access to government information and services, and for other purposes.

AMS has not identified any relevant Federal rules that duplicate, overlap, or conflict with this final rule.

A proposed rule concerning this action was published in the **Federal Register** on March 9, 2026 (91 FR 11189). A copy of the proposed rulemaking was also made available through the internet by AMS and the Office of the Federal Register via *https://www.regulations.gov.* A 30-day comment period ending April 8, 2026, was provided for interested parties to respond to the rule as proposed. AMS received 58 comments, and of the 58 comments received: one comment remains unposted as it is both out of scope of this rulemaking and contains sensitive personally identifiable information; 39 opposing comments were from industry members not known to be subject to the Order; 13 supportive comments were from stakeholders subject to the Order and members of the public; one opposing comment was from a first handler subject to the Order; one was neutral; and a further three submissions had no written comment.

Some commenters asserted that the Board's promotional activities, including materials featuring foreign honey origins, disproportionately benefit imported honey and therefore harm domestic beekeepers. AMS reviews all promotional materials to ensure compliance with legislative authority, USDA policy, and the Guidelines for AMS Oversight of Commodity Research and Promotion Programs. AMS must deny any promotion seen as disparaging to any market segment, producer, importer, handler, competing product, or other agricultural commodity. Additionally, promotion that is false or misleading to consumers and anything outside the scope of Board-authorized activities is prohibited. As required by § 1212.47(e), the Board must generically promote honey and create a favorable image of honey and honey products to the public and food industry as part of its mission to maintain, develop, and expand domestic and foreign markets. AMS therefore concludes that generic promotion, as required under the Act and Order, effectuates the purpose, mission, and goal of the program.

Some commenters claimed the assessment rate increase will harm domestic beekeepers who are already facing market pressures, rising labor costs, pest pressures, and low honey prices. It is important to note that most small-scale and hobbyist beekeepers are not subject to the Order and therefore do not pay assessments to the Board. Beekeepers' economic burden argument does not reflect a regulatory burden imposed by the assessment increase, because they do not pay assessments unless they are also a first handler subject to the Order, which none of the 39 opposing commenters indicated. Therefore, AMS does not expect domestic beekeepers to be harmed by this rule.

Several commenters request AMS remove the organic exemption or apply assessments only to imported honey. The exemption of organic products, established in § 1212.53(c), is in accordance with USDA's National Organic Program (NOP) (7 CFR part 205), as amended by Exemption of Organic Products from Assessment Under a Commodity Promotion Law, 80 FR 82006 (Dec. 31, 2015), effective February 29, 2016. The amendment was required by section 10004 of the Agricultural Act of 2014 (Pub. L. 113–79). Therefore, removing or changing the exemption is outside the scope and authority of this rule.

Several commenters argued, unrelated to the merits of the rule, that promotional activities should cease and funds instead be diverted to bee health research, sustainability, or authenticity testing. The Board currently funds nutrition, market, and production research and is required to invest no less than five percent (5%) of their anticipated annual assessment revenue into production research per the Order. The Board has full discretion, subject to the approval of the Secretary, to allocate funds.

Several commentors discussed increasing Nuclear Magnetic Resonance (NMR), deoxyribonucleic acid (DNA), or Isotope Ratio Mass Spectrometry (IRMS) testing for all imported honey, and destruction of fraudulent products. These recommendations are outside the scope of this action.

One neutral comment was submitted by the National Honey Board and offered an alternative effective date if the June 1, 2026, date was not met by the USDA and AMS. Their suggestion is to execute the first increase on first day of the following month after publication in the **Federal Register**, for example July 1st, 2026, August 1st, 2026, and so on, and keeping the second increase effective date of January 1, 2027. AMS agrees with this approach. Accordingly, after review and consideration of all comments received, AMS makes changes to the effective date of the initial assessment rate increase.

After considering all relevant material presented, including the information and recommendations submitted by the Board, public comments, and other available information, AMS has determined that this final rule is consistent with and effectuates the purposes of the Act.

List of Subjects in 7 CFR Part 1212

Administrative practice and procedure, Advertising, Consumer education, Honey and honey products, Marketing agreements, Promotion, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, AMS amends 7 CFR part 1212 as follows:

PART 1212—HONEY PACKERS AND IMPORTERS RESEARCH, PROMOTION, CONSUMER EDUCATION AND INDUSTRY INFORMATION ORDER

■ 1. The authority citation for part 1212 continues to read as follows:

Authority: 7 U.S.C. 7411–7425; 7 U.S.C. 7401.

■ 2. Amend § 1212.52 by revising paragraph (a) to read as follows:

§ 1212.52 Assessments.

(a) The Board will cover its expenses by levying in a manner prescribed by the Secretary an assessment on first handlers and importers. Through August 31, 2026, the assessment rate shall be $0.015 per pound of assessable honey and honey products. For the period of September 1, 2026, through December 31, 2026, the assessment rate shall be $0.0175 per pound of assessable honey and honey products. On and after January 1, 2027, the assessment rate shall be $0.02 per pound of assessable honey and honey products.

* * * * *

Erin Morris,

Administrator, Agricultural Marketing Service.

[FR Doc. 2026–17715 Filed 8–28–26; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

8 CFR Part 208

[CIS No. 2851–26; DHS Docket No. USCIS–2026–0199]

RIN 1615–AD18

Affirmative Asylum Referrals Without Interview

Correction

Editorial note: This document is the only published correction to 2026–15190. Due to technical issues, documents numbered C1–2026–15190 and C2–2026–15190 do not exist.

In rule document 2026–15190 beginning on page 47101 in the issue of Tuesday, July 28, make the following change

On page 47119, Table 3 should appear as follows:

TABLE 3—SUMMARY OF THE COST AND BENEFITS OF THE RULE

Changes	Description of the changes to the regulatory text	Estimated benefits	Estimated costs
Referral of an affirmative asylum application to EOIR without interview.	Amend regulations to remove language stating that an AO "in an interview" shall review the application and give the alien the opportunity to present any relevant and useful information bearing on any prohibitions on filing. *Update to 8 CFR 208.4(a).* Amend regulations to permit an AO to refer an affirmative Form I–589 to EOIR without interview, based on the record and other relevant evidence. *Addition of 8 CFR § 208.9(a)(2).* Amend regulations to remove language referring to "right to an" interview. *Update to 8 CFR § 208.10.* Amend regulations to include that an AO can refer an asylum application to EOIR without offering an opportunity for an interview, and to remove language referring to "applicant's right to an" interview. *Update to 8 CFR § 208.14(c).* Amend regulations to remove the requirement that a letter communicating the basis for referral of asylum include an assessment of the alien's credibility. *Update to 8 CFR § 208.19.* Amend previous agency practice so that an AO may refer an application as a matter of discretion without first making an eligibility determination. (No change to a regulatory provision).	Applicants— • Reduced applicant wait times and faster case resolution at USCIS for both meritorious claims and referrals. ○ Earlier clarity and less time in legal uncertainty. ○ Faster access to long-term protection and family re-unification. ○ Better preservation of evidence. ○ Earlier work authorization for aliens who are approvable. ○ Earlier access to INA 240 removal proceedings. ○ Earlier access to procedural protections. ○ Reduced procedural redundancy. • Better understanding of the asylum process. ○ Explaining that an interview may not be offered for all cases. ○ Greater awareness to submit any and all evidence in support of the asylum application at the time of filing. ○ Improved application quality and completeness. ○ Aliens who are better prepared for the asylum process. Government— • Increased operational efficiency and reduction in USCIS' affirmative asylum backlog. ○ Time and resource savings (AO time, interpreter resources, and administrative support) for USCIS that could be reallocated to other priority caseloads. ○ More efficient adjudications within USCIS, especially in cases where aliens clearly fail to meet their burden to establish eligibility. ○ Reduced duplicative work for USCIS and EOIR. ○ Give USCIS flexibility to issue future policy guidance about which categories of cases should be prioritized for referral without interview. ○ Give AOs the ability to focus a decision letter on the basis for referral, where credibility is not the basis for referral. ○ More efficient drafting of referral decision letters. • Improvements to national security and public safety. ○ Accelerate adjudication and reduce the amount of time that potentially dangerous aliens remain in the community. ○ Reduce the number of in-person encounters in USCIS facilities for ineligible aliens who also pose a danger to the public, thereby lowering the exposure risk for AOs, interpreters, attorneys, and other government staff working in public-facing interview spaces.	Applicants— • Possibility of increased wait times and slower case resolution for some aliens who under the previous process would have asylum granted by USCIS. Government— • Possible costs to DOJ to develop certain elements of the case during removal proceedings where USCIS no longer performs an interview. • Possible new costs to DOJ for processing referred asylum cases that USCIS could have granted.

Source: USCIS Analysis.

[FR Doc. C3–2026–15190 Filed 8–28–26; 8:45 am]
BILLING CODE 0099–10–D

SMALL BUSINESS ADMINISTRATION

13 CFR Part 101

RIN 3245–AI74

Rescinding Unnecessary Notice and Comment Procedures

AGENCY: U.S. Small Business Administration.

ACTION: Final rule.

SUMMARY: This final rule rescinds the Administration's policy of engaging in notice and comment rulemaking even where the Administrative Procedure Act does not require notice and comment rulemaking. As a result of this final rule, the Administration will follow the default requirements of the Administrative Procedure Act. The Administration will reserve the right to engage in voluntary notice and comment rulemaking even where not required by the Administrative Procedure Act as a matter of policy on a case by case basis.

DATES: The final rule is effective August 31, 2026.

FOR FURTHER INFORMATION CONTACT: Jennifer Prescott, Deputy General Counsel, *Jennifer.Prescott@sba.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

The Administrative Procedure Act (APA) generally requires, before an agency promulgates a regulation through informal rulemaking, a ''notice of proposed rule making'' to be published in the **Federal Register**. 5 U.S.C. 553(b). The agency then must ''give interested persons an opportunity to participate in the rule making through submission of written data, views, or arguments with or without opportunity for oral presentation.'' 5 U.S.C. 553(c). These strictures, however, do not apply to matters ''relating to agency management or personnel or to public property, loans, grants, benefits, or contracts.'' 5 U.S.C. 553(a)(2).

In 1974, the Small Business Administration (SBA) promulgated a regulation at 13 CFR 101.9 titled ''Public participation in rulemaking'' that provided, in part, that, ''SBA is governed as a matter of policy by the public participation provisions of the Administrative Procedure Act, 5 U.S.C. 553, notwithstanding the exemptions given by such section 553 for matters relating to agency management or personnel, or to public property, loans, grants, benefits, or contracts.'' *See* 39 FR 43815, December 19, 1974. This rule was subsequently redesignated and revised in 1996 to § 101.108 titled ''Has SBA waived any of the public participation exemptions of the Administrative Procedure Act?'' which states, ''Yes. Despite these exemptions, SBA will follow the public participation requirements of the Administrative Procedure Act, 5 U.S.C. 553, in rulemakings relating to public property, loans, grants, benefits, or contracts.'' *See* 61 FR 2394, January 26, 1996.

II. Analysis

The SBA has decided to rescind the policy in § 101.108. Upon reconsideration and in the Agency's discretion, the SBA has decided that it is proper to return to the text of the APA regarding its enumerated exceptions for matters relating to public property, loans, grants, benefits, and contracts. The SBA has a new policy of acting more nimbly in response to changing circumstances and this rescission will allow for that. To the extent public participation is determined to be advantageous, the SBA may still request public comments through notices of proposed rulemaking. The SBA will continue to comply with the APA's notice and comment requirements where required and otherwise has discretion to seek public input through whatever means it determines appropriate.

III. Justification for Final Rule

This rule is exempt from the prior notice and comment requirements of the Administrative Procedure Act (APA) because it is a general statement of policy. 5 U.S.C. 553(b)(A). This policy was originally published in the **Federal Register** as a notice from the Administrator, 36 FR 16716 (August 25, 1971), and only subsequently codified in the Code of Federal Regulations as an organizational matter, 39 FR 43815 (December 19, 1974). Alternatively, it is a rule of agency organization, procedure, and practice because it is not binding on outside parties and only affects the manner in which they may present their views to the agency. 5 U.S.C. 553(b)(A). Further, because it is not a substantive rule, and because it relieves a restriction, this rule is exempt from the APA's requirement of a 30-day delay in the effective date. *See* 5 U.S.C. 553(d).

IV. Compliance With Executive Orders 12866, 12988, 13132, 14192, 14219, and the Paperwork Reduction Act (44 U.S.C. Ch. 35), the Congressional Review Act (5 U.S.C. 801–808), and the Regulatory Flexibility Act (5 U.S.C. 601–612).

Executive Orders 12866 and 13563

Executive Order (E.O.) 12866, Regulatory Planning and Review, and E.O. 13563, Improving Regulation and Regulatory Review, 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). The Office of Management and Budget determined that this rule will be a ''significant regulatory action,'' and therefore, is subject to review under section 6(b) of E.O. 12866, dated September 30, 1993. Accordingly, this rule has been submitted to OMB for review.

Cost-Benefit Analysis

This rule rescinds 13 CFR 101.108, an SBA policy that voluntarily imposed APA notice-and-comment procedures even where such procedures were not legally required. The rescission returns the SBA to the default rulemaking requirements of the APA (5 U.S.C. 553), aligning internal procedure with statute and eliminating SBA's self-imposed procedural burden. The rule has the primary benefit of increasing regulatory efficiency and responsiveness by removing an internal requirement that is not required by law, which slows down regulatory and deregulatory actions. Specifically, removing the requirement to solicit comments on rulemakings involving public property, loans, grants, benefits, or contracts:

- Allows policy changes and their associated benefits to be implemented more quickly, enhancing agility in responding to evolving programmatic or operational needs in areas where Congress has given the SBA broad discretion.
- Streamlines agency decision-making for programs relating to public property, loans, grants, benefits, or contracts.
- Saves staff time and resources that would otherwise be devoted to preparing, publishing, and responding to public comments.

The benefits of more quickly adopting new policy changes cannot be quantified as they will depend on the impact of future rules which are unknown. Depending on the nature of