• Disclosure to the members of the requirements set forth above.

The spin-off request must also include current financial statements from the affected credit unions and the proposed voting ballot.

For federal credit unions spinning off a group, membership notice and voting requirements and procedures are the same as for mergers (see part 708 of the NCUA Rules and Regulations), except that only the members directly affected by the spin-off—those whose shares are to be transferred—are permitted to vote. Members whose shares are not being transferred will not be afforded the opportunity to vote. All members of the group to be spun off (whether they voted in favor, against, or not at all) will be transferred if the spin-off is approved by the voting membership. Voting requirements for federally insured state credit unions are governed by state law.

Spin-offs involving federally insured credit unions in different NCUA regions must be approved by all regional directors and, if applicable, Office of National Examinations and Supervision Director where the credit unions are headquartered and the state regulators, as applicable. Spin-offs in the same region also require approval by the state regulator, as applicable. Spin-offs involving the creation of a new federally insured credit union require the approval of the Office of Credit Union Resources and Expansion Director. The Office of Credit Union Resources and Expansion also provides advice regarding field of membership compatibility when appropriate.

III.E—Overlaps

III. E.1—General

An overlap exists when a group of persons is eligible for membership in two or more credit unions. NCUA will permit single associational federal credit unions to overlap any other charters without performing an overlap analysis.

III.E.2—Organizational Restructuring

A federal credit union's field of membership will always be governed by the common bond descriptions contained in Section 5 of its charter. Where a sponsor organization expands its operations internally, by acquisition or otherwise, the credit union may serve these new entrants to its field of membership if they are part of the common bond described in Section 5. NCUA will permit a complete overlap of the credit unions' fields of membership. If a sponsor organization sells off a group, new members can no longer be served unless they otherwise qualify for membership in the credit union or it converts to a multiple common bond.

Credit unions must submit documentation explaining the restructuring and providing information regarding the new organizational structure.

III.E.3—Exclusionary Clauses

An exclusionary clause is a limitation precluding the credit union from serving the primary members of a portion of a group otherwise included in its field of membership. NCUA no longer grants exclusionary clauses. Those granted prior to the adoption of this new Chartering and Field of Membership Manual will remain in effect unless the credit unions agree to remove them or one of the affected credit unions submits a housekeeping amendment to have it removed.

III.F—Charter Conversions

A single associational common bond federal credit union may apply to convert to a community charter provided the field of membership requirements of the community charter are met. Groups within the existing charter which cannot qualify in the new charter cannot be served except for members of record, or groups or communities obtained in an emergency merger or P&A. A credit union must notify all groups that will be removed from the field of membership as a result of conversion. Members of record can continue to be served. Also, in order to support a case for a conversion, the applicant federal credit union may be required to develop a detailed business plan as specified in Chapter 2, Section V.A.3.

A single associational common bond federal credit union may apply to convert to a multiple common bond charter by adding a non-common bond group that is within a reasonable proximity of a service facility. Groups within the existing charter may be retained and continue to be served. However, future amendments, including any expansions of the original single common bond group, must be done in accordance with multiple common bond policy.

III. G—Removal of Groups From the Field of Membership

A credit union may request removal of a portion of the common bond group from its field of membership for various reasons. The most common reasons for this type of amendment are:

• The group is within the field of membership of two credit unions and one wishes to discontinue service;

• The federal credit union cannot continue to provide adequate service to the group;

• The group has ceased to exist;

• The group does not respond to repeated requests to contact the credit union or refuses to provide needed support; or

• The group initiates action to be removed from the field of membership.

When a federal credit union requests an amendment to remove a group from its field of membership, the Office of Credit Union Resources and Expansion Director will determine why the credit union desires to remove the group. If the Office of Credit Union Resources and Expansion Director concurs with the request, membership will continue for those who are already members under the ''once a member, always a member'' provision of the Federal Credit Union Act.

III.H—Other Persons Eligible for Credit Union Membership

A number of persons by virtue of their close relationship to a common bond group may be included, at the charter applicant's option, in the field of membership. These include the following:

• Spouses of persons who died while within the field of membership of this credit union;

• Employees of this credit union;

• Volunteers;

• Members of the immediate family or household;

• Honorably discharged veterans who served in any of the Armed Services of the United States in this charter;

• Organizations of such persons; and

• Corporate or other legal entities in this charter.

Immediate family is defined as spouse, child, sibling, parent, grandparent, or grandchild. This includes stepparents, stepchildren, stepsiblings, and adoptive relationships. Household is defined as persons living in the same residence maintaining a single economic unit.

Membership eligibility is extended only to individuals who are members of an ''immediate family or household'' of a credit union member. It is not necessary for the primary member to join the credit union in order for the immediate family or household member of the primary member to join, provided the immediate family or household clause is included in the field of membership. However, it is necessary for the immediate family member or household member to first join in order for that person's immediate family member or household member to join the credit union. A credit union can adopt a more restrictive definition of immediate family or household.

Volunteers, by virtue of their close relationship with a sponsor group, may be included. One example is volunteers working at a church.

Under the Federal Credit Union Act, once a person becomes a member of the credit union, such person may remain a member of the credit union until the person chooses to withdraw or is expelled from the membership of the credit union. This is commonly referred to as ''once a member, always a member.'' The ''once a member, always a member'' provision does not prevent a credit union from restricting services to members who are no longer within the field of membership.

[FR Doc. 2026–23392 Filed 11–16–26; 8:45 am]

BILLING CODE 7535–01–P

SMALL BUSINESS ADMINISTRATION

13 CFR Part 107

RIN 3245–AI77

Small Business Investment Company (SBIC) Leverage Availability

AGENCY: U.S. Small Business Administration.

ACTION: Interim final rule.

SUMMARY: The U.S. Small Business Administration (''SBA'' or ''Agency'') is publishing this interim final rule (''IFR'') amending the U.S. Small Business Administration's loan guarantee regulations applicable to the Small Business Investment Company (''SBIC'') program to implement the

provisions of the Investing in All of America Act of 2025 (''the Investing Act''). These provisions increase the maximum amount of leverage available to SBICs issuing standard debentures in ratios of up to two-to-one against private capital, update the private capital definition to include certain government-sponsored corporations and college/university trusts or endowments, and grant Small Business Investment Companies access to additional ''bonus'' leverage for investments in critical technology areas, small manufacturers, rural areas, and low-income geographic areas, all in conformance with the Investing Act.

DATES: Effective date: This interim final rule is effective November 17, 2026. SBA will consider comments received on or before December 17, 2026.

ADDRESSES: You may submit comments, identified by RIN: 3245–AI77 or Docket Number SBA–2026–0232, by any of the following methods:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments for Docket Number SBA–2026–0232 or RIN 3245–AI77.
- *Mail or Hand Delivery/Courier:* Joshua Carter, Associate Administrator for the Office of Investment and Innovation, U.S. Small Business Administration, 409 Third Street SW, Washington, DC 20416.

SBA will post all comments on *https://www.regulations.gov.* If you wish to submit confidential business information (''CBI''), as defined in the User Notice at *https://www.regulations.gov,* please submit the information to Paul Van Eyl, Director of Financial Policy, Office of Investment and Innovation, Small Business Administration, 409 Third Street SW, Washington, DC 20416, or send an email to *oii.policy@sba.gov* with ''RIN 3245–AI77 Interim Final Rule'' in the subject heading. Highlight the information that you consider to be CBI and explain why you believe SBA should hold this information as confidential. SBA will review the information and make the final determination on whether it will publish the information.

FOR FURTHER INFORMATION CONTACT:

Policy: Joshua Carter, Associate Administrator for the Office of Investment and Innovation, U.S. Small Business Administration, *oii.policy@sba.gov,* 202–205–7159. This phone number may also be reached by individuals who are deaf or hard of hearing, or who have speech disabilities, through the Federal Communications Commission's TTY-Based Telecommunications Relay Service teletype service at 711.

Regulatory Comments/Federal Register Docket: Paul Van Eyl, Director of Financial Policy, Office of Investment and Innovation, U.S. Small Business Administration, *oii.policy@sba.gov,* 202–257–5955. This phone number can also be reached by individuals who are deaf or hard of hearing, or who have speech disabilities, through the Federal Communications Commission's TTY-Based Telecommunications Relay Service teletype service at 711.

SUPPLEMENTARY INFORMATION: A summary of this rule may be found at *https://www.regulations.gov.*

I. Background Information

A. Small Business Investment Company Program

SBA's small business investment company (''SBIC'') program is designed to enhance small business access to capital by stimulating and supplementing ''the flow of private equity capital and long-term loan funds which small-business concerns need for the sound financing of their business operations and for their growth, expansion, and modernization, and which are not available in adequate supply.'' Small Business Investment Act of 1958, as amended, 15 U.S.C. 661, *et seq.* (the ''SBIC Act''). SBA licenses SBICs to issue SBA-guaranteed loans (''Leverage''), typically with a ten-year term, the repayment of which is guaranteed by SBA using the full faith and credit of the United States. SBICs are privately owned and managed investment funds, licensed and regulated by SBA, that use capital raised from private investors and SBA-guaranteed loans to make equity and debt investments in qualifying small businesses. Recently, SBA has also entered into partnerships with the Department of War, National Aeronautics and Space Administration, and Department of Energy, to license SBICs that make investments in critical technology areas applicable to those agencies.

II. Justification for Publication as Interim Final Rule

The Administrative Procedure Act (''APA'') exempts rulemakings that involve matters relating to public property, loans, grants, benefits, or contracts from the APA's notice and comment procedures. 5 U.S.C. 553(a)(2). SBA notes that the provisions of the Investing Act being implemented by this interim final rule relate specifically to increasing the Leverage (*i.e.,* government-guaranteed loan) limits, increasing private capital inclusions for purposes of calculating Leverage, and granting additional ''bonus'' Leverage. Accordingly, as a rulemaking relating to the issuance of loans, SBA has determined that prior public notice and comment or delay in effective date is not required for this IFR's amendments to part 107. While SBA has determined that prior public notice and comment is not required for this IFR's amendments to part 107, SBA has nevertheless voluntarily elected to solicit comment. SBA will accept comments regarding this IFR on or before the date provided in the **DATES** section at the beginning of this IFR. Interested parties may submit comments and other information using any of the methods described in the **ADDRESSES** section at the beginning of this document. SBA will issue a final rule at a later date considering comments submitted during this period. Thus, SBA issues this interim final rule without prior public notice and comment or a delayed effective date under 5 U.S.C. 553(a)(2).

III. Section by Section Analysis

A. Section 107.50—Definitions

SBA is amending 13 CFR 107.50 to add the four definitions applicable to requests for ''bonus'' Leverage that are expressly identified in the Investing Act. SBA is adding the definition of Covered Technology Category to have the meaning set forth at 10 U.S.C. 149(h). SBA is adding the definition of Low-Income Geographic Area to have the meaning set forth in sec. 351 of the SBIC Act. In addition, SBA is adding the definition of Rural Area to have the meaning set forth in sec. 343(a)(13) of the Agricultural Act of 1961. Finally, SBA is adding the definition of Small Manufacturer to have the meaning set forth in sec. 501(e)(6) of the SBIC Act.

B. Section 107.230

SBA is amending 13 CFR 107.230 to implement changes set forth in the Investing Act to the statutory definition of private capital. SBA is revising this section to expressly include, as private capital, funds invested in a Licensee by (i) a foundation, endowment, or trust of any college or university and (ii) business revenues from a Federally chartered or Government-sponsored corporation, thereby removing the ''Qualified Non-private Funds'' limitations that were previously applicable to such funds.

C. Section 107.1120(d)

SBA is making a modification to 13 CFR 107.1120(d) by removing the outdated reference to the $175 million

individual Leverage limitation set forth in this section and updating this section to reflect the appropriate limitations applicable under sec. 303(b)(2)(A)(ii) of the SBIC Act. SBA notes that this change is necessary to reflect the appropriate Leverage limitation increases set forth in the Investing Act.

D. Section 107.1150

This section identifies the Leverage limitations applicable to those SBICs approved to operate as a Leveraged Licensee. SBA is revising § 107.1150 by amending the introductory paragraph and paragraphs (a), (b), (d), and (e) to align with the applicable provisions set forth in the Investing Act.

First, SBA is removing the last sentence of the first paragraph set forth in § 107.1150 permitting SBICs to have a Leverage ratio exceeding 200 percent if the SBIC is able to demonstrate certain conditions that are satisfactory to SBA. SBA is removing this sentence in compliance with the update to sec. 303(b)(2) of the SBIC Act, which provides that an SBIC may not have a Leverage ratio exceeding 200 percent of its private capital. Similarly, SBA is amending § 107.1150(a)(1) by revising the applicable Leverage ratios for SBICs from 300 percent to 200 percent in accordance with the changes to sec. 303(b)(2) of the SBIC Act.

SBA is also amending the language set forth in § 107.1150(a)(3) to make clear that those SBICs already licensed in the program may apply for additional increases in Leverage following an increase to the outstanding Leverage maximum under the SBIC Act. This change will permit SBICs that were underwritten and approved for the maximum amount of Leverage under the SBIC Act at the time of licensure to apply for additional increases in Leverage following updates to the statutory maximum and provides transparency into SBA's credit policies by identifying the factors that SBA considers when evaluating requests to increase maximum Leverage amounts.

In addition, SBA is revising § 107.1150(b) to reflect that the total outstanding Leverage limit for multiple SBICs under common control shall be the amount set forth in the Investing Act (*i.e.,* $475,000,000 for SBICs that issue standard Debentures), while the total outstanding Leverage limit for other types of SBICs, including Accrual SBICs that are under common control with other Leveraged Licensees, will remain the amount set forth in sec. 303(b)(2)(B)(ii) of the SBIC Act (*i.e.,* $350,000,000).

Finally, SBA is revising § 107.1150(d) by removing provisions that referred to outdated Leverage maximums (*i.e.,* $150 million) and replacing that language with the appropriate procedures for SBICs to apply for additional ''bonus'' Leverage in connection with investments made in covered technology areas, small manufacturers, low-income geographic areas, and/or rural areas. SBA is also removing the sentence set forth in current § 107.1150(d) stating that any investment that an SBIC uses as a basis for seeking additional Leverage under § 107.1150(d) may not be used as a basis for seeking additional Leverage under § 107.1150(e). As a result, an SBIC that makes an investment that would qualify for both Leverage ''bonuses'' identified in §§ 107.1150(d) and 107.1150(e) may apply the full cost basis of the qualifying investment (subject to the applicable limits specified in each section) to each of §§ 107.1150(d) and 107.1150(e) for purposes of determining bonus Leverage eligibility. SBA believes that removing this sentence will incentivize investment into these critical areas while maintaining appropriate credit protection under the program.

IV. Compliance With Executive Orders 12866, 12988, 13132, 13563, and 14192; the Paperwork Reduction Act (44 U.S.C. 3501–3520); the Congressional Review Act (5 U.S.C. 801–808); and the Regulatory Flexibility Act (5 U.S.C. 601–612)

A. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. The Office of Management and Budget (''OMB'') has determined that this rule is a significant regulatory action under section 3(f)(1) of Executive Order 12866. SBA has prepared the below Regulatory Impact Analysis.

Regulatory Impact Analysis

1. Need for this Regulatory Action

This interim final rule makes non-discretionary modifications to part 107 to incorporate the provisions of the Investing Act. The current provisions of 13 CFR part 107 reference outdated statutory Leverage maxima, do not permit ''bonus'' Leverage for qualifying investments under the Investing Act, and include an outdated definition of private capital (as amended by the Investing Act). Without this rule, SBICs (and their limited partners) will not have certainty into what constitutes private capital (given the conflicting definition between the Investing Act and 13 CFR part 107) and will not have access to ''bonus'' Leverage as contemplated by the Investing Act. In addition, SBA would lack a regulatory basis for processing ''bonus'' Leverage requests without this rulemaking.

2. Baseline and Proposed Changes

This rule incorporates programmatic changes implemented by the Investing Act, which is the baseline that necessitated this update to the regulations. The regulations are being updated to reflect changes to the Small Business Investment Act of 1958, as amended by the Investing Act. These primary changes include the following:

- The Investing Act increases the individual Leverage maximum from $175 million to $250 million for eligible SBICs issuing standard Debentures and the common control Leverage maximum from $350 million to $475 million for eligible SBICs issuing standard Debentures. This rule clarifies that the SBICs currently licensed in the program will be eligible to apply for this additional Leverage amount. SBA estimates that of the approximately 368 active SBIC licensed funds, 72 SBIC licensees are potentially eligible to increase their Leverage limit. Currently, SBA has already received approximately 60 requests from SBICs to increase SBA guaranteed Leverage.
- The Investing Act also clarifies that the maximum amount of Leverage that an SBIC may have outstanding at any time may not exceed 200% of its private capital, bringing the statute in line with current practices of the SBIC program. This rule conforms the provisions of part 107 to the Investing Act. As this provision of the Investing Act is already consistent with existing SBA practices, this change will not have any adverse impact on SBICs.
- The Investing Act expands the definition of ''private capital'' to include certain governmental funds (including public university and college foundations, trusts, and endowments) that were previously subject to limitations and restrictions for inclusion as private capital. This rule updates the definition of private capital by codifying the text of the Investing Act expanding the definition of private capital.
- The Investing Act authorizes additional ''bonus'' Leverage for SBICs in connection with investments made in

covered technology areas, small manufacturers, low-income geographic areas, and/or rural areas. This rule incorporates the ''bonus'' Leverage provisions of the Investing Act and provides eligibility for this bonus Leverage for investments made after May 19, 2026, by existing or future SBICs.

3. Benefits and Costs of the Rule

The Investing Act increases the limit on Leverage provided by SBA funds, expands the definition of private capital and authorizes additional ''bonus'' Leverage for eligible SBICs investing in covered technology areas, small manufacturers, low-income geographic areas, and/or rural areas. SBA anticipates that these regulations, which directly implement statutory provisions of the Investing Act, will result in approximately $815.7 million of average annual additional capital available for investment in the U.S. economy in eligible small businesses. In order to determine this amount, SBA first calculated the aggregate amount of additional Leverage anticipated to be available to SBICs under the provisions of the Investing Act increasing the Leverage threshold applicable to SBICs issuing standard Debentures. Based on Leverage increase requests already received by SBA, SBA estimates that approximately $3.297 billion will be made available across approximately sixty (60) SBICs over a five-year period. Additionally, SBA estimated the anticipated amount of Leverage expected to be made available to SBICs pursuant to the provisions of the Investing Act permitting access to ''bonus'' Leverage for investments in low-income or rural areas, covered technology categories, and small manufacturers, subject to an aggregate cap of the lesser of 50 percent of private capital or $125 million. SBA conducted a review of anticipated ''bonus'' Leverage availability based on a review of its current portfolio for SBICs in their current investment period that would also be eligible for Leverage based on their current private capital ratios (for SBICs with Leverage, SBA anticipates that 60 percent of the investments made by critical technology SBICs will qualify for bonus Leverage, whereas 20 percent of the investments made by other Leveraged licensees will qualify for bonus Leverage availability). As a result of its analysis, SBA estimates that approximately $2.141 billion in ''bonus'' Leverage would be made available across approximately forty (40) SBICs over a five-year period. SBA then reduced the aggregate additional Leverage amounts (*i.e.,* increased Leverage and ''bonus'' Leverage) by 25 percent to account for funds that may not avail themselves of the available additional Leverage and anticipated operating expenses of SBIC licensees, which would total $4.079 billion. This amount is estimated to be invested over a five-year time horizon, equaling approximately $815.7 million, on average, invested in small businesses annually. Therefore, based on these assumptions, SBA estimates that this interim final rule will result in just over $815.7 million in average annual additional capital being invested into small businesses.

The rule imposes no compliance costs to the public. It creates no new information collection within the meaning of the Paperwork Reduction Act, and this rulemaking neither imposes new recordkeeping or reporting requirements nor mandates any action by any Licensees, applicants, investors, or small business concerns. Participation is entirely voluntary, and a Licensee seeking additional Leverage does so at its own election. Further, implementing the Investing Act will not have an effect on direct spending or revenues,[1] and the Committee Report applicable to this legislation indicated that Congress does not believe that there will be any new or increased costs attributable to the Investing Act.[2] In addition, this rule will result in a minimal increase in administrative costs. SBA anticipates that the annual average cost to the U.S. government of analyzing requests for additional Leverage will be $29,442, based on a GS–12, Step 1 located at SBA's Washington, DC headquarters, working approximately two (2) hours per Leverage request, which would take 600 hours based on an estimated 300 requests. This rulemaking is expected to support, on average, approximately $815.7 million annually in additional investments to small businesses as a result the increased Leverage available to SBICs and a total average administrative cost of $29,442 annually for SBA to grant these additional Leverage requests.

4. Alternatives Considered

This IFR implements changes made by the Investing Act. There were no feasible alternatives available.

[1] Congressional Budget Office, Legislation Considered Under Suspension of the Rules, U.S. House of Representatives, Week of December 1, 2025 (November 25, 2025), *https://www.cbo.gov/system/files/2025-11/suspensions_week_of_12_1_2025_1.pdf.*

[2] H.R. Rep. No. 119–227 (2025).

B. Executive Order 14192

This interim final rule is not an Executive Order 14192 regulatory action, because it does not impose any more than de minimis regulatory costs. This interim final rule implements the provisions of the Investing Act. Specifically, the defined terms changes set forth in 13 CFR 107.50 and 107.230 codify exactly the definitions outlined in the Investing Act. The changes to 13 CFR 107.1120 codify the Investing Act's changes to common control Leverage maxima, and the changes to § 107.1150 codify the increase to maximum Leverage for individual SBICs and permits and outline the applicable limitations of the Investing Act relating to ''bonus'' Leverage. SBA notes that it made a minor change not directly expressed in the Investing Act by removing a sentence in current § 107.1150(d) stating that any investment used as a basis for seeking additional Leverage under § 107.1150(d) may not be used to seek additional Leverage under § 107.1150(e); however, SBA notes that the removal of this language removes an unnecessary regulatory restraint on an SBIC's access to capital and is consistent with both the Investing Act and the SBIC Act.

Accordingly, this interim final rule does not impose any additional obligations or operational constraints beyond those specified in the Investing Act, does not create any new reporting or recordkeeping requirements, and does not impose any additional mandatory obligations on SBICs participating in the program. Requests for ''bonus'' Leverage under this interim final rulemaking are purely voluntary, and there are not any budgetary impacts attributable to this rulemaking. Any costs attributable to this interim final rule are purely administrative in nature and as noted above, are expected to be de minimis costs of processing additional Leverage.

C. Executive Order 12988

This action meets applicable standards set forth in Sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden. The action does not have a retroactive or preemptive effect.

D. Executive Order 13132

This interim final rule does not have federalism implications as defined in Executive Order 13132. It would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and

responsibilities among the various levels of government, as specified in the Executive Order. As such it does not warrant the preparation of a Federalism Assessment. Additionally, the rule will not require new compliance activities or reporting by state, local, or tribal governments.

E. Paperwork Reduction Act, 44 U.S.C. 3501–3520

SBA has determined that this interim final rule does not affect any existing collection of information and does not propose any new collection of information.

F. Congressional Review Act, 5 U.S.C. 801–808

Subtitle E of the Small Business Regulatory Enforcement Fairness Act of 1996, also known as the Congressional Review Act, 5 U.S.C. 801 *et seq.,* provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. SBA will submit a report containing this rulemaking and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States. The Office of Information and Regulatory Affairs (OIRA) in the Office of Management and Budget has determined that this is a major rule under 5 U.S.C. 804. If a rule is deemed major, the CRA generally provides that the rule may not take effect until at least 60 days following its publication unless the agency for good cause finds that notice and public procedure are impracticable, unnecessary, or contrary to the public interest. 5 U.S.C. 808(2). As this IFR amends regulations concerning loan guarantees, it is exempt from the notice-and-comment and effective date delay requirements in the Administrative Procedure Act, thereby rendering notice and public procedure unnecessary. *See* 5 U.S.C. 553(a)(2). In addition, this IFR is narrowly tailored to implement the Investing Act, including provisions which are already in effect. For these reasons, SBA for good cause finds that notice and public procedure is unnecessary, and in accordance with 5 U.S.C. 808(2), this IFR will be effective upon publication.

G. Regulatory Flexibility Act, 5 U.S.C. 601–612

The Regulatory Flexibility Act (RFA), 5 U.S.C. 601, requires administrative agencies to consider the effect of their actions on small entities, small nonprofit enterprises, and small local governments. Pursuant to the RFA, when an agency issues a rulemaking, the agency must prepare a regulatory flexibility analysis which describes the impact of the rule on small entities. However, the RFA requires such analysis only where notice and comment rulemaking is required. As discussed above, SBA is not required to publish a general notice of proposed rulemaking pursuant to the Administrative Procedure Act. Accordingly, SBA is not required to conduct a regulatory flexibility analysis.

List of Subjects in 13 CFR Part 107

Investment companies, Loan programs—business, Reporting and recordkeeping requirements, Small businesses.

Accordingly, for the reasons stated in the preamble, SBA amends 13 CFR part 107 as follows:

PART 107—SMALL BUSINESS INVESTMENT COMPANIES

■ 1. The authority citation for part 107 is revised to read as follows:

Authority: 15 U.S.C. 661 note, 662, 681–687, 687b–h, 687k–m.

■ 2. Amend § 107.50 by adding in alphabetical order the definitions of ''Covered Technology Category'', ''Low-Income Geographic Area'', ''Rural Area'', and ''Small Manufacturer'' to read as follows:

§ 107.50 Definition of terms.

* * * * *

Covered Technology Category has the meaning set forth in 10 U.S.C. 149(h).

* * * * *

Low-Income Geographic Area has the meaning set forth in section 351 of the Act.

* * * * *

Rural Area has the meaning set forth in section 343(a)(13) of the Agricultural Act of 1961 (7 U.S.C. 1991(a)(13)).

* * * * *

Small Manufacturer has the meaning set forth in section 501(e)(6) of the Act.

* * * * *

■ 3. Amend § 107.230 by revising paragraphs (b)(3)(i) through (iii) to read as follows:

§ 107.230 Permitted sources of Private Capital for Licensees.

* * * * *

(b) * * *

(3) * * *

(i) Funds invested by an employee welfare benefit plan, pension plan, foundation, endowment, or trust of any college or university;

(ii) Funds obtained from the business revenues (excluding any governmental appropriation) of any federally chartered or government-sponsored corporation; and

(iii) ''Qualified Non-private Funds'' as defined in paragraph (d) of this section.

* * * * *

■ 4. Amend § 107.1120 by revising paragraph (d) to read as follows:

§ 107.1120 General eligibility requirements for Leverage.

* * * * *

(d) Provide the following certification, as appropriate:

(1) *If all SBICs under Common Control with you are issuing standard Debentures.* For any Leverage draw that would cause you and any other Licensees under Common Control to have aggregate outstanding Leverage in excess of the amount permitted under section 303(b)(2)(A)(ii) of the Act, certify that none of the Licensees has a condition of Capital Impairment.

(2) *If any SBIC(s) under Common Control with you are issuing Accrual Debentures.* For any Leverage draw that would cause you and any other Licensees under Common Control to have aggregate outstanding Leverage in excess of the amount permitted under section 303(b)(2)(A)(ii)(II) of the Act, certify that none of the Licensees has a condition of Capital Impairment.

* * * * *

■ 5. Amend § 107.1150 by revising the introductory text and paragraphs (a), (b), and (d) to read as follows:

§ 107.1150 Maximum amount of Leverage.

A Leveraged Licensee, other than an Early Stage SBIC, may have maximum outstanding Leverage as set forth in paragraphs (a), (b), (d), and (e) of this section. An Early Stage SBIC may have maximum outstanding Leverage as set forth in paragraph (c) of this section.

(a) *Individual Licensee.* Subject to SBA's credit policies, if you are a Leveraged Licensee and not an Accrual SBIC or Reinvestor SBIC, the maximum amount of Leverage you may have outstanding at any time is the Individual Maximum. If you are an Accrual SBIC or Reinvestor SBIC, the maximum amount of Leverage and accrued interest you may have outstanding at any time is the Individual Maximum. The Individual Maximum means the lesser of:

(1) 200 percent of your Leverageable Capital;

(2) 100 percent of your Leverageable Capital if you have less than $5 million in Regulatory Capital and you were Licensed because you are headquartered in an Underlicensed State; or

(3) The maximum Leverage available to a single Licensee under section 303(b)

of the Act, as applicable to you at the time of licensure. Following an increase to the amount of Leverage available under section 303(b) of the Act, SBA may approve a Licensee's request to draw up to the increased amount upon presentation of an up-to-date business plan that reflects continuation of the Licensee's successful investment strategy and demonstrates the Licensee's ability to pay all SBA obligations in accordance with their terms.

(b) *Multiple Licensees Under Common Control.* Subject to SBA's credit policies, two or more Licensees under Common Control may have maximum aggregate outstanding Leverage as permitted under the Act, provided, however, that if you are an Accrual SBIC, the maximum outstanding Leverage which you and other Licensees under Common Control may have may not exceed the amount specified in section 303(b)(2)(B)(ii) of the Act. For any Accrual SBIC or Reinvestor SBIC under Common Control, the aggregate accrued interest associated with Accrual Debentures will be included in determining whether this maximum has been exceeded.

* * * * *

(d) *Additional Leverage Based on Investments in Covered Technology Categories, Small Manufacturers, Low-Income Geographic Areas, and Rural Areas.* You may submit a request for one or more additional Leverage commitments, in excess of the amounts otherwise available under paragraphs (a)(3) and (b) of this section, and, upon SBA's approval of such additional Leverage commitment(s), a request to draw such additional Leverage, for an investment made after May 19, 2026, in a Small Business which is located in either a Low-Income Geographic Area or a Rural Area, is a Small Manufacturer, or operates primarily in a Covered Technology Category in the amount specified in paragraphs (d)(1) and (2) of this section.

(1) Subject to SBA's credit policies, you may have outstanding Leverage in excess of the amounts permitted by paragraph (a)(3) of this section in an amount equal to the lesser of paragraphs (d)(1)(i), (ii), (iii), and (iv) of this section, where:

(i) The amount determined under paragraph (a)(1) of this section (as set forth in your Total Intended Leverage Commitment, as applicable) minus the amount determined under paragraph (a)(3) of this section;

(ii) The total cost basis, as reported on your most recent filing of SBA Form 468, of any investments made on or after May 19, 2026, in any Small Business which is located in either a Low-Income Geographic Area or a Rural Area, is a Small Manufacturer, or operates primarily in a Covered Technology Category;

(iii) 50 percent of your Private Capital; and

(iv) $125,000,000.

(2) Subject to SBA's credit policies, you and other Licensees under Common Control may have outstanding Leverage in excess of the amount otherwise available under paragraph (b) of this section in an amount equal to the lesser of paragraphs (d)(2)(i), (ii), and (iii) of this section, where:

(i) The total cost basis, as reported on the most recently filed SBA Forms 468, of any investments made on or after May 19, 2026, by you and by other Licensees under Common Control in any Small Business which is located in a Low-Income Geographic Area or a Rural Area, which is a Small Manufacturer, or which operates primarily in a Covered Technology Category;

(ii) The amount that equals 50 percent of the sum of your Private Capital and the Private Capital of all Licensees that are under Common Control with you; and

(iii) $125,000,000.

(3) The amount calculated in paragraph (d)(2) of this section equals the additional Leverage availability for you and other Licensees under Common Control under paragraph (b) of this section, provided, however, that additional Leverage made available under paragraph (d)(2) of this section may not:

(i) Cause your total drawn and committed Leverage to exceed 200 percent of your Leverageable Capital or any lower amount or ratio approved by SBA at licensure; or

(ii) Exceed the lesser of:

(A) 50 percent of the total Private Capital of the Licensees under Common Control; or

(B) $125,000,000.

* * * * *

Kelly Loeffler,

Administrator.

[FR Doc. 2026–23358 Filed 11–16–26; 8:45 am]

BILLING CODE 8026–09–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2026–1407]

RIN 1625–AA00

Safety Zone; Monongahela River, Pittsburgh, PA

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 the Monongahela River from Mile Marker 15 to Mile Marker 16. This safety zone is necessary to protect personnel and vessels from potential hazards on navigable waters during an operation to install aerial transverse wirelines. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port, Marine Safety Unit Pittsburgh or their designated representative or their designated representative.

DATES: This rule is effective without actual notice from November 17, 2026 through November 19, 2026. For the purposes of enforcement, actual notice will be used from November 16, 2026, through November 17, 2026. The temporary safety zone will be enforced from 7 a.m. to 5 p.m. each day during this period.

ADDRESSES: To view available documents go to *https://www.regulations.gov* and search for USCG–2026–1407.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, contact LT Lionel Babin, MSU Pittsburgh Waterways Management Division, U.S. Coast Guard; telephone 206–815–6224, or email *lionel.t.babin@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

On October 19, 2026 an organization notified the Coast Guard that it will be installing aerial transverse wirelines over the Monongahela River from Mile Marker 15 to Mile Marker 16 from