forth above, part 4 of the title 19 of the Code of Federal Regulations is amended as set forth below.

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

■ 1. The general authority for part 4 and the specific authority for § 4.94 continues to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 66, 1415, 1431, 1433, 1434, 1624, 2071 note; 46 U.S.C. 501, 60105.

* * * * *

Section 4.94 also issued under 19 U.S.C. 1441; 46 U.S.C. 60504;

* * * * *

■ 2. In § 4.94, amend the list of countries in paragraph (b) by adding, in appropriate alphabetical order, “Malta” to read as follows:

§ 4.94 Yacht privileges and obligations.

* * * * *

(b) * * *

Malta

* * * * *

Susan S. Thomas,

Executive Assistant Commissioner, Office of Trade, U.S. Customs and Border Protection.

[FR Doc. 2026–22089 Filed 10–28–26; 8:45 am]

BILLING CODE 9111–14–P

FEDERAL MEDIATION AND CONCILIATION SERVICE**29 CFR Part 1404**

RIN 3076–AA31

Requests for Arbitration Panels

AGENCY: Federal Mediation and Conciliation Service.

ACTION: Final rule.

SUMMARY: The Federal Mediation and Conciliation Service (FMCS) published an interim final rule on August 4, 2026, and republished on August 28, 2026, that amended its arbitration services regulations to clarify when the Office of Arbitration may decline to issue an arbitration panel, make a direct appointment, or provide related services. This document responds to the comments, clarifies the scope of the rule’s threshold inquiry, adds procedural provisions governing notice, written disposition, request dates, and fees, and adopts the interim final rule as a final rule.

DATES: This final rule is effective October 29, 2026. The amendments to 29 CFR 1404.9, 1404.10, 1404.11, and 1404.12 made by the interim final rule have been in effect since August 4, 2026.

ADDRESSES: The interim final rule, the comments received, and this final rule are available on FMCS’s public website

at www.fmcs.gov. The comments received are also available for public inspection, by appointment, at the Office of General Counsel, Federal Mediation and Conciliation Service, One Independence Square, 250 E St. SW, Washington, DC 20427.

FOR FURTHER INFORMATION CONTACT: Anna Davis, General Counsel, Federal Mediation and Conciliation Service, (202) 606–3737, adavis@fmcs.gov.

SUPPLEMENTARY INFORMATION:**I. Background****A. FMCS’s Arbitration Services and the Interim Final Rule**

FMCS maintains a Roster of Arbitrators and, through its Office of Arbitration (OA), furnishes panels of names of Roster arbitrators, makes direct appointments, and provides related services to parties to collective bargaining agreements under 29 CFR part 1404, which FMCS issues under Title II of the Labor Management Relations Act of 1947, 29 U.S.C. 171–183. See 29 CFR 1404.1. Arbitrators listed on the Roster are not FMCS employees; once an arbitrator is selected or appointed, the arbitrator’s relationship is solely with the parties. 29 CFR 1404.4(c).

FMCS has no power to compel parties to appear before an arbitrator, to enforce an agreement to arbitrate, to compel parties to arbitrate any issue, to influence or set aside an arbitrator’s decision, or to compel, deny, or modify the payment of an arbitrator’s compensation. 29 CFR 1404.9(c). OA may decline to furnish a panel or make an appointment where a request is overly burdensome or impracticable, and may decline to service a request from a party based on the party’s prior non-payment of arbitrator fees or other behavior that constrains the spirit or operation of the arbitration process. 29 CFR 1404.9(d). FMCS “retains its authority and responsibility to assure that the needs of the parties using its services are served” and may establish procedures for the preparation of panels and the appointment of arbitrators to that end. 29 CFR 1404.4(d).

Before the interim final rule, § 1404.9(b) provided that a request for a panel of seven arbitrators, “whether joint or unilateral, will be honored,” while providing that requests for a panel of other than seven names, for a direct appointment, or for special qualifications or other special service would be honored only if jointly submitted or authorized by both parties, and that OA takes no position on the status of the agreement to arbitrate, the arbitrability of the dispute, or the terms

of the parties’ contract by issuing a panel or appointing an arbitrator. Section 1404.10 provided that OA will not decide the merits of a claim by either party that a dispute is not subject to arbitration.

On August 4, 2026, FMCS published an interim final rule with request for comments at 91 FR 49273. The interim final rule restructured § 1404.9(b) into four paragraphs. Paragraph (b)(1) retained the rule that, upon request, OA will refer a randomly selected panel of seven arbitrators to parties to an agreement to arbitrate or to engage in fact-finding, or where labor arbitration or fact-finding may be provided by statute.

Paragraph (b)(2) provides that a request for a panel may be joint or unilateral unless part 1404, applicable law, or the parties’ agreement requires joint authorization for the requested service, and retained the requirement of joint authorization for panels of other than seven names, direct appointments, special qualifications, and other special services.

Paragraph (b)(3) provides that OA may conduct a limited threshold inquiry to determine whether issuing a panel, making a direct appointment, or providing related arbitration services would be inconsistent with applicable law, a court order, or FMCS’s statutory or regulatory authority; that OA may request from the parties the agreement, statutory provision, regulation, court order, written authorization, or other information necessary to make that determination; and that, following the inquiry, FMCS may issue the panel or appointment, decline to provide the requested service, hold the request in abeyance, or take other administratively appropriate action.

Paragraph (b)(4) provides that OA’s issuance of a panel or appointment, refusal to issue one, or decision to hold a request in abeyance does not constitute a decision on the validity of any collective bargaining agreement, the merits of any grievance, the arbitrability of any dispute, or the rights or obligations of the parties under any agreement or law. The interim final rule made conforming amendments to § 1404.10 (arbitrability), § 1404.11(b) and (c) (nominations of arbitrators and additional panels), and § 1404.12(b) and (c) (selection and appointment), and updated the nondiscrimination sentence in § 1404.11(b). 91 FR at 49274–75, 49277–78.

The interim final rule took effect on August 4, 2026, with comments due September 3, 2026. On August 27, 2026, the docket for the rule on www.regulations.gov displayed as