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**Editorial Note:** Due to technical issues, FR Doc. 2026-02421 was listed as “Alaska Oil and Gas Lease Sale Lease Sale” under the Land Management Bureau in the table of contents for the **Federal Register** issue of 2/6/2026, but a previously-published Nuclear Regulatory Commission document erroneously published in its place. FR Doc. 2026-02421 will be withdrawn in the **Federal Register** issue of 2/10/2026.

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Federal Register

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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents.

## DEPARTMENT OF HOMELAND SECURITY

### 6 CFR Part 139

RIN 1601-AB17

#### Protection of Federal Property; Technical Amendment

**AGENCY:** Department of Homeland Security (DHS).

**ACTION:** Final rule; technical amendment.

**SUMMARY:** On June 9, 2025, DHS adopted regulations governing the protection of Federal property. These regulations contained cross references to old General Services Administration (GSA) regulations that have since been rescinded. This rule corrects the DHS regulations by removing these rescinded GSA cross-references. Additionally, this rule revises the language of the section regarding photography to clarify the prohibitions on photography and recording.

**DATES:** This rule is effective as of February 9, 2026.

**FOR FURTHER INFORMATION CONTACT:** Mr. David Hess, Deputy Director, FPS Policy, Communications and Engagement, 202-447-0800, [fpsnprm@fps.dhs.gov](mailto:fpsnprm@fps.dhs.gov).

**SUPPLEMENTARY INFORMATION:** On June 9, 2025, the Department of Homeland Security (DHS), published a final rule that adopted regulations governing the protection of Federal property in new part 139 to chapter 1 of title 6 of the Code of Federal Regulations (CFR). 90 FR 24217. Many of the provisions promulgated by the final rule were derived from analogous old GSA regulations contained in chapter 102, part 102-74, subpart C, of title 41 of the CFR and, thus, contained cross references to part 102-74.

On December 16, 2025, GSA published a final rule that removed subpart D of part 102-74 of title 41 of the CFR. 90 FR 58408, 58409 (Dec. 16,

2025). The cross references to subpart D of part 102-74 contained in Federal Protective Service (FPS) regulations thus are now obsolete. Accordingly, DHS is issuing this final rule to remove these cross-references. Specifically, this final rule removes cross references to part 102-74 found in §§ 139.55, 139.60, and 139.70.

Finally, DHS is revising § 139.65 for overall readability and to clarify the rules regarding photography and recording of Federal facilities and grounds. Specifically, DHS is revising paragraph (a) to make clear that the existing language referencing “rule” or “order” includes any Federal court order or rule, as originally intended though not expressly stated. Additionally, DHS is also reconciling the language in paragraph (b) to make clear that the general rule in paragraph (a) applies (*i.e.*, the exceptions contained in paragraph (b) only apply when there is no applicable security regulation, rule, order, or directive, including any Federal court order or rule prohibiting photography or recording). These changes serve to maintain the original intent of this section and mirror the prior GSA regulations which these new regulations were founded upon. *See* Protection of Federal Property, 90 FR 4398, 4412 (“This [photography and recording] section would mirror, though not replicate a similar provision in the GSA regulations . . . The proposed substantive language would provide better clarity and notice to the public of the precise nature of prohibited and permitted recording conduct[.]”).

#### List of Subjects in 6 CFR Part 139

Aircraft, Alcohol and alcoholic beverages, Animals, Buildings and facilities, Civil disorders, Crime, Explosives, Federal buildings and facilities, Firearms, Gambling, Government employees, Government property, Government property management, Homeland Security, Law enforcement, Law enforcement officers, Penalties, Public buildings, Safety, Security measures, Terrorism, Tobacco, Unmanned aircraft.

For the reasons set forth in the preamble, DHS amends 6 CFR part 139 as set forth below:

## PART 139—CONDUCT ON FEDERAL PROPERTY

■ 1. The authority citation for part 139 continues to read as follows:

**Authority:** 6 U.S.C. 203(3) and 232(a); 40 U.S.C. 586(c) and 1315.

### § 139.55 [Amended]

■ 2. Amend § 139.55(b)(3) by removing the text “in accordance with 41 CFR part 102-74, subpart D”, and adding, in its place, the text “as prescribed by GSA”.

### § 139.60 [Amended]

■ 3. Amend § 139.60(b)(2) by removing the text “as specified in 41 CFR 102-74, subpart D,”.

■ 4. Amend § 139.65 by revising paragraph (a) and paragraph (b) introductory text to read as follows:

### § 139.65 Photography and recording.

(a) *General.* Any person on Federal property is prohibited from photographing or creating video, image, or audio recordings of Federal facilities and grounds in contravention of any security regulation, rule, order, or directive, including any Federal Court Order or Rule; or in a manner that impedes or disrupts access to, or operations on, Federal property.

(b) *Exceptions.* When not prohibited by a security regulation, rule, order, or directive, including any Federal Court Order or Rule, the following activities are allowed:

\* \* \* \* \*

### § 139.70 [Amended]

■ 5. Amend § 139.70(b)(2) by removing the text “consistent with 41 CFR 102-74.265 through 102-74.310”.

**Kristi Noem,**

*Secretary of Homeland Security.*

[FR Doc. 2026-02501 Filed 2-6-26; 8:45 am]

**BILLING CODE 9111-CC-P**

**DEPARTMENT OF AGRICULTURE**

**Agricultural Marketing Service**

**7 CFR Part 205**

[Doc. No. AMS–NOP–25–0089; NOP–25–05]

**National Organic Program: 2026 Sunset Review and Substance Renewals**

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** 2026 sunset review and substance renewals.

**SUMMARY:** This document announces the renewal of 56 substances listed on the National List of Allowed and Prohibited Substances within the U.S. Department of Agriculture’s organic regulations. This document reflects the outcome of the 2026 sunset review processes and addresses recommendations submitted to the Secretary of Agriculture, through the USDA’s Agricultural Marketing Service, by the National Organic Standards Board.

**DATES:** Applicable July 26, 2026.

**FOR FURTHER INFORMATION CONTACT:** Jared Clark, Assistant Director, Standards Division, National Organic Program; phone: (202) 720–3252; email: [Jared.Clark@usda.gov](mailto:Jared.Clark@usda.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

On December 21, 2000, the Secretary established the Agricultural Marketing Service’s (AMS) National Organic Program (NOP) and the USDA organic regulations (65 FR 80548, December 21, 2000). Within the USDA organic regulations (7 CFR part 205) is the National List of Allowed and Prohibited Substances (or “National List”). The National List identifies the synthetic substances that may be used and the nonsynthetic (natural) substances that may not be used in organic crop and livestock production. It also identifies the nonorganic substances that may be used in or on processed organic products.

The Organic Foods Production Act of 1990 (OFPA), as amended (7 U.S.C. chapter 94), and the USDA organic

regulations specifically prohibit the use of any synthetic substance in organic production and handling unless the synthetic substance is on the National List (7 CFR 205.601, 205.603 and 205.605(b)). Section 205.105 also requires that any nonorganic agricultural substance and any nonsynthetic nonagricultural substance used in organic handling be on the National List (§§ 205.605(a) and 205.606).

Under OFPA, 7 U.S.C. 6518, the National Organic Standards Board (“NOSB” or “Board”), operating in accordance with the Federal Advisory Committee Act (5 U.S.C. chapter 10), is authorized to evaluate substances for organic production and handling and to advise the Secretary on the USDA organic regulations. The OFPA “sunset provision” (7 U.S.C. 6517(e)) requires review of all substances included on the National List within 5 years of their addition to, or renewal on, the list. A list of all National List sunset dates is posted online for public access in the “NOSB Work Agenda” document on the NOP’s NOSB web page, [www.ams.usda.gov/rules-regulations/organic/nosb](http://www.ams.usda.gov/rules-regulations/organic/nosb).

As required by the OFPA, during a sunset review, the NOSB considers any new information about a substance’s impact on human health and the environment, its necessity, and its consistency with organic production and handling. The NOSB then votes on proposals to remove individual substances from the National List, with a 2/3 majority needed to recommend removal of a substance.

As delegated by the Secretary, AMS evaluates the NOSB’s reviews and recommendations for compliance with the National List substance evaluation criteria in the OFPA at 7 U.S.C. 6518(m) and other Federal statutes and regulations. AMS also considers public comments submitted in association with the sunset review process, as described in the notice published on September 16, 2013 (78 FR 56811).

**Review of Sunset Substances**

AMS published notices in the **Federal Register** announcing the Spring 2024

(89 FR 8398, February 07, 2024) and Fall 2024 (89 FR 70591, August 30, 2024) NOSB meetings and invited public comments on the 2026 sunset review of the substances included in the table below. AMS hosted public webinars prior to these NOSB meetings to provide additional opportunities for public comment. The NOSB also heard oral comments during the first day of each Spring and Fall in-person meeting. At these public meetings, the NOSB reviewed substances scheduled to sunset from the National List and recommended that they either be removed or remain on the National List.

AMS has reviewed and accepted the Board’s sunset review recommendations for substances with sunset dates in 2026 and 2029. AMS is renewing the listings of these substances until 2031. AMS determined that the substance allowances listed in this notice are still necessary because of the unavailability of organic forms or wholly natural substitutes for the specified uses (7 U.S.C. 6517(c)(1)(A)(ii)). The renewal of these substances will avoid potential disruptions to the organic industry that may otherwise result from removal from the National List. AMS also has determined that the prohibited natural substances listed in this notice should remain prohibited because their use remains inconsistent with organic production (7 U.S.C. 6517(c)(2)(A)(ii)).

**Sunset Renewals**

This document renews all 56 substances for another 5 years past the first sunset date of July 26, 2026.

The substances renewed in this notice currently have three sunset dates: July 26, 2026 (3 substances: oxalic acid dihydrate, pullulan, and collagen gel); September 12, 2026 (52 substances not covered by the July or October sunset dates); and October 30, 2029 (1 substance: tolazoline). Tolazoline was originally scheduled to be reviewed by the NOSB in 2027 but was reviewed early to align with xylazine as they are generally used together.

This notice establishes a new sunset date for the following substances as outlined in the header for Table 1 below.

TABLE 1—NATIONAL LIST SUBSTANCES RENEWED UNTIL JULY 26, 2031 \*

Citation	Substance
7 CFR 205.601 Synthetic substances allowed for use in organic crop production:	
§ 205.601(a)(4) .....	Hydrogen peroxide.
§ 205.601(d) .....	Ammonium soaps.
§ 205.601(e)(7) .....	Horticultural oils.
§ 205.601(f) .....	Pheromones.
§ 205.601(h)(1) .....	Ferric phosphate.
§ 205.601(i)(5) .....	Hydrogen peroxide.

TABLE 1—NATIONAL LIST SUBSTANCES RENEWED UNTIL JULY 26, 2031 \*—Continued

Citation	Substance
§ 205.601(i)(7)	Horticultural oils.
§ 205.601(i)(9)	Potassium bicarbonate.
§ 205.601(j)(6)	Magnesium sulfate.
§ 205.601(n)	Hydrogen chloride.
7 CFR 205.602 Nonsynthetic substances prohibited for use in organic crop production:	
§ 205.602(a)	Ash from manure burning.
§ 205.602(g)	Sodium fluoaluminat (mined).
7 CFR 205.603 Synthetic substances allowed for use in organic livestock production:	
§ 205.603(a)(3)	Atropine.
§ 205.603(a)(15)	Hydrogen peroxide.
§ 205.603(a)(16)	Iodine.
§ 205.603(a)(19)	Magnesium sulfate.
§ 205.603(a)(23)(i)	Fenbendazole.
§ 205.603(a)(23)(ii)	Moxidectin.
§ 205.603(a)(24)	Peroxyacetic/peracetic acid.
§ 205.603(a)(29)	Tolazoline.
§ 205.603(a)(30)	Xylazine.
§ 205.603(b)(4)	Iodine.
§ 205.603(b)(8)	Oxalic acid dihydrate.
§ 205.603(d)(1)	DL-Methionine.
§ 205.603(d)(2)	Trace minerals.
§ 205.603(d)(3)	Vitamins.
7 CFR 205.605 Nonagricultural (nonorganic) substances allowed as ingredients in or on processed products labeled as “organic” or “made with organic (specified ingredients or food group(s))”:	
§ 205.605(a)(1)	Citric acid.
§ 205.605(a)(1)	Lactic acid.
§ 205.605(a)(7)	Calcium chloride.
§ 205.605(a)(11)	Enzymes.
§ 205.605(a)(16)	L-Malic acid.
§ 205.605(a)(18)	Magnesium sulfate.
§ 205.605(a)(19)	Microorganisms.
§ 205.605(a)(22)	Perlite.
§ 205.605(a)(24)	Potassium iodide.
§ 205.605(a)(25)	Pullulan.
§ 205.605(a)(30)	Yeast.
§ 205.605(b)(2)	Activated charcoal.
§ 205.605(b)(6)	Ascorbic acid.
§ 205.605(b)(7)	Calcium citrate.
§ 205.605(b)(13)	Collagen gel.
§ 205.605(b)(15)	Ferrous sulfate.
§ 205.605(b)(17)	Hydrogen peroxide.
§ 205.605(b)(20)	Nutrient vitamins and minerals.
§ 205.605(b)(22)	Peracetic acid/Peroxyacetic acid.
§ 205.605(b)(25)	Potassium citrate.
§ 205.605(b)(28)	Potassium phosphate.
§ 205.605(b)(30)	Sodium acid pyrophosphate.
§ 205.605(b)(31)	Sodium citrate.
§ 205.605(b)(37)	Tocopherols.
7 CFR 205.606 Nonorganically produced agricultural products allowed as ingredients in or on processed products labeled as “organic”:	
§ 205.606(c)	Celery powder.
§ 205.606(f)	Fish oil.
§ 205.606(h)	Gelatin.
§ 205.606(m)	Orange pulp, dried.
§ 205.606(q)	Seaweed (Pacific kombu).
§ 205.606(t)	Seaweed (Wakame seaweed).

\* The full listings for each of these substances, including annotations regarding their use, are contained in the relevant sections of 7 CFR part 205, subpart G, as listed under the Citation column.

Authority: 7 U.S.C. chapter 94.

Erin Morris,  
 Administrator, Agricultural Marketing  
 Service.

[FR Doc. 2026-02548 Filed 2-6-26; 8:45 am]

BILLING CODE P

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG–2026–0004]

RIN 1625–AA00

#### Safety Zone; Ice Accumulations; Ohio River, Pittsburgh, PA

**AGENCY:** Coast Guard, Department of Homeland Security.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone on the Ohio River within the Captain of the Port Pittsburgh Zone, which includes mile marker 13 to mile marker 32, mile marker 65 to mile marker 85, and mile marker 109 to mile marker 127 on the Ohio River. This safety zone is needed to protect persons, property, and vessels transiting the area from the hazards associated with ice accumulation on the waterways. Entry into this zone is prohibited unless specifically authorized by the Captain of the Port (COTP) Pittsburgh or a designated representative.

**DATES:** This rule is effective without actual notice from February 9, 2026, through March 1, 2026. For the purposes of enforcement, actual notice will be used from February 4, 2026, until February 9, 2026.

**ADDRESSES:** To view available documents go to <https://www.regulations.gov> and search for USCG–2026–0004.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this rule, contact Petty Officer Brett Lanzel, MSU Pittsburgh, U.S. Coast Guard; telephone 206–815–6624, or email [Brett.J.Lanzel@uscg.mil](mailto:Brett.J.Lanzel@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

The COTP Pittsburgh Zone has recently experienced consecutive weeks of sub-freezing temperatures resulting in significant ice accumulation on the Ohio River. This ice is obstructing the waterway and presents a significant risk of damage to vessels that may transit through or within this area. The Captain

of the Port (COTP) Pittsburgh has determined that potential hazards associated with ice accumulation are a safety concern for anyone on the Ohio River. Therefore, the COTP is issuing this rule under the authority in 46 U.S.C. 70034, which is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone.

The Coast Guard is issuing this rule without prior notice and comment. As is authorized by 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it is impracticable and contrary to the public interest. Due to the emergent ice situation, the Coast Guard must establish this safety zone immediately to protect personnel, vessels, and the marine environment. Therefore, we do not have enough time to solicit and respond to comments.

For the same reasons, the Coast Guard finds that under 5 U.S.C. 553(d)(3), good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**.

##### III. Discussion of the Rule

The Coast Guard is establishing a safety zone for the Ohio River within the COTP Pittsburgh Zone, which includes mile marker 13 to mile marker 32, mile marker 65 to mile marker 85, and mile marker 109 to mile marker 127 on the Ohio River. Entry into this zone is prohibited to all vessels and persons, except persons and vessels specifically authorized by the COTP Pittsburgh. This rule is effective immediately and will be enforced from February 4, 2026, until March 1, 2026, or until ice conditions within the COTP Pittsburgh Zone have improved, whichever occurs earlier.

The COTP Pittsburgh will inform the public through Broadcast Notices to Mariners (BNM) of details regarding enforcement and any changes to this safety zone during ice accumulation conditions.

##### IV. Regulatory Analyses

We developed this rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders.

###### A. Impact on Small Entities

The regulatory flexibility analysis provisions of the Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, do not apply to rules that are not subject to notice and comment. Because the Coast Guard has, for good cause, waived the notice and comment requirement that

would otherwise apply to this rulemaking, the Regulatory Flexibility Act's flexibility analysis provisions do not apply here.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), if this rule will affect your small business, organization, or governmental jurisdiction and you have questions, contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards by calling 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

###### B. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

###### C. Federalism and Indian Tribal Governments

We have analyzed this rule under Executive Order 13132, Federalism, and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in that Order.

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

###### D. Unfunded Mandates Reform Act

As required by The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538), the Coast Guard certifies that this rule will not result in an annual expenditure of \$100,000,000 or more (adjusted for inflation) by a State, local, or tribal government, in the aggregate, or by the private sector.

###### E. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have

determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment.

This rule is a safety zone. It is categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023-01-001-01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket.

#### List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

#### PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

- 1. The authority citation for part 165 continues to read as follows:

**Authority:** 46 U.S.C. 70034, 70051, 70124; 33 CFR 1.05-1, 6.04-1, 6.04-6, and 160.5; DHS Delegation No. 00170.1, Revision No. 01.4.

- 2. Add § 165.T08-0004 to read as follows:

#### § 165.T08-0004 Safety Zone; Ice Accumulations; Ohio River, Pittsburgh, PA.

(a) *Location.* The following area is a safety zone: all waters of the Ohio River within the Captain of the Port (COTP) Pittsburgh Zone, from Mile Marker 13 to Mile Marker 32, Mile Marker 65 to Mile Marker 85, and Mile Marker 109 to Mile Marker 127 on the Ohio River.

(b) *Definitions.* As used in this section, *designated representative* means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the Captain of the Port Pittsburgh (COTP) in the enforcement of the safety zone.

(c) *Regulations.* (1) Under the general safety zone regulations in subpart C of this part, you may not enter the safety zone described in paragraph (a) of this section unless authorized by the COTP or the COTP's designated representative.

(2) To seek permission to enter, contact the COTP or the COTP's representative on VHF-FM channel 16 or through Marine Safety Unit Pittsburgh at (412) 670-4288. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Enforcement period.* This section will be enforced from 10:00 a.m. on February 4, 2026, until 11:59 p.m. on March 1, 2026, unless cancelled earlier by the COTP. The COTP will inform the public through Broadcast Notices to Mariners (BNM) of the safety zone and any changes to the enforcement periods.

**Justin R. Jolley,**

*Commander, U.S. Coast Guard, Captain of the Port MSU Pittsburgh.*

[FR Doc. 2026-02567 Filed 2-6-26; 8:45 am]

**BILLING CODE 9110-04-P**

#### DEPARTMENT OF HOMELAND SECURITY

##### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2026-0072]

#### Safety Zone; Recurring Events in Captain of the Port Duluth Zone—Point to La Pointe Swim

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notification of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce the safety zone for the Point to La Pointe Swim event in Bayfield, WI from 7:00 a.m. through noon on August 1, 2026. This action is necessary to protect participants and spectators during the event. Our regulation for marine events within the Captain of the Port Duluth Zone identifies the regulated area for this event. During the enforcement periods, the operator of any vessel in the regulated area must comply with directions from the Patrol Commander or any Official Patrol displaying a Coast Guard ensign.

**DATES:** The regulations in 33 CFR 165.943 will be enforced for Table 1, Event (H)(1) from 7:00 a.m. through noon on August 1, 2026.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this notification of enforcement, call or email LT Zachary Fedak, Marine Safety Unit Duluth, U.S. Coast Guard; telephone 218-522-0708, email [Zachary.A.Fedak@uscg.mil](mailto:Zachary.A.Fedak@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the safety zone for the annual Point to La Pointe Swim event in 33 CFR 165.943, Table 1, Event (H)(1), from 7:00 a.m. through noon on August 1, 2026, on all waters between Bayfield, WI and LaPointe, WI within a polygon formed by straight lines using the following coordinates: Starting Position 46°48'50" N, 090°48'44" W, moving southeast to 46°46'44" N,

090°47'33" W, then moving northeast to 46°46'52" N, 090°47'17" W, then moving northwest to 46°49'03" N, 090°48'25" W, and finally returning to the starting position. During the enforcement periods, as reflected in 33 CFR 165.943(a)(4), if you are the operator of a vessel in the regulated area you must comply with directions from the Patrol Commander or any Official Patrol displaying a Coast Guard ensign.

In addition to this notification of enforcement in the **Federal Register**, the Coast Guard plans to provide the maritime community with advance notification of this enforcement period via the Local Notice to Mariners and Broadcast Notice to Mariners. The Captain of the Port Duluth may be contacted via Channel 16, VFH-FM or at (218) 522-0708.

Dated: February 4, 2026.

**J.P. Botti,**

*Commander, U.S. Coast Guard, Captain of the Port, Marine Safety Unit Duluth.*

[FR Doc. 2026-02484 Filed 2-6-26; 8:45 am]

**BILLING CODE 9110-04-P**

#### DEPARTMENT OF THE INTERIOR

##### National Park Service

#### 36 CFR Part 7

[NPS-WHIS-NPS0041005; NPS-2024-0008; PX.P0234207B.00.1-PPPWWHISM0-PFE00FEPR.YP0000]

**RIN 1024-AE52**

#### Whiskeytown Unit, Whiskeytown-Shasta-Trinity National Recreation Area; Bicycling

**AGENCY:** National Park Service, Interior.

**ACTION:** Final rule.

**SUMMARY:** The National Park Service amends the special regulations for Whiskeytown National Recreation Area to allow bicycle use on approximately 79.8 miles of multi-use trails. National Park Service regulations require promulgation of a special regulation to allow bicycles on new trails outside of developed areas and for existing trails that require construction or significant modification to accommodate bicycles.

**DATES:** This rule is effective March 11, 2026.

**ADDRESSES:** The comments received on the proposed rule are available on [www.regulations.gov](http://www.regulations.gov) in Docket No. NPS-2024-0008.

**FOR FURTHER INFORMATION CONTACT:** Laura Shaskey, Division Manager, Resources and Interpretation, Whiskeytown National Recreation Area;

phone: 530-242-3457; email: [Laura\\_Shaskey@nps.gov](mailto:Laura_Shaskey@nps.gov). 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. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

#### SUPPLEMENTARY INFORMATION:

##### Background

##### *Purpose and Management Authority for the Recreation Area*

Congress established the Whiskeytown-Shasta-Trinity National Recreation Area in 1965 for public outdoor recreation, use and enjoyment. 16 U.S.C. 460q. Congress directed the Secretary of the Interior to administer the Whiskeytown unit and directed the Secretary of Agriculture to administer the Shasta and Trinity units. The National Park Service (NPS) administers the Whiskeytown unit, on the behalf of the Secretary of the Interior, as the Whiskeytown National Recreation Area (referred to in this document as the "recreation area"). The U.S. Forest Service manages the Shasta and Trinity units, on behalf of the Secretary of Agriculture, as the Shasta-Trinity National Recreation Area. Each bureau is required to administer their units in a manner that will best provide for public outdoor recreation benefits and conserve the scenic, scientific, historic, and other values that contribute to public enjoyment. 16 U.S.C. 460q-3. In addition to the enabling legislation described above, the NPS manages the recreation area pursuant to the NPS Organic Act of 1916, which gives the NPS broad authority to regulate the use of the lands and waters that it administers as part of the National Park System. See 54 U.S.C. 100101; 100751(a).

##### *Significance and Visitor Use of the Recreation Area*

The recreation area encompasses 42,497 acres in Shasta County, nestled within the Klamath Mountains in Northern California. The recreation area has diverse ecosystems ranging from oak scrubland to dense coniferous forests, with elevations ranging from 800 feet in lower Clear Creek to more than 6,200 feet atop Shasta Bally. This dynamic landscape, range in elevation, rugged topography, and numerous soil types contribute to a rich biodiversity. These habitats provide shelter and sustenance to an abundant and diverse wildlife

community, including numerous species of concern and other rare species. High-elevation forests have been profoundly influenced by wildland fire. Fire management continues to play a key role in the preservation and restoration of natural communities in the recreation area.

The recreation area includes significant cultural resources. For thousands of years before the arrival of European Americans, the Wintu People and their ancestors lived in villages along Clear Creek and its tributaries. Archeological remains document their extensive habitation and use of the land, and traditional ties to the recreational area remain among contemporary Wintu. In the early part of the 19th century, European explorers and trappers began visiting the upper Sacramento Valley and Wintu homelands. They were soon followed by parties of settlers on their way to central California and Oregon, and in 1848 gold was discovered on Clear Creek just south of the recreation area. During the 100-year gold rush, lands within the recreation area were subject to intensive mining exploration and development. This history of mining is evident throughout the recreation area.

In the early 1900s, the United States Government began establishing the Central Valley Project to manage the water of the Sacramento River and provide for its use in the Central Valley of California. The construction of Whiskeytown Dam in 1962 created Whiskeytown Lake. With 36 miles of shoreline, the crystal-clear water of Whiskeytown Lake is perhaps the most recognized feature of the recreation area. Due to its forested, mountain setting and consistent water level, the lake provides high-quality recreational opportunities throughout the primary recreation season. Visitors enjoy swimming, beaches, lakeside camping, boating, sport fishing, and picnicking. Beyond the shoreline of the lake, the rugged canyons, forests, streams, and waterfalls within the recreation area provide visitors with outstanding recreational opportunities. An extensive trail system allows visitors to experience a variety of forested terrain for birdwatching, camping, picnicking, wildlife viewing, hiking, horseback riding, and bicycling. Trails are located primarily upon historic logging and mining infrastructure south, east, and west of Whiskeytown Lake. In total, more than 800,000 visitors come to enjoy the recreation area each year, including casual sightseers, experienced adventurers and everyone in between.

##### *Bicycle Use in the Recreation Area*

Bicycle use has occurred in the recreation areas for several decades. Today, bicycles are used on roads that are open to public motor vehicle use, on 42.2 miles of administrative roads that are closed to motor vehicle use by the public but open to motor vehicle use by the NPS for administrative purposes, and on the majority of trails in the existing trail system. Public roads, administrative roads, and trails that are open to traditional bicycles are also open to Class 1 electric bicycles, which are defined in NPS regulations as an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour. Class 2 and 3 electric bicycles are not allowed on trails or administrative roads within the recreation area; however, they are allowed on roads that are open to public motor vehicle use. The trails identified below are closed to bicycle use:

- All portions of the Shasta Divide Nature Trail between Kennedy Memorial Drive and Whiskeytown Lake.
- All portions of the Davis Gulch Trail between the trailheads at Kennedy Memorial Drive and the Brandy Creek Day Use Area.
- All portions of the Crystal Creek Water Ditch Trail.
- James K. Carr Memorial Trail to Whiskeytown Falls (from Mill Creek Trail junction to the falls).
- Boulder Creek Falls Trail.
- The portion of Brandy Creek Falls Trail beyond the intersection with Rich Gulch Trail.

Other trails in the network are reserved for use by the Whiskeytown Environmental School (WES) and are not open to the public. These WES-only trails are the Ladybug Lane Trail, Martha's Ditch Trail and the Ridge Trail.

##### *Trails Management Plan Environmental Assessment*

With the growth of the city of Redding eight miles to the east, the recreation area has transitioned from a wildland setting to an urban location that offers recreation opportunities for the largest metropolitan area in the northern Sacramento Valley. Facilities and infrastructure within the recreation areas were primarily constructed in the 1960s and were not designed to accommodate current levels of visitation. To address emerging management challenges and accommodate current levels of visitation, the NPS initiated a comprehensive trail management

project to help guide, plan, and manage trail use and maintenance within the recreation area. In 2017, the NPS sought public input on the existing trail system. The NPS used this input to develop preliminary alternatives for a trails management plan. In 2018, the Carr Fire burned approximately 39,000 of 42,000 acres within the recreation area. To date, this is the most destructive fire in the history of the National Park System. The entire recreation area was closed and NPS resources were diverted to the rebuilding effort. NPS staff, partners, and contractors have made significant headway in rebuilding lost infrastructure and reopening much of the recreation area. As of April 2025, approximately 12% of the trails remain closed because of the fire. The NPS will continue to reopen trails provided there are no safety or resource issues associated with using the trails after the fire.

In 2020, the NPS restarted the trail planning process, with revised alternatives that reflect the changed landscape and address the need for long term solutions to poorly designed and unsustainable trails. On June 8, 2021, the NPS published the Trails Management Plan and Environmental Assessment and accepted public comments for 30 days. In February 2022, the NPS issued a revised Trails Management Plan and Environmental Assessment (EA) to reflect updated trail mileages and additional best management practices. The EA describes one action alternative (the preferred alternative) and the no-action alternative. The no-action alternative would continue the existing management of the trail system into the future. The action alternative would involve trail construction, including building new trails, rerouting some existing trails, and restoring other existing trails to natural condition. The EA evaluates the suitability of each trail surface and soil conditions for accommodating bicycle use; and life cycle maintenance costs, safety considerations, methods to prevent or minimize user conflict, and methods to protect natural and cultural resources and mitigate impacts associated with bicycle use on each trail. The EA contains a full description of the purpose and need for taking action, the alternatives considered, a map of the affected area, and the environmental impacts associated with the project.

On March 11, 2022, the Regional Director for DOI Unified Regions 8, 9, 10 and 12 signed a Finding of No Significant Impact (FONSI) that identified the preferred alternative in

the EA as the selected alternative.<sup>1</sup> Trail work will occur on approximately 32.8 miles of trails and will include minor improvements to existing trails, the construction of new multiuse trails, the rerouting of some existing trails, and trail closures and restoration to natural conditions. The longest new trail, the proposed lakefront trail, will be approximately 8 miles in length and improve access to the lake. The NPS will establish a new trail along the Shasta Divide at the east side of the recreation area, offering views of Mount Shasta and the Lassen Peak. The NPS will formalize three social trails by merging them into one mile of new trail. All of the new trails will connect to existing trails to create more trail loops. The new trails will generate opportunities for new and diverse visitor experiences in different locations in the recreation area.

The NPS will reroute seven multiuse trails because the existing routes have become unsustainable due to erosive soils or soil compaction, steep alignment, and undesirable visitor experiences. The new routes will have a more sustainable alignment and capacity for use. Other trails totaling 5.1 miles will be closed and not rerouted, which will allow those areas to return to their natural condition. In total, the selected alternative will expand the trail network and result in approximately 79.8 miles of trails open to bicycle use within the recreation area.

#### *NPS Management of Bicycle Use*

From 1966 until 1987, NPS regulations allowed bicycles on trails in recreation areas unless they were restricted by posted signs or markings on a map. See 31 FR 16650 (December 29, 1966) and 39 FR 11882 (April 1, 1974). In 1987, the NPS replaced what had been an “open unless closed” management framework for bicycle use in recreation areas with a framework that required the NPS to promulgate a special regulation in order to allow bicycles in any System unit on routes outside of developed areas and special use zones. Further, routes could only be designated for bicycle use upon a determination that such use was consistent with the protection of a park area’s natural scenic and aesthetic values, safety considerations and

<sup>1</sup> During the NEPA process, the NPS evaluated the impacts of bicycle use on all of the trails identified in this rule for bicycle use. The NPS acknowledges minor trail mileage discrepancies between the FONSI and this rule. Small discrepancies in GIS estimates are reasonable and expected. The differing mileage estimates between documents are a result of minor addition and rounding errors as well as improved data quality and increased accuracy in GIS layers.

management objectives and would not disturb wildlife or park resources. See 52 FR 10685 (April 2, 1987).

In 2012, the NPS amended its regulations for bicycle use again. These amended regulations are in place today and are codified at 36 CFR 4.30. These regulations focus on planning and environmental compliance under the National Environmental Policy Act (NEPA). Bicycles are allowed by default on park roads and parking areas open to public motor vehicle use. Bicycles may be allowed on administrative roads that are closed to motor vehicle use by the public but open to motor vehicle use by the NPS for administrative purposes, but only after the Superintendent makes the same determination that has been required since 1987 (see above). The use of bicycles on trails is subject to a thorough review and approval process. The NPS must complete a planning process that evaluates bicycle use on each specific trail, including impacts to trail surface and soil conditions, maintenance costs, safety considerations, potential user conflicts, and methods to protect resources and mitigate impacts. The NPS also must complete either an environmental assessment or environmental impact statement that concludes that bicycle use in the park and on each specific trail will have no significant impacts on the environment. If an environmental assessment is prepared, the public must be notified and provided 30 days to review and comment. In addition to the planning and NEPA compliance documents (which are typically the same document), the Superintendent must prepare and the regional director must approve the same written determination about bicycle use that is required for administrative roads. For existing trails or new trails within developed areas, the NPS must publish the written determination in the **Federal Register** for a 30-day public comment period. For all trails, including new trails outside of developed areas, the Regional Director must approve the written determination. For new trails outside of developed areas, the NPS must publish a special regulation designating the trails for bicycle use, which is subject to a separate notice-and-comment period under the Administrative Procedure Act. 5 U.S.C. 553(b). New trails, whether they are in developed areas or not, must be developed and constructed in accordance with appropriate sustainable trail design principles and guidelines. Existing trails that require construction or significant modification to accommodate bicycles are considered

new trails for purposes of the regulations.

### Final Rule

#### *Compliance With NPS Regulations*

This rule authorizes the Superintendent to allow bicycles, by designation in the Superintendent's Compendium, on all of the bicycle trails identified in the selected alternative. This includes existing trails that are not being rerouted, existing trails that are being rerouted, and new trails that will be constructed. Although NPS regulations do not require special regulations to allow bicycles on existing trails that do not require any construction or significant modification to accommodate bicycle use, the NPS includes those trails in this rule so that all of the trails that may be designated for bicycle use are identified in one place. The NPS expects this approach to increase compliance with the regulations by making it easier for visitors to understand where bicycles are allowed.

The EA constitutes the planning document and evaluates the criteria required by the regulations at 36 CFR 4.30. The no action alternative evaluates continued bicycle use on existing trails that will not be rerouted; and the action alternative evaluates the rerouting of existing trails and construction of new trails, plus the impact of bicycle use on those trails. The FONSI concludes that the development and use of the new trail system would not significantly affect the quality of the human environment.

The Superintendent of the recreation area has signed a written determination that bicycle use on all of the trails where bicycles would be allowed under the selected alternative is consistent with the protection of the park's natural, scenic, and aesthetic values; safety considerations; management objectives; and will not disturb wildlife or park resources. The NPS made the written determination available on the recreation area's planning website and accepted comments on the written determination during the public comment period for the proposed rule. The Regional Director approved the written determination on May 7, 2025. This written determination is available at <https://parkplanning.nps.gov/whis> by clicking the link titled "Whiskeytown NRA Trails Management Plan," and then clicking the link titled "Document List." The written determination also determines that continued bicycle use on administrative roads within the recreation area is consistent with the protection of the park's natural, scenic,

and aesthetic values; safety considerations; management objectives; and will not disturb wildlife or park resources.

#### *Content of the Final Rule*

This rule adds a new paragraph (e) to 36 CFR 7.91, which contains the special regulations for the recreation area. The rule authorizes the Superintendent to designate 79.8 miles of trails within the recreation area for bicycle use. The rule requires the Superintendent to notify the public of any designated trails through one or more of the methods identified in 36 CFR 1.7, including publication in the Superintendent's Compendium (or written compilation) of discretionary actions referred to in § 1.7(b). The rule requires the Superintendent to identify the designated trails on maps available at the visitor center and on the recreation area's website (<https://www.nps.gov/whis>). Pursuant to 36 CFR 4.30(i), the Superintendent may allow electric bicycles on any trails that are open to traditional bicycles and will notify the public pursuant to 36 CFR 1.7 if electric bicycles are so allowed.

#### **Summary of Public Comments**

The NPS published a proposed rule in the **Federal Register** on December 30, 2024 (89 FR 106393). The NPS accepted public comments on the proposed rule for 60 days via the mail, hand delivery, and the Federal eRulemaking Portal at <https://www.regulations.gov>. Comments were accepted through February 28, 2025. The NPS received ten comments on the proposed rule. Comments were generally focused on balancing increased recreational opportunities with desired resource conditions. Some comments raised concerns about impacts to wildlife, vegetation, trail conditions, ecosystem health, and visitor use conflicts that the NPS considered and evaluated in the EA. Most of these comments are not addressed in this final rule. The NPS evaluated the environmental impacts of two alternatives in the EA and explained why it selected the preferred alternative in the FONSI. Upon completion of trail construction and authorization of bicycle use on the new trails, the NPS will monitor the trail network and implement mitigation measures as appropriate to improve sustainability, protect resources, and improve the visitor experience. After considering public comments and after additional review, the NPS has made two changes to the final rule. The first change adds a reference to a requirement in 36 CFR 1.7(b) that designations made under discretionary

authority must be published in a written compilation referred to as the Superintendent's Compendium. The second change removes a provision referring to the superintendent's authority to limit, restrict, or impose conditions on bicycle use, or to close any trail to bicycle use, or terminate such actions in accordance with 36 CFR 4.30. This provision is unnecessary and redundant with existing authorities provided to superintendents in paragraphs (f) and (i)(7) of § 4.30 to take management actions with respect to bicycle use in park areas. A summary of the pertinent issues raised in the comments and NPS responses is provided below:

*1. Comment:* One commenter suggested that the NPS establish a communication framework that allows visitors to easily report trail conditions to recreation area staff, encouraging prompt notification of issues like trail damage, needed repairs, and preventative maintenance opportunities.

*NPS Response:* The NPS appreciates this suggestion and recognizes the importance of facilitating clear and effective communication between recreation area staff and the public. The NPS is committed to maintaining the condition, safety and accessibility of trails. Members of the public can apply to be part of the Whiskeytown Trail Crew Volunteer Program, which provides crew members with the opportunity to assist the NPS in maintaining and preserving the recreation area's extensive trail system. Crew members rove assigned trails to provide an additional NPS presence and can report trail conditions to recreation area staff in near real time. The NPS encourages the public to report trail conditions in person at the visitor center, by phone, or by email (see <https://www.nps.gov/whis/contacts.htm>). The NPS will continue to consider how to promote efficient reporting and communication of trail issues so that they can be addressed promptly.

*2. Comment:* One commenter suggested that the rule should list all trails within the recreation area and state which uses are allowed on each trail.

*NPS Response:* NPS regulations at 36 CFR 4.30 require promulgation of special regulations that identify new trails for bicycle use outside of developed areas, including existing trails that need construction or significant modifications to accommodate bicycle use. NPS regulations at 36 CFR 2.18 require promulgation of special regulations that designate routes and water surfaces

open to snowmobile use. NPS regulations at 36 CFR 4.10 require promulgation of special regulations that designate routes and areas open to off-road vehicle use. The NPS is not otherwise required to identify routes or trails in special regulations. Hiking and horse-back riding on trails can be managed by the Superintendent using discretionary authorities found in 36 CFR 2.1(b) and 36 CFR 2.16(b), respectively, and are not required to be identified in the Code of Federal Regulations.

The NPS understands the desire for clarity about the use of trails within the recreation area. The NPS employs a variety of strategies to ensure that visitors are informed about what is allowed on specific trails. The NPS installs signs at trailheads and along the trails, which provide detailed information regarding authorized activities such as hiking, biking, or horseback riding, as well as any restrictions. The NPS publishes maps that indicate which activities are allowed on different trails, and makes them available at the visitor center, park entrances, and online to enable visitors to plan their activities in advance. The NPS maintains up-to-date information on trail conditions, closures, and use restrictions on the recreation area website. NPS staff at the visitor center provide valuable information and answer questions about the status and conditions of trails and allowable uses. The NPS utilizes social media platforms and electronic newsletters to communicate important updates about the status and conditions of trails and allowable uses to a broader audience. Using a combination of methods, the NPS strives to keep visitors well-informed about trail use in the recreation area with the goal of promoting a safe and enjoyable experience.

*3. Comment:* One commenter emphasized the need for clear signage communicating allowed trail uses in the recreation area and suggested that the rule should be delayed if the NPS does not have the resources to effectively implement the new regulations.

*NPS Response:* Construction, appearance, and location of all trail signs will follow guidance issued by the Whiskeytown Sign Committee. Trail signs will not be installed unless they are approved by the Committee. The goal of sign and marker maintenance and repair is to provide visitors with appropriate directional information, maps, as well as safety and regulatory information. Repair and maintenance will be done on a periodic basis. For new trails, safety signs will be installed

to inform visitors when entering multi-use trails to reduce user group conflicts and promote safe passing and shared use.

*4. Comment:* One commenter stated that mountain bikes should not be allowed on the James K. Carr Memorial Trail to Whiskeytown Falls (also known as the Whiskeytown Falls Trail) due to safety risks, particularly a significant drop-off that poses a danger to both pedestrians and bikers.

*NPS Response:* This rule allows bicycles only on the first 0.4 miles of the Whiskeytown Falls Trail from the trailhead to the Mill Creek Trail junction. A few locations along this segment of the trail have steep drop offs, however the trail tread is generally maintained as a class III or 6-foot trail width allowing room for different users to freely pass. Should this segment become a safety hazard, the Superintendent has the authority to close all or a portion of the trail to bicycle use to protect the public.

*5. Comment:* Several commenters addressed the use of electric bicycles (e-bikes) on the trail system, raising concerns about resource impacts and conflicts with other trail users, such as hikers and horseback riders. One commenter asked the NPS to conduct a programmatic analysis under NEPA to address the implications of e-bike use before the Superintendent decides to allow them. The commenter stated that the NPS has a responsibility to analyze the potential impacts of e-bikes on both natural and cultural resources as well as the safety and enjoyment of non-motorized trail users before allowing them in the recreation area.

*NPS Response:* The NPS agrees that resources must be protected and user conflicts minimized where e-bikes are allowed. This rule does not authorize the use of e-bikes on any trails within the recreation area. This rule authorizes the Superintendent to allow traditional bicycle use on approximately 79.8 miles of multi-use trails. Allowing e-bikes on any of those trails is subject to the discretion of the Superintendent under NPS regulations at 36 CFR 4.30(i). NPS Management Policies guide superintendents about visitor use of park areas. In exercising discretionary authority, superintendents will allow only uses that are (1) appropriate to the purpose for which the park was established, and (2) can be sustained without causing unacceptable impacts. NPS Management Policies 2006, Section 8.1.1.

Congress established the recreation area for several purposes, with a stated focus on public outdoor recreation and enjoyment. 16 U.S.C. 460q-3. E-bikes

provide visitors with opportunities for recreation and access who may want to ride a traditional bicycle but might not be able to because of physical fitness, age, disability, or the nature of the environment. In this way, e-bikes provide new opportunities for public outdoor recreation in the recreation area, which aligns with its purpose. In June 2023, the NPS published a Programmatic Environmental Assessment (PEA) that evaluated the use of e-bikes within the National Park System. On July 26, 2024, the NPS issued a Finding of No Significant Impact concluding that the implementation of NPS regulations in 36 CFR 4.30(i) that provides superintendents discretionary authority to allow the use of e-bikes, or classes of e-bikes, on a case-by-case basis, on park roads, parking areas, administrative roads, and trails that are otherwise open to traditional bicycle use, will not have a significant effect on the quality of the human environment.

As stated above, public roads, administrative roads, and trails that are open to traditional bicycles in the recreation area are open to Class 1 electric bicycles. The EA evaluates impacts to resources and visitors from bicycle use on the trails identified in this rule. Although the EA does not distinguish e-bikes from traditional bicycles in this analysis, the NPS expects that impacts to the environment from the use of Class-1 e-bikes on designated trails otherwise open to traditional bicycle use will be consistent with the impacts discussed in the PEA. If necessary, the superintendent may limit or restrict or impose conditions on e-bike use in the recreation area, or close trails to e-bike use after taking into consideration public health and safety, natural and cultural resource protection, and other management activities and objectives. 36 CFR 4.30(i)(7). Management actions addressing existing e-bike use will be informed by the EA, which identifies long-term strategies for managing and monitoring visitor use with the recreation area.

In addition to management actions that may be taken by the Superintendent, several NPS regulations establish conditions and restrictions on the use of e-bikes in park areas that promote the protection of resources and visitors. As examples, e-bikes may not be used abreast of another bicycle; and lights or reflectors are required during periods of low visibility, or while traveling through a tunnel, or between sunset and sunrise. As is true for traditional bicycles, possessing an e-bike in a wilderness area established by Federal statute is prohibited.

6. *Comment:* One commenter suggested that the NPS collaborate with stakeholders to develop a more refined proposal for identifying a subset of trails that would be suitable for e-bike use.

*NPS Response:* The NPS understands that stakeholders have diverse perspectives about the use of e-bikes in the recreation area. The NPS is committed to creating an environment that accommodates a variety of recreational opportunities while ensuring that all visitors can enjoy their time in the recreation area. Visitor use management is an ongoing process that relies on continuous monitoring and informed decision-making. As the NPS implements the EA and monitors impacts from visitor use, including the use of e-bikes, information about monitoring, visitor use management actions, and adjustments to the indicators and thresholds for adaptive management will be made available to the public, along with opportunities for stakeholder engagement.

### **Compliance With Other Laws, Executive Orders and Department Policy**

#### *Regulatory Planning and Review (Executive Orders 12866 and 14192)*

This rule has been determined to be not significant for purposes of Executive Order 12866. This rule is an E.O. 14192 deregulatory action.

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

This rule will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.).

This certification is based on information contained in the economic analyses found in the report titled “Cost-Benefit and Regulatory Flexibility Threshold Analyses: Proposed Special Regulations to Designate New and Existing Trails for Bicycle Use at Whiskeytown National Recreation Area.”<sup>2</sup> The report may be viewed on the recreation area’s planning website at <https://parkplanning.nps.gov/whis> by clicking the link titled “Whiskeytown NRA Trails Management Plan,” and then clicking the link titled “Document List.” The certification in that report remains valid for the final rule due to the limited changes in this rule from the proposed rule.

<sup>2</sup> Revised version prepared in May 2025. All cost and benefit estimates in this report have been updated to 2024 dollars using the Bureau of Labor Statistics Consumer Price Index. The revised version also includes an estimate of total cost savings associated with this rule, consistent with Executive Order 14192.

#### *Congressional Review Act (CRA)*

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

- (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.

#### *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. It addresses public use of lands administered by the NPS and imposes no requirements on other agencies or governments. A statement containing the information required by the Unfunded Mandates Reform Act (2 U.S.C. 1531 et seq.) is not required.

#### *Takings (Executive Order 12630)*

This rulemaking does not affect a taking of private property or otherwise have takings implications under Executive Order 12630. A takings implication assessment is not required.

#### *Federalism (Executive Order 13132)*

Under the criteria in section 1 of Executive Order 13132, the rulemaking does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement. This rule only affects use of federally administered lands and waters. It has no direct effects on other areas. A federalism summary impact statement is not required.

#### *Civil Justice Reform (Executive Order 12988)*

This rulemaking complies with the requirements of Executive Order 12988. This rulemaking:

- (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.

#### *Consultation With Indian Tribes (Executive Order 13175 and Department 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. The NPS evaluated this rule under the criteria in Executive Order 13175 and under the Department’s Tribal consultation policy and determined that Tribal consultation is not required because the rule will have no substantial direct effect on federally recognized Indian Tribes. Nevertheless, in support of the Department of the Interior and NPS commitment for government-to-government consultation, during the EA process, the NPS worked with the Native American Heritage Commission (NAHC) to identify Tribal partners that may be interested in the trails management plan. The NPS shared information about the proposed action and copies of the draft EA with one federally recognized American Indian Tribe identified by the NAHC and five non-federally recognized Tribal groups. These Tribes are the Shasta Nation, Nor-Rel-Muk Nation, Redding Rancheria, Winnemem Wintu Tribe, Wintu Tribe of Northern California, and Toyon-Wintu Center Wintu Educational and Cultural Council. The new trails and trail reroutes under the selected action alternative will not impact known ethnographic resources or impede tribes’ ability to utilize the recreation area for traditional purposes. The trail construction activities and routes will be designed to avoid known ethnographic resources in consultation with tribes. The NPS informed Tribal partners that the trails management plan requires regular consultation for individual actions in accordance with section 106 of the National Historic Preservation Act under 36 CFR part 800. Additional details about Tribal consultation are available in chapter 4 of the EA.

#### *Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.)*

This rule does not contain information collection requirements, and a submission to the Office of Management and Budget under the Paperwork Reduction Act is not required. The NPS 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.

*National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 et seq.)*

The NPS prepared the EA to determine whether this rule will have a significant impact on the quality of the human environment under the National Environmental Policy Act of 1969. This rule does not constitute a major Federal action significantly affecting the quality of the human environment. A detailed statement under the NEPA is not required because of the FONSI. A copy of the EA and FONSI can be found online at <https://parkplanning.nps.gov/whis> by clicking the link titled “Whiskeytown NRA Trails Management Plan,” then clicking the link titled “Document List,” and then clicking the link titled “Whiskeytown National Recreation Area Trails Management Plan.”

*Effects on the Energy Supply (Executive Order 13211)*

This rule is not a significant energy action under the definition in Executive Order 13211; the rule is not likely to have a significant adverse effect on the supply, distribution, or use of energy, and the rule has not otherwise been designated by the Administrator of OIRA as a significant energy action. A Statement of Energy Effects is not required.

**List of Subjects in 36 CFR Part 7**

National parks, Reporting and Recordkeeping requirements.

In consideration of the foregoing, the National Park Service amends 36 CFR part 7 as set forth below:

**PART 7—SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SYSTEM**

■ 1. The authority citation for part 7 continues to read as follows:

**Authority:** 54 U.S.C. 100101, 100751, 320102; Sec. 7.96 also issued under D.C. Code 10–137 and D.C. Code 50–2201.07.

■ 2. Amend § 7.91 by adding paragraph (e) to read as follows:

**§ 7.91 Whiskeytown Unit, Whiskeytown-Shasta-Trinity National Recreation Area.**

\* \* \* \* \*

(e) *Bicycle Use.* (1) The Superintendent may designate all or a portion of the following trails as open to bicycle use:

- (i) Boulder Creek Trail (approximately 3.8 miles).
- (ii) Brandy Creek Falls Trail (approximately 1.1 miles between the trailhead and Rich Gulch Trail intersection).
- (iii) Brandy Creek Picnic Trail (approximately 0.3 miles).

(iv) Brandy Creek RV Trail (approximately 0.2 miles).

(v) Brandy Creek Trail (approximately 2.0 miles).

(vi) Buck Hollow Trail (approximately 1.0 miles).

(vii) Camden Water Ditch Trail (approximately 1.1 miles).

(viii) Clear Creek Canal Trail (approximately 5.2 miles).

(ix) Clear Creek Picnic Trail (approximately 0.3 miles).

(x) Clear Creek Vista Trail (approximately 2.5 miles).

(xi) Crystal Creek Falls Trail (approximately 0.5 miles).

(xii) Crystal Creek Trail (approximately 2.3 miles).

(xiii) East Boundary Vista Trail (approximately 1.4 miles).

(xiv) Guardian Rock Equestrian Trail (approximately 1.3 miles).

(xv) Horse Camp Trail (approximately 0.4 miles).

(xvi) Hydraulic Mine Trail (approximately 0.5 miles).

(xvii) James K. Carr Memorial Trail to Whiskeytown Falls (approximately 0.4 miles between the trailhead and Mill Creek Trail junction).

(xviii) Kanaka Peak Trail (approximately 3.3 miles).

(xix) Knobcone Trail (approximately 0.3 miles).

(xx) Ladybug Lane Trail (approximately 0.3 miles, Whiskeytown Environmental School use only).

(xxi) Logging Camp Trail (approximately 0.9 miles).

(xxii) Martha’s Ditch Trail (approximately 2.5 miles, Whiskeytown Environmental School use only).

(xxiii) Mill Creek Trail (approximately 3.9 miles).

(xxiv) Mount Shasta Mine Loop Trail (approximately 5.0 miles).

(xxv) Mule Mountain Loop Trail (approximately 1.2 miles).

(xxvi) Mule Mountain Pass Trail (approximately 1.3 miles).

(xxvii) Oak Bottom Water Ditch Trail (approximately 2.8 miles).

(xxviii) Orofino Trail (approximately 0.3 miles).

(xxix) Papoose Connector Trail (approximately 0.2 miles).

(xxx) Papoose Pass Trail (approximately 5.2 miles).

(xxxi) Peltier Bridge Trail (approximately 0.6 miles).

(xxxii) Peltier Trail (approximately 2.5 miles).

(xxxiii) Princess Ditch Trail (approximately 2.1 miles).

(xxxiv) Prospect Trail (approximately 1.1 miles).

(xxxv) Rich Gulch Trail (approximately 2.4 miles).

(xxxvi) Ridge Trail (approximately 1.8 miles, Whiskeytown Environmental School use only).

(xxxvii) Salt Gulch Trail (approximately 2.0 miles, connecting Peltier Trail to Rich Gulch Trail).

(xxxviii) Shasta Divide Trail (approximately 7.0 miles, connecting the Visitor Center with the NPS and BLM trail system in the area of Mule Mountain).

(xxxix) Tower Grave Trail (approximately 0.2 miles).

(xli) WES Camp Emergency Access Road (approximately 0.6 miles).

(xli) Whiskeytown Lake Trail (approximately 8.0 miles, connecting the Brandy Creek area with Carr Powerhouse area).

(2) The Superintendent may authorize bicycle use on administrative roads within the recreation area pursuant to § 4.30 of this chapter.

(3) A map showing trails and administrative roads open to bicycle use will be available at the recreation area visitor center and posted on the recreation area website. The Superintendent will provide notice of all trails and administrative roads designated for bicycle use in accordance with § 1.7 of this chapter including in the superintendent’s compendium (or written compilation) of discretionary actions referred to in 36 CFR 1.7(b).

**Kevin J. Lilly,**

*Principal Deputy Assistant Secretary Exercising the Delegated Authority of the Assistant Secretary for Fish and Wildlife and Parks.*

[FR Doc. 2026–02479 Filed 2–6–26; 8:45 am]

**BILLING CODE 4310–52–P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA–R01–OAR–2025–2895; FRL–13084–01–R1]

**Air Plan Approval; Connecticut; Revised Format for Materials Incorporated by Reference**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule; administrative change.

**SUMMARY:** The Environmental Protection Agency (EPA) is revising the format for materials that are made part of the Connecticut State Implementation Plan (SIP) through the process of incorporation by reference (IBR). The regulations and materials affected by this format change have all been previously submitted by Connecticut and approved by EPA as part of the SIP. **DATES:** This action is effective on February 9, 2026.

**ADDRESSES:** EPA has established a docket for this action under Docket ID No. EPA-R01-OAR-2025-2895. SIP materials which are incorporated by reference into 40 CFR part 52 are available for inspection by appointment at Environmental Protection Agency, Region 1, 5 Post Office Square, Boston, Massachusetts 02109-3912. For information on the availability of this material at the EPA Regional Office, please contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document.

**FOR FURTHER INFORMATION CONTACT:** Patrick Lillis, Air and Radiation Division, Environmental Protection Agency, Region 1, 5 Post Office Square—Suite 100, Boston, MA 02109, (617) 917-1067, [lillis.patrick@epa.gov](mailto:lillis.patrick@epa.gov).

**SUPPLEMENTARY INFORMATION:** Throughout this document, wherever “we,” “us” or “our” is used, it is intended to refer to EPA.

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## I. Background

### A. Description of a SIP

Each state has a SIP containing, among other things, the control measures and strategies used to attain and maintain the national ambient air quality standards (NAAQS). The SIP is extensive, containing such elements as air pollution control regulations, emission inventories, monitoring networks, attainment demonstrations, and enforcement mechanisms.

### B. How EPA Enforces SIPs

Each state must formally adopt the control measures and strategies to attain and maintain the NAAQS after the public has had an opportunity to comment on them and then the state must submit the proposed SIP revisions to EPA. Once these control measures and strategies are approved by EPA through notice and comment rulemaking, EPA uses the IBR process to make them part of the federally approved SIP. IBR is a method of

incorporating material into EPA regulations in the Code of Federal Regulations (CFR) by referencing the original document(s) without publishing the full text of the material in the CFR. In this case, the SIP rules are identified in part 52 (Approval and Promulgation of Implementation Plans), title 40 of the CFR (40 CFR part 52). These rules are approved by EPA with a specific effective date, but are not reproduced in their entirety in 40 CFR part 52. This format allows both EPA and the public to identify which regulations are contained in a given SIP and to help determine whether the state is enforcing those regulations. This format also assists EPA and the public in taking enforcement action, should a state not enforce its SIP-approved regulations.

### C. How the State and EPA Update the SIP

The SIP is periodically revised as necessary to address the unique air pollution problems in the state. Therefore, EPA must periodically take action on state SIP submissions containing new and/or revised regulations and other materials; if approved by EPA, they become part of the SIP. On May 22, 1997 (62 FR 27968), EPA revised the formatting procedures of 40 CFR part 52 for incorporating by reference federally-approved SIP revisions. These procedures include: (1) A revised SIP document for each state that would use the IBR process under the provisions of 1 CFR part 51; (2) a revised mechanism for announcing EPA approval of revisions to an applicable SIP and updating both the document that has gone through the IBR process and the CFR; and (3) a revised format of the “Identification of plan” sections for each applicable subpart in 40 CFR part 52 to reflect these revised IBR procedures. The description of the revised SIP document, IBR procedures, and “Identification of plan” format are discussed in further detail in the May 22, 1997, **Federal Register** document.

### D. How EPA Compiles the SIPs

The federally-approved regulations and statutes and source-specific requirements (entirely or portions of) submitted by each state agency have been compiled by EPA into a “SIP compilation,” which is incorporated by reference. The SIP compilation does not contain the nonregulatory provisions (entirely or portions of) submitted by each state agency approved by EPA through previous rulemaking actions in the **Federal Register**.

### E. How EPA Organizes the SIP Compilation

Each SIP consists of three parts. Part one contains the regulations and statutes, part two contains the source-specific requirements, and part three contains nonregulatory provisions. Each state’s SIP contains a table for each of the three parts that identifies each SIP-approved regulation and statute, source-specific requirement, and nonregulatory provision. In this action, EPA is publishing the SIP tables that summarize the applicable SIP requirements for Connecticut and that will be codified at 40 CFR 52.370. The effective dates in the table indicate the date of the most recent revision to an approved regulation. EPA Regional Offices have the primary responsibility for updating the state SIPs, and the SIP compilations that are incorporated by reference, and ensuring their accuracy.

### F. Where You Can Find a Copy of the SIP Compilation

EPA Region 1 has developed and will maintain the SIP compilation for Connecticut.

### G. The Format of the New Identification of Plan Section

In order to better serve the public, EPA revised the organization of the section titled “Identification of plan” at 40 CFR 52.370 and included additional information to clarify the enforceable elements of the SIP. The revised format does not affect Federal enforceability of the SIP and is consistent with the requirements of section 110(h)(1) of the Clean Air Act (CAA) concerning comprehensive SIP publication.

The revised “Identification of plan” section contains five subsections:

1. Purpose and scope
2. Incorporation by reference
3. EPA approved regulations
4. EPA approved source specific requirements
5. EPA approved nonregulatory and quasi-regulatory provisions.

### H. When a SIP Revision Becomes Part of the SIP and Federally Enforceable

All new requirements and revisions to the applicable SIP become federally enforceable as of the effective date of the revisions to paragraph (c), (d), or (e) of the applicable “Identification of plan” section found in each subpart of 40 CFR part 52.

### I. The Historical Record of SIP Revision Approvals

To facilitate enforcement of previously approved SIP provisions and provide a smooth transition to the new

SIP processing system, EPA will retain the original “Identification of plan” section, previously appearing in the CFR as the first or second section of part 52 for each state subpart. For Connecticut, the original Identification of plan section will be moved from § 52.370 to § 52.388.

## II. What EPA Is Doing in This Action

We are revising the format of 40 CFR part 52 “Identification of plan” section for Connecticut regarding incorporation by reference, by adding § 52.370(c), (d), and (e), to be consistent with the format described above and in 62 FR 27968 (May 22, 1997). We are adding § 52.370(b)(1) to further clarify that all SIP revisions listed in § 52.370(c) and (d), regardless of inclusion in the most recent “update to the SIP compilation,” are federally enforceable under sections 110 and 113 of the CAA as of the effective date of the final rulemaking in which EPA approved the SIP revision. We are adding § 52.370(b)(2) to certify that the materials provided by EPA at the addresses in paragraph (b)(3) are an exact duplicate of the official state rules/regulations. We are adding § 52.370(b)(3) to update address and contact information.

This action constitutes a recordkeeping and organizational exercise to ensure that all revisions to the state programs that have occurred are accurately reflected in 40 CFR part 52. SIP revisions are controlled by EPA regulations at 40 CFR part 51.

EPA has determined that this action falls under the “good cause” exemption in sections 553(b)(4)(B) and 553(d)(3) of the Administrative Procedure Act (APA), which, upon finding “good cause,” authorizes agencies to dispense with public participation and allows an agency to make a rule effective immediately, thereby avoiding the 30-day delayed effective date otherwise provided for in the APA. This action simply reformats and codifies provisions which are already in effect as a matter of law in Federal and approved state programs. Under section 553(b)(4)(B) of the APA, an agency may find good cause where notice and public procedure are “impractical, unnecessary, or contrary to the public interest.” Public comment is unnecessary for this action because EPA is merely reformatting and codifying existing law. Immediate notice in the CFR benefits the public by removing outdated citations and making the IBR format clearer and more user-friendly.

## III. Incorporation by Reference

In this rule, EPA is finalizing regulatory text that includes

incorporation by reference. In accordance with requirements of 1 CFR 51.5, EPA is finalizing the incorporation by reference of regulations promulgated by Connecticut, previously approved by EPA and federally effective before August 25, 2025, contained in 40 CFR 52.370(c) and (d), described in section II. of this preamble. EPA has made, and will continue to make, these documents generally available through [www.regulations.gov](http://www.regulations.gov) and at the EPA Region 1 office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

## IV. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA’s role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely addresses administrative requirements related to previously approved state law found to meet Federal requirements and does not impose additional requirements beyond those previously imposed by state law. For that reason, this action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP actions are exempt from review under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it is an administrative action related to state program approval;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and

- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA.

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction. In those areas of Indian country, the rule does not have Tribal implications and will not impose substantial direct costs on Tribal governments or preempt Tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

This action is subject to the Congressional Review Act, and EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

EPA has also determined that the provisions of section 307(b)(1) of the CAA pertaining to petitions for judicial review are not applicable to this action. Prior EPA rulemaking actions for each individual component of the Connecticut SIP compilation afforded interested parties the opportunity to file a petition for judicial review in the United States Court of Appeals for the appropriate circuit within 60 days of such rulemaking action. Thus, EPA believes judicial review of this action under section 307(b)(1) is not available.

## List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon oxides, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen oxides, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur dioxide, Volatile organic compounds.

Dated: January 23, 2026.

**Mark Sanborn,**

*Regional Administrator, EPA Region 1.*

Part 52 of chapter I, title 40 of the Code of Federal Regulations, is amended as follows:

## PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

- 1. The authority citation for part 52 continues to read as follows:

*Authority:* 42 U.S.C. 7401 *et seq.*

### Subpart H—Connecticut

#### § 52.370 [Redesignated as § 52.388]

- 2. Section 52.370 is redesignated as § 52.388.

■ 3. Adding a new § 52.370 to read as follows:

**§ 52.370 Identification of plan.**

(a) *Purpose and scope.* This section sets forth the applicable State implementation plan for the State of Connecticut under section 110 of the CAA, 42 U.S.C. 7401–7671q, and 40 CFR part 51 to meet national ambient air quality standards.

(b) *Incorporation by reference.* (1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to August 25, 2025, was approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and

1 CFR part 51. Material is incorporated as it exists on the date of the approval and notification of any change in the material will be published in the **Federal Register**. Entries in paragraphs (c) and (d) of this section with EPA approval dates after August 25, 2025, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 1 certifies that the rules/regulations provided by EPA in the SIP compilation at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated State rules/regulations which have been approved as part of the State implementation plan as of the

dates referenced in paragraph (b)(1) of this section.

(3) Copies of the materials incorporated by reference may be inspected at the Region 1 EPA Office at 5 Post Office Square—Suite 100, Boston, MA 02109. To obtain the material, please call the EPA Region 1 Office. You may also inspect the material with an EPA approval date prior to August 25, 2025, at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, visit [www.archives.gov/federal-register/cfr/ibr-locations](http://www.archives.gov/federal-register/cfr/ibr-locations) or email [fr.inspection@nara.gov](mailto:fr.inspection@nara.gov).

(c) *EPA-approved regulations.*

**EPA-APPROVED CONNECTICUT REGULATIONS AND STATUTES**

State citation	Title/subject	State effective date	EPA approval date	Explanations
14–164c .....	Periodic Motor Vehicle Emissions Inspection and Maintenance.	05/28/2004	12/05/2008, 73 FR 74019.	DMV regulation revisions for test and repair network and implementing OBD2 and other tests.
22a–171 .....	Duties of Commissioner of Environmental Protection.	01/12/1993	05/19/1994, 59 FR 26123.	Associated with the Small Business Stationary Source Technical and Environmental Compliance Assistance Program.
22a–174–1 .....	Definitions .....	11/13/2023	02/12/2024, 89 FR 9771.	Modified definition of “severe non-attainment area for ozone.” <i>Note:</i> Definitions which have been Incorporated By Reference into the Connecticut State Implementation Plan are numbered consecutively above by EPA, and do not necessarily correspond to the State’s assigned definition number in the Connecticut State Regulation. It is Connecticut’s practice to renumber their definitions in Section 22a–174–1 when definitions are added or deleted from the State Regulation.
22a–174–2a .....	Procedural Requirements for New Source Review and Title V Permitting.	11/18/2020	09/05/2023, 88 FR 60591.	Revisions made to 22a–174–2a(c)(3), 22a–174–2a(d)(9), 22a–174–2a(e)(3)(C), 22a–174–2a(e)(3)(E), 22a–174–2a(e)(7), 22a–174–2a(f)(2), and 22a–174–2a(f)(2)(G).
22a–174–3a .....	Permit to Construct and Operate Stationary Sources.	11/18/2020	09/05/2023, 88 FR 60591.	Revisions made to 22a–174–3a(a)(2)(A)(ii) through (v), 22a–174–3a(a)(5), 22a–174–3a(d)(3)(B) and (C), 22a–174–3a(i) Table 3a(i)–1, 22a–174–3a(i)(2), 22a–174–3a(j)(1)(B), 22a–174–3a(j)(8)(A), 22a–174–3a(k)(3) and (4), 22a–174–3a(k)(6)(A), 22a–174–3a(k)(7) Table 3a(k)–1, and 22a–174–3a(l)(1).
22a–174–3b .....	Permits for Construction and Operation of Stationary Sources.	04/04/2006	08/31/2006, 71 FR 51761.	Only the automotive refinishing requirements of 22a–174–3b are being approved. Connecticut did not submit the other subsections of the rule as part of its SIP revision.
22a–174–4a .....	Source monitoring, record keeping and reporting.	10/28/2022	07/08/2024, 89 FR 55888.	Replaces 22a–174–4.
22a–174–5 .....	Methods for Sampling, Emission Testing, and Reporting.	12/19/1980	08/28/1981, 46 FR 43418.	
		04/15/2014	05/25/2016, 81 FR 33134.	
19–508–6 .....	Air Pollution Emergency Episode Procedures.	08/31/1979	12/23/1980, 45 FR 84769.	
22a–174–7 .....	Air Pollution Control Equipment and Monitoring Equipment Operation.	04/01/2004	07/16/2014, 79 FR 41427.	
19–508–8, 22a–174–8 .....	Compliance Plan and Schedules.	12/22/2016	07/31/2017, 82 FR 35454.	Minor edit to update citation.
19–508–9 .....	Prohibition of Air Pollution .....	08/31/1979	08/12/1983, 48 FR 36579.	
19–508–10 .....	Public Availability of Information.	04/04/1972	10/28/1972, 37 FR 23085.	
19–508–11 .....	Prohibition Against Concealment or Circumvention.	04/04/1972	10/28/1972, 37 FR 23085.	
19–508–12 .....	Violations and Enforcement ..	04/04/1972	10/28/1972, 37 FR 23085.	
19–508–13 .....	Variances .....	08/31/1979	12/23/1980, 45 FR 84769.	
19–508–14 .....	Compliance with Regulation No Defense to Nuisance Claim.	04/04/1972	05/31/1972, 37 FR 10842.	
19–508–15 .....	Severability .....	04/04/1972	05/31/1972, 37 FR 10842.	

EPA-APPROVED CONNECTICUT REGULATIONS AND STATUTES—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanations
19-508-16	Responsibility to Comply with Applicable Regulations.	04/04/1972	05/31/1972, 37 FR 10842.	
19-508-18	Control of Particulate Emissions.	07/11/1981	09/23/1982, 47 FR 41958.	
22a-174-18	Control of Particulate Matter and Visible Emissions.	04/01/2004	07/16/2014, 79 FR 41427.	All of Section 22a-174-18 is approved, with the exception of the phrase "or malfunction" in Section 22a-174-18(j)(1) and all of Section 22a-174-18(j)(2), which CT DEEP withdrew from the SIP submittal. Because Connecticut withdrew Section 22a-174-18(j)(2) from its SIP submission, stationary sources subject to a Federal NSPS will remain subject to the opacity limits contained in "Control of Particulate Emissions" under the SIP (See 37 FR 10842). See Section 19-508-18, "Control of Particulate Emissions" posted at <a href="http://www.epa.gov/sips-ct/epa-approved-regulations-connecticut-sip">www.epa.gov/sips-ct/epa-approved-regulations-connecticut-sip</a> .
		12/22/2016	07/31/2017, 82 FR 35454.	Minor edit to update citation.
		08/03/2018	10/29/2020, 85 FR 68472.	Approval of revisions to subsections (c), (f), and (j).
22a-174-19	Control of Sulfur Compound Emissions.	11/02/1981	11/18/1981, 46 FR 56612.	
		04/15/2014	05/25/2016, 81 FR 33134.	
22a-174-19a	Control of sulfur dioxide emissions from power plants and other large stationary sources of air pollution.	12/28/2000	07/10/2014, 79 FR 39322.	Approves the sulfur dioxide emission standards and fuel sulfur limits for units subject to the CT NO <sub>x</sub> Budget program. The following sections were not submitted as part of the SIP: Sections (a)(5); (a)(8); (a)(11); (d); (e)(4); (f); (g); (h); and in (i)(2) reference to (e)(4).
		04/15/2014	05/25/2016, 81 FR 33134.	Revises sections 22a-174-19a(e) and 22a-174-19a(i) and removes outdated section 22a-174-19a(c).
22a-174-19b	Fuel Sulfur Content Limitations for Stationary Sources.	04/15/2014	05/25/2016, 81 FR 33134.	A new regulation which limits the sulfur content of liquid fuels used in stationary sources. Subsection (e) was not submitted by the State.
22a-174-20	Control of Organic Compound Emissions.	10/28/2022	07/08/2024, 89 FR 55888.	Amends 22a-174-20(a)(12).
19-508-21	Control of Carbon Monoxide Emissions.	04/04/1972	10/28/1972, 37 FR 23085.	
22a-174-22	Control of Nitrogen Oxides Emissions.	01/23/1997	10/06/1997, 62 FR 52016.	Amended by adding section (e)(3), which approves the Oct-April NO <sub>x</sub> emission limits for units subject to the CT NO <sub>x</sub> Budget program.
		12/28/2000	07/10/2014, 79 FR 39322.	
22a-174-22a	Nitrogen Oxides (NO <sub>x</sub> ) Budget Program.	03/03/1999	09/28/1999, 64 FR 52233.	
		09/04/2007	01/24/2008, 73 FR 4105.	Repealed as of January 24, 2008. Superseded by CAIR (22a-174-22c).
22a-174-22b	Post-2002 Nitrogen Oxides (NO <sub>x</sub> ) Budget Program.	09/29/1999	12/27/2000, 65 FR 81743.	
		09/04/2007	01/24/2008, 73 FR 4105.	Repealed as of May 1, 2010. Superseded by CAIR (22a-174-22c).
22a-174-22c	The Clean Air Interstate Rule (CAIR) Nitrogen Oxides (NO <sub>x</sub> ) Ozone Season Trading Program.	12/22/2016	07/31/2017, 82 FR 35454.	Minor edit to update citation.
22a-174-22e	Control of nitrogen oxides emissions from fuel-burning equipment at major stationary sources of nitrogen oxides.	10/28/2022	07/08/2024, 89 FR 55888.	Amends 22a-174-22e(m)(1) and (m)(4).
22a-174-22f	High daily NO <sub>x</sub> emitting units at non-major sources of NO <sub>x</sub> .	12/22/2016	07/31/2017, 82 FR 35454.	New regulation applicable to non-major sources of NO <sub>x</sub> .
19-508-24	Connecticut Primary and Secondary Standards.	10/08/1980	12/13/1985, 50 FR 50906.	
22a-174-24	Connecticut Primary and Secondary Ambient Air Quality Standards.	04/15/2014	06/24/2015, 80 FR 36242.	EPA did not approve subsections (a), (c), (g), or (j) into the Connecticut State Implementation Plan (SIP). Subsection (m) Dioxin, which Connecticut withdrew from its SIP submittal was also not approved.
19-508-25	Effective Date	04/04/1972	10/28/1972, 37 FR 23085.	
22a-174-27	Emission Standards and On-Board Diagnostic II Test Requirements for Periodic Motor Vehicle Inspection and Maintenance.	08/10/2009	3/17/2015, 80 FR 13768.	This SIP revision includes a change to exempt composite vehicles from tailpipe inspections. Revision to Section 22a-174-27 (b) and removal of Section 22a-174-27 (e).
22a-174-28	Oxygenated Gasoline	04/15/2014	06/24/2015, 80 FR 36242.	Amendment of subdivision (a)(5) Control period.
22a-174-30a	Stage I Vapor Recovery	07/08/2015	12/15/2017, 82 FR 59519.	Replaces the repealed section 22a-174-30.

EPA-APPROVED CONNECTICUT REGULATIONS AND STATUTES—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanations
22a-174-32	Reasonably Available Control Technology for Volatile Organic Compounds.	07/08/2015	12/15/2017, 82 FR 59519.	Revises section (b)(3).
22a-174-33a	Limit on Premises-wide Actual Emissions Below 50% of Title V Thresholds.	09/24/2020	03/11/2022, 87 FR 13936.	
22a-174-33b	Limit on Premises-wide Actual Emissions Below 80% of Title V Thresholds.	09/24/2020	03/11/2022, 87 FR 13936.	Approved with the exception of section (d)(6) which Connecticut withdrew from its SIP submittal.
22a-174-36	Low Emission Vehicles	01/29/1999	08/16/1999, 64 FR 44411.	Section 22a-174-36(a) through 36(f) state effective 12/23/1994; Section 22a-174-36(g) state effective 01/29/1999.
22a-174-36b	Low Emission Vehicles II Program.	08/01/2013	07/15/2024, 89 FR 57361.	Revises LEV II program, places end date on model year vehicles.
22a-174-36c (pdf) (141 KB)	Low Emission Vehicles III program.	08/01/2013	07/15/2024, 89 FR 57361.	Adopts the LEV III regulation.
22a-174-38	Municipal Waste Combustors	08/02/2016	07/31/2017, 82 FR 35454.	Portions of previously approved regulation were revised, primarily to incorporate tightened NO <sub>x</sub> emission limit for mass burn water-walled units.
22a-174-40	Consumer Products	10/05/2017	11/19/2018, 83 FR 58188.	Minor correction published 12/04/2018 (83 FR 62466), clarifying that the effective date of the final rule is December 19, 2018.
22a-174-41	Architectural and Industrial Maintenance Products—phase 1.	10/05/2017	11/19/2018, 83 FR 58188.	Minor correction published 12/04/2018 (83 FR 62466), clarifying that the effective date of the final rule is December 19, 2018.
22a-174-41a	Architectural and Industrial Maintenance Products—phase 2.	10/05/2017	11/19/2018, 83 FR 58188.	Minor correction published 12/04/2018 (83 FR 62466) clarifying that the effective date of the final rule is December 19, 2018.
22a-174-44	Adhesives and Sealants	10/03/2008	06/09/2014, 79 FR 32873.	
Connecticut General Statute. Title 1, Chapter 10, Section 1-85.	Interest in conflict with discharge of duties.	10/01/1989	06/03/2016, 81 FR 35636.	Approves criteria for identifying a conflict of interest.
Connecticut General Statute. Title 16a, Chapter 296, Section 16a-21a.	Sulfur content of home heating oil and off-road diesel fuel. Suspension of requirements for emergency. Enforcement.	07/01/2015	08/01/2018, 83 FR 37437.	Allowable sulfur content of fuels provided. Criteria for suspension of requirements and for enforcement identified.
Connecticut General Statute. Title 22a, Chapter 446c, Section 22a-171.	Duties of Commissioner of Energy and Environmental Protection.	10/01/1984	06/03/2016, 81 FR 35636.	Identifies obligations and activities of the Commissioner.
Connecticut General Statute. Title 22a, Chapter 446c, Section 22a-174(f).	Open Burning	03/30/2000	09/01/2016, 81 FR 60274.	Approves criteria for open burning and process for certifying local open-burning officials.
Connecticut Public Act No. 13-120.	An act concerning gasoline vapor recovery systems.	06/18/2013	12/15/2017, 82 FR 59519.	Revises section 22a-174e of the Connecticut General Statutes to require decommissioning of Stage II Vapor Recovery Systems.

(d) EPA-approved State source-specific requirements.

EPA-APPROVED CONNECTICUT SOURCE-SPECIFIC REQUIREMENTS

Name of source	Permit No.	State effective date	EPA approval date	Explanations
Sikorsky Aircraft Division of United Technologies Corp.	Letter dated May 19, 1982	3/9/1982	11/12/1982, 47 FR 51129.	Includes Order No. 7003A.
Lydall & Foulds Division of Lydall, Inc.	Letter dated January 5, 1983	10/13/1982	5/4/1983, 48 FR 20051.	Allows variance per Sulfur Energy Trade Program.
Simkins Industries	Letter dated July 19, 1983	12/14/1982	6/28/1983, 48 FR 29689.	Allows variance per Sulfur Energy Trade Program.
Loomis Institute	Letter dated July 13, 1983	5/24/1983	12/20/1983, 48 FR 56218.	Allows variance per Sulfur Energy Trade Program.
Connecticut Charcoal Company	Order No. 943	5/28/1986	11/20/1986, 51 FR 41963.	
King Industries	Order No. 944	4/23/1986	2/19/1987, 52 FR 5104.	
Belding Corticelli Thread Company	Order No. 8007	8/8/1987	12/17/1987, 52 FR 47925.	
Raymark Industries, Inc	Order No. 8013	9/24/1987	4/11/1988, 53 FR 11847.	Includes Compliance Timetable.
American Cyanamid Company	Order No. 8012	1/6/1988	8/1/1988, 53 FR 28884.	Includes Compliance Timetable.
Spongex International, Ltd	Order No. 8008	8/21/1987	7/12/1988, 53 FR 26256.	Includes Compliance Timetable.

## EPA-APPROVED CONNECTICUT SOURCE-SPECIFIC REQUIREMENTS—Continued

Name of source	Permit No.	State effective date	EPA approval date	Explanations
General Motors Corporation .....	Order No. 8023 .....	7/8/1988	3/24/1989, 54 FR 12193.	Includes Compliance Timetable.
Frismar, Inc .....	Order No. 8001 .....	10/20/1987	11/28/1989, 54 FR 48885.	Includes Compliance Timetable.
Stanadyne, Inc .....	Order No. 8018 .....	1/3/1989	4/10/1989, 54 FR 14226.	Includes Compliance Timetable.
Hamilton Standard Division of United Technologies Corp.	Order No. 8029 .....	11/29/1989	3/12/1990, 55 FR 9121.	Includes Compliance Timetable.
Stone Connecticut Paperboard Corporation.	Order No. 1073B .....	2/25/1992	11/20/1992, 57 FR 54703.	
Hartford Hospital .....	Order No. 7016A .....	2/5/1992	11/20/1992, 57 FR 54703.	Includes Compliance Timetable.
Connecticut Light and Power Company.	Order No. 7017 .....	2/25/1991	3/24/1992, 57 FR 10139.	Includes Compliance Timetable.
United Technologies Corporation ..	Order No. 7019 .....	2/19/1993	1/18/1994, 59 FR 2530.	
City of New Haven .....	Order No. 8073 .....	9/24/1993	9/11/1995, 60 FR 47076.	
Waterfront Enterprises, Inc .....	Order No. 8074 .....	11/5/1993	9/11/1995, 60 FR 47076.	
Laydon Construction .....	Order No. 8075 .....	9/21/1993	9/11/1995, 60 FR 47076.	
United Illuminating Company .....	Order No. 8076 .....	12/2/1993	9/11/1995, 60 FR 47076.	
M.J. Metals, Inc .....	Order No. 8076c .....	6/18/1993	9/11/1995, 60 FR 47076.	
New Haven Terminal, Inc .....	Order No. 8078 .....	11/15/1993	9/11/1995, 60 FR 47076.	
Yankee Gas Services Company ...	Order No. 8079 .....	9/24/1993	9/11/1995, 60 FR 47076.	
United Illuminating Company .....	Trading Agreement and Order No. 8092.	5/18/1995	10/6/1997, 62 FR 52016.	
American Ref-Fuel Company of Southeastern Connecticut.	Trading Agreement and Order No. 8095.	6/2/1995	10/6/1997, 62 FR 52016.	
Pfizer, Inc .....	Trading Agreement and Order No. 8093.	7/19/1995	10/6/1997, 62 FR 52016.	
Connecticut Light and Power Company.	Trading Agreement and Order No. 8096.	10/10/1995	10/6/1997, 62 FR 52016.	
Northeast Nuclear Energy Company.	Trading Agreement and Order No. 8106.	10/13/1995	10/6/1997, 62 FR 52016.	
Northeast Nuclear Energy Company.	Trading Agreement and Order No. 8107.	10/13/1995	10/6/1997, 62 FR 52016.	
General Dynamics Corporation, Electric Boat Division.	Trading Agreement and Order No. 8105.	10/31/1995	10/6/1997, 62 FR 52016.	
Bridgeport Resco Company, Limited Partnership.	Trading Agreement and Order No. 8100.	11/2/1995	10/6/1997, 62 FR 52016.	
United Illuminating Company .....	Trading Agreement and Order No. 8102.	12/15/1995	10/6/1997, 62 FR 52016.	
United Illuminating Company .....	Trading Agreement and Order No. 8103.	2/14/1996	10/6/1997, 62 FR 52016.	
City of Norwich Department of Public Utilities.	Trading Agreement and Order No. 8119.	3/4/1996	10/6/1997, 62 FR 52016.	
South Norwalk Electric Works .....	Trading Agreement and Order No. 8118.	3/19/1996	10/6/1997, 62 FR 52016.	
State of Connecticut Department of Mental Health and Addiction Services.	Trading Agreement and Order No. 8101.	7/16/1996	10/6/1997, 62 FR 52016.	
Yale University .....	Trading Agreement and Order No. 8110.	7/29/1996	10/6/1997, 62 FR 52016.	
Bridgeport Hospital .....	Trading Agreement and Order No. 8132.	9/10/1996	10/6/1997, 62 FR 52016.	
Connecticut Light and Power Company.	Order No. 1494 .....	10/15/1996	10/6/1997, 62 FR 52016.	
State of Connecticut Department of Public Works.	Trading Agreement and Order No. 8130.	10/18/1996	10/6/1997, 62 FR 52016.	
University of Connecticut .....	Trading Agreement and Order No. 8115.	11/19/1996	10/6/1997, 62 FR 52016.	
Simkins Industries .....	Trading Agreement and Order No. 8113.	11/19/1996	10/6/1997, 62 FR 52016.	
Bridgeport Hydraulic Company .....	Trading Agreement and Order No. 8135.	12/24/1996	10/6/1997, 62 FR 52016.	
Town of Wallingford Department of Public Utilities.	Trading Agreement and Order No. 8141.	12/27/1996	10/6/1997, 62 FR 52016.	
Algonquin Gas Transmission Company.	Trading Agreement and Order No. 8123.	4/18/1997	10/6/1997, 62 FR 52016.	
Connecticut Resources Recovery Authority.	Trading Agreement and Order No. 8116.	4/22/1997	10/6/1997, 62 FR 52016.	
Risdon Corporation .....	Order No. 8036 .....	5/6/1996	4/24/1998, 63 FR 20315.	

## EPA-APPROVED CONNECTICUT SOURCE-SPECIFIC REQUIREMENTS—Continued

Name of source	Permit No.	State effective date	EPA approval date	Explanations
AlliedSignal, Inc. and U.S. Army Tank-Automotive and Armaments Command.	Trading Agreement and Order No. 8137.	11/19/1996	9/28/1999, 64 FR 52233.	
Connecticut Natural Gas Corporation.	Trading Agreement and Order No. 8138.	11/19/1996	9/28/1999, 64 FR 52233.	
Cytec Industries, Inc .....	Trading Agreement and Order No. 8114.	12/20/1996	9/28/1999, 64 FR 52233.	
CTG Resources, Inc. (Formerly The Connecticut Natural Gas Company).	Trading Agreement and Order No. 8138 Modification.	6/25/1997	9/28/1999, 64 FR 52233.	
AlliedSignal, Inc. and U.S. Army Tank-Automotive and Armaments Command.	Trading Agreement and Order No. 8137 Modification.	7/8/1997	9/28/1999, 64 FR 52233.	
Ogden Martin Systems of Bristol, Inc.	Trading Agreement and Order No. 8094.	7/23/1997	9/28/1999, 64 FR 52233.	
Wisvest-Connecticut, LLC .....	Trading Agreement and Order No. 8177.	5/31/2000	3/23/2001, 66 FR 16135.	
Wisvest-Connecticut, LLC .....	Trading Agreement and Order No. 8187.	1/12/2000	3/23/2001, 66 FR 16135.	
Ogden Martin Systems of Bristol, Inc.	Trading Agreement and Order No. 8094 Modification 2.	5/22/2000	3/23/2001, 66 FR 16135.	
American Ref-Fuel Company of Southeastern Connecticut.	Trading Agreement and Order No. 8095 Modification 2.	5/22/2000	3/23/2001, 66 FR 16135.	
Bridgeport Resco Company, Limited Partnership.	Trading Agreement and Order No. 8100 Modification 2.	5/22/2000	3/23/2001, 66 FR 16135.	
Connecticut Resources Recovery Authority.	Trading Agreement and Order No. 8116 Modification 2.	5/22/2000	3/23/2001, 66 FR 16135.	
Wisvest-Connecticut, LLC .....	Trading Agreement and Order No. 8178.	5/22/2000	3/23/2001, 66 FR 16135.	
Wisvest-Connecticut, LLC .....	Trading Agreement and Order No. 8179.	5/22/2000	3/23/2001, 66 FR 16135.	
Wisvest-Connecticut, LLC .....	Trading Agreement and Order No. 8176.	5/31/2000	3/23/2001, 66 FR 16135.	
Hitchcock Chair Company, Ltd .....	Order No. 8229A .....	4/15/2002	10/24/2005, 70 FR 61384.	
Kimberly-Clark Corporation .....	Order No. 8190 .....	4/23/2002	10/24/2005, 70 FR 61384.	
Ross & Roberts, Inc .....	Order No. 8237 .....	10/4/2002	10/24/2005, 70 FR 61384.	
Sumitomo Bakelite North America, Inc.	Order No. 8245 .....	10/11/2006	6/27/2013, 78 FR 38587.	
Cyro Industries .....	Order No. 8268 .....	2/28/2007	6/27/2013, 78 FR 38587.	
Curtis Packaging Corporation .....	Order No. 8270 .....	5/1/2007	6/27/2013, 78 FR 38587.	
PSEG Power Connecticut LLC (formerly Wisvest Connecticut LLC).	Trading Agreement and Order No. 8187 Modification 1.	7/16/2012	8/3/2015, 80 FR 45887.	
PSEG Power Connecticut LLC .....	Trading Agreement and Order No. 8242 Modification 1.	7/16/2012	8/3/2015, 80 FR 45887.	
Mallace Industries Corporation .....	Order No. 8258 .....	9/13/2005	5/1/2017, 82 FR 20262.	
Hamilton Sundstrand .....	Order No. 8029A .....	9/3/2009	5/1/2017, 82 FR 20262.	
Middletown Power LLC, Montville Power LLC, Connecticut Jet Power LLC, and Devon Power LLC.	Consent Order No. 8377, Modification 1.	5/3/2022	6/28/2022, 87 FR 38284.	General Bridge Acquisition LLC purchased the collective sources referred to as "NRG Connecticut" in past references for Consent Order 8377.
Thames Shipyard & Repair Company.	Consent Order No. 8381 .....	12/3/2021	7/24/2025, 90 FR 34768.	EPA action also removed from the SIP: Dow Chemical U.S.A. Order # 7002B and Pratt & Whitney Order # 8027.

(e) *Nonregulatory.*

## CONNECTICUT NON REGULATORY

Name of non-regulatory SIP provision	Applicable geographic or nonattainment area	State submittal date/ effective date	EPA approved date	Explanations
Miscellaneous non-regulatory addition to the plan and addition of amendment to Chapter 360 of General Statutes which provides authority for delegation of enforcement authority submitted on March 21, 1972, by the Connecticut Department of Environmental Protection.	.....	3/21/1972 .....	5/31/1972, 37 FR 10842.	
Miscellaneous non-regulatory additions to the plan submitted on April 6, 1972, by the Connecticut Department of Environmental Protection.	.....	4/6/1972 .....	5/31/1972, 37 FR 10842.	
Attainment dates submitted on August 10, 1972 by CT DEP.	.....	8/10/1972 .....	5/14/1973, 38 FR 12696.	
Non-regulatory additions to the plan which were submitted on December 19, 1980, and amended on March 11, 1981, by CT DEP.	.....	12/19/1980 and 3/11/1981.	8/28/1981, 46 FR 43418.	Amending the sulfur control strategy to include an "Air Pollution Control/Energy Trade Option" except for submittal attachments #1 and #2, "Sulfur Dioxide" and "Transport of Sulfur Dioxide" and the section of attachment #3 "Control of Sulfur Oxides" entitled "Sample Analysis of a Btu Bubble Application".
Non-regulatory addition to the plan of the state New Source Ambient Impact Analysis Guideline.	.....	12/19/1980; 3/11/1981; and 7/15/1981.	8/28/1981, 46 FR 43418.	For use in state program actions, submitted on December 19, 1980 and amended on March 11, 1981 and July 15, 1981.
Source Test Guidelines and Procedures; and Workshop Manual for Gasoline Tank Truck Certification.	.....	.....	7/18/1985, 50 FR 29229.	Includes Appendix B of Control of Volatile Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems EPA-450/2-78-051.
Letter dated May 16, 1985 certifying the meaning of an "Acceptable Method".	.....	5/16/1985 .....	12/13/1985, 50 FR 50906.	Interpreted to mean that any monitoring method used to collect ambient air pollution data used for attainment status evaluation or designation must be approved by EPA.
Technical Support Document prepared by CT DEP.	.....	.....	4/11/1988, 53 FR 11847.	Provides complete description of the reasonably available control technology determination imposed on Raymark Industries.
Letter from CT DEP dated July 3, 1986 .....	.....	7/3/1986 .....	5/19/1988, 53 FR 17934.	Commits CT DEP to use only EPA approved test methods when requiring the testing of sources emitting volatile organic compound emissions.
Letter from CT DEP dated May 29, 1987 .....	.....	5/29/1987 .....	5/19/1988 .....	Certifies that there are no polypropylene or high-density polyethylene manufacturers in the State of Connecticut.
Technical Support Document prepared by CT DEP.	.....	.....	7/12/1988, 53 FR 26256.	Provides complete description of the reasonably available control technology determination imposed on Spongex International, Ltd.
Technical Support Document prepared by CT DEP.	.....	.....	8/1/1988, 53 FR 28884.	Provides complete description of the reasonably available control technology determination imposed on American Cyanamid Co.
Technical Support Document prepared by CT DEP.	.....	.....	3/24/1989, 54 FR 12193.	Provides complete description of the reasonably available control technology determination imposed on New Departure Hyatt.
Technical Support Document prepared by CT DEP.	.....	.....	4/10/1989, 54 FR 14226.	Provides complete description of the reasonably available control technology determination imposed on Stanadyne, Inc.
Technical Support Document prepared by CT DEP.	.....	.....	5/30/1989, 54 FR 22891.	Provides complete description of the reasonably available control technology determination imposed on Pratt and Whitney's East Hartford facility.
Technical Support Document prepared by CT DEP.	.....	.....	11/28/1989, 54 FR 48885.	Provides complete description of the reasonably available control technology determination imposed on Frismar, Inc.
Technical Support Document prepared by CT DEP.	.....	.....	3/12/1990, 55 FR 9121.	Provides complete description of the reasonably available control technology determination imposed on Hamilton Standard.
Memorandum dated September 14, 1990 approving modeling analysis for Connecticut Light and Power.	.....	9/14/1990 .....	3/24/1992, 57 FR 10139.	
Letter dated April 3, 1991 confirming that the revised configuration approved by State Order No. 7017 will not lead to violations.	.....	4/3/1991 .....	3/24/1992, 57 FR 10139.	
Modeling Study dated January 26, 1990 for Connecticut Light and Power.	.....	1/28/1990 .....	3/24/1992, 57 FR 10139.	
Memorandum dated August 17, 1989 approving modeling analysis for Stone Container Co.	.....	8/17/1989 .....	11/20/1992, 57 FR 54703.	

## CONNECTICUT NON REGULATORY—Continued

Name of non-regulatory SIP provision	Applicable geographic or nonattainment area	State submittal date/ effective date	EPA approved date	Explanations
Modeling Study dated August 9, 1989 for Stone Container Co.	.....	8/9/1989 .....	11/20/1992, 57 FR 54703.	
State Order No 1073A, effective July 9, 1990 ..	.....	7/9/1990 .....	11/20/1992, 57 FR 54703.	
Memorandum dated January 3, 1990 approving modeling analysis for Hartford Hospital.	.....	1/3/1990 .....	11/20/1992, 57 FR 54703.	
Modeling Study dated December 28, 1989 for Hartford Hospital.	.....	12/28/1989 .....	11/20/1992, 57 FR 54703.	
SIP narrative entitled "New Source Review" ....	.....	.....	2/23/1993, 56 FR 10957.	
Letter from CT DEP regarding implementation of BACT.	.....	.....	2/23/1993, 56 FR 10957.	
Narrative of SIP Revision: Stage II Vapor Recovery.	.....	January 1993 .....	12/17/1993, 58 FR 65930.	
Air Quality Modeling Analysis to Demonstrate SO <sub>2</sub> CAAQS/NAAQS Compliance.	.....	June 1991 .....	1/18/1994, 59 FR 2530.	Relates to Hamilton Standard Division of United Technologies Corporation.
Letter from CT DEP dated April 6, 1994 clarifying the January 12, 1993 submittal.	.....	4/6/1994 .....	5/19/1994, 59 FR 26123.	
An attainment plan and demonstration which outlines Connecticut's control strategy and for attainment and maintenance of the PM <sub>10</sub> NAAQS.	.....	.....	9/11/1995, 60 FR 47076.	Implements and meets RACM and RACT requirements, and provides contingency measures for New Haven.
Letter dated June 18, 1996 from CT DEP and SIP narratives for various Source Orders.	.....	6/18/1996 .....	10/6/1997, 62 FR 52016.	SIP narratives for Order Nos. 8092, 8095, 8093, 8096, 8106, 8107, 8105, 8100, and others.
Letter from CT DEP dated June 27, 1994 clarifying language in sec 22a-174-32(A).	.....	6/27/1994 .....	3/10/1999, 64 FR 12019.	
Letters from CT DEP dated June 24, 1998 and November 13, 1998 submitting CT SIP revisions.	.....	6/24/1998 and 11/13/1998.	3/10/1999, 64 FR 12005.	
Nonregulatory portions of submittals and Policy materials concerning the use of emission credits from New Jersey at Connecticut sources.	.....	7/11/1997, 9/12/1997, and 12/8/1997.	9/28/1999, 64 FR 52233.	
Letter from CT DEP dated October 7, 1999 submitting a revision to the CT SIP.	.....	10/7/1999 .....	12/1/1999, 64 FR 67188.	
Letter from CT DEP dated February 7, 1996 submitting a revision to the CT SIP for the Low Emission Vehicle Program.	.....	2/7/1996 .....	3/9/2000, 65 FR 12476.	
Letter from CT DEP dated February 18, 1999 submitting a revision to the CT SIP.	.....	2/7/1996 .....	3/9/2000, 65 FR 12476.	Request for the National Low Emission Vehicle program to be a compliance option under the State's Low Emission Vehicle Program.
Letters from CT DEP dated April 15, 1997, April 20, 1998, and September 2, 1999 submitting revisions to the CT SIP.	.....	4/15/1997, 4/20/1998, and 9/2/1999.	10/19/2000, 65 FR 62620.	
Letter from CT DEP dated November 19, 1999 submitting a revision to the CT SIP.	.....	11/19/1999 .....	10/27/2000, 65 FR 64357.	
Narrative portion of the SIP revision for Enhanced Motor Vehicle Inspection and Maintenance Program.	.....	10/7/1999 .....	10/27/2000, 65 FR 64357.	
Letter from CT DEP dated September 30, 1999 submitting a revision to the CT SIP.	.....	9/30/1999 .....	12/27/2000, 65 FR 81743.	Contains RCSCA section 22a-174-22b and associated administrative materials.
SIP Narrative dated September 30, 1999 for CT SIP revision.	.....	9/30/1999 .....	12/27/2000, 65 FR 81743.	SIP revision to implement the NO <sub>x</sub> SIP Call.
Letter from CT DEP dated May 19, 2000 submitting a revision to the CT SIP.	.....	5/19/2000 .....	3/23/2001, 66 FR 16135.	
SIP narrative materials .....	.....	December 1999 .....	3/23/2001, 66 FR 16135.	Submitted with Source Order Nos. 8176, 8177, 8178, 8179, and 8187.
Letter from CT DEP dated October 15, 2001 submitting a revision to the CT SIP.	.....	10/15/2001 .....	12/6/2001, 66 FR 63311.	
Letter from CT DEP dated June 14, 2002 submitting a revision to the CT SIP.	.....	6/14/2002 .....	2/27/2003, 68 FR 9009.	
Pressure Vacuum Vent Cap Test Procedures ..	.....	.....	8/31/2006, 71 FR 51765.	
Table 1 showing the emission reductions resulting from the measures Connecticut adopted to meet the shortfall identified in the Connecticut on-hour ozone attainment demonstration.	.....	.....	8/31/2006, 71 FR 51765.	
Connecticut Regional Haze SIP Revision .....	.....	Nov. 2009 .....	7/10/14, 79 FR 39322.	
Letter from CT DEEP dated March 12, 2012 ...	.....	3/12/2012 .....	7/10/14, 79 FR 39322.	Clarification of Connecticut's 2008 PM <sub>2.5</sub> Attainment Demonstration.
Letter from CT DEEP dated February 24, 2012 regarding Regional Haze SIP.	.....	2/24/2012 .....	7/10/14, 79 FR 39322.	
Letter from CT DEEP dated November 23, 2012.	.....	11/23/2012 .....	7/10/14, 79 FR 39322.	Withdrawal of Request for Parallel Processing.

## CONNECTICUT NON REGULATORY—Continued

Name of non-regulatory SIP provision	Applicable geographic or nonattainment area	State submittal date/ effective date	EPA approved date	Explanations
Letter from CT DEEP dated January 14, 2013, entitled "Information to Support EPA's Approval of Connecticut's Requirements for Opacity".	.....	1/14/2013 .....	7/16/14, 79 FR 41436.	
Letter from CT DEEP dated July 8, 2013 .....	.....	7/8/2013 .....	7/16/14, 79 FR 41436	Withdrawing from CT DEEP's December 1, 2004 SIP revision the phrase "and malfunction" from Subsection (j)(1) of RCSEA Section 22a-174-18.
Letter from CT DEEP dated March 27, 2014 ...	.....	3/27/2014 .....	7/16/14, 79 FR 41436	Withdrawing from CT DEEP's December 1, 2004 SIP revision section 22a-174-18(j)(2).
Adequacy Determination of the Connecticut SIP with Regard to CAA Section 110(a)(1) and (2) for the 8-Hr Ozone NAAQS Program Infrastructure.	.....	12/28/2007 .....	6/3/16, 81 FR 35639.	
Adequacy Determination of the Connecticut SIP with Regard to CAA Section 110(a) Infrastructure Elements: 1997 PM <sub>2.5</sub> NAAQS.	.....	9/4/2008 .....	6/3/16, 81 FR 35639.	
Adequacy Determination of the Connecticut SIP with Regard to CAA Section 110(a)(1) and (2) for 2006 PM <sub>2.5</sub> NAAQS.	.....	9/18/2009 .....	6/3/16, 81 FR 35639.	
CT DEEP document dated January 7, 2011 ....	.....	1/7/2011 .....	6/3/16, 81 FR 35639 ..	Request to withdraw a portion of Connecticut's PM <sub>2.5</sub> Infrastructure Adequacy Determination.
Addendum to the CAA section 110(a)(2)(D)(i)(I) Portion of Connecticut's Infrastructure Submittal for the 2006 PM <sub>2.5</sub> NAAQS.	.....	8/19/2011 .....	6/3/16, 81 FR 35639.	
Adequacy Determination of the CT SIP with Regard to CAA section 110(a)(1) and (2) for the 2008 Lead NAAQS.	.....	10/13/2011 .....	6/3/16, 81 FR 35639.	
Update to Connecticut PM <sub>2.5</sub> Infrastructure submittal.	.....	6/15/2012 .....	6/3/16, 81 FR 35639.	
CT SIP with Regard to the Infrastructure Requirements of CAA section 110(a)(1) and (2) for the 2008 Ozone NAAQS.	.....	12/28/2012 .....	6/3/16, 81 FR 35639.	
CT SIP with Regard to the Infrastructure Requirements of CAA section 110(a)(1) and (2) for the 2010 Nitrogen Dioxide NAAQS.	.....	1/2/2013 .....	6/3/16, 81 FR 35639.	
Connecticut SIP for CAA Section 110(a) Infrastructure Elements: 2010 Sulfur Dioxide NAAQS.	.....	5/30/2013 .....	6/3/16, 81 FR 35639.	
Supplement to Infrastructure SIP Revisions .....	.....	8/5/2015 .....	6/3/16, 81 FR 35639.	
Letter from CT DEEP dated September 14, 2015, submitting a revision to the SIP.	.....	9/14/2015 .....	12/15/17, 82 FR 59519.	
Addendum to the CAA § 110(a)(2)(D)(i)(I) Portion of Connecticut's Infrastructure Submittal for the 2006 PM <sub>2.5</sub> NAAQS.	.....	8/19/2011 .....	8/1/18, 83 FR 37437.	
Infrastructure SIP for the 2012 PM <sub>2.5</sub> NAAQS ..	.....	12/14/2015 .....	8/1/18, 83 FR 37437.	
Letter from CT DEEP dated October 18, 2017, submitting a revision to the SIP.	.....	10/18/2017 .....	8/1/18, 83 FR 37437 ..	SIP revision concerning Consumer Products, Architectural and Industrial Maintenance Coatings and Prevention of Significant Deterioration Permit Programs.
Regional Haze 5-Yr Progress Report .....	.....	7/8/2015 .....	11/26/19, 84 FR 65007.	
Good Neighbor SIP for the 2008 Ozone NAAQS.	.....	6/11/2015 .....	2/14/20, 85 FR 8406.	
Infrastructure SIP submittal for 2015 Ozone NAAQS.	.....	9/7/2018 .....	8/19/20, 85 FR 50953.	
Good Neighbor SIP for the 2015 Ozone NAAQS.	.....	12/6/2018 .....	12/20/21, 86 FR 71830.	
Letter from CT DEEP dated October 26, 2020, submitting a revision to the SIP.	.....	10/26/2020 .....	3/11/22, 87 FR 13936	Letter from CT DEEP dated January 12, 2022 withdrawing regulation section 22a-174-33b(d)(6) from the SIP revision.
Letters from CT DEEP dated December 15, 2020 and February 14, 2023, submitting a revision to the SIP.	.....	12/15/2020 .....	9/5/23, 88 FR 60591 ..	SIP revision concerning the New Source Review Permit Program Update.
Letter from CT DEEP dated November 30, 2023, submitting a revision to the SIP.	.....	11/30/2023 .....	2/12/24, 89 FR 9771 ..	SIP revision concerning the Definition of Severe non-Attainment Area for Ozone.
Regional Haze plan for Second Implementation Period (2018-2028).	.....	1/5/2022 .....	9/17/24, 89 FR 75973.	
Second 10-year Limited Maintenance Plan for Connecticut's PM <sub>2.5</sub> Maintenance Area.	.....	5/9/2023 .....	11/15/2024, 89 FR 90230.	
Attainment Plan SIP elements for Connecticut's Serious Nonattainment area under the 2008 Ozone NAAQS.	.....	6/23/2022 .....	4/1/2025, 90 FR 14341.	Pertains to requirements for Reasonable Further Progress (RFP), enhanced motor vehicle inspection and maintenance (I/M) program, motor vehicle emission budgets for transportation conformity, and a clean fuels for motor vehicles program.

CONNECTICUT NON REGULATORY—Continued

Name of non-regulatory SIP provision	Applicable geographic or nonattainment area	State submittal date/ effective date	EPA approved date	Explanations
Letter from CT DEEP dated May 22, 2023, submitting a revision to the SIP.	.....	5/22/2023 .....	4/22/25, 90 FR 16814	SIP revision concerning New Source Review certification for the Greater CT Moderate Nonattainment area under the 2015 Ozone NAAQS and an Emission Statement certification for both the Greater CT and the Southwest CT Moderate Nonattainment areas under the 2015 Ozone NAAQS.
Letter from CT DEEP dated May 3, 2024, submitting a revision to the SIP.	.....	5/3/2024 .....	7/16/25, 90 FR 31881	SIP revision concerning a 2017 Base Year Emissions Inventory for the 2015 Ozone NAAQS. Submittal also includes 2014 and 2017 Periodic Emission Inventories for the 2008 Ozone NAAQS, approved under separate action.

■ 4. Newly redesignated § 52.388 is amended by revising the section heading and paragraph (a) to read as follows:

**§ 52.388 Original identification of plan section.**

(a) This section identified the original “State of Connecticut Air Implementation Plan” and all revisions submitted by Connecticut that were federally-approved prior to August 25, 2025.

\* \* \* \* \*

[FR Doc. 2026–02477 Filed 2–6–26; 8:45 am]

BILLING CODE 6560–50–P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA–R10–OAR–2025–3357; FRL–13106–01–R10]

**Air Plan Approval; AK; Updates to Materials Incorporated by Reference**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule; administrative change.

**SUMMARY:** The Environmental Protection Agency (EPA) is updating the materials that are incorporated by reference (IBR) into the Alaska State Implementation Plan (SIP). The regulations affected by this update have been previously submitted by the State of Alaska and approved by the EPA. This update affects the materials that are available for public inspection at the EPA Regional Office and the National Archives and Records Administration.

**DATES:** This action is effective February 9, 2026.

**ADDRESSES:** The SIP materials for which incorporation by reference into 40 Code of Federal Regulations (CFR) part 52 is

finalized through this action are available for inspection at the following locations: Environmental Protection Agency, Region 10, 1200 Sixth Avenue, Suite 155, Seattle, WA 98101; and *Regulations.gov*. To view the materials at the Region 10 Office, the EPA requests that you email the contact listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office’s official hours of business are Monday through Friday 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Kristin Hall, EPA Region 10, 1200 Sixth Avenue—Suite 155, Seattle, WA 98101, at (206) 553–6357, or *hall.kristin@epa.gov*.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Each State has a SIP containing the control measures and strategies used to attain and maintain the national ambient air quality standards (NAAQS). The SIP is extensive, containing such elements as air pollution control regulations, emission inventories, monitoring networks, attainment demonstrations, and enforcement mechanisms.

Each State must formally adopt the control measures and strategies in the SIP after the public has had an opportunity to comment on them and then submit the proposed SIP revisions to the EPA. Once these control measures and strategies are approved by the EPA, and after notice and comment, they are incorporated into the federally approved SIP and are identified in part 52, “Approval and Promulgation of Implementation Plans,” of title 40 of the Code of Federal Regulations (40 CFR part 52). The full text of the State regulation approved by the EPA is not reproduced in its entirety in 40 CFR part 52 but is “incorporated by reference.”

This means that the EPA has approved a given State provision or specified changes to the given provision with a specific effective date. The public is referred to the location of the full text version should they want to know which measures are contained in a given SIP. The information provided allows the EPA and the public to monitor the extent to which a State implements a SIP to attain and maintain the NAAQS and to take enforcement action for violations of the SIP.

The SIP is a living document which the State can revise as necessary to address the unique air pollution problems in the State. Therefore, the EPA from time to time must take action on proposed revisions containing new or revised State regulations. A submission from a State can revise one or more rules in their entirety, or portions of rules. The State indicates the changes in the submission (such as by using redline/strikethrough text) and the EPA then takes action on the requested changes. The EPA establishes a docket for its actions using a unique Docket Identification Number, which is listed in each action. These dockets and the complete submission are available for viewing on *www.regulations.gov*.

On May 22, 1997 (62 FR 27968), the EPA revised the procedures for incorporating by reference, into the CFR, materials approved by the EPA into each SIP. These changes revised the format for the identification of the SIP in 40 CFR part 52, streamlined the mechanisms for announcing the EPA approval of revisions to a SIP, and streamlined the mechanisms for the EPA’s updating of the IBR information contained for each SIP in 40 CFR part 52. The revised procedures also called for the EPA to maintain “SIP Compilations” that contain the federally approved regulations and source-

specific permits submitted by each State agency.

The EPA generally updates these SIP Compilations every few years. Under the revised procedures, the EPA must periodically publish an informational document in the rules section of the **Federal Register** notifying the public that updates have been made to a SIP Compilation for a particular State. The EPA began applying the 1997 revised procedures to the Alaska SIP on April 10, 2014 (79 FR 19820). The EPA subsequently published updates to the IBR materials for Alaska on December 8, 2017 (82 FR 57836), December 12, 2022 (87 FR 75932), and January 17, 2025 (90 FR 5678).

#### A. Approved and Incorporated by Reference Regulatory Materials

Since the last IBR update, the EPA approved and incorporated by reference regulatory materials into the Alaska SIP at 40 CFR 52.70 in an action on November 18, 2025 (90 FR 51529):

1. 40 CFR 52.70(c) *EPA approved laws and regulations*.

a. 18 AAC 50.055 (industrial processes and fuel-burning equipment requirements), except (d)(2)(B), State effective December 8, 2024.

b. 18 AAC 50.076 (solid fuel-fired heating device fuel requirements; registration of commercial wood sellers), except (g)(11), State effective December 8, 2024.

c. 18 AAC 50.077 (standards for wood fired heating devices), except (g), State effective December 8, 2024.

d. 18 AAC 50.078 (additional control measures for a serious PM<sub>2.5</sub> nonattainment area), except (c), State effective December 8, 2024.

e. 18 AAC 50.079 (provisions for coal-fired heating devices), State effective December 8, 2024.

2. 40 CFR 52.70(d) *EPA approved state source-specific requirements*.

a. Minor Permit AQ1121MSS04 Rev. 1, Title Page, Table of Contents, List of Abbreviations and Acronyms, Section 1, Section 3, Section 4, and Section 6, only, (Doyon Utilities, LLC—Fort Wainwright (Privatized Emission Units)), State effective October 31, 2024.

b. Minor Permit AQ0236MSS03 Rev. 2, Title Page, Table of Contents, List of Abbreviations and Acronyms, Section 1, Section 3, Section 4, and Section 6, only (U.S. Army Garrison Fort Wainwright), State effective October 28, 2024.

c. Minor Permit AQ0110MSS01 Rev. 1, Title Page, Table of Contents, List of Abbreviations and Acronyms, Section 1, Section 3, Section 4, and Section 6, only, (Golden Valley Electric Association, North Pole Power Plant), State effective October 30, 2024.

d. Minor Permit AQ0109MSS01 Rev. 2, Title Page, Table of Contents, List of Abbreviations and Acronyms, Section 1, Section 3, Section 4, and Section 6, only, (Golden Valley Electric Association, Zehnder Facility), State effective October 28, 2024.

e. Minor Permit AQ0315MSS02 Revision 1, Title Page, Table of Contents, List of Abbreviations and Acronyms, Section 1, Section 3, Section 4, and Section 6, only, (Aurora Energy LLC, Chena Power Plant), State effective October 28, 2024.

f. Minor Permit AQ0316MSS08 Revision 1, Title Page, Table of Contents, List of Abbreviations and Acronyms, Section 1, Section 3, Section 4, and Section 6, only, (University of Alaska Fairbanks, University of Alaska Fairbanks Campus), State effective October 31, 2024.

## II. EPA Action

In this action, the EPA is providing notification of an update to the materials incorporated by reference into the Alaska SIP as of November 21, 2025, and identified in 40 CFR 52.70(c) and 40 CFR 52.70(d). This update includes SIP materials submitted by Alaska and approved by the EPA since the last IBR update. *See* 90 FR 5678 (January 17, 2025).

## III. Good Cause Exemption

The EPA has determined that this action falls under the “good cause” exemption in section 553(b)(3)(B) of the Administrative Procedure Act (APA) which, upon finding “good cause,” authorizes agencies to dispense with public participation and section 553(d)(3) which allows an agency to make an action effective immediately (thereby avoiding the 30-day delayed effective date otherwise provided for in the APA). This administrative action simply codifies provisions which are already in effect as a matter of law in Federal and approved State programs, makes corrections and clarifying changes to the tables in the CFR, and makes ministerial changes to the prefatory heading to the tables in the CFR. Under section 553 of the APA, an agency may find good cause where procedures are “impracticable, unnecessary, or contrary to the public interest.” Public comment for this administrative action is “unnecessary” and “contrary to the public interest” since the codification (and corrections) only reflect existing law. Immediate notice of this action in the **Federal Register** benefits the public by providing the public notification of the updated Alaska SIP Compilation and notification of corrections to the Alaska

“Identification of Plan” portion of the CFR. Further, pursuant to section 553(d)(3), making this action immediately effective benefits the public by immediately updating both the SIP Compilation and the CFR “Identification of plan” section (which includes table entry corrections).

## IV. Incorporation by Reference

In this document, the EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is finalizing the incorporation by reference of regulatory provisions promulgated by Alaska, previously approved by the EPA and federally effective before November 21, 2025, contained in 40 CFR 52.70(c), *EPA approved laws and regulations*, and 40 CFR 52.70(d), *EPA approved state source-specific requirements*, described in section II. of this preamble. The EPA has made, and will continue to make, these materials generally available through *Regulations.gov* and at the EPA Region 10 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

## V. Statutory and Executive Order Reviews

Under the Clean Air Act (CAA), the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA’s role is to approve State choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves State law as meeting Federal requirements and does not impose additional requirements beyond those imposed by State law. For that reason, this action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP actions are exempt from review under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely

affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4);

- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);

- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a State program;

- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and

- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA.

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

This action is subject to the Congressional Review Act, and the EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

The EPA also believes that the provisions of section 307(b)(1) of the CAA pertaining to petitions for judicial review are not applicable to this action. This is because prior EPA rulemaking actions for each individual component of the Alaska SIP Compilation previously afforded interested parties the opportunity to file a petition for judicial review in the United States Court of Appeals for the appropriate circuit within 60 days of such rulemaking action. Thus, the EPA believes judicial review of this action under section 307(b)(1) is not available.

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: January 23, 2026.

**Emma Pokon,**

*Regional Administrator, Region 10.*

For the reasons set forth in the preamble, 40 CFR part 52 is amended as follows:

#### PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for part 52 continues to read as follows:

*Authority:* 42 U.S.C. 7401 *et seq.*

#### Subpart C—Alaska

■ 2. Amend § 52.70 by revising paragraph (b) to read as follows:

#### § 52.70 Identification of plan.

\* \* \* \* \*

(b) *Incorporation by reference.* (1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to November 21, 2025, was approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval and notification of any change in the material will be published in the **Federal Register**. Entries in paragraphs (c) and (d) of this section with EPA approval dates after November 21, 2025, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 10 certifies that the rules/regulations provided by the EPA in the SIP compilation at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated State rules/regulations which have been approved as part of the State Implementation Plan as of the dates referenced in paragraph (b)(1) of this section.

(3) Copies of the materials incorporated by reference may be inspected at the Region 10 EPA Office at 1200 Sixth Avenue, Suite 155, Seattle, WA 98101. To obtain the material, please call (206) 553-6357. You may inspect the material with an EPA approval date prior to November 21, 2025, for Alaska at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA email [fedreg.legal@nara.gov](mailto:fedreg.legal@nara.gov) or go to <https://www.archives.gov/federal-register/cfr/ibr-locations>.

\* \* \* \* \*

[FR Doc. 2026-02478 Filed 2-6-26; 8:45 am]

**BILLING CODE 6560-50-P**

#### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[Docket No. 250312-0037; RTID 0648-XF462]

#### Fisheries of the Exclusive Economic Zone Off Alaska; Demersal Shelf Rockfish in the Western, Central, and West Yakutat Regulatory Areas of the Gulf of Alaska

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

**ACTION:** Temporary rule; closure.

**SUMMARY:** NMFS is prohibiting directed fishing of demersal shelf rockfish in the Western, Central, and West Yakutat Regulatory Areas of the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the 2026 total allowable catch (TAC) of demersal shelf rockfish in the Western, Central, and West Yakutat Regulatory Areas of the GOA.

**DATES:** Effective 1200 hours, Alaska local time (A.l.t.), February 6, 2026, through 2400 hours, A.l.t., December 31, 2026.

**FOR FURTHER INFORMATION CONTACT:** Abby Jahn, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the GOA exclusive economic zone according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared and recommended by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The 2026 TAC of demersal shelf rockfish in the Western, Central, and West Yakutat Regulatory Areas of the GOA is 271 metric tons (mt) as established by the final 2025 and 2026 harvest specifications for groundfish of the GOA (90 FR 12468, March 18, 2025).

The Regional Administrator, Alaska Region, NMFS (Regional Administrator), has determined that there is not sufficient demersal shelf rockfish TAC to allow directed fishing in the Western, Central, and West Yakutat Regulatory Areas of the GOA and that 271 mt is necessary as incidental catch to support other groundfish fisheries. The Regional

Administrator has further determined that the 2026 demersal shelf rockfish TAC in the Western, Central, and West Yakutat Regulatory Areas of the GOA will be or has been reached. Therefore, in accordance with § 679.20(d)(1)(i), the Regional Administrator is establishing a directed fishing allowance of 0 and is setting aside 271 mt as incidental catch to support other anticipated groundfish fisheries. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance will be or has been reached. Therefore, NMFS is prohibiting directed fishing for demersal shelf rockfish in the Western, Central, and West Yakutat Regulatory Areas of the GOA to prevent exceeding the demersal shelf rockfish TAC.

While this closure is effective the maximum retainable amounts at

§ 679.20(e) and (f) apply at any time during a trip.

#### **Classification**

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR part 679, which was issued pursuant to section 304(b) of the Magnuson-Stevens Act, and is exempt from review under Executive Order 12866.

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment would be impracticable and contrary to the public interest, as it would prevent NMFS from responding to the most recent fisheries data on demersal shelf rockfish catch in a timely fashion and would delay the closure of directed fishing for demersal shelf rockfish in the

Western, Central, and West Yakutat Regulatory Areas of the GOA. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data on demersal shelf rockfish catch only became available as of February 4, 2026.

There is good cause under 5 U.S.C. 553(d)(3) to establish an effective date less than 30 days after date of publication. This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: February 5, 2026.

**David R. Blankinship,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 2026-02489 Filed 2-5-26; 4:15 pm]

**BILLING CODE 3510-22-P**

# Proposed Rules

Federal Register

Vol. 91, No. 26

Monday, February 9, 2026

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2026–0826; Airspace  
Docket No. 25–AAL–162]

RIN 2120–AA66

#### Amendment of United States Area Navigation Route T–388 in the Vicinity of Kodiak, Alaska.

**AGENCY:** Federal Aviation  
Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking  
(NPRM).

**SUMMARY:** This action proposes to amend United States Area Navigation Route (RNAV) T–388 in the vicinity of Kodiak, Alaska. The FAA is proposing this action to increase the route structure connectivity in Alaska.

**DATES:** Comments must be received on or before March 26, 2026.

**ADDRESSES:** Send comments identified by FAA Docket No. FAA–2026–0826 and Airspace Docket No. 25–AAL–162 using any of the following methods:

\* *Federal eRulemaking Portal:* Go to [www.regulations.gov](http://www.regulations.gov) and follow the online instructions for sending your comments electronically.

\* *Mail:* Send comments to Docket Operations, M–30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.

\* *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

\* *Fax:* Fax comments to Docket Operations at (202) 493–2251.

*Docket:* Background documents or comments received may be read at [www.regulations.gov](http://www.regulations.gov) at any time. Follow the online instructions for accessing the docket or go to the Docket

Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FAA Order JO 7400.11K, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at [www.faa.gov/air\\_traffic/publications/](http://www.faa.gov/air_traffic/publications/). You may also contact the Rules and Regulations Group, Policy Directorate, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267–8783.

**FOR FURTHER INFORMATION CONTACT:** Steven Roff, Rules and Regulations Group, Policy Directorate, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267–8783.

#### SUPPLEMENTARY INFORMATION:

##### Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would amend the airway structure as necessary to preserve the safe and efficient flow of air traffic within the National Airspace System.

##### Comments Invited

The FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should submit only one time if comments are filed

electronically, or commenters should send only one copy of written comments if comments are filed in writing.

The FAA will file in the docket all comments it receives, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, the FAA will consider all comments it receives on or before the closing date for comments. The FAA will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. The FAA may change this proposal in light of the comments it receives.

*Privacy:* In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at [www.dot.gov/privacy](http://www.dot.gov/privacy).

##### Availability of Rulemaking Documents

An electronic copy of this document may be downloaded through the internet at [www.regulations.gov](http://www.regulations.gov). Recently published rulemaking documents can also be accessed through the FAA's web page at [www.faa.gov/air\\_traffic/publications/airspace\\_amendments/](http://www.faa.gov/air_traffic/publications/airspace_amendments/).

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Operations office (see **ADDRESSES** section for address, phone number, and hours of operations). An informal docket may also be examined during normal business hours at the office of the Western Service Center, Federal Aviation Administration, 2200 South 216th St., Des Moines, WA 98198.

##### Incorporation by Reference

United States Area Navigation Routes are published in paragraph 6011 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document proposes to amend the current version of that order, FAA Order JO 7400.11K, dated August 4, 2025, and effective September 15, 2025. These updates would be published in the next

update to FAA Order JO 7400.11. FAA Order JO 7400.11K, which lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points, is publicly available as listed in the ADDRESSES section of this document.

**Background**

RNAV route T-388 extends between the Wixer, AK, waypoint (WP) and the Baily, AK, Fix. The route, as currently configured, does not provide for any terminal connectivity. The FAA is proposing to extend this route further east to the Kodiak Airport to allow for terminal services to aircraft enroute to and from the airport. This extension will also provide an alternative route option for the recently revoked Colored Federal Airway B-27 and Very High Frequency Omnidirectional Range (VOR) Federal Airway V-506.

**The Proposal**

The FAA is proposing an amendment to 14 CFR part 71 to modify RNAV Route T-388 in the vicinity of Kodiak, Alaska.

*T-388:* T-388 currently extends between the Wixer, AK, WP and the Baily, AK, Fix. The FAA is proposing to extend the airway to the Kodiak, AK, VOR distance measuring equipment (VOR/DME) located at the Kodiak

Airport. As amended, T-388 would extend between the Wixer WP and the Kodiak VOR/DME.

**Regulatory Notices and Analyses**

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**Environmental Review**

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1G, “FAA National Environmental Policy Act

Implementing Procedures” prior to any FAA final regulatory action.

**List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

**The Proposed Amendment**

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

**PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(f), 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

**§ 71.1 [Amended]**

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11K, Airspace Designations and Reporting Points, dated August 4, 2025, and effective September 15, 2025, is amended as follows:

*Paragraph 6011 United States Area Navigation Routes.*

\* \* \* \* \*

**T-388 WIXER, AK to Kodiak, AK (ODK) [Amended]**

WIXER, AK	WP	(Lat. 56°54'29.00" N, long. 158°36'10.00" W)
ZOPAB, AK	WP	(Lat. 57°09'28.12" N, long. 157°48'14.87" W)
HEBBI, AK	WP	(Lat. 57°24'13.13" N, long. 156°51'24.77" W)
ZEMIR, AK	WP	(Lat. 57°51'13.88" N, long. 154°02'28.16" W)
BAILY, AK	WP	(Lat. 57°54'33.79" N, long. 152°54'36.97" W)
Kodiak, AK (ODK)	VOR/DME	(Lat. 57°46'30.13" N, long. 152°20'23.42" W)

\* \* \* \* \*

Issued in Washington, DC, on February 5, 2026.

**Alex W. Nelson,**

*Manager, Rules and Regulations Group.*

[FR Doc. 2026-02564 Filed 2-6-26; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF LABOR**

**Office of Workers' Compensation Programs**

**20 CFR Part 703**

**Division of Longshore and Harbor Workers' Compensation Guidance for Insurance Carrier Security Deposit Requirements**

**AGENCY:** Office of Workers' Compensation Programs.

**ACTION:** Notification of guidance.

**SUMMARY:** The Office of Workers' Compensation Program is issuing this guidance to clarify the securitization requirements for insurance carriers authorized under the Longshore and Harbor Workers' Compensation Act (LHWCA) and its extensions. This guidance establishes a rubric which allows OWCP to adjust the insurance carriers' obligations based on their fiscal stability and performance within the Longshore industry and serves to establish a clear and standardized process for determining the amount of collateral an authorized insurance carrier must deposit to cover its potential liabilities. This clarification benefits insurance carriers by providing predictability which aids in capital planning and avoids arbitrary or unexpected security adjustments. This also helps to standardize compliance across the industry and ensures authorized carriers secure their critical obligations.

This sub-regulatory guidance does not supersede existing regulations and is intended to provide insurance carriers (carriers) with clarification on the posting of security deposits to collateralize liabilities.

**DATES:** February 9, 2026.

**ADDRESSES:** Division of Longshore and Harbor Workers' Compensation, U.S. Department of Labor, 200 Constitution Avenue NW, Suite S-3524, Washington, DC 20210.

**FOR FURTHER INFORMATION CONTACT:** You may contact Ryan Jansen, Acting Director, Division of Longshore and Harbor Workers' Compensation, U.S. Department of Labor, 200 Constitution Avenue NW, Suite S-3524, Washington, DC 20210, at [jansen.ryan@dol.gov](mailto:jansen.ryan@dol.gov), or Lorynn Holloway, Office of Public Affairs, 202-693-3435, [holloway.lorynn.n@dol.gov](mailto:holloway.lorynn.n@dol.gov).

**SUPPLEMENTARY INFORMATION:** As stated under 20 CFR 703.201, security deposits provide compensation and medical

benefit payments when a carrier defaults on obligations incurred under the Longshore and Harbor Workers' Compensation Act (LHWCA) and its extensions.<sup>1</sup> These security deposits also guarantee the payment of benefits to injured workers when a carrier becomes insolvent and its obligations are not otherwise fully secured by a State guaranty fund. As 20 CFR 703.201 provides, "any gap in State guaranty fund coverage will have a direct effect on the amount of security" the Office of Workers' Compensation Program's (OWCP's) Division of Longshore and Harbor Workers' Compensation (DLHWC) will require a carrier to post. 20 CFR 703.202 reinforces the role State guaranty funds play in determining the security amount to be requested of carriers, and in addition, lists factors the DLHWC can use when evaluating the extent to which State guaranty funds secure carrier obligations. 20 CFR 703.202.

Per 20 CFR 703.203, carriers can apply for initial authorization and re-apply annually to write insurance policies under the LHWCA and its extensions. Applications are processed through DLHWC's Branch of Financial Management Insurance and Assessment (Branch). As part of the application process, initial and annual, the Branch may consider several factors in setting security deposit amounts as identified under 20 CFR 703.204(b)(1–6). Factors the Branch may consider include:

1. Financial strength of the carrier as determined by private insurance rating organizations;
2. Financial strength of the carrier's insureds in the Longshore industry;

3. Extent to which State guaranty funds secure the carrier's LHWCA obligations in the event the carrier defaults on its obligations or becomes insolvent;

4. Carrier's longevity in writing LHWCA or other workers' compensation coverage;

5. Extent of carrier's exposure for LHWCA coverage; and

6. Carrier's payment history in satisfying its LHWCA obligations.

20 CFR 703.204(b)(1–6). Carriers may be eligible to avoid posting a security deposit under § 703.204(c)(1) if they receive the highest rating from the three insurance rating services designated by the Branch in the current and immediately preceding year, or under § 703.204(c)(2), if their liabilities will be fully covered by a state guaranty fund. For all other carriers that write more than an insignificant amount of LHWCA insurance, § 703.204(c)(3) affords the Branch the ability to authorize a security deposit between 33<sup>1</sup>/<sub>3</sub> and 100 percent of obligations not secured by a State guaranty fund. The factors outlined in § 703.204(b)(1–6) guide the Branch in determining whether the evidence submitted by a carrier supports a request to lower unsecured obligations within the range noted above. While each factor will be reviewed separately, any discount will be reviewed in combination with other factors and in accordance with the Insurance Carrier Security Deposit Requirements in 20 CFR 703.201–213. Reduction in security deposits may not be applicable if a conflict arises with any other part of these regulations.

If an applicant (carrier) disagrees with the Branch's decision, in accordance with § 703.204(d) it must request a hearing in writing within 10 days of the Branch's decision. Factors and additional guidance listed under § 703.204 are discussed below.

**(1) Financial Strength of the Carrier as Determined by Private Insurance Rating Organizations**

The following chart outlines maximum reductions in securitization attributed to a carrier's liabilities not subject to State guaranty funds, based on the carrier's ratings from three rating agencies.

- Carriers able to provide ratings from the 3 authorized rating agencies may be eligible for the maximum discount available, contingent on the ratings;<sup>2</sup>
- Carriers able to submit only two ratings will have an automatic reduction of 1 discount tier, as shown in the chart below, from their maximum rating discount; and
- Carriers able to submit only 1 rating will have an automatic reduction of 2 discount tiers from their maximum rating discount.

If a carrier provides reports from more than one rating agency, OWCP will use the lower rating to calculate the percentage.

OWCP utilizes the applicants' Long-term (LT) Issuer Credit Rating (ICR) when determining the applicable 'Discount Tier'. The LT ICR must be from the carrier requesting a reduction of its security deposit. OWCP will not accept the LT ICR from the applicant's parent company.

TABLE 1—SECURITIZATION DISCOUNT BASED ON CARRIER'S LONG-TERM ISSUER CREDIT RATING

FITCH credit rating	S&P credit rating	AM Best insurance credit rating	Max percent discount from 100% securitization	Securitization requirement after discount (%)	Discount tier <sup>3</sup>
AAA	AAA	aaa	66.67	33.33	1
AA+	AA+	aa+	50	50.00	2
AA	AA	aa	50	50.00	2
AA–	AA–	aa–	40	60.00	3
A+	A+	a+	40	60.00	3
A	A	a	33.33	66.67	4
A–	A–	a–	33.33	66.67	4
BBB+	BBB+	bbb+	25	75.00	5
BBB	BBB	bbb	15	85.00	6
BBB–	BBB–	bbb–	5	95.00	7
BB+	BB+	bb+	0	100.00	8
BB	BB	bb	0	100.00	8
BB–	BB–	bb–	0	100.00	8
B+	B+	b+	0	100.00	8
B	B	b	0	100.00	8

<sup>1</sup> The LHWCA extensions are—Defense Base Act (DBA), Non-Appropriated Funds Instrumentalities Act (NAFIA), and Outer-Continental Shelf Lands Act (OCSLA).

<sup>2</sup> A carrier capable of acquiring simultaneous highest ratings from the 3 rating agencies designated by OWCP for both the current and immediately preceding year will not require a security deposit. See 20 CFR 703.204(c)(1).

<sup>3</sup> Any company identified with LT ICR rating in Tier 9 will be ineligible for any reductions defined in sections 2–6 of this guidance.

TABLE 1—SECURITIZATION DISCOUNT BASED ON CARRIER’S LONG-TERM ISSUER CREDIT RATING—Continued

FITCH credit rating	S&P credit rating	AM Best insurance credit rating	Max percent discount from 100% securitization	Securitization requirement after discount (%)	Discount tier <sup>3</sup>
B –	B –	b –	0	100.00	8
CCC+	CCC+	ccc+	0	100.00	9
CCC	CCC	ccc	0	100.00	9
CCC –	CCC –	ccc –	0	100.00	9
CC	CC	cc	0	100.00	9
C	C	c	0	100.00	9
DDD	DDD	N/A	0	100.00	9
DD	DD	N/A	0	100.00	9
D	D	N/A	0	100.00	9

**(2) Financial Strength of the Carrier’s Insureds in the Longshore Industry**

For carriers submitting financial information related to the financial strength of their insureds, the carrier’s securitization related to their non-state guaranteed liabilities can be reduced or

increased from the percentage calculated in factor 1 by the average financial strength of the insureds covered by LHWCA policies. However, for any insured with ratings at or below the 0% discount, the lowest rating will govern this factor (2), resulting in no discount on the carrier’s overall

securitization and up to 100% reduction of the discounts calculated under other factors. For this factor to be used at all, 100% of insureds with credit ratings must be submitted, and those without credit ratings must include a statement explaining why a credit rating was not available (*i.e.*, privately held company).

TABLE 2—SECURITIZATION DISCOUNT BASED ON INSURED’S LONG-TERM ISSUER CREDIT RATING

FITCH credit rating	S&P credit rating	AM Best insurance credit rating	Max percent adjustment from 100% securitization
AAA	AAA	aaa	33.33
AA+	AA+	aa+	33.33
AA	AA	aa	25
AA –	AA –	aa –	25
A+	A+	a+	20
A	A	a	20
A –	A –	a –	15
BBB+	BBB+	bbb+	15
BBB	BBB	bbb	10
BBB –	BBB –	bbb –	5
BB+	BB+	bb+	0
BB	BB	bb	0
BB –	BB –	bb –	–10
B+	B+	b+	–15
B	B	b	–20
B –	B –	b –	–30
CCC+	CCC+	ccc+	–40
CCC	CCC	ccc	–50
CCC –	CCC –	ccc –	–60
CC	CC	cc	–70
C	C	c	–80
DDD	DDD	N/A	–90
DD	DD	N/A	–100
D	D	N/A	–100

**(3) Extent to Which State Guaranty Funds Secure the Carrier’s LHWCA Obligations in the Event the Carrier Defaults on Its Obligations or Becomes Insolvent**

This factor is only relevant to liabilities subject to coverage by State guaranty funds and therefore does not

apply to Defense Base Act and other extensions’ liabilities. OWCP will apply the discounts outlined at: <https://www.dol.gov/agencies/owcp/dlhwc/LS-276information>. These factors will apply on a state-by-state basis and only impact the portion of liabilities directly related to the state guaranteed portion of their liabilities.

**(4) Carrier’s Longevity in Writing LHWCA or Other Workers’ Compensation Coverage**

Longevity is counted as either an additive discount to the securitization percentage determined in prior factors, or a reduction to those prior discounts. Longevity factors are as follows:

TABLE 3—SECURITIZATION DISCOUNT BASED ON CARRIER’S NUMBER OF YEARS WRITING WORKERS’ COMPENSATION COVERAGE

Number of years writing workers’ compensation coverage	Max percent adjustment from 100% securitization
>30 .....	10
21–30 Years .....	5
11–20 Years .....	0
6–10 Years .....	–50
0–5 Years .....	–100

**(5) Extent of Carrier’s Exposure for LHWCA Coverage**

This factor addresses a carrier’s exposure to LHWCA coverage in

comparison to other exposures across the company’s portfolio. Any discount will decrease in relation to the percentage its LHWCA exposure compares to its other workers’

compensation coverage. Only companies with 11 years or more writing policies under the LHWCA and its extensions may qualify for this factor.

TABLE 4—SECURITIZATION DISCOUNT BASED ON CARRIER’S TOTAL LIABILITIES WITH LHWCA

Percentage of carrier’s total liabilities with LHWCA	Max percent discount from 100% securitization
0–20 .....	20
21–30 .....	15
31–40 .....	10
41–50 .....	5
>50 .....	0

**(6) Carrier’s Payment History in Satisfying Its LHWCA Obligations**

Securitization is intended to ensure that there is no interruption of injured workers’ compensation and medical

benefits assumed by a carrier authorized under the LHWCA and its extensions. A carrier’s ability to pay its obligations timely is indicative of sound administrative and financial management. A carrier with an excellent

payment history may qualify for a 5 to 10 percent discount. However, discounts earned for other factors may be negatively impacted if a carrier underperforms by paying untimely.

TABLE 5—SECURITIZATION DISCOUNT BASED ON CARRIER’S PAYMENT HISTORY

Carrier’s payment history (%)	Max percent adjustment from 100% securitization
91–100 .....	10
81–90 .....	5
71–80 .....	0
61–70 .....	–5
51–60 .....	–10
41–50 .....	–25
31–40 .....	–50
21–30 .....	–75
0–30 .....	–100

As initially indicated, this sub-regulatory guidance does not supersede existing regulations and is intended to provide carriers with clarification on how the Office of Workers’ Compensation Programs interprets the regulatory requirements and effectuates them for the posting of security deposits to collateralize liabilities.

**Authority**

The Longshore and Harbor Workers’ Compensation Act (LHWCA) and its extensions, 33 U.S.C. 901–950; Defense Base Act (DBA), 42 U.S.C. 1651–1654; Non-Appropriated Funds Instrumentalities Act (NAFIA), 5 U.S.C.

8171–73; and Outer-Continental Shelf Lands Act (OCSLA), 43 U.S.C. 1331–1356; implementing insurance regulations, 20 CFR 703.201–213. Longshore Notice No. 209, January 2026, posted at [www.dol.gov/agencies/owcp/dlhwc/lindustryntices/lindustryntices](http://www.dol.gov/agencies/owcp/dlhwc/lindustryntices/lindustryntices).

Signed in Washington, DC, February 4, 2026.

**James R. Macy,**  
Director, Office of Workers’ Compensation Programs.

[FR Doc. 2026–02537 Filed 2–6–26; 8:45 am]

**BILLING CODE 4510–CR–P**

**DEPARTMENT OF THE TREASURY**

**Office of Investment Security**

**31 CFR Parts 800 and 802**

[Docket ID TREAS–DO–2026–0067]

**Request for Information Pertaining to the CFIUS Known Investor Program and Streamlining the Foreign Investment Review Process**

**AGENCY:** Office of Investment Security, Department of the Treasury.

**ACTION:** Request for information.

**SUMMARY:** The Office of Investment Security, within the U.S. Department of the Treasury (Treasury Department), is seeking public input on how the Committee on Foreign Investment in the United States (CFIUS) may streamline aspects of its foreign investment review process, including through the Known Investor Program as described below, while maintaining its rigorous analysis that identifies and addresses national security risk. This request for information (RFI) may inform CFIUS's development of statutory and/or regulatory reform proposals to increase efficiencies. The Treasury Department plans to make all submissions publicly available at <https://www.regulations.gov>.

**DATES:** Written comments are requested on or before March 18, 2026.

**ADDRESSES:** Submission of comments in response to this RFI is voluntary. Written comments may be submitted through one of two methods:

- **Electronic Submission:** Comments may be submitted electronically through the Federal Government eRulemaking portal at <https://www.regulations.gov>. Electronic submission of comments allows the commenter maximum time to prepare and submit a comment, ensures timely receipt, and enables the Treasury Department to make the comments available to the public.

- **Mail:** Send to U.S. Department of the Treasury, Attention: Meena R. Sharma, Director, Office of Investment Security Policy and International Relations, 1500 Pennsylvania Avenue NW, Washington, DC 20220.

The Treasury Department encourages comments to be submitted via <https://www.regulations.gov>. Please submit comments only and include your name and organization name (if any) and cite "Request for Information Pertaining to the CFIUS Known Investor Program and Streamlining the Foreign Investment Review Process" in all correspondence. In general, all comments submitted in response to this RFI, including attachments and other supporting material, will be made public, including any personally identifiable or confidential business information that is included in a submission. Therefore, submitters should only include information that they wish to make publicly available. Any submitter that wishes to keep its identity anonymous may do so and should not include identifying information in its submission.

**FOR FURTHER INFORMATION CONTACT:** Meena R. Sharma, Director, Office of Investment Security Policy and International Relations, at U.S.

Department of the Treasury, 1500 Pennsylvania Avenue NW, Washington, DC 20220; email: [CFIUS.Regulations@treasury.gov](mailto:CFIUS.Regulations@treasury.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

Foreign investment provides crucial benefits to the United States, including economic growth, innovation, competitiveness, and job creation. The United States is committed to maintaining a strong open investment environment that benefits the U.S. economy, consistent with the protection of national security. CFIUS, an interagency committee chaired by the Treasury Department and comprised of multiple U.S. Government departments and agencies, plays a critical role in protecting the national security of the United States while maintaining the commitment of the United States to an open investment policy. CFIUS reviews certain transactions involving foreign investment into U.S. businesses and certain real estate transactions by foreign persons to determine the effect of such transactions on the national security of the United States. CFIUS is required to review transactions on a case-by-case basis and according to a risk-based analysis; this process is subject to certain timeframes and procedures set forth in statute at 50 U.S.C. 4565.

In the stable, free market-based economic environment of the United States, CFIUS confronts increasing complexity in cross-border transactions, an evolving national security landscape, and a significant caseload. Nevertheless, over the past five years, the overwhelming majority—approximately 70 percent—of covered transactions reviewed by CFIUS have been approved in the *initial* phase of review (*i.e.*, either in the first 30- or 45-day period, depending on how the transaction was filed with CFIUS). Overall, more than 90 percent of covered transactions reviewed by CFIUS over the past five years have been approved, thus resulting in tremendous benefits for the U.S. economy and stronger connections between the United States and other countries.

With direction from the President in the February 2025 memorandum "America First Investment Policy," CFIUS seeks to increase efficiencies in its process to facilitate even greater investment from allies and partners where there is verifiable distance and independence from foreign adversaries or threat actors. In May 2025, the Treasury Department announced its intention to create the Known Investor

Program in furtherance of the President's directive, whereby CFIUS would collect information from foreign investors (who choose to participate) in advance of receiving a formal filing to more efficiently obtain the information needed to carry out its national security-related due diligence. To be clear, participation in the Known Investor Program alone would not guarantee a particular outcome in CFIUS's review of a transaction. Rather, collecting and assessing information about a foreign investor in advance of receiving a formal filing is intended to enable CFIUS to more efficiently review the transaction and conduct its risk-based analysis once the transaction is filed, and reach a final outcome, whatever that may ultimately be. Importantly, verifying distance and independence from foreign adversaries or threat actors is a core component of CFIUS's risk analysis with respect to any foreign investor and therefore will be a central part of the Known Investor Program. While CFIUS seeks to facilitate beneficial investment into the United States, it is fundamental that any process efficiencies do not diminish CFIUS's ability to identify and address national security risks arising from transactions within its jurisdiction. This includes continuing to hold responsible any investors who violate their obligations with CFIUS.

As an initial step, the Treasury Department recently launched a Known Investor Pilot Program. Over the past several months, CFIUS has engaged with a representative sample of foreign investors who are among the most frequent repeat filers with CFIUS and are from different countries of origin. These participants have been asked—voluntarily and confidentially—to complete a questionnaire that builds upon, and is more extensive than, the information requirements for foreign investors submitting filings under the current CFIUS regulations. The requested information, discussed in the following section, was developed to assist CFIUS in enhancing efficiencies in its review of future filings submitted by the foreign investors. These participants have also been asked to share thoughts and suggestions about the ways in which CFIUS can increase efficiencies in the case review process.

This RFI seeks feedback and input from a broader range of stakeholders on the information that could help inform CFIUS prior to a formal filing as well as other ways in which CFIUS and transaction parties, including both foreign investors and U.S. businesses, can streamline aspects of the foreign investment review process. Feedback or

suggestions on increasing efficiencies need not be limited to the length of time in which CFIUS conducts its case review but may also include other aspects such as the interaction between CFIUS and transaction parties in the course of a transaction review, mitigation measures, compliance monitoring processes, among other things.

Furthermore, with the goal of facilitating more secure and beneficial foreign investment into the United States, CFIUS is also interested in additional ways to enhance its processes such as providing stakeholders with more transparency regarding CFIUS analysis and activities. For example, CFIUS is considering whether and how to share more information with the public about the types of risks that arise in certain transactions, as well as best practices that transaction parties can employ to limit these risks prior to CFIUS review. Better and earlier understanding of the CFIUS process and considerations can have positive results. Accordingly, this RFI also seeks input on ways to provide stakeholders with more transparency, while maintaining the core mission of CFIUS in protecting U.S. national security. Stakeholders are encouraged to share lessons and experiences from other regulatory regimes—whether domestic or foreign—with respect to features that CFIUS should consider.

## II. Known Investor Program: Eligibility Criteria and Questionnaire Overview

The information that CFIUS anticipates collecting from foreign investors and utilizing as part of the Known Investor Program consists of eligibility criteria and a questionnaire (Questionnaire) that may include the information and questions listed below and organized into categories. CFIUS anticipates requiring that a participating foreign investor answer all questions or provide an explanation as to why a particular item in the Questionnaire is not applicable. The foreign investor would certify to the completeness and accuracy of information submitted in response to the eligibility criteria and Questionnaire. Information submitted as part of the Known Investor Program would be treated as confidential under CFIUS authorities and such information or documentary material may not be made public, subject to limited exceptions as prescribed in statute.

### 1. Definitions

Certain defined terms may be used in the eligibility criteria and the Questionnaire, including potentially those below.

- “Adversary Country” means the countries listed in Section 4 of the February 21, 2025 National Security Presidential Memorandum entitled “America First Investment Policy,” including any updates that may be made to that list.

- “Control” has the meaning given to it at 31 CFR 800.208.

- “Covered Real Estate Transaction” has the meaning given to it at 31 CFR 802.212.

- “Covered Transaction” has the meaning given to it at 31 CFR 800.213.

- “Foreign Government” has the meaning given to it at 31 CFR 800.221.

- “Foreign Investor” means the legal entity that is providing responses to the Questionnaire.

- “Foreign Person” has the meaning given to it at 31 CFR 800.224.

- “Fund” means “Investment Fund” and has the meaning given to it at 31 CFR 800.228.

- “Known Investor Entities” means, together with the Foreign Investor, the entities under common ownership or Control and for which the Foreign Investor will be providing information in response to relevant questions in the Questionnaire.

- “Known Investor Entity” means any one of the Known Investor Entities.

- “Parent” has the meaning given to it at 31 CFR 800.235.

- “Portfolio Company” means any company in which any of the Known Investor Entities has, indirectly or directly, invested in and holds at least a five percent voting and/or economic interest.

- “Principal Place of Business” has the meaning given to it at 31 CFR 800.239.

- “Subsidiary” means a legal entity that is majority owned or Controlled by a Known Investor Entity and is not a Portfolio Company.

### 2. Identification of Entities

This section would ask the Foreign Investor to list the Known Investor Entities, which would be entities under common ownership or Control that are seeking to participate in the Known Investor Program. This list could include only the Foreign Investor itself or could include Subsidiaries or other entities through which the Foreign Investor may acquire or invest in a U.S. business. The Foreign Investor would provide responsive information for all Known Investor Entities listed in this section throughout the Questionnaire.

### 3. Eligibility Criteria

Consistent with the “America First Investment Policy,” this section sets forth objective standards that would be

used to determine whether a Foreign Investor (and any Known Investor Entity it seeks to include) is eligible for the Known Investor Program. This would be an initial step before the Foreign Investor responds to the individual questions in the Questionnaire. The Foreign Investor would need to apply these questions to itself and all Known Investor Entities it seeks to include—that is, CFIUS would not provide individualized guidance or an opinion on whether any specific Known Investor Entity (including the Foreign Investor) meets the criteria. Meeting the eligibility criteria is a threshold matter before a Foreign Investor undertakes to answer the substantive questions that comprise the Questionnaire, as CFIUS will not consider within the Known Investor Program any Known Investor Entity that does not meet the eligibility criteria. Below is a list of eligibility criteria that CFIUS is considering for the Known Investor Program.

1. Does each Known Investor Entity meet the definition of a Foreign Person? *[If the response for any Known Investor Entity is “NO”, the Known Investor Entity is not eligible to participate in the Known Investor Program.]*

2. Has the Foreign Investor, inclusive of any of its Subsidiaries, submitted at least three distinct Covered Transactions or Covered Real Estate Transactions to CFIUS within the past three years and received notification that CFIUS concluded all action under Section 721 of the Defense Production Act of 1950, as amended (“Section 721”), or was not able to conclude action under Section 721 on the basis of a declaration, with respect to at least one of the three transactions? *[If the response is “NO”, the Foreign Investor is not eligible to participate in the Known Investor Program.]*

3. Does the Foreign Investor—including through any of its Subsidiaries—expect to submit at least one transaction that meets the definition of a Covered Transaction or Covered Real Estate Transaction to CFIUS within the next 12 months? *[If the response is “NO”, the Foreign Investor is not eligible to participate in the Known Investor Program.]*

4. Within the last five years, has any Known Investor Entity or its Parent:
  - a. Received written notice from CFIUS that it has submitted a material misstatement or omission in a notice or declaration or made a false certification under 31 CFR parts 800, 801, or 802?

- b. Received written notice from CFIUS that it has violated a material provision of a mitigation agreement entered into with, material condition imposed by, or an order issued by, the

Committee or a lead agency under 50 U.S.C. 4565(l)?

*[If the response is “YES”, the Known Investor Entity is not eligible to participate in the Known Investor Program.]*

5. Is any Known Investor Entity or its Parent identified on any of the following lists administered by the U.S. Government?

a. the Entity List (15 CFR part 744, Supplement No. 4) administered by the U.S. Department of Commerce’s Bureau of Industry and Security (BIS) (the Entity List);

b. the Military End User List (15 CFR part 744, Supplement No. 7) administered by BIS (the Military End User List);

c. the Specially Designated Nationals List administered by the Treasury Department’s Office of Foreign Assets Control (OFAC) (the SDN List);

d. the Non-SDN Chinese Military-Industrial Complex Companies List administered by OFAC (the NS-CMIC List);

e. the Sectoral Sanctions Identification List administered by OFAC (the SSI List); or

f. the Chinese Military Companies (Section 1260H) list administered by the U.S. Department of War (the 1260H List).

*[If the response is “YES”, the Known Investor Entity is not eligible to participate in the Known Investor Program.]*

6. Is the headquarters or Principal Place of Business of any Known Investor Entity or its Parent located in an Adversary Country? *[If the response is “YES”, the Known Investor Entity is not eligible to participate in the Known Investor Program.]*

7. Do any of the following hold a greater than ten percent interest in any Known Investor Entity directly or indirectly?

○ Entities or individuals on:

- the Entity List
- the Military End User List
- the SDN List
- the NS-CMIC List
- the SSI List
- the 1260H List

○ The government of an Adversary Country, including its respective departments, agencies, and instrumentalities.

*[If the response is “YES”, the Known Investor Entity is not eligible to participate in the Known Investor Program.]*

8. Do any of the following hold the right to appoint a member of the board of directors or equivalent governing body of any Known Investor Entity directly or indirectly?

○ Entities or individuals on:

- the Entity List
- the Military End User List
- the SDN List
- the NS-CMIC List
- the SSI List
- the 1260H List

○ The government of an Adversary Country, including its respective departments, agencies, and instrumentalities.

*[If the response is “YES”, the Known Investor Entity is not eligible to participate in the Known Investor Program.]*

9. Does any third-party entity with a headquarters or Principal Place of Business in, or any individual that is a national of, an Adversary Country hold a greater than 25 percent interest in any Known Investor Entity? *[If the response is “YES”, the Known Investor Entity is not eligible to participate in the Known Investor Program.]*

10. Are any members of the board of directors or equivalent governing body (including external directors and other persons who perform the duties usually associated with such titles) or any officers (including president, senior vice president, executive vice president, and other persons who perform duties normally associated with such titles) of any Known Investor Entity principally located in, or a national of, an Adversary Country? *[If the response is “YES”, the Known Investor Entity is not eligible to participate in the Known Investor Program.]*

11. Are more than 50 percent of any Known Investor Entity’s employees located in one or more Adversary Countries? *[If the response is “YES”, the Known Investor Entity is not eligible to participate in the Known Investor Program.]*

12. If any Known Investor Entity has manufacturing facilities, are all of the Known Investor Entity’s manufacturing facilities located in one or more Adversary Countries (and no other countries)? *[If the response is “YES”, the Known Investor Entity is not eligible to participate in the Known Investor Program.]*

13. If any Known Investor Entity has research and development facilities, are all of the Known Investor Entity’s research and development facilities located in one or more Adversary Countries (and no other countries)? *[If the response is “YES”, the Known Investor Entity is not eligible to participate in the Known Investor Program.]*

14. To the best of its knowledge, does any Known Investor Entity use for itself components, equipment, or

infrastructure sourced from any the following?

○ Entities or individuals on:

- the Entity List
- the Military End User List
- the 1260H List

*[If the response is “YES”, the Known Investor Entity is not eligible to participate in the Known Investor Program.]*

15. To the best of its knowledge, does any Known Investor Entity incorporate into products or services—which it then provides to third parties—any components, equipment, or infrastructure sourced from any of the following?

○ Entities or individuals on:

- the Entity List
- the Military End User List
- the 1260H List

*[If the response is “YES”, the Known Investor Entity is not eligible to participate in the Known Investor Program.]*

#### 4. Legal and Organizational Factors

For every transaction that CFIUS reviews, it spends time understanding the legal and organizational structure of the parties (both independently and as a result of the transaction). This includes analyzing the ownership (identifying the ultimate beneficial ownership among other things), how the parties are governed, and any relationship between the foreign person that is a party to the transaction and a Foreign Government (including whether the foreign person is Controlled by or acting on behalf of a Foreign Government). This section would include questions covering organizational charts, governance, Foreign Government ownership and Control, and complete identifying information for the relevant entities. These questions are intended to ascertain a Known Investor Entity’s entire governance structure and would include the Known Investor Entity providing:

- complete ownership information including all individuals or entities holding a greater-than-five percent economic or voting interest, directly or indirectly, in each of the Known Investor Entities and whether any changes are known or anticipated to occur within the next year;
- a list of every Fund that has been used by each of the Known Investor Entities to make investments in U.S. businesses in the last five years and any that the entity intends to use to invest in the United States in the next year;
- information on any individuals or entities serving on any limited partner

advisory committee (or equivalent body) of any Fund that any of the Known Investor Entities is currently using to invest in the United States;

- governance documents for each Known Investor Entity and each Parent, as applicable;

- thresholds for quorum and decision-making at both the shareholder and board levels for each Known Investor Entity and each Parent, as applicable;

- for each Known Investor Entity and each Parent, as applicable, the identity of shareholders that consistently participate in and/or attend shareholders meetings, and the amount of voting interest held by each such shareholder;

- for each Known Investor Entity and each Parent, as applicable, the amount of voting interest, as a percentage of voting shares of each entity, that has participated in shareholders' meetings in the last five years; and

- information on the Known Investor Entity's relationships to any Foreign Governments including any interest held by, or any rights or powers of, a Foreign Government.

#### 5. Personnel and Process for Governing and Operating

CFIUS performs extensive due diligence to understand the personnel and operations of the transaction parties. This includes learning about the key personnel of the Foreign Person, the structure and management of the parties, the role that the board of directors plays in the decision-making process of the parties, and rights that third-party investors such as limited partners may hold. This section would include questions covering board personnel, board structure and practices, management personnel and practices, limited partners, and co-investor diligence. These questions are intended to provide CFIUS with a comprehensive understanding of how the Known Investor Entities are managed and operated, including regarding:

- information on the Known Investor Entities' key personnel;

- biographical and personal information for directors and officers, and for any individual having an ownership interest of five percent or more in each Known Investor Entity or in the entity's ultimate Parent;

- information about the role that each of these personnel exercise within the relevant Known Investor Entity's structure;

- a description of how each Known Investor Entity decides on the individuals who will represent it on

boards of Funds, operating entities, and Portfolio Companies in which it is invested;

- a description and copies of any governance documents, policies, practices, and/or technical controls that govern access by board members to information related to the Known Investor Entity's operational or investment decisions;

- a description of how board representatives share Portfolio Company- and Fund-specific information with other individuals, teams, or committees within the Known Investor Entity, and the nature and frequency of communications with the Funds, operating entities, or Portfolio Companies in which the Known Investor Entity has invested;

- information on each officer below the board level and explanation of how any committees or persons or groups working below the board level contribute to the decision-making process for investments;

- information on each Known Investor Entity's limited partners and frequent co-investment partners; and

- a description of how each Known Investor Entity identifies the investment partners with which it chooses to invest in specific transactions, how due diligence is conducted, and when it would decline to pursue a relationship with an investment partner due to compliance or reputational risk.

#### 6. Nature and Characteristics of the Known Investor Entities' Business

In the course of reviewing transactions, CFIUS performs diligence on the business operations of a Foreign Person to better understand the Foreign Person's overall investment strategy and how the U.S. business in a transaction would fit in the Foreign Person's business and operations following the transaction. This section would include questions covering strategy and holdings, relationships with Portfolio Companies, and internal policies, practices, and standards (including with respect to personnel, cybersecurity and data protection, and supply chain management and integrity). These questions are intended to provide CFIUS with a greater understanding of the Known Investor Entities' business lines and corporate strategy, including regarding the following, as applicable:

- a description of the business and a copy of the annual report of each Known Investor Entity and its ultimate Parent;
- financial information such as revenue, EBIDTA, and outstanding debt—including the primary business lines through which it generates

revenue and a description of the provider(s) of any credit and/or the holder(s) of any debt;

- a description of, and copies of, any materials regarding the investment strategy globally and with respect to the United States, and anticipated capital allocation over the next year;

- a list of any consent or veto rights that are standard for each Known Investor Entity's investments in U.S. Portfolio Companies and frequency with which within the last five years it has withheld a requisite consent or exercised a veto for a decision involving a Portfolio Company;

- information on each Known Investor Entity's Subsidiaries and/or Portfolio Companies, including its research and development, technology, products, intellectual property (IP), and systems and infrastructure;

- governance and decision-making arrangements of each Known Investor Entity's Subsidiaries and/or Portfolio Companies, including any managerial oversight that the Known Investor Entity exercises, as well as whether the Known Investor Entity has access to the data, proprietary information, IP, personnel, and systems and infrastructure of its Subsidiaries and/or Portfolio Companies; and

- security and compliance information, including policies, practices, trainings and controls regarding risk management, cybersecurity, data privacy and security, IP protection, physical security, and supply chain integrity.

#### 7. Engagement With the U.S. Government and Compliance Posture

CFIUS takes into account, in the course of any transaction review and, if applicable, considerations around mitigation of any risk, the transaction parties' track record with CFIUS and general compliance with law. This section would include questions covering any nexus to the U.S. Government, CFIUS history and compliance, compliance with other U.S. Government authorities, and compliance with the laws of other jurisdictions. These questions are intended to provide CFIUS with a greater understanding of the Known Investor Entity's interactions with the U.S. Government and other jurisdictions, including through the following:

- a description of any products or services (including research and development) that a Known Investor Entity supplies, directly or indirectly, to any agency of the U.S. Government;

- a list of relevant contracts or research and development agreements with the U.S. Government;
- information on previous filings with CFIUS and any CFIUS mitigation agreements and conditions;
- a description of any incremental acquisition made following CFIUS clearance of a Covered Transaction to increase its ownership interest or control rights in a U.S. business;
- compliance history with U.S. Government authorities including whether, in the past five years, any of the Known Investor Entities has been subject to any regulatory action described in 31 CFR 800.219(c)(1)(iv)–(viii);
- whether any proposed investment by any Known Investor Entity has been prohibited or subject to mitigation by a non-U.S. investment screening authority in the past five years;
- any remedial action undertaken by any Known Investor Entity as part of a settlement, criminal, or civil enforcement action within a non-U.S. jurisdiction since 2020;
- a description of the process within each Known Investor Entity regarding multi-jurisdictional filings and approvals (e.g., due diligence, negotiating terms of the investment, preparing regulatory filings); and
- whether any of the Known Investor Entities has been found guilty of patent infringement or IP theft within the last five years.

#### 8. Verifiable Distance From Adversary Countries

CFIUS carefully analyzes each transaction to identify any rights, access, and influence of, or other connection to, a person or entity that may present a threat to U.S. national security. Known Investor Entities are expected to demonstrate verifiable distance from Adversary Countries. This section would include questions covering investments in and from Adversary Countries and any operational nexus to Adversary Countries. These questions are intended to provide CFIUS with a greater understanding of each Known Investor Entity's connection to any Adversary Country including through the following:

- information on investment partners (for investments in which the Known Investor Entity has a voting or economic interest greater than or equal to 10 percent) that are located in any Adversary Country;
- list of any Known Investor Entity's Funds or entities with a place of incorporation or principal place of business in an Adversary Country,

information on the Known Investor Entity's portfolio in the Adversary Country, processes for deciding which investment targets to pursue, and sector-specific strategy for current Portfolio Companies or assets in any Adversary Country as well as planned investments in the next 24 months and expected growth pipeline over the next five years;

- a description of other relationships with entities organized under the laws of an Adversary Country;
- a description of ties to the government of any Adversary Country including receipt of any government subsidies or other funding, or provision of any products or services to the government of an Adversary Country; and
- operational connections to an Adversary Country including whether any primary business lines are located in whole or in part in an Adversary Country and information on sourcing of certain hardware or software from an Adversary Country.

### III. Request for Information

#### Known Investor Program

##### Definitions

1. Are there additional terms for which the Questionnaire should provide a definition?
2. What, if anything, could be clarified in the definitions provided in this RFI?

##### Identification of Entities

3. In what ways, if any, should the Treasury Department elaborate on its request for a list of Known Investor Entities within the Questionnaire?
4. What factors would a Foreign Investor consider in determining which entities to include in its list of Known Investor Entities for the Questionnaire?
5. What are the types or categories of entities that may seek to participate in the Known Investor Program—for example, operating companies, investment funds, or other types of entities? How, if at all, should questions be tailored to the specific type or category of entity?

##### Eligibility Criteria

6. What are the considerations that should be taken into account with a self-determinative list of eligibility criteria that the Foreign Investor would need to apply to itself?
7. Would any of the eligibility criteria in this RFI benefit from clarification? If so, which and how?
8. Would any of the eligibility criteria in this RFI be difficult to apply or overly narrow given the goals of the Known

Investor Program? If so, which and how could such criteria be modified?

9. Are there additional criteria that the Treasury Department should consider including as part of the eligibility of entities for the Known Investor Program?

##### Legal and Organizational Factors

10. In what ways, if any, should the Treasury Department consider clarifying or adjusting the types of information requested in this section?

11. Are there additional items that the Treasury Department should consider including in the Questionnaire regarding relevant legal and organizational factors? Please explain.

12. What challenges could arise in the process of collecting and providing this information to CFIUS that should be considered?

##### Personnel and Process for Governing and Operating

13. In what ways, if any, should the Treasury Department consider clarifying or adjusting the types of information requested in this section?

14. Are there additional factors that the Treasury Department should consider regarding the personnel and process for governing and operating each Known Investor Entity? Please explain.

15. What challenges could arise in the process of collecting and providing this information to CFIUS that should be considered?

##### Nature and Characteristics of a Known Investor Entity's Business

16. In what ways, if any, should the Treasury Department consider clarifying or adjusting the types of information requested in this section?

17. Are there additional factors that the Treasury Department should consider regarding the nature and characteristics of each Known Investor Entity's business? Please explain.

18. What challenges could arise in the process of collecting and providing this information to CFIUS that should be considered?

##### Engagement With the U.S. Government and Compliance Posture

19. In what ways, if any, should the Treasury Department consider clarifying or adjusting the types of information requested in this section?

20. Are there additional factors that the Treasury Department should consider regarding the Known Investor Entity's interactions with the U.S. Government and other jurisdictions? Please explain.

21. What challenges could arise in the process of collecting and providing this

information to CFIUS that should be considered?

#### Verifiable Distance From Adversary Countries

22. In what ways, if any, should the Treasury Department consider clarifying or adjusting the types of information requested in this section?

23. Are there additional factors that the Treasury Department should consider regarding the verifiable distance from Adversary Countries of each Known Investor Entity, or other ways to demonstrate such verifiable distance? Please explain.

24. What challenges could arise in the process of collecting and providing this information to CFIUS that should be considered?

#### General, Other

25. Are there other topics or issues that CFIUS should consider as part of the Known Investor Program or with respect to the Questionnaire? If so, please explain.

26. How frequently should Known Investor Entities be expected to update their Questionnaire responses and certify to the accuracy and completeness of information submitted in response to the Questionnaire?

27. Information submitted as part of the Known Investor Program Questionnaire will be considered confidential under CFIUS authorities. What other considerations—administrative or otherwise—would be relevant to clarify?

28. The Treasury Department is interested in understanding which items or categories may be the most time- and resource-intensive to address. Please provide any information relevant to the amount of time or effort it may take for a Known Investor Entity to respond to any individual item or category.

29. What specific process efficiencies or other benefits should CFIUS provide to Known Investor Entities as part of the Known Investor Program, consistent with the Committee's case-by-case analysis of national security risks?

#### Other Ways in Which CFIUS Can Streamline Its Authorities and Processes

The Treasury Department also seeks feedback on ways CFIUS could improve efficiency in its processes including related to the case review process, non-notified transactions, mitigation, and monitoring and enforcement—while maintaining its commitment to case-by-case analysis of national security risks. While feedback related to policy or procedural changes may not require statutory or regulatory changes, the Treasury Department also welcomes

suggestions that may require regulatory change or legislative enactments.

30. What features of current CFIUS processes could be simplified or streamlined for repeat filers or first-time filers?

31. Are there opportunities to better calibrate the regulatory impact of current CFIUS processes by industry sector, type of investment or investor, or other characteristics of a transaction?

32. How do parties utilize the pre-notice consultation described in 31 CFR 800.501(g), and what additional processes or resources would be helpful to parties during the pre-notice consultation?

33. Are there other changes that CFIUS should consider to enhance efficiencies in its processes including related to the case review process, non-notified transactions, mitigation, and monitoring and enforcement?

34. Are there minor or technical changes to CFIUS authorities (statute, executive orders, regulations) that should be considered that would support the goals of a more efficient regulatory system while protecting national security?

35. Are there other suggestions or comments about CFIUS authorities that should be considered?

36. Are there procedures or features aimed at increasing efficiency that other regulatory regimes (domestic or foreign) employ that would be beneficial for CFIUS to consider?

37. Recognizing that CFIUS has confidentiality obligations and cannot share classified information, in what ways would it be helpful for CFIUS to share more information with the public about the types of risks that can arise in certain transactions as well as best practices parties can use to limit these risks prior to CFIUS review? Please be as specific as possible.

38. Are there other issues or topics where guidance issued by CFIUS would be helpful as transaction parties are evaluating CFIUS authorities and making a decision on whether and how to file a transaction with CFIUS?

39. What factors do parties consider in determining whether to file a transaction with CFIUS, and if so, whether to file a transaction as a declaration or a notice?

40. Are there changes CFIUS should consider, to include process and substance, when engaging with parties when CFIUS has identified a risk?

41. Are there changes CFIUS should consider, to include process and substance, when engaging with parties on the negotiation and implementation of mitigation agreements?

42. What are the financial and operational considerations related to mitigation terms that CFIUS may determine are necessary to address an identified risk? Are there types of terms that are particularly burdensome for the operations of the foreign investor and U.S. business?

43. How can CFIUS address operational and financial impacts that its process, to include negotiating mitigation agreements, may have on early-stage U.S. businesses?

44. Are there ways that CFIUS can improve its processes regarding voluntary abandonment of transactions (*i.e.*, when the transaction parties agree to divest in response to national security concerns from CFIUS)?

45. Are there other ways that CFIUS can enhance the experience of parties in the regulatory review process?

**Christopher Pilkerton,**

*Assistant Secretary of the Treasury for Investment Security.*

[FR Doc. 2026-02481 Filed 2-6-26; 8:45 am]

**BILLING CODE 4810-AK-P**

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### 36 CFR Part 7

[NPS-MACA-DTS#0041023; PPSEMACASO PPMPSPD1Z.YM0000 255P103601]

RIN 1024-AE93

#### Mammoth Cave National Park; Bicycling and Horses

**AGENCY:** National Park Service, Interior.

**ACTION:** Proposed rule.

**SUMMARY:** The National Park Service (NPS) proposes to amend the special regulations for Mammoth Cave National Park to allow bicycle use on approximately 37 miles of multi-use trails throughout the park. The proposed rule also would allow visitors to ride horses on the 5.4-mile Houchin Ferry North/Ollie Road.

**DATES:** Comments on the proposed rule must be received by 11:59 p.m. eastern time on April 10, 2026.

**ADDRESSES:**

*Written Comments:* You may submit comments by one of the following methods:

(1) *Electronically:* Go to the Federal eRulemaking Portal: <https://www.regulations.gov>. In the Search box, enter 1024-AE93, the RIN for this rulemaking. On the resulting page, select the Dockets tab and then click on the title of the rule. Next, click the

“Open for Comments” box, then click the blue “Comment” box and follow the instructions for submitting comments.

(2) *By hard copy:* Mail to: Superintendent, Mammoth Cave National Park, P.O. Box 7, Mammoth Cave, KY 42259.

*Document Availability:* The “Mammoth Cave National Park Comprehensive Land and River Trails Plan and Environmental Assessment” and the “Finding of No Significant Impact” provide information and context for this proposed rule. Both documents are available online at <https://parkplanning.nps.gov/maca> by clicking the link entitled “Develop Land and River Trail Management Plan for Mammoth Cave National Park” and then clicking the link entitled “Document List.”

*Instructions:* Comments will not be accepted by fax, email, or in any way other than those specified above. All submissions received must include the words “National Park Service” or “NPS” and must include the docket number or RIN (1024–AE93) for this rulemaking. Comments received may be posted without change to <https://www.regulations.gov>, including any personal information provided.

*Docket:* For access to the docket to view the proposed rule and comments received, go to <https://www.regulations.gov> and search for “1024–AE93.” Be sure to check the Dockets Tab, Documents Tab, and Comment Tab for possible results.

**FOR FURTHER INFORMATION CONTACT:** Barclay Trimble, Superintendent, Mammoth Cave National Park; (202)–758–2180; [Barclay\\_Trimble@nps.gov](mailto:Barclay_Trimble@nps.gov). 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. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States. In compliance with the Providing Accountability Through Transparency Act of 2023, the plain language summary of the proposal is available on [Regulations.gov](https://www.regulations.gov) in the docket for this rulemaking.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

##### *History, Establishment and Purpose of the Park*

Mammoth Cave National Park comprises more than 52,000 acres of land within Edmondson, Hart, and Barron Counties in Kentucky. Within

Mammoth Cave National Park is Mammoth Cave. Named for the enormity of its subterranean vaults and the unparalleled extent of its passages, Mammoth Cave is the longest known cave system in the world with over 400 miles surveyed to date. The geologic features within the extensive cave system are the product of a unique set of conditions found nowhere else, all of which contribute to the largest, most complex, and best-known karst area in the world. Karst is a geologic term that refers to areas of irregular limestone in which erosion has produced features such as fissures, sinkholes, underground streams, sinking springs, and caverns. The land above the underground formations is characterized by rugged hills, valleys, and forests.

Congress authorized the establishment of the park in 1926, which was officially established in 1941 and added to in 1961 with the acquisition of Great Onyx Cave and Crystal Cave. The legislative history of the establishment of the park recognized the need to protect and conserve the stunning and unique underground formations of the cave system, but also opportunities for recreation that could be provided by lands above ground. The park’s enabling legislation directs the NPS to administer the park in accordance with the laws generally applicable to the National Park System, including the NPS Organic Act. That act requires the NPS to promote and regulate the scenery, natural and historic objects, and wild life in parks and to provide for the enjoyment of the same in such manner and by such means that will leave them unimpaired for the enjoyment of future generations. 54 U.S.C. 100101.

In 2014, the NPS published the foundation document for the park. The document states that the park’s purpose is to preserve, protect, interpret, and study the internationally recognized biological and geologic features and processes associated with the longest known cave system in the world, the park’s diverse forested, karst landscape, the Green and Nolin rivers, and extensive evidence of human history; and to provide and promote public enjoyment, recreation, and understanding. Today, visitors are drawn to the park by its caves, scenic river valleys, bluffs, forests, and abundant wildlife. Above ground, the park offers opportunities for ranger-led tours, surface walks, camping, hiking, horseback riding, bicycling, scenic drives, canoeing and kayaking, fishing, accessible trails, and picnicking.

##### *Trail Use in the Park*

Bicycling is allowed on approximately 19 of the 85 miles of land-based trails within the park. These multi-use trails are the Connector Trail from the Big Hollow Trailhead to the Maple Springs Trailhead (Maple Springs Connector Trail), the Big Hollow Trail, the Mammoth Cave Railroad Bike & Hike Trail, and the White Oak Trail. Bicycles also are allowed on roads that are open to public motor vehicle traffic and on four administrative roads that are closed to motor vehicle use by the public but open to motor vehicle use by the NPS for administrative purposes (the Crystal Cave, Great Onyx, Three Springs, and Union City administrative roads).

Trails, public roads, and administrative roads that are open to traditional bicycles also are open to two-wheeled electric bicycles (e-bikes). Trail-use of three-wheeled e-bikes is limited to the Mammoth Cave Railroad Bike & Hike Trail and the Maple Springs Connector Trail. The use of traditional bicycles and e-bikes is governed by State law and NPS regulations that address topics such as speed limits, operation during periods of low visibility, obeying traffic control devices, and unsafe operation. See 36 CFR 4.30.

In addition to opportunities for hiking and bicycling, visitors can ride horses on 54 miles of trail within the park, featuring wooded backcountry routes suitable for different skill levels and ages. The trails include wide, smooth dirt paths that accommodate two riders as well as narrower, single-file ridgeline trails. Horseback riding is prohibited on all park roads pursuant to NPS general regulations that prohibit the use or horses on park roads except in limited circumstances. See 36 CFR 2.16.

##### *Comprehensive Land and River Trails Plan and Environmental Assessment*

In 2022, the NPS began developing a new land and river trails management plan for the park. The NPS initiated this planning process because previous plans had become outdated, and the condition of the park’s trail system had deteriorated in a way that was adversely impacting park resources and the experience of trail users. The new plan would guide trail management for several decades with the purpose of improving access to high-quality land and river-based recreational opportunities for a diverse group of trail users, including hikers, equestrians, mountain bikers, and paddlers.

After the conclusion of a preliminary planning phase that sought feedback

from trail users, community groups, and the general public, the NPS published the “Mammoth Cave National Park Comprehensive Land and River Trails Plan and Environmental Assessment” in 2024. The environmental assessment (EA) analyzed the potential environmental impacts of a no-action alternative that would have continued current management of the trail system and an action alternative that was identified as the NPS’s preferred alternative. Under the action alternative, the NPS would add approximately 66 miles of land-based trails to the park trail system. This 72 percent increase in trail mileage would create new opportunities for hiking, horseback riding, and bicycling.

Specific to bicycle use, under the preferred alternative, the NPS would (1) discontinue bicycle use on the White Oak Trail; (2) close and restore to natural conditions the Maple Springs Connector Trail; and (3) construct eight new multi-use trails where bicycle use would be allowed, resulting in a total of approximately 37 miles of trail open to bicycle use.

As described in the EA, trail construction activities would use sustainable trail techniques to manage water and limit erosion, such as trail hardening, grade reversals, outcrops, and other earthwork strategies that improve drainage. These measures would minimize trail widening and trail braiding on new and rehabilitated trails, resulting in less vegetation trampling. The NPS would implement mitigation measures to minimize the impact on native vegetation during construction.

In addition to evaluating the potential impacts of trail construction and modification activities, the EA evaluated the potential impacts of allowing bicycles on the new trails. The EA and an associated written determination required by NPS regulations evaluate the suitability of trail surfaces and soil conditions for accommodating bicycle use; life cycle maintenance costs, safety considerations, methods to prevent or minimize user conflict, and methods to protect natural and cultural resources and mitigate impacts from bicycle use. Under the preferred alternative, the NPS would convert a one-mile section of the Ugly Creek Road from a public road to an administrative road that is closed to motor vehicle use other than vehicles used by the NPS for administrative purposes. Hiking and bicycling would be allowed on the converted section of this road.

The preferred alternative also would open the Houchin Ferry North/Ollie Road (5.4 miles) to horseback riding.

This change would improve the experience of equestrians by providing multiple opportunities for longer loop rides, and a new opportunity to ride to the river and back from the northern boundary of the park. The NPS does not anticipate there will be conflicts between vehicles, equestrian users, hikers, and bicyclists because the road is used rarely by motor vehicles. All other public and administrative roads would continue to remain closed to equestrian use.

The NPS accepted public comments on the EA for 30 days. In December 2024, following a recommendation by the park superintendent, the Regional Director for Interior Region 2, South Atlantic—Gulf, signed a finding of no significant impact on the human environment (FONSI) that identified the preferred alternative in the EA as the selected alternative. As stated in the FONSI, the NPS believes the selected alternative will improve the conditions and sustainability of the aboveground land and water trail networks in the park and enhance the diversity and quality of visitor experiences while protecting natural and cultural resources. Implementation of the selected alternative will expand opportunities for visitors to enjoy and recreate within the park.

#### Proposed Rule

This rule would implement part of the selected alternative in the FONSI by amending the special regulations for the park in 36 CFR 7.36. This rule would authorize the superintendent to designate approximately 37 miles of multi-use trails for bicycle use in the park. The rule would identify 12 distinct trails that could be designated for bicycle use. Two trails currently designated for bicycle use—the Maple Springs Connector Trail and the White Oak Trail—would be removed, consistent with plans to close those trails to bicycle use under the selected alternative. Another currently designated trail—the Mammoth Cave Railroad Bike & Hike Trail—will remain on the list and another—the Big Hollow Trail—will be listed as three separate segments as identified on park maps.

The rule would add the following eight new trails that will be constructed under the selected alternative:

- Brooks Knob Road Cemetery Trail;
- Brooks Knob Road Trail (up to gate);
- Crystal Cave Road Trail;
- East Entrance Trail;
- Little Hope Cemetery Trail;
- Sugar Sink Connector Trail;
- Sugar Sink Trail; and
- West Entrance Trail.

The rule would include the approximate mileage of all of the identified trails. The rule would require the superintendent to notify the public of designated trails through one or more of the methods identified in 36 CFR 1.7, including publication in the superintendent’s compendium (or written compilation) of discretionary actions and on maps available at the visitor center and on the park website. NPS regulations at 36 CFR 4.30(i) authorize superintendents to allow electric bicycles on park roads, parking areas, and administrative roads and trails that are otherwise open to traditional bicycles. Accordingly, the superintendent may decide to allow electric bicycles on any of the trails identified in the rule that are open to traditional bicycles and will notify the public pursuant to 36 CFR 1.7.

NPS general regulations in 36 CFR 2.16(c) prohibit the use of horses or pack animals on a park road, except where such travel is necessary to cross to or from designated trails, areas, or privately owned property when no alternative trails or routes have been designated, and when the road is closed to motor vehicles. Neither of these exceptions to the general rule apply to riding horses on the Houchin Ferry North/Ollie Road, which is called for in the selected alternative. Special regulations for the park, however, can amend, modify, relax, or make more stringent general regulations in 36 CFR parts 1 through 5 and part 12. See 36 CFR 1.2(c). Accordingly, this rule would add a new paragraph (d) to the special regulations for the park that would allow equestrian use on the approximately 5.4-mile Houchin Ferry North/Ollie Road.

#### *Compliance With NPS Bicycle Regulations*

The EA constitutes the planning document and evaluates the criteria required by the NPS’s general bicycle regulations at 36 CFR 4.30. Under the selected action in the FONSI, the NPS would allow bicycle use on approximately 37 miles of multi-use trails in the park. The EA evaluates the suitability of each trail surface and soil conditions for accommodating bicycle use; and life cycle maintenance costs, safety considerations, methods to prevent or minimize user conflict, and methods to protect natural and cultural resources and mitigate impacts associated with bicycle use.

The final trail alignments shown on the maps in the EA are based on field surveys and geographic information system (GIS) analysis. The new trail alignments have been determined at the

corridor level, defined as a 60-foot-wide corridor within which the new trail would be constructed. Final trail alignments would be determined on the ground upon implementation and in consultation with park natural and cultural resources specialists, which could result in minor adjustments to the trail locations shown on the maps. If a need existed to align a trail outside of the identified corridor, the amended alignment would undergo additional review to avoid or minimize impacts on sensitive resources, and the change would be documented as an amendment to the trails management plan.

The superintendent of the park has signed a written determination that bicycle use on all of the trails identified in this proposed rule and certain administrative roads that would be open to bicycle use under the selected action in the FONSI, is consistent with the protection of the park's natural, scenic, and aesthetic values; safety considerations; management objectives; and will not disturb wildlife or park resources, as required by 36 CFR 4.30. This written determination is available on the park's planning website at the URL listed in the **ADDRESSES** section. The NPS is not publishing the written determination separately in the **Federal Register** but welcomes comments on the written determination during the public comment period for this proposed rule.

#### **Compliance With Other Laws, Executive Orders and Department Policy**

##### *Regulatory Planning and Review (Executive Orders 12866 and 14192)*

This rule has been determined to be not significant for purposes of Executive Order (E.O.) 12866. This rule is an E.O. 14192 deregulatory action.

##### *Regulatory Flexibility Act (RFA)*

This proposed rule would not have a significant economic effect on a substantial number of small entities under the RFA (5 U.S.C. 601 *et seq.*). No small entities would be directly regulated by the proposed rule, which would allow bicycle use on approximately 37 miles of multi-use trails throughout the park and allow visitors to ride horses on the 5.4-mile Houchin Ferry North/Ollie Road. This action would not impose restrictions on local businesses in the form of fees, training, record keeping, or other measures that would increase costs. Rather, this action could lead to a slight increase in park visitation and thereby generate benefits for businesses, including small entities, through increased visitor spending. Therefore,

the NPS certifies that, if made final, this proposed rule would not have a significant economic impact on a substantial number of small business entities.

##### *Congressional Review Act*

This proposed rule, if finalized, would not be a major rule under 5 U.S.C. 804(2). This proposed rule:

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

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

(c) Would 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.

##### *Unfunded Mandates Reform Act*

This proposed rule would not impose an unfunded mandate on State, local, or Tribal governments or the private sector of more than \$100 million per year. This proposed rule would not have a significant or unique effect on State, local or Tribal governments, or the private sector. It addresses public use of national park lands and imposes no requirements on other agencies or governments. A statement containing the information required by the Unfunded Mandates Reform Act (2 U.S.C. 1531 *et seq.*) is not required.

##### *Takings (E.O. 12630)*

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

##### *Federalism (E.O. 13132)*

Under the criteria in section 1 of E.O. 13132, this proposed rule would not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement. This rule would only affect use of federally administered lands and waters. It would have no direct effects on other areas. A federalism summary impact statement is not required.

##### *Civil Justice Reform (E.O. 12988)*

This proposed rule complies with the requirements of E.O. 12988. This proposed 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.

##### *Consultation With Indian Tribes (E.O. 13175 and Department 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 sovereignty. The NPS has evaluated this proposed rule under the criteria in E.O. 13175 and under the Department's Tribal consultation policy. As a result, the NPS determined that Tribal consultation is not required because this rule, if finalized, will have no substantial direct effect on federally recognized Indian Tribes.

Nevertheless, in support of the Department of the Interior's and the NPS's commitment to government-to-government consultation, the NPS initiated Tribal consultation for the EA on April 30, 2024, by sending letters to the following Native American Tribes affiliated with lands and waters within the park and inviting consultation: Absentee Shawnee Tribe (Absentee-Shawnee Tribe of Indians of Oklahoma); The Chickasaw Nation; Cherokee Nation; Eastern Band of Cherokee Indians; Eastern Shawnee Tribe of Oklahoma; The Osage Nation; Shawnee Tribe; and United Keetoowah Band of Cherokee Indians in Oklahoma.

The NPS will continue to consult with Tribes through the rulemaking process. Additionally, the NPS developed a phased programmatic agreement to guide the treatment of cultural resources in the different project areas identified in the EA. The NPS invited each of these Tribes to sign on to the phased programmatic agreement. None chose to do so. The Cherokee Nation responded that they would consult with the NPS when there are defined undertakings for any project involving ground disturbance. No other Tribal responses were received.

##### *Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*)*

This proposed rule contains no new information collections. All information collections require approval under the Paperwork Reduction Act of 1995 (PRA; 44 U.S.C. 3501 *et seq.*). The NPS 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.

##### *National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*)*

The NPS prepared the EA to determine whether this proposed rule

would have a significant impact on the quality of the human environment under NEPA. This proposed rule would not constitute a major Federal action significantly affecting the quality of the human environment. A detailed statement under NEPA is not required because the EA resulted in FONSI. A copy of the EA and FONSI are available online at <https://parkplanning.nps.gov/macac> by clicking the link entitled “Develop Land and River Trail Management Plan for Mammoth Cave National Park” and then clicking the link entitled “Document List.”

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

This proposed rule is not a significant energy action under the definition in E.O. 13211. The Office of Information and Regulatory Affairs (OIRA) determined this proposed rule is not significant under E.O. 12866. Consequently, this proposed rule does not meet the first criteria of a significant energy action. Also, the OIRA Administrator has not otherwise designated this proposed rule as a significant energy action. A statement of energy effects is not required.

#### List of Subjects in 36 CFR Part 7

National parks, Reporting and recordkeeping requirements.

In consideration of the foregoing, the National Park Service proposes to amend 36 CFR part 7 as set forth below:

#### PART 7—SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SYSTEM

■ 1. The authority citation for part 7 continues to read as follows:

**Authority:** 54 U.S.C. 100101, 100751, 320102; Sec. 7.96 also issued under D.C. Code 10–137 and D.C. Code 50–2201.07.

■ 2. In § 7.36:

■ a. Revise paragraph (c)(1); and

■ b. Add new paragraph (d).

The revision and additions read as follows:

#### § 7.36 Mammoth Cave National Park.

\* \* \* \* \*

(c) Bicycle Use. (1) The Superintendent may designate all or a portion of the following trails as open to bicycle use. A map showing trails open to bicycle use will be available at the park visitor center and posted on the park website, and all trails or portions of trails designated for bicycle use will be published in the Superintendent’s Compendium (or written compilation) of discretionary actions referred to § 1.7(b).

(i) Big Hollow North (approximately 5.0 miles);

(ii) Big Hollow North Shortcut (approximately 0.1 miles);

(iii) Big Hollow South (approximately 3.7 miles);

(iv) Brooks Knob Road Cemetery Trail (approximately 0.4 miles);

(v) Brooks Knob Road Trail (up to gate) (approximately 0.2 miles);

(vi) Crystal Cave Road Trail (approximately 0.1 miles);

(vii) East Entrance Trail (approximately 2.8 miles);

(viii) Little Hope Cemetery Trail (approximately 0.1 miles);

(ix) Mammoth Cave Railroad Bike & Hike Trail (approximately 9.3 miles);

(x) Sugar Sink Connector (approximately 0.2 miles)

(xi) Sugar Sink Trail (approximately 3.8 miles)

(xii) West Entrance (approximately 11.2 miles)

\* \* \* \* \*

(d) Horses. Equestrian use is allowed on Houchin Ferry North/Ollie Road (approximately 5.4 miles).

**Kevin J. Lilly,**

*Principal Deputy Assistant Secretary,  
Exercising the Delegated Authority of the  
Assistant Secretary for Fish and Wildlife and  
Parks.*

[FR Doc. 2026–02510 Filed 2–6–26; 8:45 am]

**BILLING CODE 4312–52–P**

# Notices

Federal Register

Vol. 91, No. 26

Monday, February 9, 2026

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF COMMERCE

### Census Bureau

#### Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; High-Frequency Surveys Program/Household Trends and Outlook Pulse Survey (HTOPS)

On January 15, 2025, the Department of Commerce (Department) received clearance from the Office of Management and Budget (OMB) in accordance with the Paperwork Reduction Act of 1995 to conduct the Household Trends and Outlook Pulse Survey (HTOPS) recruitment operation, January topical operation and February topical operation (0607–1029). We received approval for the March, April, and May HTOPS collections on April 11, 2025. On June 16, 2025, we were approved for the June and August 2025 topical collections. On September 24, 2025, we were approved for the September, October, and December 2025 topical collections. The HTOPS is designed to ensure availability of frequent data collection for nationwide estimates on a variety of topics for a variety of subgroups of the population. This notice serves to inform of the Department's intent to request clearance from OMB to conduct the HTOPS 2026 March and May data collections. The March and May surveys will include content from the Household Pulse Survey. Household Pulse Survey content continues to serve as an experimental endeavor in cooperation with other federal agencies to produce near real-time data to understand the effects of current events, including health events, and other social or economic events facing the nation or a significant portion of the nation.

Data collected in the HTOPS demonstrates the ability to quickly collect and disseminate high-frequency

data products that inform the public in urgent circumstances. Data products will include public-use data files and detailed data tables, which can be used by federal, state, and local agencies; academics and non-government organizations; the media; and the public.

It is the Department's intention to commence data collection using the revised instruments on or about March 3, 2026 and May 5, 2026. We invite the general public and other federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. Public comments were previously requested via publication to the **Federal Register** on December 9, 2024 (89 FR 97582), February 28, 2025 (90 FR 10879), May 13, 2025 (90 FR 20272), and August 20, 2025 (90 FR 40560) during a 30-day comment period. This notice allows for an additional 30 days for public comments.

*Agency:* U.S. Census Bureau, Department of Commerce.

*Title:* High Frequency Surveys Program/Household Trends and Outlook Pulse Survey.

*OMB Control Number:* 0607–1029.

*Form Number(s):* None.

*Type of Request:* Regular submission, Request for a Revision of a Currently Approved Collection.

*Number of Respondents:* 13,564 (162,768 annually).

*Average Hours per Response:* .333 (20 minutes).

*Burden Hours:* 4,517 (54,202 annually).

*Needs and Uses:* The High-Frequency Surveys Program was established as a natural progression from the creation of the Household Pulse Survey. The Household Trends and Outlook Pulse Survey is a probability-based, nationwide, nationally-representative survey designed to test methods to collect data on a variety of topics of interest, and for conducting experimentation on alternative question wording and methodological approaches. The goal of the HTOPS is to ensure availability of frequent data collection for nationwide estimates on a variety of topics and a variety of subgroups of the population, meeting standards for transparent quality reporting of the federal statistical

agencies and the Office of Management and Budget.

Households selected for the HTOPS are recruited from the Census Bureau's gold standard Master Address File. This ensures that the HTOPS is rooted in this rigorously developed and maintained frame and available for linkage to administrative records securely maintained and curated by the Census Bureau. Invitations to complete the monthly surveys will be sent via mailed letters. Questionnaires will be mainly internet self-response. The HTOPS will maintain representativeness by allowing respondents who do not use the internet to respond via computer-assisted telephone interviewing (CATI). Each HTOPS monthly data collection will rely on an independent, cross-sectional sample to maintain representativeness.

*Affected Public:* Households.

*Frequency:* Monthly.

*Respondent's Obligation:* Voluntary.

*Legal Authority:* Title 13, United States Code, Sections 141, 182 and 193.

This information collection request may be viewed at [www.reginfo.gov](http://www.reginfo.gov). Follow the instructions to view the Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function and entering either the title of the collection or the OMB Control Number 0607–1029.

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function and entering the title of the collection.

**Sheleen Dumas,**

*Departmental PRA Compliance Officer, Office of the Under Secretary for Economic Affairs, Commerce Department.*

[FR Doc. 2026–02459 Filed 2–6–26; 8:45 am]

**BILLING CODE 3510-07-P**

**DEPARTMENT OF COMMERCE****International Trade Administration**

[A-403-806]

**Silicon Metal From Norway:  
Preliminary Affirmative Determination  
of Sales at Less Than Fair Value,  
Postponement of Final Determination,  
and Extension of Provisional Measures**

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** The U.S. Department of Commerce (Commerce) preliminarily determines that silicon metal from Norway is being, or is likely to be, sold in the United States at less than fair value (LTFV). The period of investigation (POI) is April 1, 2024, through March 31, 2025. Interested parties are invited to comment on this preliminary determination.

**DATES:** Applicable February 9, 2026.

**FOR FURTHER INFORMATION CONTACT:** Brittany Bauer, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-3860.

**SUPPLEMENTARY INFORMATION:****Background**

This preliminary determination is made in accordance with section 733(b) of the Tariff Act of 1930, as amended (the Act). Commerce published the notice of initiation of this investigation on May 21, 2025.<sup>1</sup> On September 12, 2025, Commerce postponed the preliminary determination of this investigation until November 20, 2025.<sup>2</sup> Due to the lapse in appropriations and Federal Government shutdown, on November 14, 2025, Commerce tolled all deadlines in administrative proceedings by 47 days.<sup>3</sup> Additionally, due to a backlog of documents that were electronically filed via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS) during the Federal Government shutdown, on November 24, 2025, Commerce tolled all deadlines in administrative proceedings by an

<sup>1</sup> See *Silicon Metal from Angola, Australia, the Lao People's Democratic Republic, and Norway: Initiation of Less-Than-Fair-Value Investigations*, 90 FR 21741 (May 21, 2025) (*Initiation Notice*).

<sup>2</sup> See *Silicon Metal from Australia and Norway: Postponement of Preliminary Determinations in the Less-Than-Fair-Value Investigations*, 90 FR 44161 (September 12, 2025).

<sup>3</sup> See Memorandum, "Deadlines Affected by the Shutdown of the Federal Government," dated November 14, 2025.

additional 21 days, to January 27, 2026.<sup>4</sup> Finally, due to the closure of Commerce offices due to inclement weather, the deadline for this preliminary determination was postponed until the next business day,<sup>5</sup> *i.e.*, January 28, 2026.

For a complete description of the events that followed the initiation of this investigation, *see* the Preliminary Decision Memorandum.<sup>6</sup> A list of topics included in the Preliminary Decision Memorandum is included as Appendix II to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via ACCESS. ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

**Scope of the Investigation**

The product covered by this investigation is silicon metal from Norway. For a complete description of the scope of this investigation, *see* Appendix I.

**Scope Comments**

In accordance with the *Preamble* to Commerce's regulations,<sup>7</sup> the *Initiation Notice* set aside a period of time for parties to raise issues regarding product coverage (*i.e.*, scope).<sup>8</sup> No interested party commented on the scope of the investigation as it appeared in the *Initiation Notice*. Commerce is not preliminarily modifying the scope language as it appeared in the *Initiation Notice*. *See* the scope in Appendix I to this notice.

**Methodology**

Commerce is conducting this investigation in accordance with section 731 of the Act. Commerce has calculated export prices in accordance with section 772(a) of the Act. Constructed export prices have been calculated in accordance with section 772(b) of the Act. Normal value is calculated in accordance with section

<sup>4</sup> See Memorandum, "Tolling of all Case Deadlines," dated November 24, 2025.

<sup>5</sup> See *Notice of Clarification: Application of "Next Business Day" Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, As Amended*, 70 FR 24533 (May 10, 2005).

<sup>6</sup> See Memorandum, "Decision Memorandum for the Preliminary Affirmative Determination in the Less-Than-Fair-Value Investigation of Silicon Metal from Norway," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

<sup>7</sup> See *Antidumping Duties; Countervailing Duties, Final Rule*, 62 FR 27296, 27323 (May 19, 1997) (*Preamble*).

<sup>8</sup> See *Initiation Notice*, 90 FR at 21747.

773 of the Act. For a full description of the methodology underlying the preliminary determination, *see* the Preliminary Decision Memorandum.

**All-Others Rate**

Sections 733(d)(1)(ii) and 735(c)(5)(A) of the Act provide that in the preliminary determination Commerce shall determine an estimated all-others rate for all exporters and producers not individually examined. This rate shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* margins, and any margins determined entirely under section 776 of the Act.

Commerce preliminarily calculated an individual estimated weighted-average dumping margin for Elkem ASA (Elkem), the only individually examined exporter/producer in this investigation. Because the only individually calculated dumping margin is not zero, *de minimis*, or based entirely on facts otherwise available, the estimated weighted-average dumping margin calculated for Elkem is the margin assigned to all other producers and exporters, pursuant to section 735(c)(5)(A) of the Act.

**Preliminary Determination**

Commerce preliminarily determines that the following estimated weighted-average dumping margins exist:

Exporter/producer	Estimated weighted-average dumping margin (percent)
Elkem ASA .....	3.94
All Others .....	3.94

**Suspension of Liquidation**

In accordance with section 733(d)(2) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to suspend liquidation of entries of subject merchandise, as described in Appendix I, entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**. Further, pursuant to section 733(d)(1)(B) of the Act and 19 CFR 351.205(d), Commerce will instruct CBP to require a cash deposit equal to the estimated weighted-average dumping margin or the estimated all-others rate, as follows: (1) the cash deposit rate for the respondent listed above will be equal to the company-specific estimated weighted-average dumping margin determined in this preliminary determination; (2) if the

exporter is not a respondent identified above, but the producer is, then the cash deposit rate will be equal to the company-specific estimated weighted-average dumping margin established for that producer of the subject merchandise; and (3) the cash deposit rate for all other producers and exporters will be equal to the all-others estimated weighted-average dumping margin.

Commerce normally adjusts cash deposits for estimated antidumping duties by the amount of export subsidies countervailed in a companion countervailing duty (CVD) proceeding, when CVD provisional measures are in effect. Accordingly, where Commerce preliminarily made an affirmative determination for countervailable export subsidies, Commerce has offset the estimated weighted-average dumping margin by the appropriate CVD rate. The CVD investigation of silicon metal from Norway preliminarily found no export subsidies; accordingly, we are making no offsets to the estimated weighted-average dumping margin.<sup>9</sup>

These suspension of liquidation instructions will remain in effect until further notice.

#### Disclosure

Commerce intends to disclose its calculations and analysis performed to interested parties in this preliminary determination within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

Consistent with 19 CFR 351.224(e), Commerce will analyze and, if appropriate, correct any timely allegations of significant ministerial errors by amending the preliminary determination. However, consistent with 19 CFR 351.224(d), Commerce will not consider incomplete allegations that do not address the significance standard under 19 CFR 351.224(g) following the preliminary determination. Instead, Commerce will address such allegations in the final determination together with issues raised in the case briefs or other written comments.

#### Verification

As provided in section 782(i)(1) of the Act, Commerce intends to verify the information relied upon in making its final determination.

<sup>9</sup> See *Silicon Metal from Norway: Preliminary Affirmative Countervailing Duty Determination, and Alignment of Final Determination with Final Antidumping Duty Determination*, 90 FR 46386 (September 26, 2025), and accompanying Preliminary Decision Memorandum.

#### Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the date on which the last verification report is issued in this investigation. A timeline for the submission of case briefs and written comments will be notified to interested parties at a later date. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing case briefs.<sup>10</sup> Interested parties who submit case or rebuttal briefs in this proceeding must submit: (1) a table of contents listing each issue; and (2) a table of authorities.<sup>11</sup>

As provided under 19 CFR 351.309(c)(2)(iii) and (d)(2)(iii), we request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.<sup>12</sup> Further, we request that interested parties limit their executive summary of each issue to no more than 450 words, not including citations. We intend to use the executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final determination in this investigation. We request that interested parties include footnotes for relevant citations in the executive summary of each issue. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).<sup>13</sup>

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in the case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, within 30 days after the date of publication of this notice. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants and whether any participant is a foreign national; and (3) a list of the issues to be discussed. If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined. Parties should confirm by telephone the date, time, and

<sup>10</sup> See 19 CFR 351.309(d); see also *Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings*, 88 FR 67069, 67077 (September 29, 2023) (*APO and Service Final Rule*).

<sup>11</sup> See 19 CFR 351.309(c)(2) and (d)(2).

<sup>12</sup> We use the term "issue" here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

<sup>13</sup> See *APO and Service Final Rule*.

location of the hearing two days before the scheduled date.

#### Postponement of Final Determination and Extension of Provisional Measures

Section 735(a)(2) of the Act provides that a final determination may be postponed until not later than 135 days after the date of the publication of the preliminary determination if, in the event of an affirmative preliminary determination, a request for such postponement is made by exporters who account for a significant proportion of exports of the subject merchandise, or in the event of a negative preliminary determination, a request for such postponement is made by the petitioner. Section 351.210(e)(2) of Commerce's regulations requires that a request by exporters for postponement of the final determination be accompanied by a request for extension of provisional measures from a four-month period to a period not more than six months in duration.

On January 20 and 26, 2026, pursuant to 19 CFR 351.210(e), Elkem and the petitioners,<sup>14</sup> respectively, requested that Commerce postpone the final determination and that provisional measures be extended to a period not to exceed six months.<sup>15</sup> In accordance with section 735(a)(2)(A) of the Act and 19 CFR 351.210(b)(2)(ii), because: (1) the preliminary determination is affirmative; (2) the requesting exporter accounts for a significant proportion of exports of the subject merchandise; and (3) no compelling reasons for denial exist, Commerce is postponing the final determination and extending the provisional measures from a four-month period to a period not greater than six months. Accordingly, Commerce will make its final determination no later than 135 days after the date of publication of this preliminary determination.

#### U.S. International Trade Commission (ITC) Notification

In accordance with section 733(f) of the Act, Commerce will notify the ITC of its affirmative preliminary determination. If the final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after the final determination whether these imports are materially

<sup>14</sup> The petitioners are Ferroglobe USA, Inc, and Mississippi Silicon LLC (collectively, the petitioners).

<sup>15</sup> See Elkem's Letter, "Request for Postponement of Final Determination," dated January 20, 2026; and Petitioners' Letter, "Petitioners Request to Postpone the Final Antidumping Duty Determinations," dated January 26, 2026.

injuring, or threaten material injury to, the U.S. industry.

### Notification to Interested Parties

This determination is issued and published in accordance with sections 733(f) and 777(i)(1) of the Act, and 19 CFR 351.205(c).

Dated: January 28, 2026.

**Christopher Abbott,**

*Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

### Appendix I

#### Scope of the Investigation

The scope of this investigation covers all forms and sizes of silicon metal, including silicon metal powder. Silicon metal contains at least 85.00 percent but less than 99.99 percent silicon, and less than 4.00 percent iron, by actual weight. Semiconductor grade silicon (merchandise containing at least 99.99 percent silicon by actual weight and classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheading 2804.61.0000) is excluded from the scope of this investigation.

Silicon metal is currently classifiable under subheadings 2804.69.1000 and 2804.69.5000 of the HTSUS. While the HTSUS numbers are provided for convenience and customs purposes, the written description of the scope remains dispositive.

### Appendix II

#### List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Period of Investigation
- IV. Discussion of the Methodology
- V. Currency Conversion
- VI. Recommendation

[FR Doc. 2026–02500 Filed 2–6–26; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C–570–189]

#### Float Glass Products From the People's Republic of China: Final Affirmative Countervailing Duty Determination

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** The U.S. Department of Commerce (Commerce) determines that countervailable subsidies are being provided to producers and exporters of float glass products (float glass) from the People's Republic of China (China). The period of investigation is January 1, 2023, through December 31, 2023.

**DATES:** Applicable February 9, 2026.

#### FOR FURTHER INFORMATION CONTACT:

Nathan James or Kelsie Hohenberger, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–5305 or (202) 482–2517, respectively.

#### SUPPLEMENTARY INFORMATION:

#### Background

On May 19, 2025, Commerce published the *Preliminary Determination in the Federal Register* and invited interested parties to comment.<sup>1</sup> In accordance with section 705(a)(1) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.210(b)(4), Commerce aligned the final countervailing duty (CVD) determination with the final determination in the less-than-fair-value (LTFV) investigation of float glass products from China.<sup>2</sup> On August 8, 2025, Commerce issued a post-preliminary analysis.<sup>3</sup>

Due to the lapse in appropriations and Federal Government shutdown, on November 14, 2025, Commerce tolled all deadlines in administrative proceedings by 47 days.<sup>4</sup> Additionally, due to a backlog of documents that were electronically filled via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS) during the Federal Government shutdown, on November 24, 2025, Commerce tolled all deadlines in administrative proceedings by an additional 21 days.<sup>5</sup> Accordingly, the deadline for this final determination is now February 3, 2026.

For a complete description of the events that followed the *Preliminary Determination*, see the Issues and Decision Memorandum.<sup>6</sup> The Issues and

<sup>1</sup> See *Float Glass Products from the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination with Final Antidumping Duty Determination*, 90 FR 21281 (May 19, 2025) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

<sup>2</sup> *Id.*

<sup>3</sup> See Memorandum, "Post-Preliminary Analysis in the Countervailing Duty Investigation of Float Glass Products from the People's Republic of China," dated August 8, 2025.

<sup>4</sup> See Memorandum, "Deadlines Affected by the Shutdown of the Federal Government," dated November 14, 2025.

<sup>5</sup> See Memorandum, "Tolling of All Case Deadlines," dated November 24, 2025.

<sup>6</sup> See Memorandum, "Issues and Decision Memorandum for the Final Affirmative Determination in the Countervailing Duty Investigation of Float Glass Products from the People's Republic of China," dated concurrently

Decision Memorandum is a public document and is on file electronically via ACCESS. ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

#### Scope of the Investigation

The product covered by this investigation is float glass from China. For a complete description of the scope of this investigation, see Appendix I.

#### Scope Comments

In the Preliminary Scope Memorandum, we set aside a period of time for parties to raise issues regarding product coverage (*i.e.*, scope) in scope-specific case briefs or other written comments.<sup>7</sup> We received scope case and rebuttal briefs from multiple parties. For a summary of the product coverage comments and rebuttal responses submitted to the record for this final determination, and accompanying discussion and analysis of all comments timely received, see the Final Scope Memorandum.<sup>8</sup> In the Final Scope Memorandum, Commerce determined that it is modifying the scope language as it appeared in the *Initiation Notice*.<sup>9</sup> See Appendix I.

#### Verification

As provided in section 782(i) of the Tariff Act of 1930, as amended (the Act), in June 2025, Commerce verified the information reported by Xinyi Group (Glass) Company Limited (Xinyi HK) and its cross-owned production affiliates for use in our final determination.<sup>10</sup> We used standard

with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<sup>7</sup> See Memorandum, "Float Glass Products from the People's Republic of China and Malaysia: Scope Comments Decision Memorandum for the Preliminary Determinations," dated July 9, 2025 (Preliminary Scope Memorandum).

<sup>8</sup> See Memorandum, "Float Glass Products from the People's Republic of China and Malaysia: Scope Comments Decision Memorandum for the Final Determinations," dated concurrently with this notice (Final Scope Memorandum).

<sup>9</sup> See *Float Glass Products from the People's Republic of China and Malaysia: Initiation of Countervailing Duty Investigations*, 90 FR 1443 (January 8, 2025) (*Initiation Notice*).

<sup>10</sup> Xinyi HK's cross-owned production affiliates include: (1) Xinyi Special Glass (Jiangmen) Company Limited; (2) Xinyi Glass (Chongqing) Company Limited; (3) Xinyi Glass Guangxi Company Limited; (4) Xinyi Ultrathin Glass (Dongguan) Co., Ltd.; (5) Xinyi Electronic Glass (Wuhu) Co., Ltd.; (6) Xinyi Glass (Hainan) Co., Ltd.; (7) Xinyi Glass (Yingkou) Co., Ltd.; (8) Xinyi Energy Smart (Sichuan) Co., Ltd.; (9) Xinyi Glass (Wuhu) Company Limited; (10) Xinyi Glass (Tianjin) Co., Ltd.; (11) Xinyi Glass (Jiangsu) Co., Ltd.; (12) Xinyi Glass Engineering (Dongguan) Co., Ltd.; and (13) Xinyi Glass (Bozhou) Co., Ltd.

verification procedures, including an examination of relevant accounting records and original source documents provided at verification.<sup>11</sup>

**Analysis of Subsidy Programs and Comments Received**

The subsidy programs under investigation, and the issues raised in the case and rebuttal briefs that were submitted by interested parties in this investigation, are discussed in the Issues and Decision Memorandum. For a list of the issues raised by interested parties and addressed in the Issues and Decision Memorandum, see Appendix II to this notice.

**Methodology**

Commerce conducted this investigation in accordance with section 701 of the Act. For each of the subsidy programs found to be countervailable, Commerce determines that there is a subsidy, *i.e.*, a financial contribution by an “authority” that gives rise to a benefit to the recipient, and that the subsidy is specific.<sup>12</sup> For a full description of the methodology underlying our final determination, see the Issues and Decision Memorandum.

In making this final determination, Commerce relied, in part, on facts otherwise available, including with an adverse inference, pursuant to sections 776(a) and (b) of the Act. For a full discussion of our application of adverse facts available (AFA), see the *Preliminary Determination*<sup>13</sup> and the Issues and Decision Memorandum at the sections entitled “Use of Facts Otherwise Available and Application of Adverse Inferences.”

**Changes Since the Preliminary Determination and Post-Preliminary Analysis**

We have modified our calculation of the subsidy rate for Xinyi HK based on comments received from interested parties and our verification procedures. Furthermore, we revised the total AFA rate to: (1) reflect changes to the mandatory respondent’s program-specific rates resulting from verification and (2) modify certain program rates selected as part of our application of total AFA to certain nonresponsive companies.<sup>14</sup> Additionally, we are no longer determining Shenzhen New Kibing Technology Co., Ltd.’s subsidy rate using AFA. For a discussion of

these changes, see the Issues and Decision Memorandum.

**All-Others Rate**

Pursuant to section 705(c)(5)(A)(i) of the Act, Commerce will determine an all-others rate equal to the weighted-average countervailable subsidy rates established for exporters and/or producers individually examined, excluding any rates that are zero, *de minimis*, or based entirely under section 776 of the Act. In this investigation, Commerce calculated an individual estimated countervailable subsidy rate for Xinyi HK, and applied a rate based entirely on AFA to the second mandatory respondent (*i.e.*, Shandong Jinjing Science and Technology Stock Co., Ltd). Because the only individually calculated rate that is not zero, *de minimis*, or based entirely on facts otherwise available is the estimated countervailable subsidy rate calculated for Xinyi HK, we have assigned Xinyi HK’s rate to all other producers and exporters.

**Final Determination**

Commerce determines that the following estimated countervailable subsidy rates exist:

Company	Subsidy rate (percent <i>ad valorem</i> )
Xinyi Group (Glass) Company Limited <sup>15</sup> .....	19.75
Shandong Jinjing Science and Technology Stock Co., Ltd .....	* 113.34
Hubei Sanxia New Building Materials Co., Ltd .....	* 113.34
Shanghai Yaohua Pilkington Glass Group Co., Ltd. (SYP) .....	* 113.34
All Others .....	19.75

\* Rate is based on facts available with adverse inferences.

**Disclosure**

We intend to disclose the calculations performed in this final determination to interested parties within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this notice in the **Federal Register**, in accordance with 19 CFR 351.224(b).

**Suspension of Liquidation**

As a result of our *Preliminary Determination*, and pursuant to sections 703(d)(1)(B) and (d)(2) of the Act, Commerce instructed U.S. Customs and Border Protection (CBP) to collect cash

deposits and suspend liquidation of entries of subject merchandise entered, or withdrawn from warehouse, for consumption on or after May 19, 2025, the date of publication of the *Preliminary Determination* in the **Federal Register**. In accordance with section 703(d) of the Act, Commerce instructed CBP to discontinue the suspension of liquidation of all entries of subject merchandise entered or withdrawn from warehouse, on or after September 16, 2025, but to continue the suspension of liquidation of all entries of subject merchandise on or before September 15, 2025.

If the U.S. International Trade Commission (ITC) issues a final affirmative injury determination, we will issue a countervailing duty order, reinstate the suspension of liquidation under section 706(a) of the Act, and require a cash deposit of estimated countervailing duties for such entries of subject merchandise in the amounts indicated above. If the ITC determines that material injury, or threat of material injury, does not exist, this proceeding will be terminated, and all estimated duties deposited or securities posted as a result of the suspension of liquidation will be refunded or cancelled.

<sup>11</sup> See Memorandum, “Verification of the Questionnaire Responses of Xinyi Group (Glass) Company in the Countervailing Duty Investigation of Float Glass Products from the People’s Republic of China,” dated September 17, 2025.

<sup>12</sup> See sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

<sup>13</sup> See *Preliminary Determination* PDM at 5–23.

<sup>14</sup> See Issues and Decision Memorandum at Appendix.

<sup>15</sup> As noted above, Commerce finds the following companies to be cross-owned with Xinyi HK: (1) Xinyi Special Glass (Jiangmen) Company Limited; (2) Xinyi Glass (Chongqing) Company Limited; (3) Xinyi Glass (Guangxi) Company Limited; (4) Xinyi

Ultrathin Glass (Dongguan) Co., Ltd.; (5) Xinyi Electronic Glass (Wuhu) Co., Ltd.; (6) Xinyi Glass (Hainan) Co., Ltd.; (7) Xinyi Glass (Yingkou) Co., Ltd.; (8) Xinyi Energy Smart (Sichuan) Co., Ltd.; (9) Xinyi Glass (Wuhu) Company Limited; (10) Xinyi Glass (Tianjin) Co., Ltd.; (11) Xinyi Glass (Jiangsu) Co., Ltd.; (12) Xinyi Glass Engineering (Dongguan) Co., Ltd.; and (13) Xinyi Glass (Bozhou) Co., Ltd.

## ITC Notification

In accordance with section 705(d) of the Act, we will notify the ITC of our final affirmative determination that countervailable subsidies are being provided to producers and exporters of float glass from China. As Commerce's final determination is affirmative, in accordance with section 705(b) of the Act, the ITC will determine, within 45 days, whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of float glass from China. In addition, we are making available to the ITC all non-privileged and non-proprietary information related to this investigation. We will allow the ITC access to all privileged and business proprietary information in our files, provided the ITC confirms that it will not disclose such information, either publicly or under administrative protective order (APO), without the written consent of the Assistant Secretary for Enforcement and Compliance.

## Administrative Protective Order

This notice will serve as the final reminder to parties subject to an APO of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a violation which is subject to sanction.

## Notification to Interested Parties

This determination is issued and published pursuant to sections 705(d) and 777(i) of the Act, and 19 CFR 351.210(c).

Dated: February 3, 2026.

### Christopher Abbott,

*Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

## Appendix I

### Scope of the Investigation

The scope of this investigation covers float glass products (FGP), which are articles of soda-lime-silica glass that are manufactured by floating a continuous strip of molten glass over a smooth bath of tin (or another liquid metal with a density greater than molten glass), cooling the glass in an annealing lehr, and cutting it to appropriate dimensions. For purposes of the investigation, float glass products have an actual thickness of at least 2.0 mm (0.0787 inches) and an actual surface

area of at least 0.37 square meters (4.0 square feet).

The country of origin of each float glass product is determined by the location where the soda-lime-silica glass is first manufactured by floating a continuous strip of molten glass over a smooth bath of tin and cooling the glass in an annealing lehr, regardless of the location of any downstream finishing or fabrication operations.

Prior to being subjected to further treatment, finishing, or fabrication, float glass products meet the requirements of Type I under ASTM-C1036 of the American Society for Testing and Materials (ASTM).

Float glass products may be clear, stained, tinted, or coated with one or more materials. Examples of coated float glass products include Low-E architectural glass (*i.e.*, glass with a low emissivity coating to limit the penetration of radiant heat energy) and frameless mirrors (*i.e.*, flat glass with a silver, aluminum, or other reflective layer) such as mirror stock sheet.

Float glass products may be annealed, chemically strengthened, heat strengthened, or tempered to achieve a desired surface compression, pursuant to ASTM-C1048, ASTM-C1422/C1422M, or other similar specifications.

Float glass products include tub and shower enclosures (*i.e.*, doors and panels) made of tempered glass, which may be sold with attached or unattached hardware. In such cases, the scope covers only the tempered glass, to the exclusion of any non-glass hardware.

The only float glass product assemblies included within the scope are: (1) articles consisting of two or more sheets of float glass that are bonded together using a polymer interlayer (*i.e.*, laminated glass); (2) insulating glass units (IGUs), which consist of two or more sheets of float glass separated by a spacer material and hermetically sealed together at the edge in order to create a thermal barrier using air or one or more gases but excluding any non-float glass components (other than the spacer and insulating materials) that may be mounted within the space between sheets of float glass (*e.g.*, blinds, wrought iron cores, and camed patterned glass), as such non-float glass components are deemed outside the scope and not subject to duties; and (3) LED mirrors (*i.e.*, float glass mirrors with one or more light-emitting diodes attached to or integrated with the mirror, as well as framed float glass mirrors with one or more light-emitting diodes attached to or integrated with the mirror or the mirror frame, but without other electronic functionality such as digital or video displays or audio circuitry).

Float glass products covered by the scope may meet one or more of the ASTM-C162, ASTM-C1036, ASTM-C1048, ASTM-C1172, ASTM-C1349, ASTM-C1376, ASTM-C1422/C1422M, ASTM-C1464, ASTM-C1503, ASTM-C1651, ASTM-E1300, and ASTM-E2190 specifications, definitions, and/or standards.

Float glass products may be further worked, including, but not limited to, operations such as: cutting; beveling; edging; notching; drilling; etching; bending; curving; chipping; embossing; engraving; surface

grinding; or polishing; and sandblasting (*i.e.*, using high velocity air to stream abrasive particles and thereby impart a frosted aesthetic to the glass surface). A float glass product which undergoes further work remains within the scope so long as the soda-lime-silica glass originally satisfied the requirements of ASTM-C1036 Type I and was first manufactured in a subject country, regardless of where it is further worked.

Excluded from the scope are: (1) wired glass (*i.e.*, glass with a layer of wire mesh embedded within); (2) patterned flat glass (*i.e.*, rolled glass with a pattern impressed on one or both sides) meeting the requirements of Type II under ASTM-C1036, including greenhouse glass and patterned solar glass (*i.e.*, photovoltaic glass with a textured surface); (3) safety glazing materials for vehicles certified to American National Standards Institute (ANSI) Standard Z26.1; (4) vacuum insulating glass (VIG) units, which consist of two or more sheets of float glass separated by a spacer material, with at least one hermetically sealed compartment that uses a gas-free vacuum as a thermal barrier; (5) framed mirrors without any LEDs integrated with the mirror or the mirror frame; (6) unframed "over-the-door" mirrors that are ready for use as imported without undergoing after importation any processing, finishing, or fabrication; and (7) heat-strengthened washing machine lid glass with an actual surface area less than 6.0 square feet (0.56 square meters).

Also excluded from the scope of the investigation are: (1) soda-lime-silica glass containing less than 0.01 percent iron oxide by weight, annealed with a surface compression less than 3,500 pounds per square inch (PSI), having a transparent conductive oxide base coating (*e.g.*, tin oxide), and with an actual thickness less than or equal to 4.0 mm (0.1575 inches) (*i.e.*, "coated solar glass"); and (2) heat treated soda-lime-silica glass with a surface compression between 3,500 and 10,000 PSI, containing two or more drilled holes, and having an actual thickness less than 2.5 mm (0.0984 inches) (*i.e.*, "clear back solar glass"). Solar glass products (also known as photovoltaic glass) are designed to facilitate the conversion of solar energy into electricity.

Also excluded are metal-camed glass products (*i.e.*, panels of glass joined together with metal banding) where the constituent glass panels would otherwise be excluded by reason of their size (*e.g.*, an actual surface area less than 0.37 square meters, or 4.0 square feet) and/or by reason of consisting of patterned flat glass (*i.e.*, rolled glass with a pattern impressed on one or both sides) meeting the requirements of Type II under ASTM-C1036.

Also excluded from the scope of the investigation are any products already covered by the scope of any extant antidumping and/or countervailing duty orders, including *Aluminum Extrusions from the People's Republic of China: Antidumping Duty Order*, 76 FR 30650 (May 26, 2011), and *Aluminum Extrusions from the People's Republic of China: Countervailing Duty Order*, 76 FR 30653 (May 26, 2011).

The products subject to the investigation are currently classifiable under subheadings

7005.10.8000, 7005.21.1010, 7005.21.1030, 7005.21.2000, 7005.29.1810, 7005.29.1850, 7005.29.2500, 7007.29.0000, 7008.00.0000, 7009.91.5010, 7009.91.5095, and 7009.92.5010 of the Harmonized Tariff Schedule of the United States (HTSUS). Products subject to the investigation may also enter under HTSUS subheadings 7006.00.4010, 7006.00.4050, 7007.19.0000, 7013.99.2000, 7013.99.9090, 7610.10.0030, and 7610.90.0080. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the investigation is dispositive.

## Appendix II

### List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Changes Since the *Preliminary Determination*
- IV. Use of Facts Otherwise Available and Application of Adverse Inferences
- V. Subsidies Valuation
- VI. Analysis of Programs
- VII. Discussion of the Issues
  - Comment 1: Whether Commerce Should Apply AFA to Xinyi HK for its Input Purchase Reporting
  - Comment 2: Whether Commerce Should Countervail Xinyi HK's Unreported Tax Programs
  - Comment 3: Whether Commerce Should Find Non-Use of the Export Buyer's Credit Program (EBCP) for Xinyi HK
  - Comment 4: Whether Commerce Should Countervail as AFA the Input for Less than Adequate Remuneration (LTAR) Programs
  - Comment 5: Whether Commerce Should Countervail as AFA the Provision of Electricity for LTAR Program
  - Comment 6: Whether Commerce Should Countervail as AFA the Provision of Land for LTAR Program
  - Comment 7: Whether Commerce Should Countervail as AFA the Foreign Trade Development Grants, Export Assistance Grants, and "Other Subsidies" Programs
  - Comment 8: Whether Commerce Should Countervail Policy Loans to the Float Glass Industry
  - Comment 9: Whether the Income Tax Deduction for Research and Development (R&D) Expenses under the Enterprise Income Tax Law (EITL) and Income Tax Reductions for High and New Technology Enterprises (HNTEs) are Specific
  - Comment 10: Whether Commerce Should Apply AFA to New Kibing
- VIII. Recommendation

[FR Doc. 2026-02493 Filed 2-6-26; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-602-813]

#### Silicon Metal From Australia: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** The U.S. Department of Commerce (Commerce) preliminarily determines that silicon metal from Australia is being, or is likely to be, sold in the United States at less than fair value (LTFV). The period of investigation (POI) is April 1, 2024, through March 31, 2025. Interested parties are invited to comment on this preliminary determination.

**DATES:** Applicable February 9, 2026.

**FOR FURTHER INFORMATION CONTACT:** Jacob Waddell, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-1369.

#### SUPPLEMENTARY INFORMATION:

##### Background

This preliminary determination is made in accordance with section 733(b) of the Tariff Act of 1930, as amended (the Act). Commerce published the notice of initiation of this investigation on May 21, 2025.<sup>1</sup> On September 12, 2025, Commerce postponed the preliminary determination of this investigation until November 20, 2025.<sup>2</sup> Due to the lapse in appropriations and Federal Government shutdown, on November 14, 2025, Commerce tolled all deadlines in administrative proceedings by 47 days.<sup>3</sup> Additionally, due to a backlog of documents that were electronically filed via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS) during the Federal Government shutdown, on November 24, 2025, Commerce tolled all deadlines in administrative proceedings by an

<sup>1</sup> See *Silicon Metal from Angola, Australia, the Lao People's Democratic Republic, and Norway: Initiation of Less than Fair Value Investigations*, 90 FR 21741 (May 21, 2025) (*Initiation Notice*).

<sup>2</sup> See *Silicon Metal from Australia and Norway: Postponement of Preliminary Determinations of Antidumping Duty Investigations*, 90 FR 44161 (September 12, 2025).

<sup>3</sup> See Memorandum, "Deadlines Affected by the Shutdown of the Federal Government," dated November 17, 2025.

additional 21 days, to January 27, 2026.<sup>4</sup> Finally, due to the closure of Commerce offices due to inclement weather, the deadline for this preliminary determination was postponed until the next business day,<sup>5</sup> *i.e.*, January 28, 2026.

For a complete description of the events that followed the initiation of this investigation, *see* the Preliminary Decision Memorandum.<sup>6</sup> A list of topics included in the Preliminary Decision Memorandum is included as Appendix II to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via ACCESS. ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

#### Scope of the Investigation

The product covered by this investigation is silicon metal from Australia. For a complete description of the scope of this investigation, *see* Appendix I.

#### Scope Comments

In accordance with the *Preamble* to Commerce's regulations,<sup>7</sup> the *Initiation Notice* set aside a period of time for parties to raise issues regarding product coverage (*i.e.*, scope).<sup>8</sup> No interested party commented on the scope of the investigation as it appeared in the *Initiation Notice*. Commerce is not preliminarily modifying the scope language as it appeared in the *Initiation Notice*. *See* the scope in Appendix I to this notice.

#### Methodology

Commerce is conducting this investigation in accordance with section 731 of the Act. Commerce has calculated export prices in accordance with section 772(a) of the Act. Constructed export prices have been calculated in accordance with section 772(b) of the Act. Normal value is calculated in accordance with section

<sup>4</sup> See Memorandum, "Tolling of All Case Deadlines," dated November 24, 2025.

<sup>5</sup> See *Notice of Clarification: Application of "Next Business Day" Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, As Amended*, 70 FR 24533 (May 10, 2005).

<sup>6</sup> See Memorandum, "Decision Memorandum for the Preliminary Affirmative Determination in the Less-Than-Fair-Value Investigation of Silicon Metal from Australia," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

<sup>7</sup> See *Antidumping Duties; Countervailing Duties, Final Rule*, 62 FR 27296, 27323 (May 19, 1997) (*Preamble*).

<sup>8</sup> See *Initiation Notice*, 90 FR at 21747.

773 of the Act. In addition, Commerce has relied on partial facts available under section 776(a)(1) of the Act. For a full description of the methodology underlying the preliminary determination, see the Preliminary Decision Memorandum.

**All-Others Rate**

Sections 733(d)(1)(ii) and 735(c)(5)(A) of the Act provide that in the preliminary determination Commerce shall determine an estimated all-others rate for all exporters and producers not

individually examined. This rate shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* margins, and any margins determined entirely under section 776 of the Act.

Commerce calculated an individual estimated weighted-average dumping margin for Simcoa Operations Pty Ltd. (Simcoa), the only individually examined exporter/producer in this

investigation. Because the only individually calculated dumping margin is not zero, *de minimis*, or based entirely on facts otherwise available, the estimated weighted-average dumping margin calculated for Simcoa is the margin assigned to all other producers and exporters, pursuant to section 735(c)(5)(A) of the Act.

**Preliminary Determination**

Commerce preliminarily determines that the following estimated weighted-average dumping margins exist:

Exporter/producer	Estimated weighted-average dumping margin (percent)
Simcoa Operations Pty Ltd .....	6.28
All Others .....	6.28

**Suspension of Liquidation**

In accordance with section 733(d)(2) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to suspend liquidation of entries of subject merchandise, as described in Appendix I, entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**. Further, pursuant to section 733(d)(1)(B) of the Act and 19 CFR 351.205(d), Commerce will instruct CBP to require a cash deposit equal to the estimated weighted-average dumping margin or the estimated all-others rate, as follows: (1) the cash deposit rate for the respondent listed above will be equal to the company-specific estimated weighted-average dumping margins determined in this preliminary determination; (2) if the exporter is not a respondent identified above, but the producer is, then the cash deposit rate will be equal to the company-specific estimated weighted-average dumping margin established for that producer of the subject merchandise; and (3) the cash deposit rate for all other producers and exporters will be equal to the all-others estimated weighted-average dumping margin.

Commerce normally adjusts cash deposits for estimated antidumping duties by the amount of export subsidies countervailed in a companion countervailing duty (CVD) proceeding, when CVD provisional measures are in effect. Accordingly, where Commerce preliminarily made an affirmative determination for countervailable export subsidies, Commerce has offset the estimated weighted-average dumping margin by the appropriate CVD rate. The CVD investigation of silicon metal from

Australia preliminarily found no export subsidies; accordingly, we are making no offsets to the estimated weighted-average dumping margin.<sup>9</sup>

These suspension of liquidation instructions will remain in effect until further notice.

**Disclosure**

Commerce intends to disclose its calculations and analysis performed to interested parties in this preliminary determination within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

Consistent with 19 CFR 351.224(e), Commerce will analyze and, if appropriate, correct any timely allegations of significant ministerial errors by amending the preliminary determination. However, consistent with 19 CFR 351.224(d), Commerce will not consider incomplete allegations that do not address the significance standard under 19 CFR 351.224(g) following the preliminary determination. Instead, Commerce will address such allegations in the final determination together with issues raised in the case briefs or other written comments.

**Verification**

As provided in section 782(i)(1) of the Act, Commerce intends to verify the information relied upon in making its final determination.

<sup>9</sup> See *Silicon Metal from Australia: Preliminary Affirmative Countervailing Duty Determination, and Alignment of Final Determination with Final Antidumping Duty Determination*, 90 FR 46390 (September 26, 2025), and accompanying Preliminary Decision Memorandum.

**Public Comment**

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the date on which the last verification report is issued in this investigation. A timeline for the submission of case briefs and written comments will be notified to interested parties at a later date. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing case briefs.<sup>10</sup> Interested parties who submit case or rebuttal briefs in this proceeding must submit: (1) a table of contents listing each issue; and (2) a table of authorities.<sup>11</sup>

As provided under 19 CFR 351.309(c)(2)(iii) and (d)(2)(iii), we request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.<sup>12</sup> Further, we request that interested parties limit their executive summary of each issue to no more than 450 words, not including citations. We intend to use the executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final determination in this investigation. We request that interested parties include footnotes for relevant citations in the executive summary of each issue.

<sup>10</sup> See 19 CFR 351.309(d); see also *Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings*, 88 FR 67069, 67077 (September 29, 2023) (*APO and Service Final Rule*).

<sup>11</sup> See 19 CFR 351.309(c)(2) and (d)(2).

<sup>12</sup> We use the term “issue” here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).<sup>13</sup>

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in the case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, within 30 days after the date of publication of this notice. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants and whether any participant is a foreign national; and (3) a list of the issues to be discussed. If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

#### Postponement of Final Determination and Extension of Provisional Measures

Section 735(a)(2) of the Act provides that a final determination may be postponed until not later than 135 days after the date of the publication of the preliminary determination if, in the event of an affirmative preliminary determination, a request for such postponement is made by exporters who account for a significant proportion of exports of the subject merchandise, or in the event of a negative preliminary determination, a request for such postponement is made by the petitioner. Section 351.210(e)(2) of Commerce's regulations requires that a request by exporters for postponement of the final determination be accompanied by a request for extension of provisional measures from a four-month period to a period not more than six months in duration.

Pursuant to 19 CFR 351.210(e), on September 29, 2025, and January 26, 2026, respectively, Simcoa and the petitioners<sup>14</sup> each requested that Commerce postpone the final determination and that provisional measures be extended to a period not to exceed six months.<sup>15</sup> In accordance with section 735(a)(2)(A) of the Act and 19 CFR 351.210(b)(2)(ii), because: (1) the preliminary determination is affirmative; (2) the requesting exporter

accounts for a significant proportion of exports of the subject merchandise; and (3) no compelling reasons for denial exist, Commerce is postponing the final determination and extending the provisional measures from a four-month period to a period not greater than six months. Accordingly, Commerce will make its final determination no later than 135 days after the date of publication of this preliminary determination.

#### U.S. International Trade Commission (ITC) Notification

In accordance with section 733(f) of the Act, Commerce will notify the ITC of its preliminary determination. If the final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after the final determination whether these imports are materially injuring, or threaten material injury to, the U.S. industry.

#### Notification to Interested Parties

This determination is issued and published in accordance with sections 733(f) and 777(i)(1) of the Act, and 19 CFR 351.205(c).

Dated: January 28, 2026.

#### Christopher Abbott,

*Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

#### Appendix I

##### Scope of the Investigation

The scope of this investigation covers all forms and sizes of silicon metal, including silicon metal powder. Silicon metal contains at least 85.00 percent but less than 99.99 percent silicon, and less than 4.00 percent iron, by actual weight. Semiconductor grade silicon (merchandise containing at least 99.99 percent silicon by actual weight and classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheading 2804.61.0000) is excluded from the scope of this investigation.

Silicon metal is currently classifiable under subheadings 2804.69.1000 and 2804.69.5000 of the HTSUS. While the HTSUS numbers are provided for convenience and customs purposes, the written description of the scope remains dispositive.

#### Appendix II

##### List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Period of Investigation
- IV. Affiliation
- V. Application of Facts Available
- VI. Discussion of the Methodology
- VII. Currency Conversion

#### VIII. Recommendation

[FR Doc. 2026-02499 Filed 2-6-26; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-188]

#### Float Glass Products From the People's Republic of China: Final Affirmative Determination of Sales at Less Than Fair Value

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** The U.S. Department of Commerce (Commerce) determines that float glass products (float glass) from the People's Republic of China (China) are being, or are likely to be, sold in the United States at less than fair value (LTFV). The period of investigation is April 1, 2024, through September 30, 2024.

**DATES:** Applicable February 9, 2026.

**FOR FURTHER INFORMATION CONTACT:** Dmitry Vladimirov, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-0665.

#### SUPPLEMENTARY INFORMATION:

##### Background

On July 15, 2025, Commerce published in the **Federal Register** its *Preliminary Determination* in this investigation and invited interested parties to comment.<sup>1</sup>

Due to the lapse in appropriations and Federal Government shutdown, on November 14, 2025, Commerce tolled all deadlines in administrative proceedings by 47 days.<sup>2</sup> Additionally, due to a backlog of documents that were electronically filed via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS) during the Federal Government shutdown, on November 24, 2025, Commerce tolled all deadlines in administrative proceedings by an

<sup>1</sup> See *Float Glass Products from the People's Republic of China: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures*, 90 FR 31602 (July 15, 2025) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

<sup>2</sup> See Memorandum, "Deadlines Affected by the Shutdown of the Federal Government," dated November 14, 2025.

<sup>13</sup> See *APO and Service Final Rule*.

<sup>14</sup> The petitioners are FerroGlobe USA, Inc. and Mississippi Silicon LLC (collectively, the petitioners).

<sup>15</sup> See Simcoa's Letter, "Request to Postpone Final Determination," dated September 29, 2025; see also Petitioners' Letter, "Petitioners' Request to Postpone the Final Antidumping Duty Determination," dated January 26, 2026.

additional 21 days.<sup>3</sup> Accordingly, the deadline for this final determination is now February 3, 2026.

For a complete description of the events that followed the *Preliminary Determination*, see the Issues and Decision Memorandum.<sup>4</sup> The Issues and Decision Memorandum is a public document and is on file electronically via ACCESS. ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

**Scope of the Investigation**

The products covered by this investigation are float glass products from China. For a complete description of the scope of this investigation, see Appendix I.

**Scope Comments**

In the Preliminary Scope Memorandum, we set aside a period of time for parties to raise issues regarding product coverage (*i.e.*, scope) in scope-specific case briefs or other written comments.<sup>5</sup> We received scope case and rebuttal briefs from multiple interested parties. For a summary of the product coverage comments and rebuttal responses submitted to the record for this final determination, and accompanying discussion and analysis of all comments timely received, see the Final Scope Memorandum.<sup>6</sup> In this final determination, Commerce modified the

scope language used in the *Preliminary Determination* by adding certain Harmonized Tariff Schedule of the United States subheadings to the scope.<sup>7</sup> See Appendix I.

**Verification**

Because the China-wide entity in this investigation did not provide information requested by Commerce, Commerce determines that the China-wide entity was uncooperative and, thus, we did not conduct any verifications.

**Analysis of Comments Received**

In response to our invitation to comment on the *Preliminary Determination*, interested parties submitted case and rebuttal briefs to Commerce. All issues raised in the case and rebuttal briefs submitted by interested parties in this investigation are addressed in the Issues and Decision Memorandum. A list of the issues addressed in the Issues and Decision Memorandum is attached to this notice as Appendix II.

**Changes Since the Preliminary Determination**

Based on our review of the record and comments received from interested parties regarding the *Preliminary Determination*, we made changes for this final determination.

**China-Wide Entity and Use of Adverse Facts Available (AFA)**

For the purposes of this final determination, consistent with the

*Preliminary Determination*,<sup>8</sup> Commerce relied solely on the use of AFA for the China-wide entity, pursuant to sections 776(a) and (b) of the Tariff Act of 1930, as amended (the Act), in determining the dumping rate for the China-wide entity.<sup>9</sup> For this final determination, we continue to apply AFA to the China-wide entity.

**Separate Rate**

We received comments<sup>10</sup> on our preliminary separate rate determination.<sup>11</sup> Based on our analysis of the comments received, our preliminary determination with respect to separate rate eligibility continues to be unchanged in the final determination.<sup>12</sup> However, we revised the separate rate for the final determination.

**Combination Rates**

Consistent with the *Preliminary Determination* and Policy Bulletin 05.1,<sup>13</sup> we assigned a producer/exporter combination rate for the companies that are listed in the “Final Determination” and eligible for separate rates.<sup>14</sup>

**Final Determination**

Commerce determines that the following estimated weighted-average dumping margins exist for the period, April 1, 2024, through September 30, 2024:

Exporter	Producer	Weighted-average dumping margin (percent)	Cash deposit rate (adjusted for subsidy offsets) (percent) <sup>15</sup>
Benxi Fuyao Float Glass Co., Ltd .....	Benxi Fuyao Float Glass Co., Ltd .....	151.29	151.27
Changshu Chenming High-Tech International Trading Co., Ltd.	Changshu High-Tech Energy-Saving Dorwin Co., Ltd	151.29	151.27
Dong Guan City Bathnology Industrial Co., Ltd .....	Dong Guan City Bathnology Industrial Co., Ltd .....	151.29	151.27
Dongguan Gongying Supply Chain Management Co., Ltd.	Lamxon Technology Building Materials Co., Ltd .....	151.29	151.27
Guangdong Guang Yi Import and Export Co., Ltd .....	Lamxon Technology Building Materials Co., Ltd .....	151.29	151.27

<sup>3</sup> See Memorandum, “Tolling of all Case Deadlines,” dated November 24, 2025.  
<sup>4</sup> See Memorandum, “Issues and Decision Memorandum for the Final Affirmative Determination in the Less-Than-Fair-Value Investigation of Float Glass Products from the People’s Republic of China,” dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).  
<sup>5</sup> See Memorandum, “Float Glass Products from the People’s Republic of China and Malaysia: Scope Comments Decision Memorandum for the Preliminary Determinations,” dated July 9, 2025 (Preliminary Scope Memorandum).  
<sup>6</sup> See Memorandum, “Float Glass Products from the People’s Republic of China and Malaysia: Final

Scope Decision Memorandum,” dated February 3, 2026 (Final Scope Memorandum).  
<sup>7</sup> *Id.*  
<sup>8</sup> See *Preliminary Determination* PDM at 10–12.  
<sup>9</sup> See sections 776(a)(1) and (2)(A)–(C) and (b) of the Act.  
<sup>10</sup> See Issues and Decision Memorandum at Comment 2.  
<sup>11</sup> See *Preliminary Determination* PDM at 8–10.  
<sup>12</sup> See Issues and Decision Memorandum at Comment 2.  
<sup>13</sup> See Enforcement and Compliance’s Policy Bulletin No. 05.1, regarding, “Separate-Rates Practice and Application of Combination Rates in Antidumping Investigations Involving Non-Market Economy Countries,” (April 5, 2005) (Policy

Bulletin 05.1), available on Commerce’s website at <https://access.trade.gov/Resources/policy/bull05-1.pdf>.  
<sup>14</sup> See *Preliminary Determination* PDM at 8–10.  
<sup>15</sup> See *Float Glass Products from the People’s Republic of China: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination With Final Antidumping Duty Determination*, 90 FR 21281 (May 19, 2025), and accompanying Preliminary Decision Memorandum at 40–41, for the total of 0.02 percent for export subsidies, unchanged in *Float Glass Products from The People’s Republic of China: Final Affirmative Countervailing Duty Determination*, signed concurrently with this notice.

Exporter	Producer	Weighted-average dumping margin (percent)	Cash deposit rate (adjusted for subsidy offsets) (percent) <sup>15</sup>
Guangdong Rosery Bath Science and Technology Co., Ltd.	Guangdong Rosery Bath Science and Technology Co., Ltd.	151.29	151.27
Orient Resource Corporation Limited	Orient Resource Corporation Limited	151.29	151.27
Qingdao Apis Glass Industries Co., Ltd	Qingdao Apis Glass Industries Co., Ltd	151.29	151.27
Qingdao Oriental Brother New Energy Technology Co., Ltd.	Qingdao Oriental Brother New Energy Technology Co., Ltd.	151.29	151.27
Qinhuangdao Xinhua Glass Processing Co., Ltd	Qinhuangdao Xinhua Glass Processing Co., Ltd	151.29	151.27
Shandong Jinjing Science and Technology Stock Co., Ltd. Boshan Branch.	Shandong Jinjing Science and Technology Stock Co., Ltd. Boshan Branch.	151.29	151.27
Tengzhou Eternal Glass Co., Ltd	Tengzhou Fenghua Glass Co., Ltd	151.29	151.27
Tengzhou Haolong Glass Co., Ltd	Tengzhou Haolong Glass Co., Ltd	151.29	151.27
Tengzhou Jingcheng Mirror Co., Ltd	Tengzhou Jingcheng Mirror Co., Ltd	151.29	151.27
Tengzhou Jinjing Glass Co., Ltd	Tengzhou Jinjing Glass Co., Ltd	151.29	151.27
Tengzhou Jinjing Glass Co., Ltd	Tengzhou Jinjing Glass Co., Ltd	151.29	151.27
Tengzhou Yichuang Commercial Trading Co., Ltd	Langfang Jinbiao Glass Co., Ltd	151.29	151.27
Xiamen Guorui Hengsheng Advanced Materials Co., Ltd.	Tengzhou Yichuang Commercial Trading Co., Ltd	151.29	151.27
Xiamen Guorui Hengsheng Advanced Materials Co., Ltd.	Xiamen Guorui Hengsheng Advanced Materials Co., Ltd.	151.29	151.27
Xiamen Guorui Hengsheng Advanced Materials Co., Ltd.	Xiamen Shiner Glass Co., Ltd	151.29	151.27
Xinyi Group (Glass) Co., Ltd	Xinyi Glass (Tianjin) Co., Ltd	151.29	151.27
Xinyi Group (Glass) Co., Ltd	Xinyi Glass (Wuhu) Co., Ltd	151.29	151.27
Zhongshan Neptum Sanitary Ware Co., Ltd	Zhongshan Neptum Sanitary Ware Co., Ltd	151.29	151.27
Zhongshan Ninghe Intelligent Kitchen and Bath Co., Ltd.	Zhongshan Ninghe Intelligent Kitchen and Bath Co., Ltd.	151.29	151.27
China-Wide Entity		* 181.54	181.52

\* Rate based on facts available with adverse inferences.

**Disclosure**

Commerce intends to disclose the calculations performed in this final determination to interested parties within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this notice in the **Federal Register** in accordance with 19 CFR 351.224(b).

**Suspension of Liquidation**

In accordance with section 733(d)(2) of the Act, we instructed U.S. Customs and Border Protection (CBP) to suspend liquidation of all appropriate entries of subject merchandise, as described in Appendix I of the *Preliminary Determination*, which were entered, or withdrawn from warehouse, for consumption, on or after July 15, 2025, the date of publication of the *Preliminary Determination* in the **Federal Register**.

In accordance with section 733(d) of the Act, we subsequently instructed CBP to discontinue the suspension of liquidation of all entries of subject merchandise entered or withdrawn from warehouse, on or after January 11, 2026, the first day provisional measures were no longer in effect, but to continue the suspension of liquidation of all entries of subject merchandise on or before January 10, 2026.

If the U.S. International Trade Commission (ITC) issues a final affirmative injury determination, we will issue an antidumping duty order, reinstate the suspension of liquidation under section 736(a) of the Act, and instruct CBP to require the following cash deposits of estimated antidumping duties for all appropriate entries: (1) for the producer/exporter combinations listed in the table above, the applicable cash deposit rate is listed in the table for that combination; (2) for all combinations of Chinese producers/exporters of the merchandise under consideration that have not established eligibility for separate rates, the cash deposit rate will be equal to the estimated weighted-average dumping margin established for the China-wide entity; and (3) for all third country exporters of merchandise under consideration not listed in the table above, the cash deposit rate is the cash deposit rate applicable to the Chinese producer/exporter combination (or China-wide entity) that supplied that third-country exporter or, if the exporter/producer combination does not have its own rate, the cash deposit rate will be the China-wide rate. If the ITC determines that material injury, or threat of material injury, does not exist, then this proceeding will be terminated, the suspension of liquidation will be lifted, and all cash deposits for

estimated antidumping duties will be refunded.

To determine the cash deposit rate, Commerce normally adjusts the estimated weighted-average dumping margin by the amount of export subsidies countervailed in a companion countervailing duty (CVD) proceeding, when CVD provisional measures are in effect. Accordingly, where Commerce has made a final affirmative determination for countervailable export subsidies, Commerce offsets the estimated weighted-average dumping margin by the appropriate export subsidy rate. Commerce has continued to adjust the cash deposit rate for export subsidies in the companion CVD investigation by the appropriate export subsidy rate as indicated in the above chart. However, the suspension of liquidation of provisional measures in the companion CVD case has been discontinued;<sup>16</sup> therefore, we are not instructing CBP to collect cash deposits based upon the adjusted estimated weighted-average dumping margin for

<sup>16</sup> See *Float Glass Products from the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination with Final Antidumping Duty Determination*, 90 FR 21281 (May 19, 2025); see also section 703(d) of the Act, which states that the provisional measures may not be in effect for more than four months, which in the companion CVD case is 120 days after the publication of the preliminary determination, or September 16, 2025 (i.e., last day provisional measures are in effect).

those export subsidies at this time. If the ITC makes a final affirmative determination of injury due to both dumping and subsidies, then the cash deposit rate will be revised effective on the date of the publication of the ITC's final affirmative determination in the **Federal Register** to be the company-specific estimated weighted-average dumping margin adjusted for export subsidies.

### ITC Notification

In accordance with section 735(d) of the Act, Commerce will notify the ITC of its final affirmative determination of sales at LTFV. Because Commerce's final determination is affirmative, in accordance with section 735(b)(2) of the Act, the ITC will determine, within 45 days, whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of float glass. If the ITC determines that material injury or threat of material injury does not exist, this proceeding will be terminated, all cash deposits posted will be refunded, and suspension of liquidation will be lifted. If the ITC determines that such injury does exist, Commerce will issue an antidumping duty order directing CBP to assess, upon further instruction by Commerce, antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation, as discussed in the "Continuation of Suspension of Liquidation" section above.

### Administrative Protective Order (APO)

This notice will serve as the only reminder to parties subject to an APO of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation subject to sanction.

### Notification to Interested Parties

This determination is issued and published in accordance with sections 735(d) and 777(i)(1) of the Act, and 19 CFR 351.210(c).

Dated: February 3, 2026.

### Christopher Abbott,

*Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

### Appendix I

#### Scope of the Investigation

The scope of this investigation covers float glass products (FGP), which are articles of soda-lime-silica glass that are manufactured by floating a continuous strip of molten glass over a smooth bath of tin (or another liquid metal with a density greater than molten glass), cooling the glass in an annealing lehr, and cutting it to appropriate dimensions. For purposes of the investigation, float glass products have an actual thickness of at least 2.0 mm (0.0787 inches) and an actual surface area of at least 0.37 square meters (4.0 square feet).

The country of origin of each float glass product is determined by the location where the soda-lime-silica glass is first manufactured by floating a continuous strip of molten glass over a smooth bath of tin and cooling the glass in an annealing lehr, regardless of the location of any downstream finishing or fabrication operations.

Prior to being subjected to further treatment, finishing, or fabrication, float glass products meet the requirements of Type I under ASTM-C1036 of the American Society for Testing and Materials (ASTM).

Float glass products may be clear, stained, tinted, or coated with one or more materials. Examples of coated float glass products include Low-E architectural glass (*i.e.*, glass with a low emissivity coating to limit the penetration of radiant heat energy) and frameless mirrors (*i.e.*, flat glass with a silver, aluminum, or other reflective layer) such as mirror stock sheet.

Float glass products may be annealed, chemically strengthened, heat strengthened, or tempered to achieve a desired surface compression, pursuant to ASTM-C1048, ASTM-C1422/C1422M, or other similar specifications.

Float glass products include tub and shower enclosures (*i.e.*, doors and panels) made of tempered glass, which may be sold with attached or unattached hardware. In such cases, the scope covers only the tempered glass, to the exclusion of any non-glass hardware.

The only float glass product assemblies included within the scope are: (1) articles consisting of two or more sheets of float glass that are bonded together using a polymer interlayer (*i.e.*, laminated glass); (2) insulating glass units (IGUs), which consist of two or more sheets of float glass separated by a spacer material and hermetically sealed together at the edge in order to create a thermal barrier using air or one or more gases but excluding any non-float glass components (other than the spacer and insulating materials) that may be mounted within the space between sheets of float glass (*e.g.*, blinds, wrought iron cores, and camed patterned glass), as such non-float glass components are deemed outside the scope and not subject to duties; and (3) LED mirrors

(*i.e.*, float glass mirrors with one or more light-emitting diodes attached to or integrated with the mirror, as well as framed float glass mirrors with one or more light-emitting diodes attached to or integrated with the mirror or the mirror frame, but without other electronic functionality such as digital or video displays or audio circuitry).

Float glass products covered by the scope may meet one or more of the ASTM-C162, ASTM-C1036, ASTM-C1048, ASTM-C1172, ASTM-C1349, ASTM-C1376, ASTM-C1422/C1422M, ASTM-C1464, ASTM-C1503, ASTM-C1651, ASTM-E1300, and ASTM-E2190 specifications, definitions, and/or standards.

Float glass products may be further worked, including, but not limited to, operations such as: cutting; beveling; edging; notching; drilling; etching; bending; curving; chipping; embossing; engraving; surface grinding; or polishing; and sandblasting (*i.e.*, using high velocity air to stream abrasive particles and thereby impart a frosted aesthetic to the glass surface). A float glass product which undergoes further work remains within the scope so long as the soda-lime-silica glass originally satisfied the requirements of ASTM-C1036 Type I and was first manufactured in a subject country, regardless of where it is further worked.

Excluded from the scope are: (1) wired glass (*i.e.*, glass with a layer of wire mesh embedded within); (2) patterned flat glass (*i.e.*, rolled glass with a pattern impressed on one or both sides) meeting the requirements of Type II under ASTM-C1036, including greenhouse glass and patterned solar glass (*i.e.*, photovoltaic glass with a textured surface); (3) safety glazing materials for vehicles certified to American National Standards Institute (ANSI) Standard Z26.1; (4) vacuum insulating glass (VIG) units, which consist of two or more sheets of float glass separated by a spacer material, with at least one hermetically sealed compartment that uses a gas-free vacuum as a thermal barrier; (5) framed mirrors without any LEDs integrated with the mirror or the mirror frame; (6) unframed "over-the-door" mirrors that are ready for use as imported without undergoing after importation any processing, finishing, or fabrication; and (7) heat-strengthened washing machine lid glass with an actual surface area less than 6.0 square feet (0.56 square meters).

Also excluded from the scope of the investigation are: (1) soda-lime-silica glass containing less than 0.01 percent iron oxide by weight, annealed with a surface compression less than 3,500 pounds per square inch (PSI), having a transparent conductive oxide base coating (*e.g.*, tin oxide), and with an actual thickness less than or equal to 4.0 mm (0.1575 inches) (*i.e.*, "coated solar glass"); and (2) heat treated soda-lime-silica glass with a surface compression between 3,500 and 10,000 PSI, containing two or more drilled holes, and having an actual thickness less than 2.5 mm (0.0984 inches) (*i.e.*, "clear back solar glass"). Solar glass products (also known as photovoltaic glass) are designed to facilitate the conversion of solar energy into electricity.

Also excluded are metal-camed glass products (*i.e.*, panels of glass joined together

with metal banding) where the constituent glass panels would otherwise be excluded by reason of their size (e.g., an actual surface area less than 0.37 square meters, or 4.0 square feet) and/or by reason of consisting of patterned flat glass (i.e., rolled glass with a pattern impressed on one or both sides) meeting the requirements of Type II under ASTM-C1036.

Also excluded from the scope of the investigation are any products already covered by the scope of any extant antidumping and/or countervailing duty orders, including *Aluminum Extrusions from the People's Republic of China: Antidumping Duty Order*, 76 FR 30650 (May 26, 2011), and *Aluminum Extrusions from the People's Republic of China: Countervailing Duty Order*, 76 FR 30653 (May 26, 2011).

The products subject to the investigation are currently classifiable under subheadings 7005.10.8000, 7005.21.1010, 7005.21.1030, 7005.21.2000, 7005.29.1810, 7005.29.1850, 7005.29.2500, 7007.29.0000, 7008.00.0000, 7009.91.5010, 7009.91.5095, and 7009.92.5010 of the Harmonized Tariff Schedule of the United States (HTSUS). Products subject to the investigation may also enter under HTSUS subheadings 7006.00.4010, 7006.00.4050, 7007.19.0000, 7013.99.2000, 7013.99.9090, 7610.10.0030, and 7610.90.0080. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the investigation is dispositive.

## Appendix II

### List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Changes Since the *Preliminary Determination*
- IV. Discussion of the Issues
  - Comment 1: Replacement Mandatory Respondents
  - Comment 2: Xinyi's Cooperation
- V. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-533-840]

#### Certain Frozen Warmwater Shrimp From India: Final Results of Antidumping Duty Administrative Review; 2023-2024

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** The U.S. Department of Commerce (Commerce) determines that producers/exporters subject to this administrative review made sales of subject merchandise at less than normal value during the period of review (POR),

February 1, 2023, through January 31, 2024.

**DATES:** Applicable February 9, 2026.

**FOR FURTHER INFORMATION CONTACT:** Ajay Menon, AD/CVD Operations, Office IX, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-0208.

**SUPPLEMENTARY INFORMATION:**

### Background

On June 11, 2025, Commerce published the *Preliminary Results*.<sup>1</sup> On July 15, 2025, Commerce issued a post-preliminary analysis memorandum to: (1) address the American Shrimp Processors Association's (ASPA) particular market situation allegation; and (2) make certain changes to our differential pricing analysis, and we invited interested parties to comment.<sup>2</sup> On August 6, 2025, the Ad Hoc Shrimp Trade Action Committee (the petitioner); the Devi Group;<sup>3</sup> Sandhya Aqua Exports Private Limited (Sandhya); Alpha Marine Limited (Alpha Marine); and the Indian Exporters<sup>4</sup> submitted case briefs.<sup>5</sup> On August 11, 2025, the petitioner and ASPA submitted rebuttal briefs.<sup>6</sup>

On September 25, 2025, Commerce extended the deadline for the final results until November 7, 2025.<sup>7</sup> Due to

<sup>1</sup> See *Certain Frozen Warmwater Shrimp from India: Preliminary Results of Antidumping Duty Administrative Review; 2023-2024*, 90 FR 24569 (June 11, 2025) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

<sup>2</sup> See Memorandum, "Post Preliminary Analysis in the 2023-2024 Administrative Review of the Antidumping Duty Order on Certain Frozen Warmwater Shrimp from India," dated July 15, 2025 (Post Preliminary Analysis).

<sup>3</sup> The Devi Group consists of Devi Fisheries Limited, Satya Seafoods Private Limited, Usha Seafoods, and Devi Aquatech Private Limited. See *Certain Frozen Warmwater Shrimp from India: Final Results of Antidumping Duty Administrative Review; 2016-2017*, 83 FR 32835 (July 16, 2018).

<sup>4</sup> The Indian Exporters are: (1) the Ananda Group; (2) Avanti Frozen Foods Private Limited; (3) Apex Frozen Foods Limited; (4) Nekkanti Sea Foods Limited; (5) Sagar Grandhi Exports (P) Ltd; (6) Falcon Marine Exports Limited; and (7) LNSK Green House Agro Products LLP.

<sup>5</sup> See Petitioner's Letter, "Case Brief," dated August 6, 2025; see also Devi's Letter, "Devi Fisheries Limited's submission of Case Brief relating to preliminary results and post-preliminary analysis of above proceedings," dated August 6, 2025; Sandhya's Letter, "Sandhya's Case Brief," dated August 6, 2025; Alpha Marine's Letter, "Alpha Marine Limited Case Brief," dated August 6, 2025; and Indian Exporters' Letter, "Indian Producer/Exporters' Case Brief," dated August 6, 2025.

<sup>6</sup> See Petitioner's Letter, "Rebuttal Brief," dated August 11, 2025; see also ASPA's Letter, "American Shrimp Processors Association's Rebuttal Case Brief," dated August 11, 2025.

<sup>7</sup> See Memorandum, "Extension of Deadline for Final Results of 2023-2024 Antidumping Duty Administrative Review," dated September 25, 2025.

the lapse in appropriations and Federal Government shutdown, on November 14, 2025, Commerce tolled all deadlines in administrative proceedings by 47 days.<sup>8</sup> Additionally, due to a backlog of documents that were electronically filed via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS) during the Federal Government shutdown, on November 24, 2025, Commerce tolled all deadlines in administrative proceedings by an additional 21 days.<sup>9</sup> On December 22, 2025, Commerce further extended the deadline for the final results.<sup>10</sup> Accordingly, the deadline for these final results is now January 28, 2026.

For a complete description of the events that occurred since the *Preliminary Results*, see the Issues and Decision Memorandum.<sup>11</sup> The Issues and Decision Memorandum is a public document and is on file electronically via ACCESS. ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Commerce conducted this administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

### Scope of the Order<sup>12</sup>

The merchandise subject to the *Order* is shrimp from India. For a complete description of the scope of the *Order*, see the Issues and Decision Memorandum.

### Analysis of Comments Received

All issues raised in the case and rebuttal briefs submitted by interested parties are listed in Appendix I to this notice and addressed in the Issues and Decision Memorandum.

<sup>8</sup> See Memorandum, "Deadlines Affected by the Shutdown of the Federal Government," dated November 14, 2025.

<sup>9</sup> See Memorandum, "Tolling of All Case Deadlines," dated November 24, 2025.

<sup>10</sup> See Memorandum, "Extension of Deadline for Final Results of 2023-2024 Antidumping Duty Administrative Review," dated December 22, 2025.

<sup>11</sup> See Memorandum, "Issues and Decision Memorandum for the Final Results of the Antidumping Duty Administrative Review of Certain Frozen Warmwater Shrimp from India; 2023-2024," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<sup>12</sup> See *Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp from India*, 70 FR 5147 (February 1, 2005) (*Order*).

**Changes Since the Preliminary Results and Post Preliminary Analysis**

Based on our analysis of the comments received from interested parties, we made certain changes to the weighted average dumping margins for the Devi Group and Sandhya. For a discussion of these changes, see the Issues and Decision Memorandum.

**Review-Specific Rate for Non-Examined Companies**

The Act and Commerce’s regulations do not address the establishment of a weighted-average dumping margin to be applied to companies not selected for individual examination when Commerce limits its examination in an

administrative review pursuant to section 777A(c)(2) of the Act. Generally, Commerce looks to section 735(c)(5) of the Act, which provides instructions for calculating the all-others rate in a less-than-fair-value (LTFV) investigation, for guidance when calculating the weighted-average dumping margin for companies which were not selected for individual examination in an administrative review. Under section 735(c)(5)(A) of the Act, the all-others rate is normally an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero or *de minimis* margins, and any

margins determined entirely on the basis of facts available.

Consistent with section 735(c)(5)(A) of the Act, we calculated the weighted-average dumping margin for the non-selected companies using the calculated rates of the mandatory respondents, the Devi Group and Sandhya, which are not zero or *de minimis*, or determined entirely on the basis of facts available.<sup>13</sup>

**Final Results of Review**

For these final results of this review, we determine the following estimated weighted-average dumping margins exist for the period February 1, 2023, through January 31, 2024:

Producer or exporter	Weighted-average dumping margin (percent)
Devi Fisheries Limited; Satya Seafoods Private Limited; Usha Seafoods; Devi Aquatech Private Limited .....	2.71
Sandhya Aqua Exports Private Limited .....	5.08
Review-Specific Rate for Companies Not Selected for Individual Examination <sup>14</sup> .....	3.76

**Disclosure**

Commerce intends to disclose the calculations and analysis performed in connection with the final results of this administrative review to interested parties within five days of any public announcement or, if there is no public announcement, within five days of the publication date of this notice in the **Federal Register**, in accordance with 19 CFR 351.224(b).

**Assessment Rates**

Pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b)(1), Commerce has determined, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review. Pursuant to 19 CFR 351.212(b)(1), because both the Devi Group and Sandhya reported the entered value for all of their U.S. sales, we calculated importer-specific *ad valorem* duty assessment rates based on the ratio of the total amount of antidumping duties calculated for each importer’s examined sales to the total entered value of these sales. Where an importer-specific assessment rate is *de minimis* (i.e., less than 0.5 percent), we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

Commerce’s “automatic assessment” practice will apply to entries of subject merchandise during the POR produced by the Devi Group or Sandhya for which the reviewed companies did not know that the merchandise they sold to an intermediary (e.g., a reseller, trading company, or exporter) was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate established in the LTFV investigation if there is no rate for the intermediate company(ies) involved in the transaction.<sup>15</sup>

For the companies not selected for individual examination, we will instruct CBP to assess antidumping duties on all appropriate entries at the review-specific rate, calculated as noted in the “Review-Specific Rate for Non-Examined Companies” section, above.<sup>16</sup>

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (i.e., within 90 days of publication).

**Cash Deposit Requirements**

The following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the company listed above will be equal to the weighted-average dumping margin that is established in the final results of this review, except if the rate is less than 0.50 percent and, therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) for previously investigated or reviewed companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding in which the company participated; (3) if the exporter is not a firm covered in this review, a prior review, or the LTFV investigation, but the producer is, the cash deposit rate will be the cash deposit rate established for the most recently completed segment for the producer of the subject merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 10.17 percent, the all-others rate established in the LTFV

<sup>13</sup> See Memorandum, “Calculation of the Cash Deposit Rate for Non-Reviewed Companies for the Final Results in the 2023–2024 Administrative Review of the Antidumping Duty Order on Frozen Warmwater Shrimp from India,” dated concurrently

with this notice; see also Attachment II, for the list of companies not selected for individual examination.

<sup>14</sup> See Appendix II.

<sup>15</sup> For a full discussion of this practice, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

<sup>16</sup> See section 735(c)(5)(A) of the Act.

investigation.<sup>17</sup> These deposit requirements, when imposed, shall remain in effect until further notice.

### Administrative Protective Order (APO)

This notice serves as the only reminder to parties subject to an APO of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

### Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

### Notification to Interested Parties

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: January 28, 2026.

### Christopher Abbott,

*Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

### Appendix I

#### List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Changes Made Since the Preliminary Results and Post Preliminary Analysis
- V. Discussion of the Issues
  - Comment 1: Differential Pricing Analysis
  - Comment 2: Existence of a Particular Market Situation
  - Comment 3: PMS Adjustment
  - Comment 4: Commerce's Selection of Mandatory Respondents in this Administrative Review
  - Comment 5: Review-Specific Rate Calculation
  - Comment 6: Whether to Assign the Review-Specific Rate to Alpha Marine Limited
  - Comment 7: Whether to Make an Export Subsidy Offset

- Comment 8: Costs for Products Sold but Not Produced During the POR
- Comment 9: Whether to Revise the Devi Group's Forward Exchange Rate Calculation
- Comment 10: Whether to Deduct Third Country Indirect Selling Expenses from Net Price for Sandhya
- Comment 11: Whether to Collapse Sandhya with Neeli Sea Foods Private Limited
- Comment 12: Whether to Correct the Per-Unit Conversion of Sandhya's Cost of Production

### VI. Recommendation

### Appendix II

#### Companies Not Selected for Individual Examination

1. Abad Overseas Private Limited.
2. Accelerated Freeze Drying Co., Ltd.
3. Akshay Food Impex Private Limited
4. Alashore Marine Exports (P) Ltd.
5. Albys Agro Private Limited
6. Alpha Marine; Alpha Marine Limited<sup>18</sup>
7. Amaravathi Aqua Exports Private Ltd.
8. Ananda Aqua Applications; Ananda Aqua Exports (P) Limited; Ananda Foods
9. Ananda Enterprises (India) Private Limited
10. Aparna Marine Exports
11. Apex Frozen Foods Limited
12. Aquatica Frozen Foods Global Pvt. Ltd.
13. Arya Sea Foods Private Limited
14. Asvini Fisheries Ltd.; Asvini Fisheries Private Ltd.
15. Avanti Frozen Foods Private Limited
16. Blue-Fin Frozen Foods Pvt Ltd.
17. BMR Exports; BMR Exports Private Limited
18. BMR Industries Private Limited
19. B-One Business House Pvt. Ltd.
20. Calcutta Seafoods Pvt. Ltd.; Bay Seafood Pvt. Ltd.; Elque Ventures Private Limited
21. Castlerock Fisheries Ltd.
22. Choice Trading Corporation Pvt. Ltd.
23. Coastal Aqua Private Limited
24. Coastal Corporation Ltd.
25. Corlim Marine Exports Private Limited
26. Crystalnova Foods Pvt., Ltd.
27. Diamond Seafoods Exports; Edhayam Frozen Foods Pvt. Ltd.; Kadalkanny Frozen Foods; Theva & Company
28. DN Sea Shells Private Limited
29. Dwaraka Sea Foods
30. Falcon Marine Exports Limited; KR Enterprises
31. Food Products Pvt., Ltd.; Parayil Food Products Pvt., Ltd.
32. Forstar Frozen Foods Private Limited
33. Geo Seafoods
34. Godavari Mega Aqua Food Park Private Limited
35. Green Asia Impex Private Limited
36. Growel Processors Private Limited
37. Highland Agro Food Private Limited
38. Hyson Exports Private Limited
39. IFB Agro Industries Ltd.
40. ITC Ltd.
41. Jagadeesh Marine Exports
42. Jaya Lakshmi Sea Foods Pvt. Ltd.
43. Kader Exports Private Limited

<sup>18</sup> We note that the rate assigned to Alpha Marine also applies to Alpha Marine Limited, a name variation of the same company. For further discussion, see the Issues and Decision Memorandum at Comment 6.

44. Kalyan Aqua & Marine Exp. India Pvt. Ltd.
45. Kay Kay Exports; Kay Kay Foods
46. KNC Agro Limited; KNC AGRO PVT. LTD.
47. LNSK Greenhouse Agro Products LLP
48. Magnum Export; Magnum Exports Pvt. Ltd.
49. Magnum Sea Foods Limited; Magnum Estates Limited; Magnum Estates Private; Magnum Estates Private Limited
50. Mangala Marine Exim India Pvt. Ltd.
51. Mangala Seafoods; Mangala Sea Foods
52. Megaa Moda Pvt. Ltd.
53. Milesh Marine Exports Private Limited
54. Milsha Agro Exports Pvt. Ltd.
55. Mindhola Foods LLP
56. MMC Exports Limited
57. Monsun Foods Pvt. Ltd.
58. Mourya Aquex Pvt. Ltd.
59. Munnangi Seafoods (Pvt) Ltd.
60. Naga Hanuman Fish Packers
61. Nanak Nutritions Food (Taloja) Pvt., Ltd.
62. Neeli Aqua Private Limited
63. Nekkanti Sea Foods Limited
64. Nezami Rekha Sea Foods Private Limited; Nezami Rekha Sea Food Private Limited
65. Nila Sea Foods Exports; Nila Sea Foods Pvt. Ltd.
66. N.K. Marine Exports LLP
67. Pasupati Aquatics Private Limited
68. Penver Products (P) Ltd.
69. Rajyalakshmi Marine Exports
70. Razban Seafoods Ltd.
71. Royal Imports and Exports
72. Royale Marine Impex Pvt. Ltd.
73. RSA Marines; Royal Oceans
74. S.A. Exports
75. Sagar Grandhi Exports Pvt. Ltd.
76. Sai Marine Exports Pvt. Ltd.
77. Sam Aqua Exports LLP
78. Sandhya Marines Limited
79. Satish Marine Exim Private Limited
80. Sea Foods Private Limited
81. Sharat Industries Ltd.
82. Shimpo Exports Private Limited
83. Shree Datt Aquaculture Farms Pvt. Ltd.
84. Sigma Seafoods
85. Southern Tropical Foods Pvt. Ltd.
86. Sprint Exports Pvt. Ltd.
87. Sreeragam Export Private Limited
88. Summit Marine Exports Private Limited
89. Sunrise Seafoods India Private Limited
90. Suryamitra Exim Pvt. Ltd.
91. The Waterbase Ltd.
92. V.V. Marine Products
93. Vaisakhi Bio-Marine Private Limited
94. Varma Marine Private Limited
95. Vasista Marine
96. Veerabhadra Exports Private Limited
97. Wellcome Fisheries Limited
98. Z.A. Sea Foods Pvt. Ltd.
99. Zeal Aqua Limited

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<sup>17</sup> See Order.

## DEPARTMENT OF COMMERCE

## International Trade Administration

[C-557-833]

**Float Glass Products From Malaysia: Final Affirmative Countervailing Duty Determination**

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** The U.S. Department of Commerce (Commerce) determines that countervailable subsidies are being provided to producers and exporters of float glass products (float glass) from Malaysia. The period of investigation is January 1, 2023, through December 31, 2023.

**DATES:** Applicable February 9, 2026.

**FOR FURTHER INFORMATION CONTACT:** Mira Warriar or Benjamin Nathan, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-8031 or (202) 482-3834, respectively.

**SUPPLEMENTARY INFORMATION:****Background**

On May 19, 2025, Commerce published the *Preliminary Determination* in the **Federal Register** and invited interested parties to comment.<sup>1</sup> In accordance with section 705(a)(1) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.210(b)(4), Commerce aligned the final countervailing duty (CVD) determination with the final determination in the less-than-fair-value (LTFV) investigation of float glass products from Malaysia.<sup>2</sup>

Due to the lapse in appropriations and Federal Government shutdown, on November 14, 2025, Commerce tolled all deadlines in administrative proceedings by 47 days.<sup>3</sup> Additionally, due to a backlog of documents that were electronically filed via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS) during the Federal Government shutdown, on November 24, 2025,

<sup>1</sup> See *Float Glass Products from Malaysia: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination with Final Antidumping Duty Determination*, 90 FR 21278 (May 19, 2025) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

<sup>2</sup> See *Preliminary Determination*, 90 FR at 21279.

<sup>3</sup> See Memorandum, "Deadlines Affected by the Shutdown of the Federal Government," dated November 14, 2025.

Commerce tolled all deadlines in administrative proceedings by an additional 21 days.<sup>4</sup> Accordingly, the deadline for this final determination is now February 3, 2026.

For a complete description of the events that followed the initiation of this investigation, see the Issues and Decision Memorandum.<sup>5</sup> A list of topics discussed in the Issues and Decision Memorandum is included as Appendix II to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

**Scope of the Investigation**

The products covered by this investigation are float glass products from Malaysia. For a complete description of the scope of this investigation, see Appendix I.

**Scope Comments**

In the Preliminary Scope Memorandum, we set aside a period of time for parties to raise issues regarding product coverage (*i.e.*, scope) in scope-specific case briefs or other written comments.<sup>6</sup> We received scope case and rebuttal briefs from multiple interested parties. For a summary of the product coverage comments and rebuttal responses submitted to the record for this final determination, and accompanying discussion and analysis of all comments timely received, see the Final Scope Memorandum.<sup>7</sup> In this final determination, Commerce modified the scope language used in the *Preliminary Determination* by adding certain Harmonized Tariff Schedule of the United States subheadings to the scope.<sup>8</sup> See Appendix I.

<sup>4</sup> See Memorandum, "Tolling of all Case Deadlines," dated November 24, 2025.

<sup>5</sup> See Memorandum, "Issues and Decision Memorandum for the Final Affirmative Determination of the Countervailing Duty Investigation of Float Glass Products from Malaysia," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<sup>6</sup> See Memorandum, "Float Glass Products from the People's Republic of China and Malaysia: Scope Comments Decision Memorandum for the Preliminary Determinations," dated July 9, 2025 (Preliminary Scope Memorandum).

<sup>7</sup> See Memorandum, "Float Glass Products from the People's Republic of China and Malaysia: Scope Comments Decision Memorandum for the Final Determinations," dated concurrently with this notice (Final Scope Memorandum).

<sup>8</sup> *Id.*

**Verification**

As provided in section 782(i) of the Act, in June 2025, Commerce conducted verification of the information relied upon in making our final determination in this investigation. Specifically, we conducted on-site verifications of the subsidy information reported by Jinjing Technology Malaysia Sdn Bhd (Jinjing Malaysia), and Xinyi Energy Smart (Malaysia) Sdn. Bhd (Xinyi Malaysia) using standard verification procedures and original source documents.<sup>9</sup>

**Analysis of Subsidy Programs and Comments Received**

The subsidy programs under investigation, and the issues raised in the case and rebuttal briefs by parties in this investigation, are discussed in the Issues and Decision Memorandum. For a list of the issues raised by parties, and to which we responded in the Issues and Decision Memorandum, see Appendix II.

**Changes Since the Preliminary Determination**

Based on our review and analysis of the information received during verification and comments received from parties, for this final determination, we made certain changes to the countervailable subsidy rate calculations for Jinjing Malaysia, Xinyi Malaysia, and for all other producers/exporters. For a discussion of these changes, see the Issues and Decision Memorandum.

**Methodology**

Commerce conducted this investigation in accordance with section 701 of the Act. For each of the subsidy programs found countervailable, Commerce determines that there is a subsidy, *i.e.*, a financial contribution by an "authority" that gives rise to a benefit to the recipient, and that the subsidy is specific.<sup>10</sup> For a full description of the methodology underlying our final determination, see the Issues and Decision Memorandum.

In making this final determination, Commerce relied, in part, on facts available, including adverse facts available (AFA), pursuant to sections

<sup>9</sup> See Memoranda "Verification of the Questionnaire Responses of Verification of the Questionnaire Responses of Jinjing Technology Malaysia Sdn Bhd.," dated July 21, 2025 (Jinjing Malaysia Verification Report); see also "Verification of the Questionnaire Responses of Verification of the Questionnaire Responses of Xinyi Energy Smart (Malaysia) Sdn. Bhd.," dated July 21, 2025 (Xinyi Malaysia Verification Report).

<sup>10</sup> See sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

776(a) and (b) of the Act. For a full discussion of our application of AFA, see the section “Use of Facts Otherwise Available and Application of Adverse Inferences” in the accompanying Issues and Decision Memorandum.

**All-Others Rate**

Section 705(c)(5)(A) of the Act provides that in a final determination, Commerce shall determine an estimated all-others rate for companies not individually examined equal to the weighted average of the estimated countervailable subsidy rates established for exporters and producers individually examined, excluding any zero or de minimis countervailable subsidy rates and any rates based entirely under section 776 of the Act.

In this investigation, Commerce calculated total subsidy rates for Jinjing Malaysia and Xinyi Malaysia that are not zero, *de minimis*, or based entirely on the facts otherwise available. Commerce calculated the all-others rate using a weighted average of the individual estimated subsidy rates calculated for the examined respondents using each company’s publicly-ranged values for the subject merchandise.<sup>11</sup>

**Final Determination**

Commerce determines that the following estimated countervailable subsidy rates exist for the period January 1, 2023, through December 31, 2023:

Company	Subsidy rate (percent <i>ad valorem</i> )
Jinjing Technology Malaysia Sdn. Bhd <sup>12</sup> .....	17.25
Xinyi Energy Smart (M) Sdn. Bhd <sup>13</sup> .....	28.45

<sup>11</sup> With two respondents under examination, Commerce normally calculates: (A) a weighted-average of the estimated subsidy rates calculated for the examined respondents; (B) a simple average of the estimated subsidy rates calculated for the examined respondents; and (C) a weighted-average of the estimated subsidy rates calculated for the examined respondents using each company’s publicly-ranged U.S. sale values for the merchandise under consideration. Commerce then compares (B) and (C) to (A) and selects the rate closest to (A) as the most appropriate rate for all other producers and exporters. See, e.g., *Ball Bearings and Parts Thereof from France, Germany, Italy, Japan, and the United Kingdom: Final Results of Antidumping Duty Administrative Reviews, Final Results of Changed-Circumstances Review, and Revocation of an Order in Part*, 75 FR 53661, 53662 (September 1, 2010), and accompanying Issues and Decision Memorandum at Comment 1. As complete publicly ranged sales data were available, Commerce based the all-others rate on the publicly ranged sales data of the mandatory respondents. For a complete analysis of the data, see Memorandum, “Calculation of Subsidy Rate for All Others,” dated concurrently with this notice.

Company	Subsidy rate (percent <i>ad valorem</i> )
NSG (Malaysian Sheet Glass) .....	* 101.99
All Others .....	27.32

\* Rate based on facts available with adverse inferences.

**Disclosure**

Commerce intends to disclose to interested parties the calculations performed in connection with this final determination within five days of its public announcement or, if there is no public announcement, within five days of the date of publication of this notice in the **Federal Register**, in accordance with 19 CFR 351.224(b).

**Suspension of Liquidation**

As a result of our *Preliminary Determination*, and pursuant to sections 703(d)(1)(B) and (d)(2) of the Act, we instructed U.S. Customs and Border Protection (CBP) to collect cash deposits and suspend liquidation of entries of subject merchandise from Malaysia that were entered, or withdrawn from warehouse, for consumption, on or after May 19, 2025, the date of the publication of the *Preliminary Determination* in the **Federal Register**.<sup>14</sup> In accordance with section 703(d) of the Act, we instructed CBP to discontinue the suspension of liquidation of all entries of subject merchandise entered or withdrawn from warehouse, on or after September 16, 2025, but to continue the suspension of liquidation of all entries of subject merchandise between May 19, 2025, and September 15, 2025. If the U.S. International Trade Commission (ITC) issues a final affirmative injury determination, we will issue a CVD order, reinstate the suspension of liquidation under section 706(a) of the Act, and require a cash deposit of estimated countervailing duties for entries of subject merchandise in the amounts indicated above, in accordance with section 706(a) of the Act.

**U.S. International Trade Commission (ITC) Notification**

In accordance with section 705(d) of the Act, Commerce will notify the ITC

<sup>12</sup> As discussed in the Preliminary Decision Memorandum, Commerce has found the following company to be cross-owned with Jinjing Malaysia: Jinjing Silicon Technology Sdn. Bhd. See *Preliminary Determination* PDM at 18.

<sup>13</sup> As discussed in the Preliminary Decision Memorandum, Commerce has found the following company to be cross-owned with Xinyi Malaysia: Xin Yun Logistics (Malaysia) Sdn. Bhd. See *Preliminary Determination* PDM at 18–19.

<sup>14</sup> See *Preliminary Determination*, 90 FR at 21279.

of its final affirmative determination that countervailable subsidies are being provided to producers and exporters of float glass products from Malaysia. As Commerce’s final determination is affirmative, in accordance with section 705(b) of the Act, the ITC will determine, within 45 days, whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of float glass from Malaysia. In addition, we are making available to the ITC all nonprivileged and non-proprietary information in our files, provided the ITC confirms that it will not disclose such information, either publicly or under administrative protective order (APO), without the written consent of the Assistant Secretary for Enforcement and Compliance.

If the ITC determines that material injury or threat of material injury does not exist, this proceeding will be terminated and all cash deposits will be refunded. If the ITC determines that such injury does exist, Commerce will issue a CVD order directing CBP to assess, upon further instruction by Commerce, countervailing duties on all imports of the subject merchandise that are entered, or withdrawn, for consumption on or after the effective date of the suspension of liquidation, as discussed above in the “Suspension of Liquidation” section.

**Administrative Protective Order**

This notice will serve as the only reminder to parties subject to the APO of their responsibility concerning the destruction of proprietary information disclosed under APO, in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return/ destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

**Notification to Interested Parties**

This determination is issued and published pursuant to sections 705(d) and 777(i) of the Act, and 19 CFR 351.210(c).

Dated: February 3, 2026.

**Christopher Abbott**,

*Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

**Appendix I**

**Scope of the Investigation**

The scope of this investigation covers float glass products (FGP), which are articles of soda-lime-silica glass that are manufactured

by floating a continuous strip of molten glass over a smooth bath of tin (or another liquid metal with a density greater than molten glass), cooling the glass in an annealing lehr, and cutting it to appropriate dimensions. For purposes of the investigation, float glass products have an actual thickness of at least 2.0 mm (0.0787 inches) and an actual surface area of at least 0.37 square meters (4.0 square feet).

The country of origin of each float glass product is determined by the location where the soda-lime-silica glass is first manufactured by floating a continuous strip of molten glass over a smooth bath of tin and cooling the glass in an annealing lehr, regardless of the location of any downstream finishing or fabrication operations.

Prior to being subjected to further treatment, finishing, or fabrication, float glass products meet the requirements of Type I under ASTM–C1036 of the American Society for Testing and Materials (ASTM).

Float glass products may be clear, stained, tinted, or coated with one or more materials. Examples of coated float glass products include Low-E architectural glass (*i.e.*, glass with a low emissivity coating to limit the penetration of radiant heat energy) and frameless mirrors (*i.e.*, flat glass with a silver, aluminum, or other reflective layer) such as mirror stock sheet.

Float glass products may be annealed, chemically strengthened, heat strengthened, or tempered to achieve a desired surface compression, pursuant to ASTM–C1048, ASTM–C1422/C1422M, or other similar specifications.

Float glass products include tub and shower enclosures (*i.e.*, doors and panels) made of tempered glass, which may be sold with attached or unattached hardware. In such cases, the scope covers only the tempered glass, to the exclusion of any non-glass hardware.

The only float glass product assemblies included within the scope are: (1) articles consisting of two or more sheets of float glass that are bonded together using a polymer interlayer (*i.e.*, laminated glass); (2) insulating glass units (IGUs), which consist of two or more sheets of float glass separated by a spacer material and hermetically sealed together at the edge in order to create a thermal barrier using air or one or more gases but excluding any non-float glass components (other than the spacer and insulating materials) that may be mounted within the space between sheets of float glass (*e.g.*, blinds, wrought iron cores, and camed patterned glass), as such non-float glass components are deemed outside the scope and not subject to duties; and (3) LED mirrors (*i.e.*, float glass mirrors with one or more light-emitting diodes attached to or integrated with the mirror, as well as framed float glass mirrors with one or more light-emitting diodes attached to or integrated with the mirror or the mirror frame, but without other electronic functionality such as digital or video displays or audio circuitry).

Float glass products covered by the scope may meet one or more of the ASTM–C162, ASTM–C1036, ASTM–C1048, ASTM–C1172, ASTM–C1349, ASTM–C1376, ASTM–C1422/C1422M, ASTM–C1464, ASTM–C1503,

ASTM–C1651, ASTM–E1300, and ASTM–E2190 specifications, definitions, and/or standards.

Float glass products may be further worked, including, but not limited to, operations such as: cutting; beveling; edging; notching; drilling; etching; bending; curving; chipping; embossing; engraving; surface grinding; or polishing; and sandblasting (*i.e.*, using high velocity air to stream abrasive particles and thereby impart a frosted aesthetic to the glass surface). A float glass product which undergoes further work remains within the scope so long as the soda-lime-silica glass originally satisfied the requirements of ASTM–C1036 Type I and was first manufactured in a subject country, regardless of where it is further worked.

Excluded from the scope are: (1) wired glass (*i.e.*, glass with a layer of wire mesh embedded within); (2) patterned flat glass (*i.e.*, rolled glass with a pattern impressed on one or both sides) meeting the requirements of Type II under ASTM–C1036, including greenhouse glass and patterned solar glass (*i.e.*, photovoltaic glass with a textured surface); (3) safety glazing materials for vehicles certified to American National Standards Institute (ANSI) Standard Z26.1; (4) vacuum insulating glass (VIG) units, which consist of two or more sheets of float glass separated by a spacer material, with at least one hermetically sealed compartment that uses a gas-free vacuum as a thermal barrier; (5) framed mirrors without any LEDs integrated with the mirror or the mirror frame; (6) unframed “over-the-door” mirrors that are ready for use as imported without undergoing after importation any processing, finishing, or fabrication; and (7) heat-strengthened washing machine lid glass with an actual surface area less than 6.0 square feet (0.56 square meters).

Also excluded from the scope of the investigation are: (1) soda-lime-silica glass containing less than 0.01 percent iron oxide by weight, annealed with a surface compression less than 3,500 pounds per square inch (PSI), having a transparent conductive oxide base coating (*e.g.*, tin oxide), and with an actual thickness less than or equal to 4.0 mm (0.1575 inches) (*i.e.*, “coated solar glass”); and (2) heat treated soda-lime-silica glass with a surface compression between 3,500 and 10,000 PSI, containing two or more drilled holes, and having an actual thickness less than 2.5 mm (0.0984 inches) (*i.e.*, “clear back solar glass”). Solar glass products (also known as photovoltaic glass) are designed to facilitate the conversion of solar energy into electricity.

Also excluded are metal-camed glass products (*i.e.*, panels of glass joined together with metal banding) where the constituent glass panels would otherwise be excluded by reason of their size (*e.g.*, an actual surface area less than 0.37 square meters, or 4.0 square feet) and/or by reason of consisting of patterned flat glass (*i.e.*, rolled glass with a pattern impressed on one or both sides) meeting the requirements of Type II under ASTM–C1036.

Also excluded from the scope of the investigation are any products already covered by the scope of any extant

antidumping and/or countervailing duty orders, including *Aluminum Extrusions from the People's Republic of China: Antidumping Duty Order*, 76 FR 30650 (May 26, 2011), and *Aluminum Extrusions from the People's Republic of China: Countervailing Duty Order*, 76 FR 30653 (May 26, 2011).

The products subject to the investigation are currently classifiable under subheadings 7005.10.8000, 7005.21.1010, 7005.21.1030, 7005.21.2000, 7005.29.1810, 7005.29.1850, 7005.29.2500, 7007.29.0000, 7008.00.0000, 7009.91.5010, 7009.91.5095, and 7009.92.5010 of the Harmonized Tariff Schedule of the United States (HTSUS). Products subject to the investigation may also enter under HTSUS subheadings 7006.00.4010, 7006.00.4050, 7007.19.0000, 7013.99.2000, 7013.99.9090, 7610.10.0030, and 7610.90.0080. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the investigation is dispositive.

## Appendix II

### List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Changes Since the *Preliminary Determination*
- IV. Calculations of the All-Others Rate
- V. Use of Facts Otherwise Available and Adverse Inferences
- VI. Subsidies Valuation
- VII. Analysis of Programs
- VIII. Discussion of the Issues
  - Comment 1: Whether Commerce has the Legal Authority to Investigate Transnational Subsidies
  - Comment 2: Whether Commerce's Determination on Policy Lending from Chinese Banks for BRI Capacity Cooperation Projects Is Lawful
  - Comment 3: Whether Commerce Should Correct the Benchmark Selection for “Basic Fee: Maximum Demand”
  - Comment 4: Whether Commerce Should Correct the Land Area and Conversion Errors in Subsidy Calculations
  - Comment 5: Whether Commerce Should Correct the Denominator Used in Calculating the Investment Tax Allowance (ITA) Subsidy Rate
  - Comment 6: Whether to Apply Adverse Facts Available (AFA) with Respect to Xinyi Malaysia's Failure to Provide Requested Information Concerning the Exemption of Import Duties and Sales Taxes for Imported Raw Materials, Machinery, Equipment, and Spare Parts/Accessories (Import Duties and Sales Taxes) Program
  - Comment 7: Whether Commerce Erred in its Land Benchmark Construction
- IX. Recommendation

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**DEPARTMENT OF COMMERCE****International Trade Administration**

[A-557-832]

**Float Glass Products From Malaysia: Final Affirmative Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances, in Part**

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** The U.S. Department of Commerce (Commerce) determines that float glass products from Malaysia are being, or are likely to be, sold in the United States at less than fair value (LTFV). The period of investigation is October 1, 2023, through September 30, 2024.

**DATES:** Applicable February 9, 2026.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Bremer or Benjamin Blythe, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-4987 or (202) 482-3457, respectively.

**SUPPLEMENTARY INFORMATION:****Background**

On July 15, 2025, Commerce published in the *Federal Register* its preliminary affirmative determination in the LTFV investigation of float glass products (float glass) from Malaysia.<sup>1</sup> Due to the lapse in appropriations and Federal Government shutdown, on November 14, 2025, Commerce tolled all deadlines in administrative proceedings by 47 days.<sup>2</sup> Additionally, due to a backlog of documents that were electronically filed via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS) during the Federal Government shutdown, on November 24, 2025, Commerce tolled all deadlines in administrative proceedings by an additional 21 days.<sup>3</sup> Accordingly, the

<sup>1</sup> See *Float Glass Products from Malaysia: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Preliminary Affirmative Determination of Critical Circumstances, in Part, Postponement of Final Determination, and Extension of Provisional Measures*, 90 FR 31605 (July 15, 2025) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum.

<sup>2</sup> See Memorandum, "Deadlines Affected by the Shutdown of the Federal Government," dated November 14, 2025.

<sup>3</sup> See Memorandum, "Tolling of all Case Deadlines," dated November 24, 2025.

deadline for issuing this final determination is February 3, 2026.

A summary of the events that occurred since Commerce published the *Preliminary Determination*, as well as a full discussion of the issues raised by parties for this final determination, may be found in the Issues and Decision Memorandum.<sup>4</sup> The Issues and Decision Memorandum is a public document and is on file electronically via ACCESS. ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

**Scope of the Investigation**

The products covered by this investigation are float glass products from Malaysia. For a complete description of the scope of this investigation, see Appendix I.

**Scope Comments**

In the Preliminary Scope Memorandum, we set aside a period of time for parties to raise issues regarding product coverage (*i.e.*, scope) in scope-specific case briefs or other written comments.<sup>5</sup> We received scope case and rebuttal briefs from multiple interested parties. For a summary of the product coverage comments and rebuttal responses submitted to the record for this final determination, and accompanying discussion and analysis of all comments timely received, see the Final Scope Memorandum.<sup>6</sup> In this final determination, Commerce modified the scope language used in the *Preliminary Determination* by adding certain Harmonized Tariff Schedule of the United States subheadings to the scope.<sup>7</sup> See Appendix I.

**Verification**

As provided in section 782(i) of the Tariff Act of 1930, as amended (the Act), in August and September 2025, we conducted verifications of the sales and cost information submitted by the mandatory respondents, Jinjing

<sup>4</sup> See Memorandum, "Issues and Decision Memorandum for the Final Affirmative Determination of Sales at Less Than Fair Value in the Investigation of Float Glass Products from Malaysia," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<sup>5</sup> See Memorandum, "Float Glass Products from the People's Republic of China and Malaysia: Scope Comments Decision Memorandum for the Preliminary Determinations," dated July 9, 2025 (Preliminary Scope Memorandum).

<sup>6</sup> See Memorandum, "Float Glass Products from the People's Republic of China and Malaysia: Final Scope Decision Memorandum," dated February 3, 2026 (Final Scope Memorandum).

<sup>7</sup> *Id.*

Technology Malaysia Sdn. Bhd. (Jinjing Malaysia) and Xinyi Energy Smart (Malaysia) Sdn. Bhd. (Xinyi Malaysia), for use in the final determination.<sup>8</sup> We conducted the verifications using standard verification procedures, which included an examination of relevant sales and accounting records, and original source documents provided by Jinjing Malaysia and Xinyi Malaysia.

**Analysis of Comments Received**

All issues raised in the case and rebuttal briefs submitted by interested parties in this investigation are addressed in the Issues and Decision Memorandum. A list of the issues addressed in the Issues and Decision Memorandum is attached to this notice as Appendix II.

**Use of Adverse Facts Available**

In the *Preliminary Determination*, Commerce based the estimated weighted-average dumping margin of NSG (Malaysian Sheet Glass) (NSG), which did not timely respond to Commerce's quantity and value questionnaire, on adverse facts available (AFA). No parties commented on that decision. As explained in the Issues and Decision Memorandum, Commerce has continued to base NSG's estimated weighted-average dumping margin on AFA, pursuant to sections 776(a) and (b) of the Act. Specifically, we assigned NSG an AFA rate equal to the highest non-aberrational sales-specific dumping margin calculated in this investigation.<sup>9</sup>

**Final Affirmative Determination of Critical Circumstances, in Part**

In the *Preliminary Determination*, Commerce found that critical circumstances do not exist for Jinjing Malaysia, Xinyi Malaysia, and all other producers or exporters of float glass from Malaysia, except for NSG, for which Commerce found that critical circumstances exist. No parties commented on Commerce's preliminary critical circumstances determination. In this final determination, Commerce has continued to find that critical circumstances do not exist for Jinjing Malaysia, Xinyi Malaysia, and all other producers or exporters of float glass from Malaysia, except for NSG, for which critical circumstances exist,

<sup>8</sup> See Memoranda, "Verification of Jinjing Technology Malaysia Sdn Bhd in the 2023-2024 Less-Than-Fair-Value Investigation of Float Glass Products from Malaysia," dated December 15, 2025, and "Less-Than-Fair-Value Investigation of Float Glass Products from Malaysia: Verification of the Sales and Cost Responses of Xinyi Energy Smart (Malaysia) Sdn. Bhd.," dated December 15, 2025.

<sup>9</sup> See Memorandum, "Corroboration of Adverse Facts Available Rate," dated concurrently with this notice.

pursuant to section 735(a)(3) of the Act and 19 CFR 351.206. For a discussion of Commerce’s critical circumstances analysis, see the Issues and Decision Memorandum.

**Changes Since the Preliminary Determination**

We made certain changes to the *Preliminary Determination*. For a discussion of these changes, see the Issues and Decision Memorandum.

**All-Others Rate**

Section 735(c)(5)(A) of the Act provides that Commerce shall determine an estimated weighted-average dumping margin, *i.e.*, the all-others rate, for all other exporters and producers not

individually examined. This rate shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* dumping margins, and any dumping margins determined entirely under section 776 of the Act.

In the final determination, Commerce calculated an estimated weighted-average dumping margin for Xinyi Malaysia that is zero and based NSG’s estimated weighted-average dumping margin entirely on the facts otherwise available pursuant to section 776 of the Act. Therefore, the only estimated weighted-average dumping margin that Commerce determined that is not zero,

*de minimis*, or based entirely on the facts otherwise available is the estimated weighted-average dumping margin that Commerce calculated for Jinjing Malaysia. Therefore, we assigned the estimated weighted-average dumping margin that we calculated for Jinjing Malaysia as the estimated weighted-average dumping margin for all other producers and exporters, pursuant to section 735(c)(5)(A) of the Act.

**Final Determination**

Commerce determines that the following estimated weighted-average dumping margins exist for the period, October 1, 2023, through September 30, 2024:

Exporter or producer	Weighted-average dumping margin (percent)	Cash deposit rate (adjusted for subsidy offset(s)) (percent) <sup>10</sup>
Jinjing Technology Malaysia Sdn. Bhd .....	8.78	8.78
Xinyi Energy Smart (Malaysia) Sdn. Bhd .....	0.00	0.00
NSG (Malaysian Sheet Glass) .....	*31.55	*31.55
All Others .....	8.78	8.78

\* Rate based on facts available with adverse inferences.

**Disclosure**

Commerce intends to disclose the calculations performed in connection with this final determination to parties to the proceeding within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this notice in the **Federal Register**, in accordance with 19 CFR 351.224(b).

**Suspension of Liquidation**

The provisional measures in this investigation expired on January 11, 2026. Because Commerce has reached an affirmative final determination, except as noted below, suspension of liquidation will continue with respect to all applicable entries of subject merchandise, as described in Appendix I of this notice, which were entered, or withdrawn from warehouse, for consumption on or after July 15, 2025, the date of publication of the *Preliminary Determination* in the **Federal Register** through January 10, 2026. Because Commerce found that critical circumstances exist with respect to NSG, pursuant to section 735(c)(4)(B) of the Act, suspension of liquidation will continue with respect to all applicable entries of subject merchandise from NSG, as described in Appendix I of this notice, which were

entered, or withdrawn from warehouse, for consumption on or after April 16, 2025, which is 90 days before the date of publication of the *Preliminary Determination* in the **Federal Register** through January 10, 2026. If the U.S. International Trade Commission (ITC) issues a final affirmative injury determination, Commerce will issue an antidumping duty order and provide the appropriate instructions to U.S. Customs and Border Protection (CBP) regarding suspend liquidation of entries under section 736(a) of the Act. These suspension of liquidation instructions will remain in effect until further notice.

Because Commerce calculated a zero percent estimated weighted-average dumping margin for subject merchandise exported and produced by Xinyi Malaysia, Commerce will direct CBP to terminate the suspension of liquidation of entries of such merchandise and refund any cash deposits. In addition, we will exclude merchandise exported and produced by Xinyi Malaysia from the antidumping duty order, in the event an order is instituted, in accordance with section 735(a)(4) of the Act. However, entries of shipments of subject merchandise from Xinyi Malaysia in any other exporter/producer combination, or by third parties that sourced subject merchandise from the excluded producer/exporter combination, will be subject to suspension of liquidation and

the cash deposit requirements discussed above.

If the ITC issues a final affirmative injury determination, Commerce will instruct CBP to require the following cash deposits of estimated weighted-average antidumping duties for all appropriate entries, as follows: (1) the cash deposit rate for subject merchandise exported by one of the companies listed in the table above is the company-specific estimated weighted-average dumping margin listed for the company in the table; (2) if the exporter of the subject merchandise is not listed in the table above, but the producer is, then the cash deposit rate will be the company-specific estimated weighted-average dumping margin for the producer of the subject merchandise in the table above; and (3) the cash deposit rate for all other producers and exporters is the all-others estimated weighted-average dumping margin listed in the table above.

To determine the cash deposit rates in LTFV investigations, Commerce normally adjusts the estimated weighted-average dumping margins by the amount of export subsidies countervailed in the companion countervailing duty (CVD) investigation. However, Commerce did not make a final affirmative determination of countervailable export subsidies in the companion CVD investigation.

<sup>10</sup> There were no export subsidy offsets determined in the companion CVD investigation.

Therefore, we did not adjust the estimated weighted-average dumping margins in this LTFV investigation for export subsidies.

### ITC Notification

In accordance with section 735(d) of the Act, Commerce will notify the ITC of its final affirmative determination of sales at LTFV. Because Commerce's final determination is affirmative, in accordance with section 735(b)(2) of the Act, the ITC will make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports or sales (or the likelihood of sales) for importation of float glass from Malaysia no later than 45 days after this final determination. If the ITC determines that such injury does not exist, this proceeding will be terminated, all cash deposits posted will be refunded, and suspension of liquidation will be lifted. If the ITC determines that such injury does exist, Commerce will issue an antidumping duty order directing CBP to assess, upon further instruction by Commerce, antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation, as discussed in the "Suspension of Liquidation" section above.

### Administrative Protective Order (APO)

This notice serves as a final reminder to parties subject to an APO of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and the terms of an APO is a violation subject to sanction.

### Notification to Interested Parties

This final determination and notice are issued and published in accordance with sections 735(d) and 777(i) of the Act, and 19 CFR 351.210(c).

Dated: February 3, 2026.

### Christopher Abbott,

*Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

### Appendix I

#### Scope of the Investigation

The scope of this investigation covers float glass products (FGP), which are articles of soda-lime-silica glass that are manufactured by floating a continuous strip of molten glass over a smooth bath of tin (or another liquid metal with a density greater than molten glass), cooling the glass in an annealinglehr, and cutting it to appropriate dimensions. For purposes of the investigation, float glass products have an actual thickness of at least 2.0 mm (0.0787 inches) and an actual surface area of at least 0.37 square meters (4.0 square feet).

The country of origin of each float glass product is determined by the location where the soda-lime-silica glass is first manufactured by floating a continuous strip of molten glass over a smooth bath of tin and cooling the glass in an annealinglehr, regardless of the location of any downstream finishing or fabrication operations.

Prior to being subjected to further treatment, finishing, or fabrication, float glass products meet the requirements of Type I under ASTM-C1036 of the American Society for Testing and Materials (ASTM).

Float glass products may be clear, stained, tinted, or coated with one or more materials. Examples of coated float glass products include Low-E architectural glass (*i.e.*, glass with a low emissivity coating to limit the penetration of radiant heat energy) and frameless mirrors (*i.e.*, flat glass with a silver, aluminum, or other reflective layer) such as mirror stock sheet.

Float glass products may be annealed, chemically strengthened, heat strengthened, or tempered to achieve a desired surface compression, pursuant to ASTM-C1048, ASTM-C1422/C1422M, or other similar specifications.

Float glass products include tub and shower enclosures (*i.e.*, doors and panels) made of tempered glass, which may be sold with attached or unattached hardware. In such cases, the scope covers only the tempered glass, to the exclusion of any non-glass hardware.

The only float glass product assemblies included within the scope are: (1) articles consisting of two or more sheets of float glass that are bonded together using a polymer interlayer (*i.e.*, laminated glass); (2) insulating glass units (IGUs), which consist of two or more sheets of float glass separated by a spacer material and hermetically sealed together at the edge in order to create a thermal barrier using air or one or more gases but excluding any non-float glass components (other than the spacer and insulating materials) that may be mounted within the space between sheets of float glass (*e.g.*, blinds, wrought iron coats, and camed patterned glass), as such non-float glass components are deemed outside the scope and not subject to duties; and (3) LED mirrors

(*i.e.*, float glass mirrors with one or more light-emitting diodes attached to or integrated with the mirror, as well as framed float glass mirrors with one or more light-emitting diodes attached to or integrated with the mirror or the mirror frame, but without other electronic functionality such as digital or video displays or audio circuitry).

Float glass products covered by the scope may meet one or more of the ASTM-C162, ASTM-C1036, ASTM-C1048, ASTM-C1172, ASTM-C1349, ASTM-C1376, ASTM-C1422/C1422M, ASTM-C1464, ASTM-C1503, ASTM-C1651, ASTM-E1300, and ASTM-E2190 specifications, definitions, and/or standards.

Float glass products may be further worked, including, but not limited to, operations such as: cutting; beveling; edging; notching; drilling; etching; bending; curving; chipping; embossing; engraving; surface grinding; or polishing; and sandblasting (*i.e.*, using high velocity air to stream abrasive particles and thereby impart a frosted aesthetic to the glass surface). A float glass product which undergoes further work remains within the scope so long as the soda-lime-silica glass originally satisfied the requirements of ASTM-C1036 Type I and was first manufactured in a subject country, regardless of where it is further worked.

Excluded from the scope are: (1) wired glass (*i.e.*, glass with a layer of wire mesh embedded within); (2) patterned flat glass (*i.e.*, rolled glass with a pattern impressed on one or both sides) meeting the requirements of Type II under ASTM-C1036, including greenhouse glass and patterned solar glass (*i.e.*, photovoltaic glass with a textured surface); (3) safety glazing materials for vehicles certified to American National Standards Institute (ANSI) Standard Z26.1; (4) vacuum insulating glass (VIG) units, which consist of two or more sheets of float glass separated by a spacer material, with at least one hermetically sealed compartment that uses a gas-free vacuum as a thermal barrier; (5) framed mirrors without any LEDs integrated with the mirror or the mirror frame; (6) unframed "over-the-door" mirrors that are ready for use as imported without undergoing after importation any processing, finishing, or fabrication; and (7) heat-strengthened washing machine lid glass with an actual surface area less than 6.0 square feet (0.56 square meters).

Also excluded from the scope of the investigation are: (1) soda-lime-silica glass containing less than 0.01 percent iron oxide by weight, annealed with a surface compression less than 3,500 pounds per square inch (PSI), having a transparent conductive oxide base coating (*e.g.*, tin oxide), and with an actual thickness less than or equal to 4.0 mm (0.1575 inches) (*i.e.*, "coated solar glass"); and (2) heat treated soda-lime-silica glass with a surface compression between 3,500 and 10,000 PSI, containing two or more drilled holes, and having an actual thickness less than 2.5 mm (0.0984 inches) (*i.e.*, "clear back solar glass"). Solar glass products (also known as photovoltaic glass) are designed to facilitate the conversion of solar energy into electricity.

Also excluded are metal-camed glass products (*i.e.*, panels of glass joined together

with metal banding) where the constituent glass panels would otherwise be excluded by reason of their size (*e.g.*, an actual surface area less than 0.37 square meters, or 4.0 square feet) and/or by reason of consisting of patterned flat glass (*i.e.*, rolled glass with a pattern impressed on one or both sides) meeting the requirements of Type II under ASTM-C1036.

Also excluded from the scope of the investigation are any products already covered by the scope of any extant antidumping and/or countervailing duty orders, including *Aluminum Extrusions from the People's Republic of China: Antidumping Duty Order*, 76 FR 30650 (May 26, 2011), and *Aluminum Extrusions from the People's Republic of China: Countervailing Duty Order*, 76 FR 30653 (May 26, 2011).

The products subject to the investigation are currently classifiable under subheadings 7005.10.8000, 7005.21.1010, 7005.21.1030, 7005.21.2000, 7005.29.1810, 7005.29.1850, 7005.29.2500, 7007.29.0000, 7008.00.0000, 7009.91.5010, 7009.91.5095, and 7009.92.5010 of the Harmonized Tariff Schedule of the United States (HTSUS). Products subject to the investigation may also enter under HTSUS subheadings 7006.00.4010, 7006.00.4050, 7007.19.0000, 7013.99.2000, 7013.99.9090, 7610.10.0030, and 7610.90.0080. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the investigation is dispositive.

## Appendix II

### List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Application of Facts Available With Adverse Inferences
- IV. Critical Circumstances
- V. Changes Since the *Preliminary Determination*
- VI. Discussion of the Issues
  - Comment 1: Whether Commerce Should Apply Adverse Facts Available (AFA) to Xinyi Malaysia
  - Comment 2: Whether Xinyi Malaysia Understated Its Total Direct Material Costs
  - Comment 3: Whether Xinyi Malaysia Failed to Account for Affiliated Party Transactions
  - Comment 4: Whether Xinyi Malaysia's Reported Costs Fail to Account for the Differences in Physical Characteristics
  - Comment 5: Whether To Grant a Self-Generated Electricity Offset to the Reported Costs
  - Comment 6: Whether the Net Foreign Exchange Gain Offset Should Be Disallowed
  - Comment 7: Whether to Account for Post-Production Yield Losses
  - Comment 8: Whether Commerce Should Correct Jinjing Malaysia's Reported Costs for Certain Verification Findings
  - Comment 9: Whether Commerce Should Use Jinjing Malaysia's Updated Databases with Revised Packing Expenses

## VII. Recommendation

[FR Doc. 2026-02490 Filed 2-6-26; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648-XF524]

#### South Atlantic Fishery Management Council (Council)—Public Meetings

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

**ACTION:** Notice of public meeting.

**SUMMARY:** The South Atlantic Fishery Management Council (Council) will hold a meeting of its Scientific and Statistical Committee's Social and Economic Panel (SEP) via webinar on February 17, 2026.

**DATES:** The meeting will be held via webinar February 17, 2026, from 12:45 p.m. until 2:30 p.m.

**ADDRESSES:**

*Meeting address:* The meeting will be held via webinar and is open to the public. Registration is required. Webinar registration, an online public comment form, and briefing book materials will be available 2 weeks prior to the meetings at: <https://safmc.net/scientific-and-statistical-committee-meeting/>.

*Council address:* South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, N Charleston, SC 29405.

**FOR FURTHER INFORMATION CONTACT:** John Hadley, Economist, SAFMC; phone 843/302-8432 or toll free 866/SAFMC-10; FAX 843/769-4520; email: [john.hadley@safmc.net](mailto:john.hadley@safmc.net).

**SUPPLEMENTARY INFORMATION:** The SEP meeting agenda includes a review of recent social research that has been conducted with recreational anglers as part of the management strategy evaluation for the Snapper Grouper fishery.

#### Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for auxiliary aids should be directed to the council office (see **ADDRESSES**) 3 days prior to the public hearings.

**Note:** The times and sequence specified in this agenda are subject to change.

(Authority: 16 U.S.C. 1801 *et seq.*)

Dated: February 4, 2026.

**Rey Israel Marquez,**

*Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 2026-02467 Filed 2-6-26; 8:45 am]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648-XF513]

#### Marine Mammals; File No. 29154

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

**ACTION:** Notice; receipt of application.

**SUMMARY:** Notice is hereby given that Briana Witteveen, Ph.D., University of Alaska Fairbanks, 2601 Darby Circle Anchorage, Alaska 99508, has applied in due form for a permit to conduct scientific research on marine mammals.

**DATES:** Written comments must be received on or before March 11, 2026.

**ADDRESSES:** The application and related documents are available for review by selecting "Records Open for Public Comment" from the "Features" box on the Applications and Permits for Protected Species home page, <https://apps.nmfs.noaa.gov>, and then selecting File No. 29154 from the list of available applications. These documents are also available upon written request via email to [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov).

Written comments on this application should be submitted via email to [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). Please include File No. 29154 in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request via email to [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). The request should set forth the specific reasons why a hearing on this application would be appropriate.

**FOR FURTHER INFORMATION CONTACT:** Shasta McClenahan, Ph.D., or Amy Hapeman, (301) 427-8401.

**SUPPLEMENTARY INFORMATION:** The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222-226), and the Fur Seal Act of 1966, as amended (16 U.S.C. 1151 *et seq.*).

The applicant requests a 10-year permit to conduct research in Alaska on 15 species of marine mammals including the following endangered species: blue whale (*Balaenoptera musculus*); fin whale (*B. physalus*); gray whale (*Eschrichtius robustus*); humpback whale (*Megaptera novaeangliae*); North Pacific right whale (*Eubalaena japonica*); sei whale (*B. borealis*); sperm whale (*Physeter microcephalus*); and Steller sea lion (*Eumetopias jubatus*). The objectives are to advance knowledge and improve understanding of the foraging behavior, prey use, and habitat of marine mammals. Target cetaceans may be taken during vessel surveys for counts, photography and video recording, photo-identification, behavioral observations, active acoustic sonar for prey mapping, and biological sampling (feces, sloughed skin, predation remains, and skin and blubber biopsies). Non-target cetaceans and pinnipeds may be unintentionally harassed and opportunistically studied during research. See the application for complete numbers of animals requested by species, life stage, and procedure.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of the application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: February 4, 2026.

**Shannon Bettridge,**

Chief, Marine Mammal and Sea Turtle Conservation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2026-02485 Filed 2-6-26; 8:45 am]

**BILLING CODE 3510-22-P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**Notice of Indirect Cost Rates**

**AGENCY:** Office of National Marine Sanctuaries (ONMS), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Notice of indirect cost rates for the Office of National Marine

Sanctuaries Natural Resource Damage Assessments for fiscal year 2019.

**SUMMARY:** NOAA’s Office of National Marine Sanctuaries (ONMS) announces the establishment of new indirect cost rates for the recovery of indirect costs for its component organizations involved in natural resource damage and restoration activities for fiscal year (FY) 2019. NOAA will apply the indirect cost rate for FY2019 as recommended by Empirical Concepts LLP (Empirical) for each of the ONMS component organizations and the dates of implementation in this notice. The public can obtain more information on this rate from the address provided below in the **FOR FURTHER INFORMATION CONTACT** section.

**DATES:** This notice is effective on February 9, 2026.

**FOR FURTHER INFORMATION CONTACT:** Vicki Wedell, NOAA Office of National Marine Sanctuaries, 1305 East West Highway, Silver Spring, MD 20910, or 240-676-3805, [Vicki.Wedell@noaa.gov](mailto:Vicki.Wedell@noaa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

The Natural Resource Damage Assessment (NRDA) mission of ONMS is to restore injuries to sanctuary resources caused by the release of hazardous substances or oil under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA; 42 U.S.C. 9601 *et seq.*) or the Oil Pollution Action of 1990 (OPA; 33 U.S.C. 2701 *et seq.*), or physical injuries under the National Marine Sanctuaries Act (NMSA; 16 U.S.C. 1431 *et seq.*). NOAA conducts NRDA as a basis for recovering damages from responsible parties and uses the funds recovered to restore injured sanctuary resources.

When addressing NRDA incidents, the costs of the damage assessment are recoverable from individuals and organizations who are potentially liable for an incident. Total costs include both direct and indirect costs. Direct costs are costs for activities that are clearly and readily attributable to a specific case or other program products. In contrast, indirect costs reflect the costs for activities that collectively support ONMS’ mission and operations. For example, indirect costs include general administrative support overheads. Although indirect costs may not be readily traced back to a specific direct activity, indirect costs may be allocated to direct activities using an indirect cost distribution rate.

Consistent with standard Federal accounting requirements, NOAA is

required to account for and report the full costs of its programs and activities. Further, NOAA is authorized by law to recover reasonable costs of damage assessment and restoration activities under CERCLA, OPA, and the NMSA. Within the constraints of these laws, ONMS has the discretion to develop indirect cost rates subject to its requirements.

**II. ONMS’s Indirect Cost Effort**

NOAA contracted Empirical, who subcontracted with the public accounting firm Cotton and Company LLP to: (1) evaluate the cost accounting system and allocation practices; (2) recommend the appropriate indirect cost allocation methodology; and (3) determine the indirect cost rates for the organizations that comprise ONMS.

Empirical concluded that the cost accounting system and allocation practices of ONMS component organizations are consistent with Federal accounting requirements. Empirical also determined that the most appropriate indirect allocation method was the Direct Labor Cost Base for all ONMS component organizations. The Direct Labor Cost Base is computed by allocating total indirect costs over the sum of direct labor dollars plus the application of NOAA’s leave surcharge and benefits rates to direct labor. Empirical further assessed that the indirect cost rates for the ONMS component organizations were fair and equitable. A report on Empirical’s assessment and their determination can be obtained from the person identified in **FOR FURTHER INFORMATION CONTACT** section.

**III. ONMS Indirect Cost Rate and Policies for Fiscal Year 2019**

NOAA will apply the indirect cost rate for FY2019 as recommended by Empirical for each of the ONMS component organizations as provided in the following table:

ONMS component organization	FY 2019 indirect rate (percent)
Florida Keys National Marine Sanctuary .....	14.01
Greater Farallones National Marine Sanctuary .....	4.28
All other National Marine Sanctuaries .....	0.39

NOAA will apply the FY2019 rates identified in this notice to all damage assessment and restoration case costs incurred from October 1, 2019 until present, using the Direct Labor Cost base allocation methodology. For cases that

have settled and for cost claims paid prior to the effective date of the FY in question, NOAA will not re-open any resolved matters for the purpose of applying the rates in this notice. For cases not settled and cost claims not paid prior to the effective date of the FY in question, NOAA will recalculate costs using the rates in this notice. Where a responsible party has agreed to pay costs using previous year's indirect rates, but has not yet made the payment because the settlement documents are not finalized, the costs will not be recalculated. NOAA will use the FY2019 rates for future fiscal years until year-specific rates are developed.

*Authority:* 42 U.S.C. 9601 *et seq.*; 33 U.S.C. 2701 *et seq.*; 16 U.S.C. 1431 *et seq.*

**John Armor,**

*Director, Office of National Marine Sanctuaries, National Ocean Service, National Oceanic and Atmospheric Administration.*

[FR Doc. 2026-02514 Filed 2-6-26; 8:45 am]

**BILLING CODE 3510-NK-P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[RTID 0648-XF523]

**Mid-Atlantic Fishery Management Council (MAFMC); Public Meeting**

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

**ACTION:** Notice of public meeting.

**SUMMARY:** The Mid-Atlantic Fishery Management Council's Ecosystem and Ocean Planning Committee and Advisory Panel will hold a public meeting.

**DATES:** The meeting will be held on Tuesday, March 10, 2026, from 1 p.m.–4 p.m. For agenda details, see

**SUPPLEMENTARY INFORMATION.**

**ADDRESSES:** The meeting will be held via webinar. Connection information will be posted to the Council's calendar prior to the meeting at [www.mafmc.org](http://www.mafmc.org).

*Council address:* Mid-Atlantic Fishery Management Council, 800 N State Street, Suite 201, Dover, DE 19901; telephone: (302) 674-2331; [www.mafmc.org](http://www.mafmc.org).

**FOR FURTHER INFORMATION CONTACT:** Christopher M. Moore, Ph.D., Executive Director, Mid-Atlantic Fishery Management Council, telephone: (302) 526-5255.

**SUPPLEMENTARY INFORMATION:** The Mid-Atlantic Fishery Management Council's Ecosystem and Ocean Planning Committee and Advisory Panel will meet via webinar on Tuesday, March 10, 2026, from 1 p.m.–4 p.m. The purpose of this meeting is for the Committee and Advisors to review public comments received on the Council's Omnibus Essential Fish Habitat Amendment, to review the Fishery Management Action Team recommendations on this action, and to make recommendations to the Council. Based on this input, the Council will consider final action on this Amendment at its April 2026 Meeting.

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Shelley Spedden, (302) 526-5251 at least 5 days prior to the meeting date.

*Authority:* 16 U.S.C. 1801 *et seq.*

Dated: February 4, 2026.

**Rey Israel Marquez,**

*Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 2026-02462 Filed 2-6-26; 8:45 am]

**BILLING CODE 3510-22-P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[RTID 0648-XF519]

**Pacific Fishery Management Council; Public Meeting**

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

**ACTION:** Notice of public meeting.

**SUMMARY:** The Pacific Fishery Management Council (Pacific Council) will hold an online meeting of its Ad Hoc Highly Migratory Species (HMS) Fisheries Innovation Workgroup (FIW) to discuss procedures to facilitate the development of new HMS gears and achieve the goals of the HMS Roadmap. This meeting is open to the public.

**DATES:** The online meeting will be held Tuesday, March 3, 2026, from 10 a.m. to 12 p.m. Pacific Standard Time, or until business for the day has been completed.

**ADDRESSES:** The meeting will be held online. Specific meeting information, including directions on how to join the meeting and system requirements will be provided in the meeting announcement on the Pacific Council's website (see <https://www.pcouncil.org>).

You may send an email to Mr. Kris Kleinschmidt ([kris.kleinschmidt@pcouncil.org](mailto:kris.kleinschmidt@pcouncil.org)) or contact him at 503-820-2412 for technical assistance.

*Council address:* Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, Portland, Oregon 97220-1384.

**FOR FURTHER INFORMATION CONTACT:**

Kerry Griffin, Pacific Council; telephone: 503-820-2409.

**SUPPLEMENTARY INFORMATION:** The FIW will provide a report for the advanced March 2026 Briefing Book that includes information and recommendations related to the HMS Roadmap. The purpose of this meeting is to continue discussion of the HMS Roadmap and determine if a supplemental report to the Pacific Council is warranted.

Although non-emergency issues not contained in the meeting agenda may be discussed, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this document and any issues arising after publication of this document that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

**Special Accommodations**

Requests for sign language interpretation or other auxiliary aids should be directed to Mr. Kris Kleinschmidt ([kris.kleinschmidt@pcouncil.org](mailto:kris.kleinschmidt@pcouncil.org); 503-820-2412) at least 10 days prior to the meeting date.

(Authority: 16 U.S.C. 1801 *et seq.*)

Dated: February 4, 2026.

**Rey Israel Marquez,**

*Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 2026-02470 Filed 2-6-26; 8:45 am]

**BILLING CODE 3510-22-P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[RTID 0648-XF522]

**Mid-Atlantic Fishery Management Council (MAFMC); Public Meeting**

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

**ACTION:** Notice of public meeting.

**SUMMARY:** The Mid-Atlantic Fishery Management Council's Tilefish Committee will hold a public meeting.

**DATES:** The meeting will be held on Thursday, March 5, 2026, from 2 p.m.–3:30 p.m. ET. For agenda details, see **SUPPLEMENTARY INFORMATION**.

**ADDRESSES:** The meeting will be held via webinar. Connection information will be posted to the Council's calendar prior to the meeting at [www.mafmc.org](http://www.mafmc.org).

*Council address:* Mid-Atlantic Fishery Management Council, 800 N State Street, Suite 201, Dover, DE 19901; telephone: (302) 674–2331; [www.mafmc.org](http://www.mafmc.org).

**FOR FURTHER INFORMATION CONTACT:** Christopher M. Moore, Ph.D., Executive Director, Mid-Atlantic Fishery Management Council, telephone: (302) 526–5255.

**SUPPLEMENTARY INFORMATION:** The Mid-Atlantic Fishery Management Council's Tilefish Committee will meet via webinar. During this meeting, the Committee will: (1) discuss the Private Recreational Permitting and Reporting Framework draft range of alternatives; (2) review recent stakeholder feedback; (3) recommend any preferred alternatives for Council review during final action tentatively planned for the April 2026 Council meeting.

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Shelley Spedden, (302) 526–5251 at least 5 days prior to the meeting date.

(Authority: 16 U.S.C. 1801 *et seq.*)

Dated: February 4, 2026.

**Rey Israel Marquez,**

*Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 2026–02464 Filed 2–6–26; 8:45 am]

**BILLING CODE 3510–22–P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648–XF512]

#### Marine Mammals; File No. 29070

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

**ACTION:** Notice; receipt of application.

**SUMMARY:** Notice is hereby given that the University of Florida, Aquatic Animal Health Program, 2015 SW 16th Avenue, Gainesville, Florida 32608 (Michael Walsh, DVM, Responsible

Party), has applied in due form for a permit to import, export, and receive marine mammal parts of for scientific research.

**DATES:** Written comments must be received on or before March 11, 2026.

**ADDRESSES:** The application and related documents are available for review by selecting “Records Open for Public Comment” from the “Features” box on the Applications and Permits for Protected Species home page, <https://apps.nmfs.noaa.gov>, and then selecting File No. 29070 from the list of available applications. These documents are also available upon written request via email to [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov).

Written comments on this application should be submitted via email to [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). Please include File No. 29070 in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request via email to [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). The request should set forth the specific reasons why a hearing on this application would be appropriate.

**FOR FURTHER INFORMATION CONTACT:** Shasta McClenahan, Ph.D., or Jennifer Skidmore, (301) 427–8401.

**SUPPLEMENTARY INFORMATION:** The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222–226), and the Fur Seal Act of 1966, as amended (16 U.S.C. 1151 *et seq.*).

The applicant requests a 10-year permit to study marine mammal health through research and diagnostic testing of parts. Parts from up to 700 individual cetaceans and 400 individual pinnipeds (excluding walrus) may be imported, exported, and received annually. Sources of foreign and domestic parts may include subsistence harvests, captive animals, other authorized persons or curated collections, bycatch from legal commercial fishing operations, and foreign stranded animals.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of the application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: February 4, 2026.

**Shannon Bettridge,**

*Chief, Marine Mammal and Sea Turtle Conservation Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 2026–02498 Filed 2–6–26; 8:45 am]

**BILLING CODE 3510–22–P**

## COMMODITY FUTURES TRADING COMMISSION

### Agency Information Collection Activities: Notice of Intent To Extend Collection 3038–0101, Registration of Foreign Boards of Trade

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Notice.

**SUMMARY:** The Commodity Futures Trading Commission (Commission or CFTC) is announcing an opportunity for public comment on the proposed renewal of a collection of certain information by the agency. Under the Paperwork Reduction Act (PRA), Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including proposed extension of an existing collection of information, and to allow 60 days for public comment. This notice solicits comments on collections of information provided for by Commission regulation Part 48, Registration of Foreign Boards of Trade.

**DATES:** Comments must be submitted on or before April 10, 2026.

**ADDRESSES:** You may submit comments, identified by “Registration of Foreign Boards of Trade,” and “OMB Control No. 3038–0101,” by any of the following methods:

- The Agency's website, at <https://comments.cftc.gov/>. Follow the instructions for submitting comments through the website.

- *Mail:* Christopher Kirkpatrick, Secretary of the Commission, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581.

- *Hand Delivery/Courier:* Same as Mail above.

Please submit your comments using only one method.

**FOR FURTHER INFORMATION CONTACT:** Roger Smith, Division of Market

Oversight, Commodity Futures Trading Commission, (202) 418–5344; email: [rsmith@cftc.gov](mailto:rsmith@cftc.gov).

**SUPPLEMENTARY INFORMATION:** Under the PRA, 44 U.S.C. 3501 *et seq.*, Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. “Collection of Information” is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3 and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA, 44 U.S.C. 3506(c)(2)(A), requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, the CFTC is publishing notice of the proposed collection of information listed below. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

*Title:* Registration of Foreign Boards of Trade (OMB Control No. 3038–0101). This is a request for extension of a currently approved information collection.

*Abstract:* Section 738 of the Dodd-Frank Wall Street Reform and Consumer Protection Act<sup>1</sup> amended section 4(b)(1) of the Commodity Exchange Act to provide that the Commission may adopt rules and regulations requiring foreign boards of trade (FBOT) that wish to provide their members or other participants located in the United States with direct access to the FBOT’s electronic trading and order matching system to register with the Commission. Pursuant to this authorization, the CFTC adopted a final rule requiring FBOTs that wish to permit trading by direct access to provide certain information to the Commission in applications for registration and, once registered, to provide certain information to meet quarterly and annual reporting requirements. The rule establishes reporting requirements that are required by Part 48 of the Commission’s regulations and are necessary to ensure that FBOTs registered to provide for trading by direct access meet statutory and regulatory requirements on an initial and ongoing basis.

With respect to the collection of information, the CFTC invites comments on:

- Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have a practical use;
- The accuracy of the Commission’s estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Ways to enhance the quality, usefulness, and clarity of the information to be collected; and
- Ways to minimize the burden of collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology; *e.g.*, permitting electronic submission of responses.

All comments must be submitted in English, or if not, accompanied by an English translation. Comments will be posted as received to <https://www.cftc.gov>. You should submit only information that you wish to make available publicly. If you wish the Commission to consider information that you believe is exempt from disclosure under the Freedom of Information Act, a petition for confidential treatment of the exempt information may be submitted according to the procedures established in § 145.9 of the Commission’s regulations.<sup>2</sup>

The Commission reserves the right, but shall have no obligation, to review, pre-screen, filter, redact, refuse or remove any or all of your submission from <https://www.cftc.gov> that it may deem to be inappropriate for publication, such as obscene language. All submissions that have been redacted or removed that contain comments on the merits of the ICR will be retained in the public comment file and will be considered as required under the Administrative Procedure Act and other applicable laws, and may be accessible under the Freedom of Information Act.

*Burden Statement—Collection 3038–0101—Registration of Foreign Boards of Trade (17 CFR part 48).* The Commission is revising its estimate of the burden for this collection for registered FBOTs. The Commission’s estimate of the total number of registered FBOTs that are required to make reports quarterly and annually has increased from 24 to 25. This reflects an increase in the total number of FBOTs registered with the Commission.

The Commission is also updating its estimate of the average burden hour per response associated with reporting under this collection. This update is based on the Commission’s experience with reporting during the life of the collection. Based on this experience, the Commission estimates that burden per response for the submission of required reports varies from 0.5 hours to eight hours. These estimates include the time to locate, compile, validate, verify, and disclose and to ensure such information is maintained.

The respondent burden for this collection is estimated to be as follows:  
*Estimated number of respondents:* 25.  
*Estimated Average Burden Hours per Respondent:* 191 hours (rounded).  
*Estimated total annual burden on respondents:* 4,774 hours.

*Frequency of collection:* On occasion; quarterly or annually for required reports.

There are no capital costs or operating and maintenance costs associated with this collection.

(Authority: 44 U.S.C. 3501 *et seq.*)

Dated: February 5, 2026.

**Robert Sidman,**

*Deputy Secretary of the Commission.*

[FR Doc. 2026–02511 Filed 2–6–26; 8:45 am]

**BILLING CODE 6351–01–P**

## COMMODITY FUTURES TRADING COMMISSION

### Agency Information Collection Activities Under OMB Review

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (“PRA”), this notice announces that the Information Collection Request (“ICR”) abstracted below has been forwarded to the Office of Information and Regulatory Affairs (“OIRA”), of the Office of Management and Budget (“OMB”), for review and comment. The ICR describes the nature of the information collection and its expected costs and burden.

**DATES:** Comments must be submitted on or before March 11, 2026.

**ADDRESSES:** Written comments and recommendations for the proposed information collection should be submitted within 30 days of this notice’s publication to OIRA, at <https://www.reginfo.gov/public/do/PRAMain>. Please find this particular information collection by selecting “Currently under Review—Open for Public Comments” or by using the website’s search function.

<sup>1</sup> Public Law 111–203, 124 Stat. 1376 (2010).

<sup>2</sup> 17 CFR 145.9.

Comments can be entered electronically by clicking on the “comment” button next to the information collection on the “OIRA Information Collections Under Review” page, or the “View ICR—Agency Submission” page. A copy of the supporting statement for the collection of information discussed herein may be obtained by visiting <https://www.reginfo.gov/public/do/PRAMain>.

In addition to the submission of comments to <https://Reginfo.gov> as indicated above, a copy of all comments submitted to OIRA may also be submitted to the Commodity Futures Trading Commission (the “Commission” or “CFTC”) by clicking on the “Submit Comments” box next to the descriptive entry for OMB Control No. 3038–0023, at <https://comments.cftc.gov/FederalRegister/PublicInfo.aspx>.

Or by either of the following methods:

- *Mail:* Christopher Kirkpatrick, Secretary of the Commission, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581.

- *Hand Delivery/Courier:* Same as Mail above.

All comments must be submitted in English, or if not, accompanied by an English translation. Comments submitted to the Commission should include only information that you wish to make available publicly. If you wish the Commission to consider information that you believe is exempt from disclosure under the Freedom of Information Act, a petition for confidential treatment of the exempt information may be submitted according to the procedures established in § 145.9 of the Commission’s regulations.<sup>1</sup> The Commission reserves the right, but shall have no obligation, to review, pre-screen, filter, redact, refuse or remove any or all of your submission from <https://www.cftc.gov> that it may deem to be inappropriate for publication, such as obscene language. All submissions that have been redacted or removed that contain comments on the merits of the ICR will be retained in the public comment file and will be considered as required under the Administrative Procedure Act and other applicable

laws, and may be accessible under the Freedom of Information Act.

**FOR FURTHER INFORMATION CONTACT:** Christopher Cummings, Special Counsel, Market Participants Division, Commodity Futures Trading Commission, (202) 418–5445; or [ccummings@cftc.gov](mailto:ccummings@cftc.gov), and refer to OMB Control No. 3038–0023.

**SUPPLEMENTARY INFORMATION:**

*Title:* Registration under the Commodity Exchange Act (OMB Control No. 3038–0023). This is a request for an extension of a currently approved information collection.

*Abstract:* The information collected under OMB Control No. 3038–0023 is gathered through the use of forms for registration of firms and individuals who are required by the Commodity Exchange Act (“CEA”) to register with the Commission. The CEA requires commodity interest market intermediaries and participants to register, including: Futures commission merchants and introducing brokers (7 U.S.C. 6d); Commodity pool operators and commodity trading advisors (7 U.S.C. 6m(1)); Retail foreign exchange dealers (7 U.S.C. 2(c)); Associated persons (7 U.S.C. 6k); Floor traders or floor brokers (7 U.S.C. 6e); and Swap dealers and major swap participants (7 U.S.C. 6s(a)). The CFTC uses various forms for registration (and withdrawal therefrom) (the “Registration Forms”). OMB Control No. 3038–0023 applies to the Registration Forms for registration of persons other than swap dealers and major swap participants.<sup>2</sup>

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. On December 5, 2025, the Commission published in the **Federal Register** notice of the proposed extension of this information collection and provided 60 days for public comment on the proposed extension, 90 FR 56137 (“60-Day Notice”). The Commission did not receive any relevant comments on the 60-Day Notice.

*Burden Statement:* The Commission is revising its burden estimate for this

<sup>2</sup> Forms for registration of swap dealers and major swap participants are the subject of a separate information collection (OMB Control Number 3038–0072).

collection to reflect its estimate of the current number of CFTC registrants subject to the registration requirements of Part 3 of the Commission’s regulations. The respondent burden for this collection is estimated to be as follows:

*Estimated Number of Respondents:* 55,561.

*Estimated Total Annual Burden Hours:* 5,726 hours.

*Frequency of Collection:* On occasion.

There are no capital costs or operating and maintenance costs associated with this collection.

(Authority: 44 U.S.C. 3501 *et seq.*)

Dated: February 5, 2026.

**Robert Sidman,**

*Deputy Secretary of the Commission.*

[FR Doc. 2026–02513 Filed 2–6–26; 8:45 am]

**BILLING CODE 6351–01–P**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

[Transmittal No. 25–75]

#### Arms Sales Notification

**AGENCY:** Defense Security Cooperation Agency, Department of Defense (DoD).

**ACTION:** Arms sales notice.

**SUMMARY:** The DoD is publishing the unclassified text of an arms sales notification.

**FOR FURTHER INFORMATION CONTACT:**

Urooj Zahra at (703) 695–6233, [urooj.zahra.civ@mail.mil](mailto:urooj.zahra.civ@mail.mil), or [dsca.ncr.rsrgmgt.list.cns-mbx@mail.mil](mailto:dsca.ncr.rsrgmgt.list.cns-mbx@mail.mil).

**SUPPLEMENTARY INFORMATION:** This 36(b) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives with attached Transmittal 25–75, Policy Justification, and Sensitive of Technology.

Dated: February 5, 2026.

**Stephanie J. Bost,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

**BILLING CODE 6001–FR–P**

<sup>1</sup> 17 CFR 145.9.



**DEFENSE SECURITY COOPERATION AGENCY**  
 2800 Defense Pentagon  
 Washington, DC 20301-2800

December 5, 2025

The Honorable Mike Johnson  
 Speaker of the House  
 U.S. House of Representatives  
 H-209, The Capitol  
 Washington, DC 20515

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 25-75, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Denmark for defense articles and services estimated to cost \$3.0 billion. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

Michael F. Miller  
 Director

Enclosures:

1. Transmittal
2. Policy Justification
3. Sensitivity of Technology

**BILLING CODE 6001-FR-C**

Transmittal No. 25-75

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser:* Government of Denmark

(ii) *Total Estimated Value:*

Major Defense Equipment *	\$1.5 billion
Other .....	\$1.5 billion
<b>TOTAL .....</b>	<b>\$3.0 billion</b>

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

*Major Defense Equipment (MDE):*

- Twenty-four (24) All Up Round Magazines
- Eight (8) Indirect Fire Protection Capability Increment 2 launchers

Two (2) Sentinel A4 radars Integrated Battle Command System (IBCS)

Two (2) IBCS Engagement Operations Centers

Two (2) IBCS Integrated Collaborative Environments

Six (6) IBCS Integrated Fire Control Network relays

*Non-Major Defense Equipment:*

The following non-MDE items will also be included: reload vehicles; communications equipment, including, but not limited to, AN/PSN-13A Defense Advanced Global Positioning System receivers, AN/PYQ-10A Simple Key Loaders, AN/VRC-92F radio sets, RT-1523F receiver-transmitters, AN/TPX-61 interrogator set, AN/TPX-57A(V)1 Identification Friend or Foe (IFF) devices, KG-250X Inline Network

Encryptors, and KIV-77 encryptors; tools and test equipment; support equipment; generators; publications and technical documentation; training equipment, including the Air Defense Reconfigurable Trainer; spare and repair parts; personnel training; Technical Assistance Field Team support; United States (U.S.) Government and contractor technical, engineering, and logistics support services; Systems Integration and Checkout; field office support; and other related elements of logistics and program support.

(iv) *Military Department:* Army (DE-B-VMJ)

(v) *Prior Related Cases, if any:* None

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid*: None known at this time

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold*: See Attached Annex

(viii) *Date Report Delivered to Congress*: December 5, 2025

\* as defined in Section 47(6) of the Arms Export Control Act.

#### POLICY JUSTIFICATION

##### Denmark—Integrated Battle Command System with Indirect Fire Protection Capability

The Government of Denmark has requested to buy twenty-four (24) All Up Round Magazine (AUR-M); eight (8) Indirect Fire Protection Capability Increment 2 launchers; two (2) Sentinel A4 radars and Integrated Battle Command System (IBCS); two (2) IBCS Engagement Operations Centers; two (2) IBCS Integrated Collaborative Environments; and six (6) IBCS Integrated Fire Control Network relays. The following non-Major Defense Equipment items will also be included: reload vehicles; communications equipment, including, but not limited to, AN/PSN-13A Defense Advanced Global Positioning System receivers, AN/PYQ-10A Simple Key Loaders, AN/VRC-92F radio sets, RT-1523F receiver-transmitters, AN/TPX-61 interrogator set, AN/TPX-57A(V)1 Identification Friend or Foe (IFF) devices, KG-250X Inline Network Encryptors, and KIV-77 encryptors; tools and test equipment; support equipment; generators; publications and technical documentation; training equipment, including the Air Defense Reconfigurable Trainer; spare and repair parts; personnel training; Technical Assistance Field Team support; U.S. Government and contractor technical, engineering, and logistics support services; Systems Integration and Checkout; field office support; and other related elements of logistics and program support. The estimated total program cost is \$3.0 billion.

This proposed sale will support the foreign policy and national security objectives of the U.S. by improving the security of a NATO Ally that is an important force for political stability and economic progress in Europe.

The proposed sale will improve Denmark's capability to meet current and future threats and enhance its interoperability with U.S. and other allied forces. It will also enhance Denmark's medium and long-range ground-based air defense capability. Denmark will have no difficulty

absorbing this equipment and services into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractors will be RTX Corporation, located in Arlington, VA; Lockheed-Martin, located in Syracuse, NY; Leidos Inc., located in Reston, VA; and Northrop Grumman, located in Falls Church, VA. At this time, the U.S. Government is not aware of any offset agreement proposed in connection with this potential sale. Any offset agreement will be defined in negotiations between the purchaser and the contractor.

Implementation of this proposed sale will require 9–14 U.S. Government and 12–17 contractor representatives to travel to Denmark for up to seven years for equipment fielding, system checkout, training, and technical and logistics support.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 25–75

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex

Item No. vii

##### (vii) *Sensitivity of Technology*:

1. The Sentinel A4 radar has advanced sensor capabilities that provide military advantages in integrated air and missile defense.

2. The Indirect Fire Protection Capability (IFPC) Increment 2 launcher is a mobile, ground-based weapon system designed to defeat unmanned aircraft systems and cruise missiles.

3. The IFPC weapon system employs the AIM-9X's interceptor in an environmentally sealed All Up Round Magazine (AUR-M). The AUR-M consists of six (6) AIM-9X interceptors in a vertical 2x3 magazine and eliminates the need to directly handle munitions. Each launcher can carry 3 AUR-Ms at a time for a total of 18 interceptors loaded. The magazine provides the structural assembly, environmental protection, and software interface between the launcher and interceptor. Upon delivery, the AUR-M serves as the storage, transportation, and operational configuration that is ready to load directly onto the launcher.

4. The Army Integrated Air and Missile Defense (AMD) (AIAMD) Integrated Battle Command System (IBCS) adapts existing and forthcoming AMD sensors, weaponry, and mission command technologies into a unified defense system. This integration facilitates a comprehensive air picture,

enhances defended areas and provides flexible deployment options. The IBCS serves as the command-and-control solution for AIAMD and provides net centric, plug & fight, and system of systems command, control, communications, computers, intelligence, surveillance, and reconnaissance (C4ISR). The IBCS includes an Engagement Operations Center that delivers C4ISR functions to the battalion, battery, and platoon levels within the AMD Task Force.

5. The AN/PSN-13A Defense Advanced Global Positioning System (GPS) Receiver (DAGR) is a small commercial NAVSTAR GPS receiver designed for military operations. The Selective Availability/Anti Spoofing Module (SAASM) is a security device controlling the encryption that enables Precise Positioning Service (PPS) Y-code signals from GPS satellites and resists adversary attempts to spoof GPS signals. The DAGR with SAASM will provide position and location information necessary for ground-based operation.

6. The AN/PYQ-10A Simple Key Loader (SKL) is a ruggedized, portable hand-held device for securely receiving and storing data and transferring it between compatible cryptographic and communications equipment. The SKL employs type 1 encryption to protect stored key data.

7. The AN/VRC-92F radio set is a dual long-range, vehicle-mounted communication system that is part of the SINCGARS (Single Channel Ground and Airborne Radio System) family. It provides secure and reliable voice and data communication for tactical operations through both single-channel and frequency-hopping modes to resist jamming and interception. The system is critical for enabling command and control in dynamic battlefield environments.

8. The RT-1523F receiver-transmitter provides secure voice and data communication for U.S. military and allied forces and is a core component of the SINCGARS (Single Channel Ground and Airborne Radio System) family. It supports frequency-hopping technology to resist jamming and interception and ensure reliable communication in contested environments. The RT-1523F is versatile and is used in manpack, vehicle-mounted, and base station configurations, making it essential for tactical operations and command and control.

9. The AN/TPX-61 Interrogator Set securely identifies friendly aircraft and vehicles using advanced Mode 5 IFF technology. It provides encrypted, reliable authentication to prevent

spoofing and ensure accurate identification in complex operational environments. The system is essential for enhancing situational awareness, reducing the risk of friendly fire, and supporting joint and allied operations.

10. The AN/TPX-57A(V)1 IFF system securely identifies friendly aircraft and vehicles in contested environments. It uses advanced Mode 5 encryption and ensures secure and reliable authentication to prevent spoofing or misidentification. The system is critical for reducing the risk of friendly fire and enhancing situational awareness in joint operations.

11. The KG-250X Inline Network Encryptor ensures secure, high-speed encryption for critical data transmitted over networks, including voice and video. The KG-250X features advanced anti-tamper protections, secure key management, and interoperability with other secure systems.

12. The KIV-77 Encryptor secures Mode 4/5 IFF systems. It provides advanced encryption to authenticate friendly aircraft and vehicles, ensuring secure and reliable identification while preventing spoofing or unauthorized access. The KIV-77 is critical for enhancing situational awareness,

reduces the risk of friendly fire, and supports joint and allied operations.

13. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

14. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce system effectiveness or be used in the development of a system with similar or advanced capabilities.

15. A determination has been made that Denmark can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

16. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Denmark.

[FR Doc. 2026-02528 Filed 2-6-26; 8:45 am]

**BILLING CODE 6001-FR-P**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

[Transmittal No. 25-1P]

### Arms Sales Notification

**AGENCY:** Defense Security Cooperation Agency, Department of Defense (DoD).

**ACTION:** Arms sales notice.

**SUMMARY:** The DoD is publishing the unclassified text of an arms sales notification.

**FOR FURTHER INFORMATION CONTACT:**

Urooj Zahra at (703) 695-6233, [urooj.zahra.civ@mail.mil](mailto:urooj.zahra.civ@mail.mil), or [dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil](mailto:dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil).

**SUPPLEMENTARY INFORMATION:** This 36(b) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104-164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives with attached Transmittal 25-1P.

Dated: February 5, 2026.

**Stephanie J. Bost,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

**BILLING CODE 6001-FR-P**



DEFENSE SECURITY COOPERATION AGENCY  
2800 Defense Pentagon  
Washington, DC 20301-2800

December 5, 2025

The Honorable Mike Johnson  
Speaker of the House  
U.S. House of Representatives  
H-209, The Capitol  
Washington, DC 20515

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(5)(C) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 25-1P. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 20-23 of April 10, 2020.

Sincerely,



Michael F. Miller  
Director

Enclosure:  
1. Transmittal

**BILLING CODE 6001-FR-C**

Transmittal No. 25-1P

**REPORT OF ENHANCEMENT OR  
UPGRADE OF SENSITIVITY OF  
TECHNOLOGY OR CAPABILITY (SEC.  
36(B)(5)(C), AECA)**

(i) *Prospective Purchaser:* Republic of Korea

(ii) *Sec. 36(B)(1), AECA Transmittal No.:* 20-23

Date: April 10, 2020

Implementing Agency: Air Force

(iii) *Description:* On April 10, 2020, Congress was notified by congressional certification transmittal number 20-23 of the possible sale, under Section 36(b)(1) of the Arms Export Control Act, of Follow-on support and services for Republic of Korea's F-35 aircraft, engines, and weapons; publications and technical documentation; support equipment; spare and repair parts; repair and return; test equipment; software delivery and support; pilot flight equipment; personnel training

equipment; United States (U.S.) Government and contractor technical and logistics support services; and other related elements of program support. The estimated total cost was \$675 million. There was no Major Defense Equipment (MDE) associated with this sale.

On September 21, 2023, Congress was notified by congressional certification transmittal number 23-00 of the inclusion of continued Contractor Logistics Support (CLS) for the F-35 program; electronic warfare (EW) data and Reprogramming Lab support; Cartridge Actuated Devices/Propellant Actuated Devices (CAD/PAD); classified software development, delivery, and support; aircraft engine Component Improvement Program (CIP) support; transportation support; and engineering technical assistance. The total cost of the new non-MDE items was \$565 million, however only a net increase in total non-MDE of \$545 million was required. The estimated total case value

increased to \$1.22 billion. There was no MDE associated with this sale.

This transmittal notifies the inclusion of the following non-MDE items: clothing textiles and individual equipment; programmed depot maintenance; weapon system support; and other related elements of logistics and program support. The estimated total cost of the new items is \$260 million. The total case value will increase by \$260 million to \$1.48 billion. There is no MDE associated with this sale.

(iv) *Significance:* This proposed sale will sustain the Republic of Korea's F-35 fleet readiness and increase aircraft reliability and maintainability.

(v) *Justification:* This proposed sale will support the foreign policy and national security objectives of the U.S. by improving the security of a major non-NATO ally that is a force for political stability and economic progress in the Pacific region.

(vi) *Sensitivity of Technology:*

The Sensitivity of Technology Statement contained in the original notification applies to items reported here.

The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

(vii) *Date Report Delivered to Congress*: December 5, 2025.

[FR Doc. 2026-02526 Filed 2-6-26; 8:45 am]

BILLING CODE 6001-FR-P

**DEPARTMENT OF DEFENSE**

**Office of the Secretary**

[Transmittal No. 25-111]

**Arms Sales Notification**

**AGENCY:** Defense Security Cooperation Agency, Department of Defense (DoD).

**ACTION:** Arms sales notice.

**SUMMARY:** The DoD is publishing the unclassified text of an arms sales notification.

**FOR FURTHER INFORMATION CONTACT:** Urooj Zahra at (703) 695-6233, [urooj.zahra.civ@mail.mil](mailto:urooj.zahra.civ@mail.mil), or

[dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil](mailto:dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil).

**SUPPLEMENTARY INFORMATION:** This 36(b) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104-164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives with attached Transmittal 25-111, Policy Justification, and Sensitivity of Technology.

Dated: February 5, 2026.

**Stephanie J. Bost,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

BILLING CODE 6001-FR-P



**DEFENSE SECURITY COOPERATION AGENCY**  
2800 Defense Pentagon  
Washington, DC 20301-2800

December 5, 2025

The Honorable Mike Johnson  
Speaker of the House  
U.S. House of Representatives  
H-209, The Capitol  
Washington, DC 20515

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 25-111, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Republic of Korea for defense articles and services estimated to cost \$111.8 million. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

Michael F. Miller  
Director

Enclosures:

- 1. Transmittal
- 2. Policy Justification
- 3. Sensitivity of Technology

BILLING CODE 6001-FR-C

Transmittal No. 25-111

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser:* Republic of Korea

(ii) *Total Estimated Value:*

Major Defense Equipment *	\$106.8 million
Other .....	\$ 5.0 million
<b>TOTAL .....</b>	<b>\$111.8 million</b>

(iii) *Description and Quantity or Quantities of Articles or Services under*

*Consideration for Purchase:* Foreign Military Sales (FMS) case KS–D–YAT was below the congressional notification threshold at \$18.8 million (\$15.4 million in major defense equipment (MDE)) and included three hundred eighty-seven (387) GBU–39/B Small Diameter Bombs (SDB–I). The Republic of Korea has requested the case be amended to include an additional six hundred twenty-four (624) GBU–39/B SDB–Is. This amendment will cause the case to exceed the notification threshold, and thus notification of the entire program is required. The above notification requirements are combined as follows:

*Major Defense Equipment (MDE):*

One thousand eleven (1,011) GBU–39/B Small Diameter Bombs (SDB–I)

*Non-Major Defense Equipment:*

The following non-MDE items will be included: aircraft components, spares, and accessories; explosive charges, devices, propellants, and components; spare parts, consumables and accessories, and repair and return support; United States (U.S.) Government and contractor engineering, technical, and logistics support services; and other related elements of logistics and program support.

(iv) *Military Department:* Air Force (KS–D–YAT)

(v) *Prior Related Cases, if any:* KS–D–YBB

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:* None known at this time

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:* See Attached Annex

(viii) *Date Report Delivered to Congress:* December 5, 2025

\* as defined in Section 47(6) of the Arms Export Control Act.

**POLICY JUSTIFICATION**

*Republic of Korea—GBU–39/B Small Diameter Bombs-Increment I (SDB–I)*

The Republic of Korea has requested to buy an additional six hundred twenty-four (624) GBU–39/B Small Diameter Bombs (SDB–I) that will be added to a previously implemented case whose value was under the congressional notification threshold. The original Foreign Military Sales (FMS) case, valued at \$18.8 million (\$15.4 million in major defense equipment (MDE)), included three hundred eighty-seven (387) GBU–39/B SDB–Is; aircraft components, spares, and accessories; explosive charges, devices, propellants, and components; spare parts, consumables and

accessories, and repair and return support; U.S. Government and contractor engineering, technical, and logistics support services; and other related elements of logistics and program support. The estimated total cost is \$111.8 million.

This proposed sale will support the foreign policy and national security objectives of the U.S. by improving the security of a major ally that is an important force for political stability and economic progress in the Indo-Pacific region.

This proposed sale will improve the Republic of Korea's capability to meet current and future threats by increasing its critical air defense capability to deter aggression in the region and to ensure interoperability with U.S. forces. The Republic of Korea already has GBU–39/B SDB–Is in its inventory and will have no difficulty absorbing these articles and services into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be The Boeing Corporation, located in Arlington, VA. At this time, the U.S. Government is not aware of any offset agreement proposed in connection with this potential sale. Any offset agreement will be defined in negotiations between the purchaser and the contractor.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to the Republic of Korea.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 25–111

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex

Item No. vii

(vii) *Sensitivity of Technology:*

1. The GBU–39/B Small Diameter Bomb Increment I (SDB–I) All Up Round (AUR) is a 250-pound GPS-aided munition with precise positioning services provided by Selective Availability Anti-Spoofing Module or M-Code, and it is a small, autonomous, day or night, adverse weather, conventional, air-to-ground precision glide weapon able to strike fixed and stationary re-locatable non-hardened targets from standoff ranges. The SDB system employs a smart carriage capable of carrying four 250-lb class guided air-to-surface munitions. It can destroy high-priority fixed and stationary targets from Air Force fighters and bombers in

internal bays or on external hard-points. SDB increases aircraft loadout, decreases the logistical footprint, decreases collateral damage, and improves aircraft sortie generation times.

2. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that the Republic of Korea can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This proposed sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to the Republic of Korea.

[FR Doc. 2026–02525 Filed 2–6–26; 8:45 am]

**BILLING CODE 6001–FR–P**

**DEPARTMENT OF DEFENSE**

**Office of the Secretary**

[Transmittal No. 25–98]

**Arms Sales Notification**

**AGENCY:** Defense Security Cooperation Agency, Department of Defense (DoD).

**ACTION:** Arms sales notice.

**SUMMARY:** The DoD is publishing the unclassified text of an arms sales notification.

**FOR FURTHER INFORMATION CONTACT:**

Urooj Zahra at (703) 695–6233, [urooj.zahra.civ@mail.mil](mailto:urooj.zahra.civ@mail.mil), or [dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil](mailto:dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil).

**SUPPLEMENTARY INFORMATION:** This 36(b) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives with attached Transmittal 25–98, Policy Justification, and Sensitivity of Technology.

Dated: February 5, 2026.

**Stephanie J. Bost,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

**BILLING CODE 6001–FR–P**



**DEFENSE SECURITY COOPERATION AGENCY**  
 2800 Defense Pentagon  
 Washington, DC 20301-2800

December 4, 2025

The Honorable Mike Johnson  
 Speaker of the House  
 U.S. House of Representatives  
 H-209, The Capitol  
 Washington, DC 20515

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 25-98, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Canada for defense articles and services estimated to cost \$2.68 billion. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

Michael F. Miller  
 Director

Enclosures:

1. Transmittal
2. Policy Justification
3. Sensitivity of Technology

**BILLING CODE 6001-FR-C**

Transmittal No. 25-98

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as Amended

(i) *Prospective Purchaser:* Government of Canada

(ii) *Total Case Estimated Value:*

Major Defense Equipment *	\$2.20 billion
Other .....	\$ .48 billion

TOTAL ..... \$2.68 billion

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

*Major Defense Equipment (MDE):*

- Up to seven hundred fifty (750) GBU-39 practice bombs inert with fuzes
- Up to one hundred (100) GBU-39 Guided Test Vehicles (GTVs)
- Up to one hundred (100) MK-82 inert filled bombs
- Up to two hundred twenty (220) 2,000-lb BLU-117 General Purpose (GP) bombs

- Up to one hundred forty-six (146) I-2000 penetrator warheads
- Up to three thousand four hundred fourteen (3,414) BLU-111 500-lb GP bombs
- Up to three thousand one hundred eight (3,108) GBU-39/B Small Diameter Bomb Increment I (SDB-I) bombs
- Up to five thousand three hundred thirty-two (5,352) KMU-572 Joint Direct Attack Munition (JDAM) guidance sets
- Up to three hundred ninety-six (396) KMU-556 JDAM guidance sets
- Up to one hundred forty (140) KMU-557 JDAM guidance sets
- Up to two thousand four (2,004) GBU-53 SDBs—Increment II (SDB-II)
- Up to one hundred (100) GBU-53 SDB-II GTVs

*Non-Major Defense Equipment:*

The following non-MDE items will also be included: FMU-139 fuze systems; FMU-167 Hard Target

Void Sensing Fuzes (HTVSF); DSU-38 laser illuminated target detectors for GBU-54; practice bombs; ammunition tools and special equipment; major and minor modifications equipment; spare and repair parts, consumables and accessories, and repair and return support; weapons and weapon support equipment; test equipment; training aids, devices, and spare parts; classified and unclassified software and software support; classified and unclassified publications and technical documentation; United States (U.S.) Government and contractor technical, engineering, and logistics personnel services; and other related elements of logistics and program support.

(iv) *Military Department:* Air Force (CN-D-QDH)

(v) *Prior Related Cases, if any:* None

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid*: None known at this time

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold*: See Attached Annex

(viii) *Date Report Delivered to Congress*: December 4, 2025

\* as defined in Section 47(6) of the Arms Export Control Act.

#### POLICY JUSTIFICATION

##### Canada—Air Strike Weapons

The Government of Canada has requested to buy up to seven hundred fifty (750) GBU-39 practice bombs inert with fuzes; up to one hundred (100) GBU-39 Guided Test Vehicles (GTVs); up to one hundred (100) MK-82 inert filled bombs; up to two hundred twenty (220) 2,000-lb BLU-117 General Purpose (GP) bombs; up to one hundred forty-six (146) I-2000 penetrator warheads; up to three thousand four hundred fourteen (3,414) BLU-111 500-lb GP bombs; up to three thousand one hundred eight (3,108) GBU-39 Small Diameter Bomb Increment I (SDB-I) bombs; up to five thousand three hundred thirty-two (5,352) KMU-572 Joint Direct Attack Munition (JDAM) guidance sets; up to three hundred ninety-six (396) KMU-556 JDAM guidance sets; up to one hundred forty (140) KMU-557 JDAM guidance sets; up to two thousand four (2,004) GBU-53 SDBs—Increment II (SDB-II); and up to one hundred (100) GBU-53 SDB-II GTVs. The following non-MDE items will also be included: FMU-139 fuze systems; FMU-167 Hard Target Void Sensing Fuzes (HTVSF); DSU-38 laser illuminated target detectors for GBU-54; practice bombs; ammunition tools and special equipment; major and minor modifications equipment; spare and repair parts, consumables and accessories, and repair and return support; weapons and weapon support equipment; test equipment; training aids, devices, and spare parts; classified and unclassified software and software support; classified and unclassified publications and technical documentation; U.S. Government and contractor technical, engineering, and logistics personnel services; and other related elements of logistics and program support. The estimated total cost is \$2.68 billion.

This proposed sale will support the foreign policy and national security objectives of the U.S. by helping to improve the military capability of a NATO Ally that is an important force for ensuring political stability and economic progress and is a contributor

to military, peacekeeping, and humanitarian operations around the world.

The proposed sale will improve Canada's credible defense capability to deter aggression in the region, ensure interoperability with U.S. forces, and strengthen Canada's ability to contribute to shared continental defense. Canada will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractors will be The Boeing Company, located in Arlington, VA; and RTX Corporation, located in Arlington, VA. At this time, the U.S. Government is not aware of any offset agreement proposed in connection with this potential sale. Any offset agreement will be defined in negotiations between the purchaser and the contractor.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Canada.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 25-98

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex

Item No. vii

##### (vii) *Sensitivity of Technology*:

1. The GBU-39 Small Diameter Bomb Increment 1 (SDB-I) all-up-round (AUR) is a 250-lb Global Positioning System/Inertial Navigation System (GPS/INS) aided small autonomous, day or night, adverse weather, conventional, air-to-ground precision glide weapon able to strike fixed and stationary relocatable non-hardened targets from standoff ranges. The SDB system employs a smart carriage capable of carrying four 250-lb class guided air-to-surface munitions. It is capable of destroying high-priority fixed and stationary targets from Air Force fighters and bombers in internal bays or on external hard-points. SDB increases aircraft loadout, decreases the logistical footprint, decreases collateral damage, and improves aircraft sortie generation times.

a. The SDB-I Guided Test Vehicle (GTV) is a SDB-I configuration used for land or sea range-based testing of the SDB I weapon system. The GTV has common flight characteristics of an SDB-I AUR, but in place of the multi-effects warhead is a Flight Termination, Tracking, and Telemetry (FTTT) subassembly that mirrors the AUR

multi-effects warhead's size and mass properties but provides safe flight termination, free flight tracking, and telemetry of encrypted data from the GTV to the data receivers. The SDB I GTV can have either inert or live fuses. All other flight control, guidance, data-link, and seeker functions are representative of the SDB-I AUR.

2. The GBU-53 Small Diameter Bomb Increment II (SDB-II) AUR is a 250-lb precision-guided, semiautonomous, conventional, air-to-ground munition used to defeat targets through adverse weather. The SDB-II has deployable wings and fins and uses GPS/INS guidance, network-enabled datalink (Link-16 and ultra high frequency), and a multi-mode seeker (millimeter wave radar, imaging infrared, semi-active laser) to autonomously search, acquire, track, and defeat a variety of moving or stationary targets at standoff ranges in a variety of attack modes. The SDB-II employs a multi-effects warhead (blast, fragmentation, and shaped-charge) for maximum lethality against armored and soft targets. The SDB-II weapon system consists of the tactical AUR weapon, a 4-place common carriage system, and mission planning system munitions application program (MAP).

a. The SDB-II GTV is a SDB-II configuration used for land or sea range-based testing of the SDB-II weapon system. All other elements of the SDB-II GTV are equivalent to SDB-I GTV elements.

3. The Joint Direct Attack Munition (JDAM) consist of a bomb body paired with a warhead-specific tail kit containing GPS/INS guidance capability that converts unguided free-fall bombs into accurate, adverse weather "smart" munitions. The JDAM weapon can be delivered from modest standoff ranges at high or low altitudes against a variety of land and surface targets during the day or night. The JDAM can receive target coordinates via preplanned mission data from the delivery aircraft, by onboard aircraft sensors (*i.e.*, FLIR, radar, etc.) during captive carry, or from a third-party source via manual or automated aircrew cockpit entry.

a. The GBU-31 is a 2,000-lb JDAM, and consists of a KMU-556 tail kit and BLU-117 or MK-84 bomb body.

b. The GBU-38 is a 500-lb JDAM, and consists of a KMU-572 tail kit and BLU-111 or MK-82 bomb body.

4. The GBU-54 Laser JDAM (LJDAM) is a 500-lb JDAM which incorporates all the capabilities of the JDAM guidance tail kit and adds a precision laser guidance set. The LJDAM gives the weapon system an optional semi-active laser guidance in addition to the INS/GPS guidance. This provides the

capability to strike moving targets. The GBU-54 consists of a DSU-38 laser guidance set and bomb body with appropriate KMU-5XX tail kit.

5. The MK-82 General Purpose (GP) bomb is a 500-lb, free-fall, unguided, low-drag weapon. The MK-82 is designed for soft, fragment-sensitive targets and is not intended for hard targets or penetrations. The explosive filling is usually tritonal, though other compositions have sometimes been used.

6. The BLU-111 is a 500-lb, free-fall, unguided, low-drag weapon. The MK-82 is designed for soft, fragment-sensitive targets and is not intended for hard targets or penetrations. The explosive filling is tritonal.

7. The BLU-117 GP bomb is a 2,000-lb, free-fall, unguided, high and low-drag weapon designed to be functionally equivalent to the MK-84. It may slightly differ in explosive filler or manufacturer details.

8. The FMU-139 Joint Programmable Fuze (JPF) is a multi-delay, multi-arm, and proximity sensor compatible with general purpose blast, frag, and hardened-target penetrator weapons. The JPF settings are cockpit selectable in flight when used with numerous precision-guided weapons.

9. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

10. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

11. A determination has been made that Canada can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

12. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Canada.

[FR Doc. 2026-02524 Filed 2-6-26; 8:45 am]

**BILLING CODE 6001-FR-P**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

[Transmittal No. 25-92]

### Arms Sales Notification

**AGENCY:** Defense Security Cooperation Agency, Department of Defense (DoD).

**ACTION:** Arms sales notice.

**SUMMARY:** The DoD is publishing the unclassified text of an arms sales notification.

**FOR FURTHER INFORMATION CONTACT:**

Urooj Zahra at (703) 695-6233, [urooj.zahra.civ@mail.mil](mailto:urooj.zahra.civ@mail.mil), or [dscn.ncr.rsrcmgmt.list.cns-mbx@mail.mil](mailto:dscn.ncr.rsrcmgmt.list.cns-mbx@mail.mil).

**SUPPLEMENTARY INFORMATION:** This 36(b) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104-164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives with attached Transmittal 25-92, Policy Justification, and Sensitivity of Technology.

Dated: February 5, 2026.

**Stephanie J. Bost,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

**BILLING CODE 6001-FR-P**



DEFENSE SECURITY COOPERATION AGENCY  
2800 Defense Pentagon  
Washington, DC 20301-2800

December 8, 2025

The Honorable Mike Johnson  
Speaker of the House  
U.S. House of Representatives  
H-209, The Capitol  
Washington, DC 20515

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 25-92, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Belgium for defense articles and services estimated to cost \$79 million. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

*Michael E. Miller*  
Michael E. Miller  
Director

Enclosures:

- 1. Transmittal
- 2. Policy Justification
- 3. Sensitivity of Technology

**BILLING CODE 6001-FR-C**

Transmittal No. 25-92

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser:* Government of Belgium

(ii) *Total Estimated Value:*

Major Defense Equipment *	\$67 million
Other .....	\$12 million
<b>TOTAL .....</b>	<b>\$79 million</b>

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

*Major Defense Equipment (MDE):*

Up to two hundred forty (240) Hellfire missiles (AGM-114R2)

*Non-Major Defense Equipment:*

The following non-MDE items are also included: United States (U.S.)

Government and contractor engineering, technical, and logistics support services; support equipment; communications and training equipment; ammunition, spare parts, consumables, accessories, and repair and return support; facility design; classified and unclassified publications; technical documentation; personnel training and training equipment; studies and surveys; and other related elements of logistics and program support.

(iv) *Military Department:* Army (BE-B-WDR)

(v) *Prior Related Cases, if any:* None

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:* None known at this time

(vii) *Sensitivity of Technology Contained in the Defense Article or*

*Defense Services Proposed to be Sold:* See Attached Annex

(viii) *Date Report Delivered to Congress:* December 8, 2025

\* as defined in Section 47(6) of the Arms Export Control Act.

**POLICY JUSTIFICATION**

*Belgium—Hellfire Missiles*

The Government of Belgium has requested to buy up to two hundred forty (240) Hellfire missiles (AGM-114R2). The following non-MDE items will also be included: U.S. Government and contractor engineering, technical, and logistics support services; support equipment; communications and training equipment; ammunition, spare parts, consumables, accessories, and repair and return support; facility design; classified and unclassified publications; technical documentation;

personnel training and training equipment; studies and surveys; and other related elements of logistics and program support. The estimated total cost is \$79 million.

This proposed sale will support the foreign policy and national security objectives of the U.S. by improving the security of a NATO Ally which is an important force for political stability and economic progress in Europe.

The proposed sale will improve Belgium's combat capability for counterterrorism operations. Belgium is a long-time operator of several advanced air-to-ground munitions via its F-35 and F-16 programs. Belgium will have no difficulty absorbing these articles and services into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be Lockheed Martin Corporation, located in Troy, AL. At this time, the U.S. Government is not aware of any offset agreement proposed in connection with this potential sale. Any offset agreement will be defined in negotiations between the purchaser and the contractor.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Belgium.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 25-92

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex

Item No. vii

(vii) *Sensitivity of Technology:*

1. Hellfire missiles (AGM-114R2) are used against heavy and light armored targets, thin-skinned vehicles, urban structures, bunkers, caves, and personnel. The missile is inertial measurement unit based, with a variable delay fuse and improved safety and reliability. Loss or compromise of classified information associated with AGM-114R2 could lead to development of countermeasures or exploitation of system vulnerabilities by those obtaining the information.

2. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that Belgium can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This proposed sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Belgium.

[FR Doc. 2026-02530 Filed 2-6-26; 8:45 am]

BILLING CODE 6001-FR-P

## DEPARTMENT OF DEFENSE

### Office of the Secretary

[Transmittal No. 26-11]

#### Arms Sales Notification

**AGENCY:** Defense Security Cooperation Agency, Department of Defense (DoD).

**ACTION:** Arms sales notice.

**SUMMARY:** The DoD is publishing the unclassified text of an arms sales notification.

**FOR FURTHER INFORMATION CONTACT:**

Urooj Zahra at (703) 695-6233, [urooj.zahra.civ@mail.mil](mailto:urooj.zahra.civ@mail.mil), or [dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil](mailto:dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil).

**SUPPLEMENTARY INFORMATION:** This 36(b) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104-164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives with attached Transmittal 26-11, Policy Justification, and Sensitivity of Technology.

Dated: February 5, 2026.

**Stephanie J. Bost,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

BILLING CODE 6001-FR-P



DEFENSE SECURITY COOPERATION AGENCY  
2800 Defense Pentagon  
Washington, DC 20301-2800

December 5, 2025

The Honorable Mike Johnson  
Speaker of the House  
U.S. House of Representatives  
H-209, The Capitol  
Washington, DC 20515

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 26-11, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Italy for defense articles and services estimated to cost \$301 million. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

Michael F. Miller  
Director

Enclosures:

- 1. Transmittal
- 2. Policy Justification
- 3. Sensitivity of Technology

BILLING CODE 6001-FR-C

Transmittal No. 26-11

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser:* Government of Italy

(ii) *Total Estimated Value:*

Major Defense Equipment \* \$246 million  
Other ..... \$ 55 million

TOTAL ..... \$301 million

Funding Source: National Funds

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

*Major Defense Equipment (MDE):*

- One hundred (100) AGM-158B/B-2 Joint Air-to-Surface Standoff Missiles with Extended Range (JASSM-ER)

*Non-Major Defense Equipment:*

The following non-MDE items will also be included: JASSM classified test equipment and containers; KGV-135A encryption devices; Global Positioning Systems (GPS) Precise Positioning Service (PPS); spare and repair parts, consumables and accessories, and repair and return support; weapon system support and software; classified and unclassified software; classified and unclassified publications and technical documentation; transportation support; site surveys; United States (U.S.) Government and contractor engineering, technical, and logistics support services; and other related elements of logistics and program support.

(iv) *Military Department:* Air Force (IT-D-YAF)

(v) *Prior Related Cases, if any:* None  
(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:* None known at this time

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:* See Attached Annex

(viii) *Date Report Delivered to Congress:* December 5, 2025

\* as defined in Section 47(6) of the Arms Export Control Act.

**POLICY JUSTIFICATION**

*Italy—Joint Air-to-Surface Standoff Missiles with Extended Range*

The Government of Italy has requested to buy one hundred (100) AGM-158B/B-2 Joint Air-to-Surface Standoff Missiles with Extended Range (JASSM-ER). The following non-MDE items will also be included: JASSM

classified test equipment and containers; KGV-135A encryption devices; spare and repair parts, consumables and accessories, and repair and return support; weapon system support and software; classified and unclassified software; classified and unclassified publications and technical documentation; transportation support; site surveys; U.S. Government and contractor engineering, technical, and logistics support services; and other related elements of logistics and program support. The estimated total cost is \$301 million.

This proposed sale will support the foreign policy goals and national security objectives of the (U.S.) by improving the security of a NATO Ally that is a force for political stability and economic progress in Europe.

The proposed sale will improve Italy's capability to meet current and future threats by providing stand-off capability via advanced, long-range strike systems for employment on Italian fighter aircraft, including but not limited to F-35 aircraft. Italy will have no difficulty absorbing these articles and services into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be Lockheed Martin, located in Orlando, FL. At this time, the U.S. Government is not aware of any offset agreement proposed in connection with this potential sale. Any offset agreement will be defined in negotiations between the purchaser and the contractor.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Italy.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 26-11

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex

Item No. vii

(vii) *Sensitivity of Technology:*

1. 1. The AGM-158B/B-2 Joint Air-to-Surface Standoff Missile with Extended Range (JASSM-ER) All Up Round (AUR) is a low-observable, highly survivable, subsonic cruise missile designed to penetrate next-generation air defense systems enroute to target. The JASSM-ER is designed to kill hard, medium-hardened, soft, and area type targets. The extended range over the baseline was obtained by going from a turbo jet to a turbo-fan engine and by reconfiguring the fuel tanks for added capacity. Precise positioning will be provided by either Selective Availability Anti-Spoofing Module or M-Code.

a. The AGM-158B-2 system capabilities include all the capabilities of the AGM-158B. The AGM-158B-2 configuration will have different internal components to address multiple obsolescence issues as well as subcomponent updates to position for M-Code and other potential upgrades. Global Positioning System/Precise Positioning Service (GPS/PPS) to be provided by either Selective Availability Anti-Spoofing Module (SAASM) or M-Code.

2. The KGV-135A is a high-speed, general purpose cryptor/decryptor module used for wide-band data encryption.

3. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

4. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce system effectiveness or be used

in the development of a system with similar or advanced capabilities.

5. A determination has been made that Italy can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

6. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Italy.

[FR Doc. 2026-02527 Filed 2-6-26; 8:45 am]

BILLING CODE 6001-FR-P

## DEPARTMENT OF DEFENSE

### Office of the Secretary

[Transmittal No. 25-1K]

#### Arms Sales Notification

**AGENCY:** Defense Security Cooperation Agency, Department of Defense (DoD).

**ACTION:** Arms sales notice.

**SUMMARY:** The DoD is publishing the unclassified text of an arms sales notification.

**FOR FURTHER INFORMATION CONTACT:**

Urooj Zahra at (703) 695-6233, [urooj.zahra.civ@mail.mil](mailto:urooj.zahra.civ@mail.mil), or [dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil](mailto:dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil).

**SUPPLEMENTARY INFORMATION:** This 36(b) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104-164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives with attached Transmittal 25-1K.

Dated: February 5, 2026.

**Stephanie J. Bost,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

BILLING CODE 6001-FR-P



DEFENSE SECURITY COOPERATION AGENCY  
2800 Defense Pentagon  
Washington, DC 20301-2800

The Honorable Mike Johnson  
Speaker of the House  
U.S. House of Representatives  
H-209, The Capitol  
Washington, DC 20515

December 8, 2025

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(5)(C) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 25-1K. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 24-62 of July 25, 2024.

Sincerely,

Michael F. Miller  
Director

Enclosure:

1. Transmittal

**BILLING CODE 6001-FR-C**

Transmittal No. 25-1K

**REPORT OF ENHANCEMENT OR  
UPGRADE OF SENSITIVITY OF  
TECHNOLOGY OR CAPABILITY (SEC.  
36(B)(5)(C) AECA)**

(i) *Purchaser:* Government of Belgium  
(ii) *Sec. 36(b)(1), AECA Transmittal  
No.:* 24-62

Date: July 25, 2024

Implementing Agency: Air Force

(iii) *Description:* On July 25, 2024, Congress was notified by congressional certification transmittal number 24-62 of the possible sale, under Section 36(b)(1) of the Arms Export Control Act, of the Government of Belgium's request to buy one hundred ninety-six (196) Guided Bomb Unit (GBU)-53/B Small Diameter Bombs Increment II (SDB-II) All-Up-Rounds (AURs). Also included were SDB-II Weapons Load Crew Trainers (WLCT); training aids and

devices; spare and repair parts, consumables, accessories, and repair and return support; unclassified software delivery and support; unclassified publications and technical documentation; major modifications and maintenance support; training and training equipment; munitions support and support equipment; transportation support; studies and surveys; United States (U.S.) Government and contractor engineering, technical, and logistics support services; and other related elements of logistics and program support. The estimated total cost was \$115 million. Major Defense Equipment (MDE) constituted \$78 million of this total.

This transmittal notifies the inclusion of the following additional MDE items: two hundred eighty-eight (288) GBU-53/B Small Diameter Bombs Increment II (SDB-II). The following non-MDE items will also be included: major and

minor modifications; and other related elements of logistics and program support. The estimated total value of the new items is \$124 million. The estimated non-MDE value will increase by \$19 million to a revised \$56 million. The estimated total case value will increase by \$124 million to a revised \$239 million. MDE constitutes \$183 million of this total.

(iv) *Significance:* This notification is being provided because the additional MDE items were not enumerated in the original notification. The proposed sale is an essential component of F-35 advanced capabilities and will enhance the effectiveness of Belgian tactical air operations.

(v) *Justification:* This proposed sale will support the foreign policy and national security objectives of the U.S. by improving the security of a NATO ally which is an important force for

political stability and economic progress in Europe.

(vi) *Sensitivity of Technology*: The Sensitivity of Technology Statement contained in the original notification applies to items reported here.

The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

(vii) *Date Report Delivered to Congress*: December 8, 2025

[FR Doc. 2026-02531 Filed 2-6-26; 8:45 am]

BILLING CODE 6001-FR-P

## DEPARTMENT OF DEFENSE

### Office of the Secretary

[Transmittal No. 25-63]

### Arms Sales Notification

**AGENCY:** Defense Security Cooperation Agency, Department of Defense (DoD).

**ACTION:** Arms sales notice.

**SUMMARY:** The DoD is publishing the unclassified text of an arms sales notification.

**FOR FURTHER INFORMATION CONTACT:**

Urooj Zahra at (703) 695-6233, [urooj.zahra.civ@mail.mil](mailto:urooj.zahra.civ@mail.mil), or

[dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil](mailto:dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil).

**SUPPLEMENTARY INFORMATION:** This 36(b) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104-164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives with attached Transmittal 25-63 and Policy Justification.

Dated: February 5, 2026.

**Stephanie J. Bost,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

BILLING CODE 6001-FR-P



**DEFENSE SECURITY COOPERATION AGENCY**  
2800 Defense Pentagon  
Washington, DC 20301-2800


The Honorable Mike Johnson  
Speaker of the House  
U.S. House of Representatives  
H-209, The Capitol  
Washington, DC 20515

DEC 05 2025

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 25-63, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Lebanon for defense articles and services estimated to cost \$90.5 million. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

  
Michael F. Miller  
Director

Enclosures:

1. Transmittal
2. Policy Justification
3. Regional Balance (Classified document provided under separate cover)

Transmittal No. 25–63

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser*: Government of Lebanon

(ii) *Total Estimated Value*:

Major Defense Equipment *	\$ 0 million
Other .....	\$90.5 million
<b>TOTAL .....</b>	<b>\$90.5 million</b>

Funding Source: Foreign Military Financing

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase*:

*Major Defense Equipment (MDE)*: None

*Non-Major Defense Equipment*:

5-ton M1085A2 Medium Tactical Vehicles (MTVs) without winch; 2.5-ton M1078A2 MTVs without winch; spare and repair parts; publications and technical documentation; personnel training and training equipment; technical, and logistics support services; and other related elements of logistics and program support.

(iv) *Military Department*: Army (LE–B–WDA)

(v) *Prior Related Cases, if any*: LE–B–WGA

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid*: None known at this time

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold*: None

(viii) *Date Report Delivered to Congress*: December 5, 2025

\* as defined in Section 47(6) of the Arms Export Control Act.

#### *POLICY JUSTIFICATION*

*Lebanon—M1085A2 and M1078A2 Medium Tactical Vehicles*

The Government of Lebanon has requested to buy 5-ton M1085A2 Medium Tactical Vehicles (MTVs) without winch; 2.5-ton M1078A2 MTVs without winch; spare and repair parts; publications and technical documentation; personnel training and training equipment; technical, and logistics support services; and other related elements of logistics and program support. The estimated total cost is \$90.5 million.

This proposed sale will support the foreign policy and national security of the United States (U.S.) by improving the security of a partner country that continues to be an important force for political stability and economic progress in the Middle East.

The proposed sale will improve Lebanon's capability to meet current and future threats by enabling Lebanese Armed Forces to rapidly engage and defeat perimeter security threats and readily employ counter and anti-terrorism measures. A highly mobile and medium tactical vehicle capability will enable additional military-to-military tactics and operational training between the U.S. and Lebanon. Lebanon will have no difficulty absorbing these articles and services into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be Oshkosh Defense, located in Oshkosh, WI. At this time, the U.S. Government is not aware of any offset agreement proposed in connection with this potential sale. Any offset agreement will

be defined in negotiations between the purchaser and the contractor.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Lebanon.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

[FR Doc. 2026–02533 Filed 2–6–26; 8:45 am]

**BILLING CODE 6001–FR–P**

#### **DEPARTMENT OF DEFENSE**

##### **Office of the Secretary**

[Transmittal No. 25–1Q]

##### **Arms Sales Notification**

**AGENCY**: Defense Security Cooperation Agency, Department of Defense (DoD).

**ACTION**: Arms sales notice.

**SUMMARY**: The DoD is publishing the unclassified text of an arms sales notification.

**FOR FURTHER INFORMATION CONTACT**:

Urooj Zahra at (703) 695–6233, [urooj.zahra.civ@mail.mil](mailto:urooj.zahra.civ@mail.mil), or [dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil](mailto:dsca.ncr.rsrcmgmt.list.cns-mbx@mail.mil).

**SUPPLEMENTARY INFORMATION**: This 36(b) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives with attached Transmittal 25–1Q.

Dated: February 5, 2026.

**Stephanie J. Bost**,

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

**BILLING CODE 6001–FR–P**



DEFENSE SECURITY COOPERATION AGENCY  
2800 Defense Pentagon  
Washington, DC 20301-2800

December 31, 2025

The Honorable Mike Johnson  
Speaker of the House  
U.S. House of Representatives  
H-209, The Capitol  
Washington, DC 20515

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(5)(C) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 25-1Q. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 18-40 of October 19, 2018.

Sincerely,

Michael F. Miller  
Director

Enclosure:

1. Transmittal

**BILLING CODE 6001-FR-C**

Transmittal No. 25-1Q

*REPORT OF ENHANCEMENT OR  
UPGRADE OF SENSITIVITY OF  
TECHNOLOGY OR CAPABILITY (SEC.  
36(B)(5)(C), AECA)*

(i) *Prospective Purchaser:* Government of the United Kingdom

(ii) *Sec. 36(b)(1), AECA Transmittal No.:* 18-40

Date: October 19, 2018

Implementing Agency: Army

(iii) *Description:* On October 19, 2018, Congress was notified by congressional certification transmittal number 18-40 of the possible sale, under Section 36(b)(1) of the Arms Export Control Act, of sixteen (16) H-47 Chinook (Extended Range) helicopters; thirty-six (36) T-55-GA-714A engines (32 installed, 4 spares); forty-eight (48) embedded GPS inertial navigation units (32 installed,

16 spares); twenty (20) common missile warning systems (16 installed, 4 spares); twenty-two (22) radio-frequency countermeasures (16 installed, 6 spares); nineteen (19) multi-mode radars (16 installed, 3 spares); nineteen (19) electrooptical sensor systems (16 installed, 3 spares); forty (40) M-134D-T miniguns, plus mounts and tools (32 installed, 8 spares); and forty (40) M240H machine guns, plus mounts and tools (32 installed, 8 spares). The following non-Major Defense Equipment (MDE) items were also included: communications equipment; navigation equipment; aircraft survivability equipment; initial training equipment and services; synthetic training equipment; support package including spares and repair parts; special tools and test equipment; aviation ground support equipment; safety and air worthiness certification; technical

support; maintenance support; technical and aircrew publications; mission planning system equipment and support; project management and governance; United States (U.S.) Government and contractor engineering and logistics support services; and other related elements of logistics and program support. The estimated total program cost was \$3.5 billion. MDE constituted \$1.655 billion of this total.

On March 12, 2024, Congress was notified by congressional certification transmittal number 24-0B, under Section 36(b)(5)(C) of the Arms Export Control Act, of the inclusion of the following MDE items: seventeen (17) Common Infrared Countermeasure (CIRCM) Systems; seventeen (17) Limited Missile Warning Receiver Systems (LIMWS); and seventeen (17) Degraded Visual Environment Pilotage Systems (DVEPS). The following non-

MDE item was also included: Man-Portable Night Vision Devices. The estimated total value of these new items was \$162 million, but this addition did not cause an increase in the total case value. The estimated total case value remained at \$3.5 billion. MDE remained at \$1.655 billion of this total.

This transmittal notifies the inclusion of the following additional MDE items: five (5) DVEPS. The estimated total value of the new items is \$3.06 million and does not result in a net increase in the total case value. The estimated total case value remains at \$3.5 billion. MDE continues to constitute \$1.655 billion of this total.

(iv) *Significance*: The proposed sale will enhance the United Kingdom's capabilities to provide national defense and contribute to NATO and coalition operations.

(v) *Justification*: This proposed sale will support the foreign policy and national security objectives of the U.S. by improving the security of a key NATO Ally that is an important force for political stability and economic progress in Europe.

(vi) *Sensitivity of Technology*:

DVEPS provides overmatch by providing increased situational awareness to the aircrew in degraded visual environment (DVE) conditions,

such as brownout, allowing special operations aviation assets to execute missions in nearly any environmental condition. DVEPS utilizes using three-dimensional (3D) imaging technology. DVEPS produces imagery, 3D conformal symbology, and system alerts to aid pilots in maintaining spatial awareness during and after transition from visual meteorological conditions (VMC) to DVE conditions. DVEPS includes a synthetic vision avionics backbone (SVAB), light detection and ranging (LiDAR) system, removable storage device, infrared camera, power distribution unit, and inertial measurement unit.

The Sensitivity of Technology Statement contained in the original notification applies to additional items mentioned.

The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

(vii) *Date Report Delivered to Congress*: December 31, 2025

[FR Doc. 2026-02532 Filed 2-6-26; 8:45 am]

**BILLING CODE 6001-FR-P**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

[Transmittal No. 26-05]

### Arms Sales Notification

**AGENCY**: Defense Security Cooperation Agency, Department of Defense (DoD).

**ACTION**: Arms sales notice.

**SUMMARY**: The DoD is publishing the unclassified text of an arms sales notification.

**FOR FURTHER INFORMATION CONTACT**:

Urooj Zahra at (703) 695-6233, [urooj.zahra.civ@mail.mil](mailto:urooj.zahra.civ@mail.mil), or [dscn.ncr.rsrcmgmt.list.cns-mbx@mail.mil](mailto:dscn.ncr.rsrcmgmt.list.cns-mbx@mail.mil).

**SUPPLEMENTARY INFORMATION**: This 36(b) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104-164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives with attached Transmittal 26-05, Policy Justification, and Sensitivity of Technology.

Dated: February 5, 2026.

**Stephanie J. Bost**,

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

**BILLING CODE 6001-FR-P**



DEFENSE SECURITY COOPERATION AGENCY  
2800 Defense Pentagon  
Washington, DC 20301-2800

December 5, 2025

The Honorable Mike Johnson  
Speaker of the House  
U.S. House of Representatives  
H-209, The Capitol  
Washington, DC 20515

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 26-05, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Denmark for defense articles and services estimated to cost \$730 million. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

Michael F. Miller  
Director

Enclosures:

- 1. Transmittal
- 2. Policy Justification
- 3. Sensitivity of Technology

BILLING CODE 6001-FR-C

Transmittal No. 26-05

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser:* Government of Denmark

(ii) *Total Estimated Value:*

Major Defense Equipment *	\$661 million
Other .....	\$ 69 million
TOTAL .....	\$730 million

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

*Major Defense Equipment (MDE):*

Two hundred (200) AIM-120C-8 Advanced Medium Range Air-to-

Air Missiles (AMRAAM)  
Three (3) AIM-120-C8 AMRAAM guidance sections

*Non-Major Defense Equipment:*

The following non-MDE items will be included: AMRAAM control sections, containers, and support equipment; spare parts, consumables and accessories, and repair and return support; weapons software and support equipment; classified and unclassified software delivery and support; classified and unclassified publications and technical documentation; transportation support; United States (U.S.) Government and contractor engineering, technical, and logistics support services; and

other related elements of logistics and program support.

(iv) *Military Department:* Air Force DE-D-YAB

(v) *Prior Related Cases, if any:* DE-D-YAC

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:* None known at this time

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:* See Attached Annex

(viii) *Date Report Delivered to Congress:* December 5, 2025

\* as defined in Section 47(6) of the Arms Export Control Act.

**POLICY JUSTIFICATION***Denmark—AIM-120C-8 Advanced Medium Range Air-to-Air Missiles*

The Government of Denmark has requested to buy two hundred (200) AIM-120C-8 Advanced Medium Range Air-to-Air Missiles (AMRAAM) and three (3) AIM-120-C8 AMRAAM guidance sections. The following non-major defense equipment items will also be included: AMRAAM control sections, containers, and support equipment; spare parts, consumables and accessories, and repair and return support; weapons software and support equipment; classified and unclassified software delivery and support; classified and unclassified publications and technical documentation; transportation support; U.S. Government and contractor engineering, technical, and logistics support services; and other related elements of logistics and program support. The estimated total cost is \$730 million.

This proposed sale will support the foreign policy goals and national security objectives of the U.S. by improving the security of a NATO Ally that is a force for political stability and economic progress in Europe.

The proposed sale will improve Denmark's capability to meet current and future threats by ensuring it has modern and capable air-to-air munitions. This sale will further advance the already high level of Danish Air Force interoperability with U.S. Joint Forces and other regional and NATO forces. Denmark will have no difficulty absorbing these articles and services into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be RTX Corporation, located in Arlington, VA. At this time, the U.S. Government is not aware of any offset agreement proposed in connection with this potential sale. Any offset agreement will be defined in negotiations.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Denmark.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 26-05

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex

Item No. vii

(vii) *Sensitivity of Technology:*

1. The AIM-120C-8 Advanced Medium Range Air-to-Air Missile (AMRAAM) is a supersonic, air or surface-launched, aerial intercept guided missile featuring digital technology and micro-miniature solid-state electronics. AMRAAM capabilities include look-down/shoot-down, multiple launches against multiple targets, resistance to electronic countermeasures, and interception of high- and low- flying and maneuvering targets. This potential sale will include AMRAAM containers, guidance sections, and control section spares.

2. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that Denmark can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Denmark.

[FR Doc. 2026-02529 Filed 2-6-26; 8:45 am]

**BILLING CODE 6001-FR-P**

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**DELAWARE RIVER BASIN COMMISSION**
**Notice of Proposed Methodology for the 2026 Delaware River and Bay Water Quality Assessment Report**

**AGENCY:** Delaware River Basin Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the methodology proposed to be used in the 2026 Delaware River and Bay Water Quality Assessment Report is available for review and comment.

**DATES:** Comments on the assessment methodology or recommendations for the consideration of data sets should be submitted in writing before 5:00 p.m. EST on March 31, 2026.

**ADDRESSES:** Written comments may be submitted through the Commission's web-based comment system, a link to

which is provided at [www.drbc.gov](http://www.drbc.gov). All submissions should include the name and address (street address optional) of the commenter. Exceptions to use of the web-based comment system are available based on need, by writing to the attention of the Commission Secretary, DRBC, P.O. Box 7360, 25 Cosey Road, West Trenton, NJ 08628-0360. For assistance, please contact Patricia Hausler at [patricia.hausler@drbc.gov](mailto:patricia.hausler@drbc.gov).

**FOR FURTHER INFORMATION CONTACT:** Jake Bransky, Senior Aquatic Biologist, [jacob.bransky@drbc.nj.gov](mailto:jacob.bransky@drbc.nj.gov), 609-883-9500, ext. 230.

**SUPPLEMENTARY INFORMATION:** The Delaware River Basin Commission ("DRBC" or "Commission") is an interstate and federal compact agency that was created in 1961 by concurrent legislation of the States of Delaware, New Jersey, and New York, the Commonwealth of Pennsylvania and the United States Government for purpose of jointly managing the water resources of the Delaware River Basin.

DRBC currently is compiling data for the *2026 Delaware River and Bay Water Quality Assessment Report* ("2026 Assessment") required by the federal Clean Water Act ("CWA"). The 2026 Assessment will present the extent to which waters of the Delaware River and Bay are attaining designated uses in accordance with Section 305(b) of the CWA and the Commission's Water Quality Regulations, 18 CFR part 410, and will identify impaired waters, which consist of waters in which surface water quality standards are not being met.

The proposed assessment methodology to be used in the 2026 Assessment is available for review at the following URL: <https://www.nj.gov/drbc/library/documents/WQAssessmentReport2026MethodologyDRAFTfeb2026.pdf>.

*Authority:* Delaware River Basin Compact, Public Law 87-328, Approved September 27, 1961, 75 Statutes at Large, 688, sec's 3.6(c), 3.6(h), 3.9, 3.9(a), 3.9(d), and 5.1.

Dated: February 4, 2026.

**Pamela M. Bush,**

*Commission Secretary.*

[FR Doc. 2026-02547 Filed 2-6-26; 8:45 am]

**BILLING CODE 6360-01-P**

**DEPARTMENT OF EDUCATION****National Assessment Governing Board****Committee and Quarterly Board Meetings**

**AGENCY:** National Assessment Governing Board, Department of Education.

**ACTION:** Notice of open and closed meetings.

**SUMMARY:** This notice sets forth the agenda, time, and instructions to access the National Assessment Governing Board's (hereafter referred to as the Board or Governing Board) standing committee meetings and quarterly Governing Board meeting. This notice provides information to members of the public who may be interested in attending the meetings and/or providing written comments related to the work of the Governing Board. The meetings will be held either in person and/or virtually, as noted below. Members of the public must register in advance to attend all meetings virtually. A registration link will be posted on the Governing Board's website, [www.nagb.gov](http://www.nagb.gov), five (5) business days prior to each meeting.

**DATES:** The Quarterly Board Meeting and Standing Committee meetings (virtual) will be held on the following dates:

**Quarterly Board Meeting**

March 5, 2026, from 12:30 p.m. to 5:00 p.m., CST

March 6, 2026, from 7:30 a.m. to 12:15 p.m., CST

**ADDRESSES:** Doubletree by Hilton Hotel Houston—Greenway Plaza, 6 East Greenway Plaza, Houston, TX 77046.

**Standing Committee Meetings**

*Tuesday, February 10, 2026*

Nominations Committee (Virtual)

5:00 p.m.–6:00 p.m. (ET)

*Tuesday, February 17, 2026*

Executive Committee (Virtual)

4:00 p.m.–6:00 p.m. (ET)

*Thursday, February 26, 2026*

Assessment Development Committee (Virtual)

4:00 p.m.–5:00 p.m. (ET)

*Monday, March 9, 2026*

Committee on Standards, Design and Methodology (Virtual)

10:30 a.m.–12:00 p.m. (ET)

*Tuesday, March 10, 2026*

Reporting and Dissemination Committee (Virtual)

1:30 p.m.–2:45 p.m. (ET)

**FOR FURTHER INFORMATION CONTACT:**

Angela Scott, Designated Federal Officer (DFO) for the Governing Board, 400 Maryland Avenue SW, Washington, DC 20202, telephone: (202) 245–6234, email: [Angela.Scott@ed.gov](mailto:Angela.Scott@ed.gov).

**SUPPLEMENTARY INFORMATION:**

*Statutory Authority and Function:* The Governing Board is established under the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9621). Information on the Governing Board and its work can be found at [www.nagb.gov](http://www.nagb.gov). Notice of the meetings is required under section 1009(a)(2) of 5 U.S.C. chapter 10 (commonly known as the Federal Advisory Committee Act). The Governing Board formulates policy for the National Assessment of Educational Progress (NAEP) administered by the National Center for Education Statistics (NCES). The Governing Board's responsibilities include:

(1) selecting the subject areas to be assessed; (2) developing appropriate student achievement levels; (3) developing assessment objectives and testing specifications that produce an assessment that is valid and reliable, and are based on relevant widely accepted professional standards; (4) developing a process for review of the assessment which includes the active participation of teachers, curriculum specialists, local school administrators, parents, and concerned members of the public; (5) designing the methodology of the assessment to ensure that assessment items are valid and reliable, in consultation with appropriate technical experts in measurement and assessment, content and subject matter, sampling, and other technical experts who engage in large scale surveys; (6) measuring student academic achievement in grades 4, 8, and 12 in the authorized academic subjects; (7) developing guidelines for reporting and disseminating results; (8) developing standards and procedures for regional and national comparisons; (9) taking appropriate actions needed to improve the form, content use, and reporting of results of an assessment; and (10) planning and executing the initial public release of NAEP results.

**Standing Committee Meetings**

The Governing Board's standing committees will meet to conduct regularly scheduled work. Standing committee meeting agendas and meeting

materials will be posted on the Governing Board's website, [www.nagb.gov](http://www.nagb.gov), no later than five (5) business days prior to the meetings. Members of the public may attend the open sessions and can register via the website. Minutes of prior standing committee meetings are available at <https://www.nagb.gov/governing-board/quarterly-board-meetings.html>.

**Standing Committee Meetings**

*Tuesday, February 10, 2026*

Nominations Committee (Virtual)

5:00 p.m.–6:00 p.m. (ET), Closed Session

The Nominations Committee will meet in closed session on Tuesday, February 10, 2026, from 5:00 p.m. to 6:00 p.m. to review and discuss the finalists for Governing Board vacancies and to finalize its recommendations for the 2026 slate of nominations to be submitted to the board for consideration and action. This discussion pertains to information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy. As such, these discussions are protected by exemption 6 of the Government Sunshine Act, 5 U.S.C. 552b. 5 U.S.C. 552b(c)(6).

*Tuesday, February 17, 2026*

Executive Committee (Virtual)

4:00 p.m.–4:30 p.m. (ET), Open Session

4:30 p.m.–6:00 p.m. (ET), Closed Session

The Executive Committee will meet in open session on Tuesday, February 17, 2026, from 4:00 p.m. to 4:30 p.m., followed by a closed session from 4:30 p.m. to 6:00 p.m. Board Chair Mark White will open the meeting at 4:00 p.m. Executive Director, Lesley Muldoon, will provide an update on the Board's work from 4:05 p.m. to 4:10 p.m., and an update on Trial Urban District Assessment (TUDA) eligibility criteria from 4:10 p.m. to 4:30 p.m. The committee will meet in closed session from 4:30 p.m. to 6:00 p.m. to discuss recommendations for the NAEP Assessment Schedule. This discussion may impact current and future NAEP contracts and budgets and must be kept confidential to maintain the integrity of the Federal budgeting and acquisition processes. Public disclosure of this confidential information would significantly impede implementation of the NAEP assessment program if conducted in open session. Such matters are protected by exemption 9(B) of the Government Sunshine Act, 5 U.S.C. 552b(c). The meeting will adjourn at 6:00 p.m.

*Thursday, February 26, 2026*

Assessment Development Committee  
(Virtual)

4:00 p.m.–5:00 p.m. (ET), Open Session

The Assessment Development Committee will meet in open session on Thursday, February 26, 2026, from 4:00 p.m. to 5:00 p.m. to review the subject specific contextual variables for the 2028 NAEP Science Assessment at Grade 8.

*Monday, March 9, 2026*

Committee on Standards, Design and Methodology (Virtual)

10:30 a.m.–12:00 p.m. (ET), Closed Session

The Committee on Standards, Design and Methodology will meet in closed session on Monday, March 9, 2026, from 10:30 a.m. to 12:00 p.m. The Committee Chair will open the meeting, followed by a discussion on the Automated Scoring of Reading Constructed Response Items in 2026 from 10:35 a.m. to 11:20 a.m. This portion of the meeting must be closed because it will include item-level assessment data that is not publicly available. Public disclosure of this confidential information would significantly impede implementation of the NAEP assessment program if conducted in open session. These matters are protected by exemption 9(B) of the Government Sunshine Act, 5 U.S.C. 552b(c).

The meeting will continue in closed session from 11:20 a.m. to 12:00 p.m. to discuss the NAEP Achievement Levels Overview and Planning. Public disclosure of this confidential information would affect current and future NAEP contracts and budgets and must remain confidential to protect the integrity of the federal budgeting and acquisition process. These matters are protected by exemption 9(B) of the Government Sunshine Act, 5 U.S.C. 552b(c).

*Tuesday, March 10, 2026*

Reporting and Dissemination Committee  
(Virtual)

1:30 p.m.–2:00 p.m. (ET), Open Session

2:00 p.m.–2:45 p.m. (ET), Closed Session

The Reporting and Dissemination Committee will meet on Tuesday, March 10, 2026, in open session from 1:30 p.m. to 2:00 p.m., and in closed session from 2:00 p.m. to 2:45 p.m. From 1:30 p.m. to 2:00 p.m., the committee will receive a strategic communications update. From 2:00 p.m. to 2:45 p.m., the committee will meet in closed session to discuss plans for

reporting and disseminating the release of the 2025 NAEP Long-Term Trend data. This session must be closed because the results have not been released to the public. Public disclosure of this confidential information would significantly impede implementation of the NAEP assessment program if conducted in open session. Such matters are protected by exemption 9(B) of the Government Sunshine Act, 5 U.S.C. 552b.

#### **Quarterly Governing Board Meeting**

The plenary sessions of the Governing Board's March 2026 quarterly meeting will be held on the following dates and times:

*Thursday, March 5, 2026*

12:30 p.m.–5:00 p.m. (CST) (Hybrid Meeting)

12:30 p.m.–2:00 p.m. (CST), Open Session

2:00 p.m.–5:00 p.m. (CST), Closed Session

On Thursday, March 5, 2026, the Board will meet in open session, from 12:30 p.m. to 2:00 p.m. and in closed session from 2:00 p.m. to 5:00 p.m. The open session will begin at 12:30 p.m. with welcome remarks from Mark White, Chair of the Governing Board, followed by approval of the March 2026 meeting agenda and the November 2025 meeting minutes. The session will then include a welcome from meeting host Michelle Cantú-Wilson and remarks about how NAEP supports student success in Texas from K–12 through workforce readiness.

From 12:45 p.m. to 1:00 p.m., Lesley Muldoon, Executive Director, will provide an update on the Board's work. From 1:00 p.m. to 1:15 p.m., Matthew Soldner, Acting Commissioner, NCES, will report on key NAEP activities, and provide an update on the status of the 2026 NAEP Administration, with Gina Ruehl, Director of Strategic Partnerships, NCES, from 1:15 p.m. to 1:45 p.m. A transition to closed session will occur from 1:45 p.m. to 2:00 p.m.

The Board will convene in closed session from 2:00 p.m. to 2:45 p.m. to receive an update on the status of the NAEP Budget from Matt Soldner and Gina Ruehl. This discussion will include confidential budget and procurement information not yet available to the public. Disclosure of this confidential information would have an adverse financial effect on the NAEP program by revealing proprietary contract costs of the current NAEP contractors and independent government cost estimates for future NAEP assessments. Such matters are

protected by exemption 9(B) of the Government Sunshine Act, 5 U.S.C. 552b.

The Board will continue in closed session from 2:45 p.m. to 3:45 p.m. to receive updates on the 2025 Long-Term Trend Assessment. This session must be closed because the content of the assessment has not been released to the public. Public disclosure of this confidential information would significantly impede implementation of the NAEP assessment program if conducted in open session. Such matters are protected by exemption 9(B).

Finally, from 3:45 p.m. to 5:00 p.m., the Board will discuss the NAEP Assessment Schedule. This session must be closed because the discussion may impact current and future NAEP contracts and budgets and must be kept confidential to maintain the integrity of the Federal acquisition process. Public disclosure of this confidential information would significantly impede implementation of the NAEP assessment program if conducted in open session. Such matters are protected by exemption 9(B).

The Thursday, March 5, 2026, plenary session will adjourn at 5:00 p.m.

*Friday, March 6, 2026*

7:30 a.m.–12:15 p.m. (CST) (Hybrid Meeting)

7:30 a.m.–10:00 a.m. (CST), Closed Session

10:00 a.m.–12:15 p.m. (CST), Open Session

On Friday, March 6, 2026, plenary session will be held in closed session from 7:30 a.m. to 10:00 a.m., and in open session from 10:00 a.m. to 12:15 p.m. The Board will meet in closed session from 7:30 a.m. to 8:30 a.m. to review and discuss recommendations for the final slate of nominees to be submitted to the Secretary of Education for Governing Board membership terms beginning October 1, 2026. The session must be closed because the discussion will focus on internal personnel rules and practices, as well as personal information where disclosure would constitute a clearly unwarranted invasion of privacy. As such, the discussions are protected by exemption 2 and 6 of the Government Sunshine Act, 5 U.S.C. 552b. 5 U.S.C. 552b(c)(6).

Following a ten-minute transitional break, the Board will continue in closed session from 8:40 a.m. to 10:00 a.m., to discuss the NAEP Assessment Schedule. This session must be closed because the discussion may impact current and future NAEP contracts and budgets and must be kept confidential. Disclosure of this confidential information would

significantly impede implementation of the NAEP assessment program if conducted in open session. Such matters are protected by exemption 9(B) of the Government Sunshine Act, 5 U.S.C. 552b.

The Board will take a break from 10:00 a.m. to 10:05 a.m. to transition to open session. From 10:05 a.m. to 10:10 a.m., Vice Chair Martin West will report on the recent meeting of the Board's Executive Committee. The board will act on the proposed slate of 2026 Governing Board nominees from 10:10 a.m. to 10:15 a.m. From 10:15 a.m. to 11:15 a.m., Margaret Spellings, President and CEO of the Bipartisan Policy Center, will talk with the Board about the mission and guiding principles of the Commission on the American Workforce, highlighting the urgent challenges facing the U.S. workforce and potential impacts for K–12 education. The Board will remain in open session from 11:15 a.m. to 12:15 p.m. to discuss the NextGen NAEP project, to support a more agile, efficient and actionable NAEP. The November 2025 Governing Board meeting will adjourn at 12:15 p.m.

#### Instructions for Accessing and Attending the Meetings

**Registration:** Members of the public may attend the standing committee meetings and the full Governing Board on March 5–6, 2026, either in person or virtually. A link to the final meeting agenda and information on how to register for virtual attendance for the open sessions will be posted on the Governing Board's website, [www.nagb.gov](http://www.nagb.gov), no later than five (5) business days prior to the meeting. Registration is required to join the meeting virtually.

**Public Comment:** Written comments related to the work of the Governing Board and its standing committees may be submitted to the attention of the DFO, either via email to [Angela.Scott@d.ed.gov](mailto:Angela.Scott@d.ed.gov) or in hard copy to the address listed above in the **FOR FURTHER INFORMATION CONTACT** section. Written comments related to the standing committee meetings and the full Governing Board meeting should be submitted no later than close of business five days prior to each meeting and should reference the relevant agenda item.

**Access to Records of the Meeting:** Pursuant to 5 U.S.C. 1009, the public may inspect the meeting materials and other Governing Board records at 400 Maryland Avenue SW, Washington, DC 20202, by emailing [Angela.Scott@d.ed.gov](mailto:Angela.Scott@d.ed.gov) to schedule an appointment. The official verbatim transcripts of the open meeting

sessions will be available for public inspection no later than 30 calendar days following each meeting and will be posted on the Governing Board's website. Requests for the verbatim transcripts may be made via email to the DFO.

**Reasonable Accommodations:** The meeting location is accessible to individuals with disabilities. If you will need an auxiliary aid or service to participate in the meeting (e.g., interpreting service, assistive listening device, or materials in an alternate format), notify the DFO listed in this notice by close of business on February 26, 2026.

**Electronic Access to this Document:** The official version of this document is the document published in the **Federal Register**. Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at: [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys). At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF). To use PDF, you must have Adobe Acrobat Reader, which is available free at the Adobe website. You may also access documents of the Department published in the **Federal Register** by using the article search feature at: [www.federalregister.gov](http://www.federalregister.gov). Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

**Authority:** Pub. L. 107–279, title III, section 301—National Assessment of Educational Progress Authorization Act (20 U.S.C. 9621).

**Lesley Muldoon,**

*Executive Director, National Assessment Governing Board (NAGB), U.S. Department of Education.*

[FR Doc. 2026–02515 Filed 2–6–26; 8:45 am]

**BILLING CODE 4000–01–P**

#### DEPARTMENT OF EDUCATION

#### Submission of Data by State Educational Agencies; Submission Dates for State Revenue and Expenditure Reports for Fiscal Year 2025, Revisions to Those Reports, and Revisions to Prior Fiscal Year Reports

**AGENCY:** National Center for Education Statistics, Institute of Education Sciences, Department of Education.

**ACTION:** Notice.

**SUMMARY:** The Secretary announces dates for State Educational Agencies (SEAs) to submit expenditure and

revenue data and average daily attendance statistics on ED Form 2447 (the National Public Education Financial Survey (NPEFS)) for fiscal year (FY) 2025, revisions to those reports, and revisions to reports for previous fiscal years. The Secretary sets these dates to ensure that data are available to serve as the basis for timely distribution of Federal funds. The U.S. Census Bureau is the data collection agent for this request of the Department of Education's National Center for Education Statistics (NCES). The data will be published by NCES and will be used by the Secretary in the calculation of allocations using FY 2027 appropriated funds.

**DATES:** The NPEFS collection system for submitting data for FY 2025 and revisions to previously submitted data for FY 2024 opened on Thursday, January 29, 2026. SEAs are urged to submit accurate and complete data by Tuesday, March 31, 2026, to facilitate timely processing. The deadline for the final submission of all data, including any revisions to previously submitted data for FY 2024 and FY 2025, is Monday, August 17, 2026. Any resubmissions of FY 2024 or FY 2025 data by SEAs in response to requests for clarification, reconciliation, or other inquiries by NCES or the Census Bureau must be completed as soon as possible, but no later than Tuesday, September 8, 2026. All outstanding data issues must be reconciled or resolved by the SEAs, NCES, and the Census Bureau as soon as possible, but no later than September 8, 2026.

#### Submission Information

SEAs are encouraged to submit data online using the interactive survey form on the NPEFS data collection website at: <http://surveys.nces.ed.gov/ccdnpefs>. The NPEFS interactive survey includes a digital confirmation page where a personal identification number (PIN) may be entered. A successful entry of the PIN serves as a signature by the authorizing official. Alternatively, a certification form also may be printed from the website, signed by the authorizing official, and mailed to the Economy-Wide Statistics Division, Educational Finance Branch of the Census Bureau at the Washington, DC, address provided above, within five business days after submission of the NPEFS web interactive form.

SEAs may mail ED Form 2447 to: U.S. Census Bureau, ATTENTION: Economy-Wide Statistics Division, Educational Finance Branch, 4600 Silver Hill Road, Suitland, MD 20746.

If an SEA's submission is received by the Census Bureau after August 17,

2026, the SEA must show one of the following as proof that the submission was mailed on or before that date:

1. A legibly dated U.S. Postal Service postmark.
2. A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.
3. A dated shipping label, invoice, or receipt from a commercial carrier.
4. Any other proof of mailing acceptable to the Secretary.

If the SEA mails ED Form 2447 through the U.S. Postal Service, the Secretary does not accept either of the following as proof of mailing:

1. A private metered postmark.
2. A mail receipt that is not dated by the U.S. Postal Service.

*Note:* The U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, an SEA should check with its local post office.

**FOR FURTHER INFORMATION CONTACT:** Chris Greene, National Center for Education Statistics, Institute of Education Sciences, U.S. Department of Education, 400 Maryland Avenue SW, Washington, DC 20202. Telephone: (202) 453-5926. Email: [chris.greene@ed.gov](mailto:chris.greene@ed.gov). You may also contact an NPEFS team member at the Census Bureau. Telephone: 1-800-437-4196 or (301) 763-2707. Email: [erd.npefs.list@census.gov](mailto:erd.npefs.list@census.gov).

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service, toll free, at 1-800-877-8339.

**SUPPLEMENTARY INFORMATION:** Under section 153(a)(1)(I) of the Education Sciences Reform Act of 2002, 20 U.S.C. 9543(a)(1)(I), which authorizes NCES to gather data on the financing and management of education, NCES collects data annually from SEAs through ED Form 2447. The report from SEAs includes attendance, revenue, and

expenditure data from which NCES determines a State's "average per-pupil expenditure" (SPPE) for elementary and secondary education, as defined in section 8101(2) of the Elementary and Secondary Education Act of 1965, as amended (ESEA) (20 U.S.C. 7801(2)).

In addition to using the SPPE data as general information on the financing of elementary and secondary education, the Secretary uses these data directly in calculating allocations for certain formula grant programs, including, but not limited to, title I, part A, of the ESEA, Impact Aid, and Indian Education programs. Other programs, such as the Education for Homeless Children and Youth program under title VII of the McKinney-Vento Homeless Assistance Act, and the Student Support and Academic Enrichment Grants under title IV, part A of the ESEA make use of SPPE data indirectly because their formulas are based, in whole or in part, on State title I, part A, allocations.

The Census Bureau, acting as the data collection agent for NCES, began to email ED Form 2447 to SEAs, with instructions, and requesting that SEAs commence submitting FY 2025 data to the Census Bureau on Thursday, January 29, 2026. SEAs are urged to submit accurate and complete data by Tuesday, March 31, 2026, to facilitate timely processing.

Submissions by SEAs to the Census Bureau will be analyzed for accuracy and returned to each SEA for verification. SEAs must submit all data, including any revisions to FY 2024 and FY 2025 data, to the Census Bureau no later than Monday, August 17, 2026. Any resubmissions of FY 2024 or FY 2025 data by SEAs in response to requests for clarification or reconciliation or other inquiries by NCES or the Census Bureau must be completed by Tuesday, September 8,

2026. Between August 17, 2026, and September 8, 2026, SEAs may also, on their own initiative, resubmit data to resolve issues not addressed in their NPEFS data submitted by August 17, 2026. All outstanding data issues must be reconciled or resolved by the SEAs, NCES, and the Census Bureau as soon as possible, but no later than September 8, 2026.

In order to facilitate timely submission of data, the Census Bureau will send reminder notices to SEAs in June and July of 2026.

Having accurate, consistent, and timely information is critical to an efficient and fair allocation process and to the NCES statistical process. The Department establishes Monday, August 17, 2026, as the date by which SEAs must submit data using either the interactive survey form on the NPEFS data collection website at <https://surveys.nces.ed.gov/ccdnpefs/> or ED Form 2447. This date is established to ensure that the best, most accurate data will be available to support timely distribution of Federal education funds.

Any resubmissions of FY 2024 or FY 2025 data by SEAs in response to requests for clarification or reconciliation or other inquiries by NCES or the Census Bureau must be completed through the interactive survey form on the NPEFS data collection website or ED Form 2447 by Tuesday, September 8, 2026. If an SEA submits revised data after the September 8, 2026, deadline that result in a lower SPPE figure, the SEA's allocations may be adjusted downward, or the Department may direct the SEA to return funds.

*Note:* The following are important dates in the data collection process for FY 2025 data and revisions to reports for previous fiscal years:

Date	Activity
January 29, 2026 .....	The NPEFS collection system opened allowing SEAs to begin to submit accurate and complete data for FY 2025 and revisions to previously submitted data for FY 2024.
March 31, 2026 .....	Date by which SEAs are urged to submit accurate and complete data for FY 2025 and FY 2024.
August 17, 2026 .....	Mandatory final submission date for FY 2024 and FY 2025 data to be used for program funding allocation purposes.
September 8, 2026 .....	Mandatory final deadline for responses by SEAs to requests for clarification or reconciliation or other inquiries by NCES or the Census Bureau. Between August 17, 2026, and September 8, 2026, SEAs may also, on their own initiative, resubmit data to resolve issues not addressed in their final submission of NPEFS data by August 17, 2026. All data issues must be resolved.

*Accessible Format:* On request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**, individuals with disabilities can obtain this document in an accessible format. The Department will provide the requestor with an accessible format that

may include Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, braille, large print, audiotape, or compact disc, or other accessible format.

*Electronic Access to This Document:* The official version of this document is the document published in the **Federal**

**Register.** You may access the official edition of the **Federal Register** and the Code of Federal Regulations at [www.govinfo.gov](http://www.govinfo.gov). At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in

text or Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at [www.federalregister.gov](http://www.federalregister.gov). Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

*Authority:* 20 U.S.C. 9543.

**Ross Santy,**

*Chief Data Officer.*

[FR Doc. 2026-02523 Filed 2-6-26; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF ENERGY

### U.S. Energy Information Administration

#### Agency Information Collection Extension With Changes

**AGENCY:** U.S. Energy Information Administration (EIA), Department of Energy (DOE).

**ACTION:** Notice and request for comments.

**SUMMARY:** EIA invites public comments on the proposed collection of information, the Annual Manufacturing Energy Consumption Survey, Form EIA-847, as required under the Paperwork Reduction Act of 1995. This report will be part of EIA's comprehensive energy data program. The Annual Manufacturing Energy Consumption Survey collects information on energy consumption and expenditures from establishments in the manufacturing sector.

**DATES:** EIA must receive all comments on this proposed information collection no later than April 10, 2026. If you anticipate any difficulties in submitting your comments by the deadline, contact the person listed in the **ADDRESSES** section of this notice as soon as possible.

**ADDRESSES:** You may submit comments, identified by OMB control number 1905-NEW, by email at [EIA-FRNcomments@eia.gov](mailto:EIA-FRNcomments@eia.gov). Include the OMB control number listed in the subject line of the message.

**FOR FURTHER INFORMATION CONTACT:** Samson Adeshiyan, EIA Clearance Officer, at (202) 586-7777 or by email at [EIA-FRNcomments@eia.gov](mailto:EIA-FRNcomments@eia.gov). The form and instructions are available on EIA's website at [www.eia.gov/survey/](http://www.eia.gov/survey/).

**SUPPLEMENTARY INFORMATION:** This information collection request contains:

(1) *OMB No.:* 1905—New;  
 (2) *Information Collection Request Title:* Annual Manufacturing Energy Consumption Survey;  
 (3) *Type of Request:* New;  
 (4) *Purpose:* EIA has administered Form EIA-846, Manufacturing Energy Consumption Survey, as a quadrennial product since 1988. Given the rapidly evolving energy-intensive economic landscape, EIA is proposing to initiate a narrower but more frequent data collection, the Annual Manufacturing Energy Consumption Survey, Form EIA-847. This new form would supplement the quadrennial collection with a subset of data covering the intervening years. EIA could initiate collection under Form EIA-847 as early as 2026 for the 2025 reference year. EIA is not currently proposing any changes to Form EIA-846, which would continue to be administered in support of EIA's National Energy Modeling System (NEMS) industrial models. The purpose of Form EIA-847 would be to collect the minimal data required to update NEMS each year.

Form EIA-847 will be a self-administered sample survey of a subset of the manufacturing sector. Specifically, EIA proposes to limit this subset to sector codes 31-33 of the North American Industry Classification System (NAICS). The information from this survey will be used to produce aggregate statistics on the energy consumption of the manufacturing sector, including energy purchases, expenditures, transfers in and shipments out, onsite generation and both fuel and nonfuel use of five widely used energy sources. To maintain an updated NEMS each year, Form EIA-847 will also be used to update the historical industrial energy consumption benchmark.

Form EIA-847, consisting of approximately 60 questions, will have a significantly reduced response burden compared to Form EIA-846, which consists of more than 250 questions. To keep the response burden as low as possible, EIA proposes a reduced sample size and only collecting data through Centurion, an electronic-collection platform. This method will allow respondents to choose which questions are pertinent to a specific establishment and will improve data editing and processing times overall.

(5) *Annual Estimated Number of Respondents:* 4,500;  
 (6) *Annual Estimated Number of Total Responses:* 4,500;  
 (7) *Annual Estimated Number of Burden Hours:* 8,484;  
 (8) *Annual Estimated Reporting and Recordkeeping Cost Burden:* \$805,895

(8,484 annual burden hours multiplied by \$94.99 per burden hour). EIA estimates that respondents will have no additional costs associated with the survey, however a slight amount of burden hours may be necessary to conduct data follow-up questioning. The number of respondents affected by the follow-up questioning will be minimal and the associated burden hours are negligible.

*Comments are invited on whether or not:* (a) The proposed collection of information is necessary for the proper performance of agency functions, including whether the information will have a practical utility; (b) EIA's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used, is accurate; (c) EIA can improve the quality, utility, and clarity of the information it will collect; and (d) EIA can minimize the burden of the collection of information on respondents, such as automated collection techniques or other forms of information technology.

(Statutory Authority: 15 U.S.C. 772(b) and 42 U.S.C. 7101 *et seq.*)

Signed in Washington, DC, on February 5, 2026.

**Samson A. Adeshiyan,**

*Director, Office of Statistical Methods and Research, U.S. Energy Information Administration.*

[FR Doc. 2026-02536 Filed 2-6-26; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2315-178]

#### Dominion Energy South Carolina, Inc.; Notice of Availability of Environmental Assessment

The EA contains Commission staff's analysis of the potential environmental effects of the proposed amendment, alternatives to the proposed action, and concludes that the proposed amendment, with appropriate environmental protective measures, would not constitute a major federal action that would significantly affect the quality of the human environment.

The EA may be viewed on the Commission's website at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number (P-2315-178) in the docket number field to access the document. For assistance, contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-

free at 1-866-208-3676, or for TTY, (202) 502-8659.

You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

All comments must be filed by March 6, 2026, 5:00 p.m. Eastern Time.

The Commission strongly encourages electronic filing. Please file comments using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. For assistance, please contact FERC Online Support. In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include docket number P-2315-178.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502-6595 or [OPP@ferc.gov](mailto:OPP@ferc.gov).

For further information, contact Elizabeth Moats at 202-502-6632 or [Elizabeth.OsierMoats@ferc.gov](mailto:Elizabeth.OsierMoats@ferc.gov).

(Authority: 18 CFR 2.1.)

Dated: February 4, 2026.

**Debbie-Anne A. Reese,**  
Secretary.

[FR Doc. 2026-02519 Filed 2-6-26; 8:45 am]

**BILLING CODE 6717-01-P**

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

**Privacy Act of 1974; Systems of Records**

**AGENCY:** Federal Energy Regulatory Commission (FERC), Department of Energy (DOE).

**ACTION:** Notice of modified systems of records.

**SUMMARY:** In accordance with the Privacy Act of 1974, as amended, the Federal Energy Regulatory Commission (FERC) is modifying the systems of records listed in this notice to incorporate a new routine use related to releasing records to the Department of the Treasury pursuant to *Executive Order No. 14249, Protecting America's Bank Account Against Fraud, Waste, and Abuse* (March 25, 2025) and *OMB Memo M-25-32, Preventing Improper Payment and Protecting Privacy Through Do Not Pay*.

**DATES:** Comments must be received no later than 30 days after the date of publication in the **Federal Register**. If no public comment is received during this period or unless otherwise published in the **Federal Register** by FERC, the modified systems of records will become effective a minimum of 30 days after the date of publication in the **Federal Register**. If FERC receives public comments, FERC shall review the comments to determine whether any changes to the notice are necessary.

**ADDRESSES:** Comments may be submitted in writing to Federal Energy Regulatory Commission, 888 First Street

NE, Washington, DC 20426 or electronically to [privacy@ferc.gov](mailto:privacy@ferc.gov). Comments should include that they are submitted in response to "*Routine Use pursuant to Executive Order No. 14249.*"

**FOR FURTHER INFORMATION CONTACT:** Mittal Desai, Chief Information Officer & Senior Agency Official for Privacy, Office of the Executive Director, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, [privacy@ferc.gov](mailto:privacy@ferc.gov).

**SUPPLEMENTARY INFORMATION:** On March 25, 2025, the President signed *Executive Order No. 14249, Protecting America's Bank Account Against Fraud, Waste, and Abuse*, which directed agency heads to, among other things, review and modify, as applicable, relevant system of records notices (SORN) to include a new routine use that allows disclosure of records to the Department of the Treasury "for the purposes of identifying, preventing, or recouping fraud and improper payments, to the extent permissible by law." As a result, FERC is proposing the addition of a new routine use. Unless this or other published notice expressly provides otherwise, this new routine use applies to the FERC Privacy Act systems of records listed in this notice. This routine use supplements but does not replace any routine use that is separately published in the specific individual SORN. The proposed routine use is compatible with the purpose for which each of the records or information was collected. FERC will update each SORN listed in this notice to include the routine use as required by the Executive Order.

**SYSTEM NAME AND NUMBER:**

The systems of records to be modified by including the new routine use described in this notice are set forth in the table below.

SORN No.	SORN Name	Federal Register citation
FERC-16	Commission Death Case Files	65 FR 21744.
FERC-17	Commission Disability Retirement Files	65 FR 21744.
FERC-18	Commission Discontinued Service Retirements File	65 FR 21745.
FERC-21	Commission Training Records	89 FR 87363.
FERC-22	Commission's Employees Indebtedness Cases Files	89 FR 9843.
FERC-23	Commission Leave Without Pay Request File	65 FR 21747.
FERC-25	Commission Office of Workers Compensation (OWCP) Claims File	65 FR 21748.
FERC-28	Commission Restoration of Annual Leave Request Files	90 FR 8292.
FERC-29	Commission Unemployment Compensation File	65 FR 21750.
FERC-31	Commission Parking Records	89 FR 86798.
FERC-32	Commission Fitness Center Records	65 FR 21751.
FERC-35	Commission Security Investigations Records	88 FR 22023.
FERC-37	Commission Voluntary Leave Transfer Files	65 FR 21753.
FERC-41	FERC Transit Subsidy (TSP) Records	90 FR 8020.
FERC-43	Commission Travel Records	65 FR 21756.
FERC-46	Commission Freedom of Information Act and Privacy Act Request Files	88 FR 53875.

SORN No.	SORN Name	Federal Register citation
FERC-56 .....	Financial Management Records .....	89 FR 44970.
FERC-57 .....	Federal Personnel and Payroll Records .....	89 FR 95204.
FERC-58 .....	Critical Energy/Electric Infrastructure Information (CEII) Records .....	89 FR 13069.
FERC-59 .....	Enforcement Investigation Records .....	79 FR 17531.
FERC-60 .....	Hotline Records .....	79 FR 17532.

**SECURITY CLASSIFICATION:**

Unclassified.

**SYSTEM LOCATION:**

The system location is identified in each individual notice included in the table above.

**SYSTEM MANAGER(S):**

The applicable system manager(s) is identified in each individual notice included in the table above.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

The applicable authority is identified in each individual notice included in the table above.

**PURPOSE(S) OF THE SYSTEM:**

The purpose of the system is identified in each individual notice included in the table above.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

The categories of individuals covered by the system is identified in each individual notice included in the table above.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

The categories of records in the system is identified in each individual notice included in the table above.

**RECORD SOURCE CATEGORIES:**

The record source categories is identified in each individual notice in the table above.

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act and for the routine use are provided therein, information maintained in these systems may be disclosed to authorized entities outside FERC for purposes determined to be relevant and necessary as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

- To the U.S. Department of the Treasury when disclosure of the information is relevant to review payment and award eligibility through the Do Not Pay Working System for the purposes of identifying, preventing, or recouping improper payments to an applicant for, or recipient of, Federal

funds, including funds disbursed by a state (meaning a state of the United States, the District of Columbia, a territory or possession of the United States, or a federally recognized Indian tribe) in a state-administered, federally funded program.

As this new routine use is an additional routine use, please refer to the specific individual SORN for other routine uses, which remain unchanged by this notice, and for additional governing elements, which also remain unchanged by this notice.

**POLICIES AND PRACTICES FOR STORAGE OF RECORDS:**

The policies and practices of storage of records is identified in each individual notice included in the table above.

**POLICIES AND PRACTICES FOR THE RETENTION AND DISPOSAL OF RECORDS:**

The policies and practices for the retention and disposal of records is identified in each individual notice included in the table above.

**ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:**

See Policies and Practices for Storage of Records is identified in each individual notice included in the table above.

**CONTESTING RECORD PROCEDURE:**

The contesting record procedure is identified in each individual notice included in the table above.

**NOTIFICATION PROCEDURES:**

The notification procedure is identified in each individual notice included in the table above.

**EXEMPTIONS PROMULGATED FOR THE SYSTEM:**

The exemptions promulgated for the system is identified in each individual notice included in the table above.

**HISTORY:**

For the history of each notice, please refer to the individual notice listed in the table above.

Dated: February 4, 2026.

**Debbie-Anne A. Reese,**  
*Secretary.*

[FR Doc. 2026-02520 Filed 2-6-26; 8:45 am]

**BILLING CODE 6717-01-P**

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket No. CP26-74-000]

**Southern Star Central Gas Pipeline, Inc.; Notice of Application and Establishing Intervention Deadline**

Take notice that on January 21, 2026, Southern Star Central Gas Pipeline, Inc. (Southern Star), 4700 State Route 56, Owensboro, Kentucky 42301, filed an application under section 7(c) of the Natural Gas Act (NGA) and Part 157 of the Commission's regulations requesting authorization for its Viola Project (Project). The Project consists of approximately 19.33 miles of new 16-inch diameter natural gas pipeline (Line UA), one new compressor station (Wellington Station), a new flow control station and meter station, all located in Sumner County, Kansas. The Project will utilize 73,500 Dth/d of existing capacity and create 42,796 Dth/d of additional capacity to support the planned 710-megawatt Viola power generation plant. Southern Star estimates the total cost of the Project to be approximately \$117.8 million and proposes recourse rates for the project all as more fully set forth in the application which is on file with the Commission and open for public inspection.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (<http://www.ferc.gov>). From the Commission's Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field.

User assistance is available for eLibrary and the Commission's website during normal business hours from FERC Online Support at (202) 502-6652

(toll free at 1-866-208-3676) or email at [ferconlinesupport@ferc.gov](mailto:ferconlinesupport@ferc.gov), or the Public Reference Room at (202) 502-8371, TTY (202) 502-8659. Email the Public Reference Room at [public.referenceroom@ferc.gov](mailto:public.referenceroom@ferc.gov).

Any questions regarding the proposed project should be directed to Will Wathen, Director Rates & Regulatory, Southern Star Central Gas Pipeline, Inc., 4700 State Route 56, Owensboro, Kentucky 42301, by phone at (270) 925-1969, or by email at [will.wathen@southernstar.com](mailto:will.wathen@southernstar.com).

Pursuant to section 157.9 of the Commission's Rules of Practice and Procedure,<sup>1</sup> within 90 days of this Notice the Commission staff will either: complete its environmental review and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or environmental assessment (EA) for this proposal. The filing of an EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's FEIS or EA.

### Public Participation

There are three ways to become involved in the Commission's review of this project: you can file comments on the project, you can protest the filing, and you can file a motion to intervene in the proceeding. There is no fee or cost for filing comments or intervening. The deadline for filing a motion to intervene is 5:00 p.m. Eastern Time on February 25, 2026. How to file protests, motions to intervene, and comments is explained below.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation (OPP) at (202) 502-6595 or [OPP@ferc.gov](mailto:OPP@ferc.gov).

### Comments

Any person wishing to comment on the project may do so. Comments may include statements of support or objections, to the project as a whole or specific aspects of the project. The more

specific your comments, the more useful they will be.

### Protests

Pursuant to sections 157.10(a)(4)<sup>2</sup> and 385.211<sup>3</sup> of the Commission's regulations under the NGA, any person<sup>4</sup> may file a protest to the application. Protests must comply with the requirements specified in section 385.2001<sup>5</sup> of the Commission's regulations. A protest may also serve as a motion to intervene so long as the protestor states it also seeks to be an intervenor.

To ensure that your comments or protests are timely and properly recorded, please submit your comments on or before 5:00 p.m. Eastern Time on February 25, 2026.

There are three methods you can use to submit your comments or protests to the Commission. In all instances, please reference the Project docket number CP26-74-000 in your submission.

(1) You may file your comments electronically by using the eComment feature, which is located on the Commission's website at [www.ferc.gov](http://www.ferc.gov) under the link to Documents and Filings. Using eComment is an easy method for interested persons to submit brief, text-only comments on a project;

(2) You may file your comments or protests electronically by using the eFiling feature, which is located on the Commission's website ([www.ferc.gov](http://www.ferc.gov)) under the link to Documents and Filings. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on "eRegister." You will be asked to select the type of filing you are making; first select "General" and then select "Comment on a Filing"; or

(3) You can file a paper copy of your comments or protests by mailing them to the following address below. Your written comments must reference the Project docket number (CP26-74-000).

*To file via USPS:* Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

*To file via any other courier:* Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

The Commission encourages electronic filing of comments (options 1

and 2 above) and has eFiling staff available to assist you at (202) 502-8258 or [FercOnlineSupport@ferc.gov](mailto:FercOnlineSupport@ferc.gov).

Persons who comment on the environmental review of this project will be placed on the Commission's environmental mailing list, and will receive notification when the environmental documents (EA or EIS) are issued for this project and will be notified of meetings associated with the Commission's environmental review process.

The Commission considers all comments received about the project in determining the appropriate action to be taken. However, the filing of a comment alone will not serve to make the filer a party to the proceeding. To become a party, you must intervene in the proceeding. For instructions on how to intervene, see below.

### Interventions

Any person, which includes individuals, organizations, businesses, municipalities, and other entities,<sup>6</sup> has the option to file a motion to intervene in this proceeding. Only intervenors have the right to request rehearing of Commission orders issued in this proceeding and to subsequently challenge the Commission's orders in the U.S. Circuit Courts of Appeal.

To intervene, you must submit a motion to intervene to the Commission in accordance with Rule 214 of the Commission's Rules of Practice and Procedure<sup>7</sup> and the regulations under the NGA<sup>8</sup> by the intervention deadline for the project, which is 5:00 p.m. Eastern Time on February 25, 2026. As described further in Rule 214, your motion to intervene must state, to the extent known, your position regarding the proceeding, as well as your interest in the proceeding. For an individual, this could include your status as a landowner, ratepayer, resident of an impacted community, or recreationist. You do not need to have property directly impacted by the project in order to intervene. For more information about motions to intervene, refer to the FERC website at <https://www.ferc.gov/resources/guides/how-to/intervene.asp>.

There are two ways to submit your motion to intervene. In both instances, please reference the Project docket number CP26-74-000 in your submission.

(1) You may file your motion to intervene by using the Commission's eFiling feature, which is located on the Commission's website ([www.ferc.gov](http://www.ferc.gov))

<sup>2</sup> 18 CFR 157.10(a)(4).

<sup>3</sup> 18 CFR 385.211.

<sup>4</sup> Persons include individuals, organizations, businesses, municipalities, and other entities. 18 CFR 385.102(d).

<sup>5</sup> 18 CFR 385.2001.

<sup>6</sup> 18 CFR 385.102(d).

<sup>7</sup> 18 CFR 385.214.

<sup>8</sup> 18 CFR 157.10.

<sup>1</sup> 18 CFR 157.9.

under the link to Documents and Filings. New eFiling users must first create an account by clicking on “eRegister.” You will be asked to select the type of filing you are making; first select “General” and then select “Intervention.” The eFiling feature includes a document-less intervention option; for more information, visit <https://www.ferc.gov/docs-filing/efiling/document-less-intervention.pdf>; or

(2) You can file a paper copy of your motion to intervene, along with three copies, by mailing the documents to the address below. Your motion to intervene must reference the Project docket number CP26–74–000.

*To file via USPS:* Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

*To file via any other courier:* Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

The Commission encourages electronic filing of motions to intervene (option 1 above) and has eFiling staff available to assist you at (202) 502–8258 or [FercOnlineSupport@ferc.gov](mailto:FercOnlineSupport@ferc.gov).

Protests and motions to intervene must be served on the applicant either by mail at: Will Wathen, Director Rates & Regulatory, Southern Star Central Gas Pipeline, Inc., 4700 State Route 56, Owensboro, Kentucky 42301 or by email (with a link to the document) at [will.wathen@southernstar.com](mailto:will.wathen@southernstar.com). Any subsequent submissions by an intervenor must be served on the applicant and all other parties to the proceeding. Contact information for parties can be downloaded from the service list at the eService link on FERC Online. Service can be via email with a link to the document.

All timely, unopposed<sup>9</sup> motions to intervene are automatically granted by operation of Rule 214(c)(1).<sup>10</sup> Motions to intervene that are filed after the intervention deadline are untimely and may be denied. Any late-filed motion to intervene must show good cause for being late and must explain why the time limitation should be waived and provide justification by reference to factors set forth in Rule 214(d) of the Commission’s Rules and Regulations.<sup>11</sup> A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies (paper or electronic)

<sup>9</sup>The applicant has 15 days from the submittal of a motion to intervene to file a written objection to the intervention.

<sup>10</sup> 18 CFR 385.214(c)(1).

<sup>11</sup> 18 CFR 385.214(b)(3) and (d).

of all documents filed by the applicant and by all other parties.

### Tracking the Proceeding

Throughout the proceeding, additional information about the project will be available from OPP at (202) 502–6595 or on the FERC website at [www.ferc.gov](http://www.ferc.gov) using the “eLibrary” link as described above. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. For more information and to register, go to [www.ferc.gov/docs-filing/esubscription.asp](http://www.ferc.gov/docs-filing/esubscription.asp).

*Intervention Deadline:* 5:00 p.m. Eastern Time on February 25, 2026.

(Authority: 18 CFR 2.1)

Dated: February 4, 2026.

**Debbie-Anne A. Reese,**  
Secretary.

[FR Doc. 2026–02517 Filed 2–6–26; 8:45 am]

**BILLING CODE 6717–01–P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2513–091]

#### **Green Mountain Power Corporation; Notice of Application Accepted for Filing, Soliciting Motions To Intervene and Protests, Ready for Environmental Analysis, and Soliciting Comments, Recommendations, Preliminary Terms and Conditions, and Preliminary Fishway Prescriptions**

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* New Major License.

b. *Project No.:* 2513–091.

c. *Date Filed:* February 28, 2023.

d. *Applicant:* Green Mountain Power Corporation (GMP).

e. *Name of Project:* Essex No. 19 Hydroelectric Project.

f. *Location:* On the Winooski River, in Chittenden County, Vermont.

g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* Jason Lisai, General Operations, Green Mountain

Power, 163 Acorn Lane, Colchester, Vermont 05446; telephone at (802) 655–8723; email at [Jason.Lisai@greenmountainpower.com](mailto:Jason.Lisai@greenmountainpower.com).

i. *FERC Contact:* Joshua Dub, Project Coordinator, Great Lakes Branch, Division of Hydropower Licensing; telephone at (202) 502–8138; email at [joshua.dub@ferc.gov](mailto:joshua.dub@ferc.gov).

j. *Deadline for filing motions to intervene, protests, comments, recommendations, preliminary terms and conditions, and preliminary fishway prescriptions:* April 6, 2026, by 5:00 p.m. Eastern Time. Deadline for filing reply comments: May 20, 2026, by 5:00 p.m. Eastern Time.

The Commission strongly encourages electronic filing. Please file motions to intervene, protests, comments, recommendations, preliminary terms and conditions, and preliminary fishway prescriptions using the Commission’s eFiling system at <https://ferconline.ferc.gov/FERCOOnline.aspx>. Commenters can submit brief comments up to 10,000 characters, without prior registration, using the eComment system at <https://ferconline.ferc.gov/QuickComment.aspx>. For assistance, please contact FERC Online Support at [FERCOOnlineSupport@ferc.gov](mailto:FERCOOnlineSupport@ferc.gov), (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852. All filings must clearly identify the project name and docket number on the first page: Essex 19 Hydroelectric Project (P–2513–091).

The Commission’s Rules of Practice require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. This application has been accepted for filing and is now ready for environmental analysis.

l. The existing project includes a 585.9-foot-long, 46-foot-high dam with three spillways that each include a pneumatic crest gate. Two of the crest gates have a maximum crest elevation of

275 feet National Geodetic Vertical Datum of 1929 (NGVD 29) and the other crest gate has a maximum crest elevation of 274.9 feet NGVD 29. The dam also includes an intake structure with stoplog gates and two weir gates. The trashracks at the intake structure have 1-inch clear bar spacing for the upper 14.5 feet and 2-inch clear bar spacing for the lower 16.8 feet. The dam creates an impoundment that has a water surface area of approximately 268 acres at an elevation of 275 feet NGVD 29. From the impoundment, water flows through the intake structure to six penstocks that convey water to a powerhouse that includes four 1,800-kilowatt (kW) horizontal Francis turbine-generator units and a 850-kW double Francis turbine-generator unit. From the powerhouse, water flows to a tailrace that discharges into the Winooski River. Water also flows through a downstream fishway to a plunge pool located in an approximately 900-foot-long bypassed reach. The project generators are connected to the regional electric grid by two transformers and three transmission lines.

Project recreation facilities include: (1) Overlook Park with parking, picnic tables, trash cans, restrooms, and an access trail to the bypassed reach; (2) an impoundment access site with parking and an access trail to the impoundment; (3) a powerhouse access site with parking and an access trail from the powerhouse to the Winooski River; and (4) a portage trail extending from the powerhouse access site to the impoundment access site.

GMP proposes to: (1) continue to operate the project in a run-of-river mode and maintain the surface elevation of the impoundment at 274.7 feet NGVD 29; (2) continue to release a minimum flow of 50 cubic feet per second (cfs) or inflow, whichever is less, to the bypassed reach; (3) continue to release 100 cfs through the downstream fishway from April 15 through June 30, and from September 15 through December 15; (4) provide upstream fish passage around the project and the downstream Chace Mill Hydroelectric Project No. 2756 (Chace Mill) by sharing operation and maintenance costs of the trap and truck facility (estimated at \$15,000 per year) located at the Chace Mill Dam with the Burlington Electric Department (licensee of the Chace Mill Project); (5) develop a water level management plan; (6) develop a recreation management plan; and (7) develop a historic properties management plan.

m. A copy of the application can be viewed on the Commission's website at

<https://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document (*i.e.*, P-2513). For assistance, contact FERC Online Support.

You may also register online at <https://ferconline.ferc.gov/ferconline.aspx> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

n. Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, and .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

All filings must (1) bear in all capital letters the title "PROTEST," "MOTION TO INTERVENE," "COMMENTS," "REPLY COMMENTS," "RECOMMENDATIONS," "PRELIMINARY TERMS AND CONDITIONS," or "PRELIMINARY FISHWAY PRESCRIPTIONS;" (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name of the person submitting the filing; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, recommendations, terms and conditions or prescriptions must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed on the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502-6595 or [OPP@ferc.gov](mailto:OPP@ferc.gov).

o. The applicant must file on or before 5:00 p.m. Eastern Time on April 6, 2026: (1) a copy of the water quality

certification; (2) a copy of the request for certification, including proof of the date on which the certifying agency received the request; or (3) evidence of waiver of water quality certification.

p. *Procedural Schedule:* The application will be processed according to the following preliminary schedule. Revisions to the schedule will be made as appropriate.

Milestone	Target date
Filing of Motions to Intervene, Protests, Comments, Recommendations, Preliminary Terms and Conditions, and Preliminary Fishway Prescriptions.	April 2026.
Filing of Reply Comments .....	May 2026.

q. Final amendments to the application must be filed with the Commission on or before 5:00 p.m. Eastern Time on March 6, 2026.

(Authority: 18 CFR 2.1)

Dated: February 4, 2026.

**Debbie-Anne A. Reese,**  
*Secretary.*

[FR Doc. 2026-02518 Filed 2-6-26; 8:45 am]

**BILLING CODE 6717-01-P**

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Project No. 7186-054]

**Missisquoi, LLC; Notice of Availability of Environmental Assessment**

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's (Commission) regulations, 18 CFR part 380, the Office of Energy Projects has reviewed the application for a new license to continue to operate and maintain the Sheldon Springs Hydroelectric Project No. 7186 (project). The project is located on the Missisquoi River in Franklin County, Vermont. Commission staff has prepared an Environmental Assessment (EA) for the project.<sup>1</sup>

The EA contains staff's analysis of the potential environmental impacts of the project and concludes that licensing the project, with appropriate environmental protective measures, would not constitute a major federal action that would significantly affect the quality of the human environment.

The Commission provides all interested persons with an opportunity

<sup>1</sup> For tracking purposes under the National Environmental Policy Act, the unique identification number for documents relating to this environmental review is EAXX-019-20-000-1746431723.

to view and/or print the EA via the internet through the Commission's Home Page (<http://www.ferc.gov/>), using the "eLibrary" link. Enter the docket number, excluding the last three digits in the docket number field, to access the document. For assistance, contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or at (866) 208-3676 (toll-free), or (202) 502-8659 (TTY).

You may also register online at <https://ferconline.ferc.gov/FERCOnline.aspx> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

Any comments should be filed on or before 5:00 p.m. Eastern Time on March 5, 2026.

The Commission strongly encourages electronic filing. Please file comments using the Commission's eFiling system at <https://ferconline.ferc.gov/FERCOnline.aspx>. Commenters can submit brief comments up to 10,000 characters, without prior registration, using the eComment system at <https://ferconline.ferc.gov/QuickComment.aspx>. For assistance, please contact FERC Online Support. In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include docket number P-7186-054.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502-6595 or [OPP@ferc.gov](mailto:OPP@ferc.gov).

For further information, contact Arash Barsari by telephone at (202) 502-6207 or by email at [Arash.JalaliBarsari@ferc.gov](mailto:Arash.JalaliBarsari@ferc.gov).

(Authority: 18 CFR 2.1)

Dated: February 3, 2026.

**Debbie-Anne A. Reese,**  
Secretary.

[FR Doc. 2026-02463 Filed 2-6-26; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 12626-006]

#### Northern Illinois Hydropower, LLC; Notice of Intent To Prepare an Environmental Assessment

On August 28, 2025, Northern Illinois Hydropower, LLC (licensee) filed an application for a non-capacity amendment for the Dresden Island Project No. 12626. The project is located on the Illinois River in Grundy County, Illinois. The project occupies federal lands managed by the U.S. Army Corps of Engineers (Corps).

The licensee is proposing to redesign the unconstructed project that would be located at the Corps' existing Dresden Island Lock and Dam. The licensee proposes to change the licensed facilities to reduce the size of the powerhouse and tailrace, reduce the generation capacity, reroute the transmission lines to avoid spanning the length of the Corps' dam facility, revise the project boundary, and replace the Kaplan turbines with smaller submersible propeller turbines. As the submersible propeller turbines have smaller generation capacity, an increase in the number of turbines from four to ten would result in a reduction to the overall power generation capacity from 10.96 MW to 9.56 MW. A Notice of Application Accepted for Filing and Soliciting Comments, Motions to Intervene, and Protest was issued on October 14, 2025. No comments were filed pursuant to the notice.

This notice identifies Commission staff's intention to prepare an environmental assessment (EA) under the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) for the project.<sup>1</sup> Commission staff plans to issue an EA by July 14, 2026. Revisions to the schedule may be made as appropriate. The EA will be issued for a 30-day comment period. All comments filed on the EA will be reviewed by staff and considered in the Commission's final decision on the proceeding.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502-6595 or [OPP@ferc.gov](mailto:OPP@ferc.gov).

Any questions regarding this notice may be directed to Rebecca Martin at 202-502-6012 or [Rebecca.martin@ferc.gov](mailto:Rebecca.martin@ferc.gov).

<sup>1</sup>The unique identification number for documents relating to this environmental review is EAXX-019-20-000-1769508109.

(Authority: 18 CFR 2.1)

Dated: February 4, 2026.

**Debbie-Anne A. Reese,**  
Secretary.

[FR Doc. 2026-02516 Filed 2-6-26; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP26-46-000]

#### Natural Gas Pipeline Company of America LLC; Notice of Scoping Period Requesting Comments on Environmental Issues for the Proposed Texas-Arkansas Power Project

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental document that will discuss the environmental effects of the Texas-Arkansas Power Project involving construction and operation of facilities by Natural Gas Pipeline Company of America LLC (Natural) in Randolph County, Arkansas. The Commission will use this environmental document in its decision-making process to determine whether the project is in the public convenience and necessity.

This notice announces the opening of the scoping process the Commission will use to gather input from the public and interested agencies regarding the project. As part of the National Environmental Policy Act (NEPA) review process, the Commission takes into account concerns the public may have about proposals and the environmental effects that could result from its action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. This gathering of public input is referred to as "scoping." The main goal of the scoping process is to focus the analysis in the environmental document on the important environmental issues. Additional information about the Commission's NEPA process is described below in the *NEPA Process and Environmental Document* section of this notice.

By this notice, the Commission requests public comments on the scope of issues to address in the environmental document. To ensure that your comments are timely and properly recorded, please submit your comments so that the Commission receives them in Washington, DC on or before 5:00 p.m. Eastern Time on March 5, 2026. Comments may be submitted in written form. Further details on how to

submit comments are provided in the *Public Participation* section of this notice.

Your comments should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental effects. Your input will help the Commission staff determine what issues they need to evaluate in the environmental document. Commission staff will consider all written comments during the preparation of the environmental document.

If you submitted comments on this project to the Commission before the opening of this docket on December 18, 2025, you will need to file those comments in Docket No. CP26–46–000 to ensure they are considered as part of this proceeding.

This notice is being sent to the Commission's current environmental mailing list for this project. State and local government representatives should notify their constituents of this proposed project and encourage them to comment on their areas of concern.

If you are a landowner receiving this notice, a pipeline company representative may contact you about the acquisition of an easement to construct, operate, and maintain the proposed facilities. The company would seek to negotiate a mutually acceptable easement agreement. You are not required to enter into an agreement. However, if the Commission approves the project, the Natural Gas Act conveys the right of eminent domain to the company. Therefore, if you and the company do not reach an easement agreement, the pipeline company could initiate condemnation proceedings in court. In such instances, compensation would be determined by a judge in accordance with state law. The Commission does not subsequently grant, exercise, or oversee the exercise of that eminent domain authority. The courts have exclusive authority to handle eminent domain cases; the Commission has no jurisdiction over these matters.

Natural provided landowners with a fact sheet prepared by the FERC entitled "An Interstate Natural Gas Facility On My Land? What Do I Need To Know?" which addresses typically asked questions, including the use of eminent domain and how to participate in the Commission's proceedings. This fact sheet along with other landowner topics of interest are available for viewing on the FERC website ([www.ferc.gov](http://www.ferc.gov)) under the Natural Gas, Landowner Topics link.

## Public Participation

There are three methods you can use to submit your comments to the Commission. Please carefully follow these instructions so that your comments are properly recorded. The Commission encourages electronic filing of comments and has staff available to assist you at (866) 208–3676 or [FercOnlineSupport@ferc.gov](mailto:FercOnlineSupport@ferc.gov).

(1) You can file your comments electronically using the eComment feature, which is located on the Commission's website ([www.ferc.gov](http://www.ferc.gov)) under the link to FERC Online. Using eComment is an easy method for submitting brief, text-only comments on a project;

(2) You can file your comments electronically by using the eFiling feature, which is also on the Commission's website ([www.ferc.gov](http://www.ferc.gov)) under the link to FERC Online. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on "eRegister." You will be asked to select the type of filing you are making; a comment on a particular project is considered a "Comment on a Filing"; or

(3) You can file a paper copy of your comments by mailing them to the Commission. Be sure to reference the project docket number (CP26–46–000) on your letter. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852.

Additionally, the Commission offers a free service called eSubscription which makes it easy to stay informed of all issuances and submittals regarding the dockets/projects to which you subscribe. These instant email notifications are the fastest way to receive notification and provide a link to the document files which can reduce the amount of time you spend researching proceedings. Go to <https://www.ferc.gov/ferc-online/overview> to register for eSubscription.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502–6595 or [OPP@ferc.gov](mailto:OPP@ferc.gov).

## Summary of the Proposed Project

The purpose of the project is to supply Arkansas Electric Cooperative Corporation with capacity to power its new and existing natural gas fired electric generation plants in northern Texas and Arkansas. Natural has executed a precedent agreement with Arkansas Electric Cooperative Corporation (AECC) to transport up to 400,000 dekatherms per day of existing unsubscribed capacity and additional capacity on Natural's Gulf Coast Mainline.

The Texas-Arkansas Power Project would consist of the following facilities, all at Natural's existing Compressor Station 308:

- abandon in place nine reciprocating compressor units, with a combined rating of 30,850-horsepower;
- install two new 20,482-horsepower Solar Turbines Titan 130 centrifugal units;
- modify plant yard piping, and auxiliary equipment, including new inlet filter separators, and gas cooling and other minor equipment; and
- construct a new, permanent access road and driveway.

The general location of the project facilities is shown in appendix 1.<sup>1</sup>

## Land Requirements for Construction

Construction of the proposed facilities would disturb about 43 acres of land. Following construction, Natural would maintain the entire area for permanent operation of the project's facilities. About 99 percent of the proposed project would be constructed within Natural's existing Compressor Station 308. About 0.1 acre of new land, outside of the existing compressor would be required for the new permanent access road and driveway.

## NEPA Process and the Environmental Document

Any environmental document issued by the Commission will discuss effects that could occur as a result of the construction and operation of the proposed project under the relevant general resource areas:

- geology and soils;
- groundwater, floodplains, and wetlands;
- vegetation and wildlife;
- threatened and endangered species;

<sup>1</sup> The appendices referenced in this notice will not appear in the **Federal Register**. Copies of the appendices were sent to all those receiving this notice in the mail and are available at [www.ferc.gov](http://www.ferc.gov) using the link called "eLibrary." For instructions on connecting to eLibrary, refer to the last page of this notice. For assistance, contact FERC at [FercOnlineSupport@ferc.gov](mailto:FercOnlineSupport@ferc.gov) or call toll free, (866) 208–3676 or TTY (202) 502–8659.

- cultural resources;
- land use;
- air quality and noise; and
- reliability and safety.

Commission staff will also evaluate reasonable alternatives to the proposed project or portions of the project and make recommendations on how to lessen or avoid effects on the various resource areas. Your comments will help Commission staff identify and focus on the issues that might have an effect on the human environment and potentially eliminate others from further study and discussion in the environmental document.

Following this scoping period, Commission staff will determine whether to prepare an Environmental Assessment (EA) or an Environmental Impact Statement (EIS). The EA or the EIS will present Commission staff's independent analysis of the issues. If Commission staff prepares an EA, a *Notice of Schedule for the Preparation of an Environmental Assessment* will be issued. The EA may be issued for an allotted public comment period. The Commission would consider timely comments on the EA before making its decision regarding the proposed project. If Commission staff prepares an EIS, a *Notice of Intent to Prepare an EIS/ Notice of Schedule* will be issued, which will open up an additional comment period. Staff will then prepare a draft EIS which will be issued for public comment. Commission staff will consider all timely comments received during the comment period on the draft EIS and revise the document, as necessary, before issuing a final EIS. Any EA or draft and final EIS will be available in electronic format in the public record through eLibrary<sup>2</sup> and the Commission's natural gas environmental documents web page (<https://www.ferc.gov/industries-data/natural-gas/environmental-documents>). If eSubscribed, you will receive instant email notification when the environmental document is issued.

With this notice, the Commission is asking agencies with jurisdiction by law and/or special expertise with respect to the environmental issues of this project to formally cooperate in the preparation of the environmental document.<sup>3</sup> Agencies that would like to request cooperating agency status should follow the instructions for filing comments

provided under the *Public Participation* section of this notice.

### Consultation Under Section 106 of the National Historic Preservation Act

In accordance with the Advisory Council on Historic Preservation's implementing regulations for section 106 of the National Historic Preservation Act, the Commission is using this notice to initiate consultation with the applicable State Historic Preservation Office, and to solicit their views and those of other government agencies, interested Indian tribes, and the public on the project's potential effects on historic properties.<sup>4</sup> The environmental document for this project will document findings on the effects on historic properties and summarize the status of consultations under section 106.

### Environmental Mailing List

The environmental mailing list includes federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American Tribes; other interested parties; and local libraries and newspapers. This list also includes all affected landowners (as defined in the Commission's regulations) who are potential right-of-way grantors, whose property may be used temporarily for project purposes, or who own homes within certain distances of aboveground facilities, and anyone who submits comments on the project and includes a mailing address with their comments. Commission staff will update the environmental mailing list as the analysis proceeds to ensure that Commission notices related to this environmental review are sent to all individuals, organizations, and government entities interested in and/or potentially affected by the proposed project.

*If you need to make changes to your name/address, or if you would like to remove your name from the mailing list, please complete one of the following steps:*

(1) Send an email to [GasProjectAddressChange@ferc.gov](mailto:GasProjectAddressChange@ferc.gov) stating your request. You must include the docket number CP26-46-000 in your request. If you are requesting a change to your address, please be sure to include your name and the correct address. If you are

<sup>4</sup> The Advisory Council on Historic Preservation's regulations are at Title 36, Code of Federal Regulations, Part 800. Those regulations define historic properties as any prehistoric or historic district, site, building, structure, or object included in or eligible for inclusion in the National Register of Historic Places.

requesting to delete your address from the mailing list, please include your name and address as it appeared on this notice. *This email address is unable to accept comments.*

OR

(2) Return the attached "Mailing List Update Form" (appendix 2).

### Additional Information

Additional information about the project is available from the FERC website at [www.ferc.gov](http://www.ferc.gov) using the eLibrary link. Click on the eLibrary link, click on "General Search" and enter the docket number in the "Docket Number" field. Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at [FercOnlineSupport@ferc.gov](mailto:FercOnlineSupport@ferc.gov) or (866) 208-3676, or for TTY, contact (202) 502-8659. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

Public sessions or site visits will be posted on the Commission's calendar located at <https://www.ferc.gov/news-events/events> along with other related information.

(Authority: 18 CFR 2.1.)

Dated: February 3, 2026.

**Debbie-Anne A. Reese,**  
Secretary.

[FR Doc. 2026-02465 Filed 2-6-26; 8:45 am]

BILLING CODE 6717-01-P

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2017-0750; FRL-13161-01]

### Pesticide Registration Review; Proposed Decisions for Pyrimethanil; Notice of Availability

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** This notice announces the availability of EPA's proposed interim decision for pyrimethanil. EPA is opening a 60-day public comment period for the proposed interim decision.

**DATES:** Comments must be received on or before April 10, 2026.

**ADDRESSES:** Submit your comments, identified by the docket identification (ID) number for the specific pesticide of interest provided in Table 1 of Unit I, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.

<sup>2</sup> For instructions on connecting to eLibrary, refer to the last page of this notice.

<sup>3</sup> Cooperating agency responsibilities are addressed in Section 107(a)(3) of NEPA (42 U.S.C. 4336(a)(3)).

Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

• Mail: <https://www.epa.gov/dockets/where-send-comments-epa-dockets>.  
OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001.

**FOR FURTHER INFORMATION CONTACT:**

For pesticide specific information, contact: The Chemical Review Manager for the pesticide of interest identified in Table 1 of Unit I.

For general information on the registration review program, contact: Melanie Biscoe, Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; telephone

number: (202) 566-0701; email address: [biscoe.melanie@epa.gov](mailto:biscoe.melanie@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Purpose of This Notice**

Pursuant to 40 CFR 155.58(a), this notice announces the availability of EPA’s proposed interim registration review decision for pyrimethanil (Table 1) and opens a 60-day public comment period on the proposed interim decision.

**TABLE 1—PYRIMETHANIL PROPOSED INTERIM DECISION**

Registration review case name and No.	Docket ID No.	Chemical review manager and contact information
Pyrimethanil, Case Number 7059 .....	EPA-HQ-OPP-2019-0380 .....	Christian Bongard, <a href="mailto:bongard.christian@epa.gov">bongard.christian@epa.gov</a> , (202) 566-2248.

**II. Background**

EPA is conducting its registration review of pyrimethanil pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) section 3(g) (7 U.S.C. 136a(g)) and the Procedural Regulations for Registration Review at 40 CFR part 155, subpart C. FIFRA Section 3(g) provides, among other things, that pesticide registrations are to be reviewed every 15 years. Consistent with 40 CFR 155.57, in its final registration review decision, EPA will ultimately determine whether a pesticide continues to meet the registration standard in FIFRA section 3(c)(5) (7 U.S.C. 136a(c)(5)). As part of the registration review process, the Agency has completed a proposed interim decision for the pesticide listed in Table 1 of Unit I.

The registration review docket for a pesticide includes documents related to the registration review case. Among other things, these documents describe EPA’s rationales for conducting additional risk assessments for the registration review of the pesticide included in Table 1 of Unit I, as well as the Agency’s subsequent risk findings and consideration of possible risk mitigation measures. The proposed interim registration review decision is supported by the rationales included in those documents.

Consistent with 40 CFR 155.58(a), EPA provides for at least a 60-day public comment period on proposed interim registration review decisions. This comment period is intended to provide an opportunity for public input and a mechanism for initiating any necessary amendments to the proposed decision.

For additional background on the registration review program, see: <https://www.epa.gov/pesticide-reevaluation>.

**III. What action is the Agency taking?**

This notice is directed to the public in general and may be of interest to a wide range of stakeholders including environmental, human health, farm worker, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, consult the Chemical Review Manager for the pesticide of interest identified in Table 1 of Unit I. In submitting a comment to EPA, please consider the following:

1. *Submitting CBI.* Do not submit this information to EPA through [regulations.gov](https://www.regulations.gov) or email. Clearly mark the part or all the information that you claim to be CBI. For CBI information on a disk or CD-ROM that you mail to EPA, mark the outside of the disk or CD-ROM as CBI and then identify electronically within the disk or CD-ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When preparing and submitting your comments, see the commenting tips at: <https://www.epa.gov/dockets/commenting-epa-dockets>.

All comments should be submitted using the methods in **ADDRESSES** and must be received by EPA on or before the closing date. These comments will become part of the docket for the pesticide included in Table 1 in Unit I. The Agency will consider all comments received by the closing date and may respond to comments in a “Response to Comments Memorandum” in the docket and/or in any subsequent interim or final registration review decision, as appropriate.

(Authority: 7 U.S.C. 136 *et seq.*)

Dated: February 4, 2026.

**Jean Anne Overstreet,**  
Director, Pesticide Re-Evaluation Division,  
Office of Pesticide Programs.

[FR Doc. 2026-02534 Filed 2-6-26; 8:45 am]

**BILLING CODE 6560-50-P**

**FEDERAL COMMUNICATIONS COMMISSION**

[OMB 3060-0340; OMB 3060-0489; OMB 3060-0634; OMB 3060-0849; FR ID 329892]

**Information Collections Being Reviewed by the Federal Communications Commission Under Delegated Authority**

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice; request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning:

whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection burden on small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

**DATES:** Written PRA comments should be submitted on or before April 10, 2026. If you anticipate that you will be submitting comments but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all PRA comments to Cathy Williams, FCC, via email [PRA@fcc.gov](mailto:PRA@fcc.gov) and to [Cathy.Williams@fcc.gov](mailto:Cathy.Williams@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information about the information collection, contact Cathy Williams at (202) 418-2918.

**SUPPLEMENTARY INFORMATION:**

*OMB Control Number:* 3060-0340.  
*Title:* Section 73.51, Determining Operating Power.

*Form Number:* N/A.  
*Type of Review:* Extension of a currently approved collection.

*Respondents:* Business or other for-profit entities.

*Number of Respondents and Responses:* 300 respondents; 330 responses.

*Estimated Time per Response:* 0.25 to 3.0 hours.

*Frequency of Response:* Recordkeeping requirement.

*Obligation to Respond:* Required to obtain or retain benefits. The statutory authority for this collection of information is contained in Section 154(i) of the Communications Act of 1934, as amended.

*Total Annual Burden:* 165 hours.  
*Total Annual Cost:* None.

*Needs and Uses:* When it is not possible to use the direct method of power determination due to technical reasons, the indirect method of determining antenna input power might be used on a temporary basis. 47 CFR 73.51(d) requires that a notation be

made in the station log indicating the dates of commencement and termination of measurement using the indirect method of power determination. 47 CFR 73.51(e) requires that AM stations determining the antenna input power by the indirect method must determine the value F (efficiency factor) applicable to each mode of operation and must maintain a record thereof with a notation of its derivation. FCC staff use this information in field investigations to monitor licensees' compliance with the FCC's technical rules and to ensure that licensee is operating in accordance with its station authorization. Station personnel use the value F (efficiency factor) in the event that measurement by the indirect method of power is necessary.

*OMB Control Number:* 3060-0489.  
*Title:* Section 73.37, Applications for Broadcast Facilities, Showing Required.

*Form Number:* N/A.  
*Type of Review:* Extension of a currently approved collection.

*Respondents:* Business or other for-profit entities.

*Number of Respondents and Responses:* 165 respondents; 165 responses.

*Estimated Hours per Response:* 1 hour.

*Frequency of Response:* On occasion reporting requirement.

*Obligation to Respond:* Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 section 154(i) of the Communications Act of 1934, as amended.

*Total Annual Burden:* 165 hours.  
*Total Annual Cost:* \$581,250.

*Needs and Uses:* The information collection requirements contained in this collection are found under 47 CFR 73.37(d) which require an applicant for a new AM broadcast station, or for a major change in an authorized AM broadcast station, to make a satisfactory showing that objectionable interference will not result to an authorized AM station as a condition for its acceptance if new or modified nighttime operation by a Class B station is proposed. The information collection requirements under 47 CFR 73.37(f) require applicants seeking facilities modification that would result in spacing that fail to meet any of the separation requirements to include a showing that an adjustment has been made to the radiated signal which effectively results in a site-to-site radiation that is equivalent to the radiation of a station with standard Model I facilities. FCC staff use the data to ensure that objectionable interference

will not be caused to other authorized AM stations.

*OMB Control Number:* 3060-0634.

*Title:* Section 73.691, Visual Modulation Monitoring.

*Form Number:* N/A.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Business or other for-profit entities; not-for-profit institutions.

*Number of Respondents and Responses:* 50 respondents; 106 responses.

*Estimated Hours per Response:* One hour.

*Frequency of Response:* Recordkeeping requirement; On occasion reporting requirement.

*Obligation to Respond:* Required to obtain or retain benefits. The statutory authority for this information collection is contained in section 154(i) of the Communications Act of 1934, as amended.

*Total Annual Burden:* 106 hours.  
*Total Annual Cost:* None.

*Needs and Uses:* The information collection requirements contained under 47 CFR 73.691(b) require TV stations to enter into the station log the date and time of the initial technical problems that make it impossible to operate a TV station in accordance with the timing and carrier level tolerance requirements. If this operation at variance is expected to exceed 10 consecutive days, a notification must be sent to the FCC. The licensee must also notify the FCC upon restoration of normal operations. Furthermore, a licensee must send a written request to the FCC if causes beyond the control of the licensee prevent restoration of normal operations within 30 days. The FCC staff use the data to maintain accurate and complete technical information about a station's operation. In the event that a complaint is received from the public regarding a station's operation, this information is necessary to provide an accurate response.

*OMB Control Number:* 3060-0849.

*Title:* Commercial Availability of Navigation Devices.

*Form Number:* Not applicable.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Business or other for-profit entities.

*Number of Respondents and Responses:* 26 respondents; 10,025 responses.

*Estimated Time per Response:* 0.00278 hours-40 hours.

*Frequency of Response:* Recordkeeping requirement; Third party disclosure requirement; On occasion reporting requirement.

*Obligation to Respond:* Required to obtain or retain benefits. The statutory authority is contained in Sections 4(i), 303(r) and 629 of the Communications Act of 1934, as amended.

*Total Annual Burden:* 181 hours.

*Total Annual Cost:* \$1,800.

*Needs and Uses:* The information collection requirements contained in the collection are as follows: 47 CFR 15.123(c)(3) states subsequent to the testing of its initial unidirectional digital cable product model, a manufacturer or importer is not required to have other models of unidirectional digital cable products tested at a qualified test facility for compliance with the procedures of Uni-Dir-PICS-I01-030903: “Uni-Directional Receiving Device: Conformance Checklist: PICS Proforma” (incorporated by reference, see § 15.38) unless the first model tested was not a television, in which event the first television shall be tested as provided in § 15.123(c)(1). The manufacturer or importer shall ensure that all subsequent models of unidirectional digital cable products comply with the procedures in the Uni-Dir-PICS-I01-030903: “Uni-Directional Receiving Device: Conformance Checklist: PICS Proforma” (incorporated by reference, see § 15.38) and all other applicable rules and standards. The manufacturer or importer shall maintain records indicating such compliance in accordance with the verification procedure requirements in part 2, subpart J of this chapter. The manufacturer or importer shall further submit documentation verifying compliance with the procedures in the Uni-Dir-PICS-I01-030903: “Uni-Directional Receiving Device: Conformance Checklist: PICS Proforma” (incorporated by reference, see § 15.38) to the testing laboratory representing cable television system operators serving a majority of the cable television subscribers in the United States.

47 CFR 15.123(c)(5)(iii) states subsequent to the successful testing of its initial M-UDCP, a manufacturer or importer is not required to have other M-UDCP models tested at a qualified test facility for compliance with M-Host UNI-DIR-PICS-I01-061101 (incorporated by reference, see § 15.38) unless the first model tested was not a television, in which event the first television shall be tested as provided in § 15.123(c)(5)(i). The manufacturer or importer shall ensure that all subsequent models of M-UDCPs comply with M-Host UNI-DIR-PICS-I01-061101 (incorporated by reference, see § 15.38) and all other applicable rules and standards. The manufacturer or importer shall maintain records

indicating such compliance in accordance with the verification procedure requirements in part 2, subpart J of this chapter. For each M-UDCP model, the manufacturer or importer shall further submit documentation verifying compliance with M-Host UNI-DIR-PICS-I01-061101 to the testing laboratory representing cable television system operators serving a majority of the cable television subscribers in the United States.

47 CFR 76.1203 provides that a multichannel video programming distributor may restrict the attachment or use of navigation devices with its system in those circumstances where electronic or physical harm would be caused by the attachment or operation of such devices or such devices that assist or are intended or designed to assist in the unauthorized receipt of service. Such restrictions may be accomplished by publishing and providing to subscribers standards and descriptions of devices that may not be used with or attached to its system. Such standards shall foreclose the attachment or use only of such devices as raise reasonable and legitimate concerns of electronic or physical harm or theft of service.

47 CFR 76.1205 states that technical information concerning interface parameters which are needed to permit navigation devices to operate with multichannel video programming systems shall be provided by the system operator upon request.

47 CFR 76.1207 states that the Commission may waive a regulation related to subpart P (“Competitive Availability of Navigation Devices”) for a limited time, upon an appropriate showing by a provider of multichannel video programming and other services offered over multichannel video programming systems, or an equipment provider that such a waiver is necessary to assist the development or introduction of a new or improved multichannel video programming or other service offered over multichannel video programming systems, technology, or products. Such waiver requests are to be made pursuant to 47 CFR 76.7.

47 CFR 76.1208 states that any interested party may file a petition to the Commission for a determination to provide for a sunset of the navigation devices regulations on the basis that (1) the market for multichannel video distributors is fully competitive; (2) the market for converter boxes, and interactive communications equipment, used in conjunction with that service is fully competitive; and (3) elimination of

the regulations would promote competition and the public interest.

47 CFR 15.118(a) and 47 CFR 15.19(d) state that consumer electronics equipment that is labeled as “cable ready” or “cable compatible” must meet certain technical standards.

Federal Communications Commission.

**Marlene Dortch,**

*Secretary, Office of the Secretary.*

[FR Doc. 2026-02509 Filed 2-6-26; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-1243; FR ID 329353]

### Information Collection Being Reviewed by the Federal Communications Commission Under Delegated Authority

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission’s burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection burden on small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

**DATES:** Written PRA comments should be submitted on or before April 10, 2026. If you anticipate that you will be submitting comments but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all PRA comments to Cathy Williams, FCC, via email *PRA@fcc.gov* and to *Cathy.Williams@fcc.gov*.

**FOR FURTHER INFORMATION CONTACT:** For additional information about the information collection, contact Cathy Williams at (202) 418–2918.

**SUPPLEMENTARY INFORMATION:**

*OMB Control Number:* 3060–1243.

*Title:* Sections 1.9020(n), 1.9030(m), 1.9035(o), Community notification requirement for certain contraband interdiction systems; Section 20.18(r), Contraband Interdiction System (CIS) requirement; Section 20.23(a), good faith negotiations.

*Form Number:* N/A.

*Respondents:* Businesses or other for-profit entities and state, local or Tribal Governments.

*Type of Review:* Extension of a currently approved collection.

*Number of Respondents and Responses:* 60 respondents and 182 responses.

*Estimated Time per Response:* 8–16 hours.

*Frequency of Response:* On occasion reporting requirement.

*Obligation to Respond:* There is no obligation to respond; response required to obtain benefits. The statutory authority for this collection is contained in 47 U.S.C. 151, 152, 154(i), 154(j), 301, 302a, 303, 307, 308, 309, 310, and 332.

*Total Annual Burden:* 1,824 hours.

*Total Annual Cost:* No cost.

*Needs and Uses:* On March 24, 2017, the Federal Communications Commission released a Report and Order, Promoting Technological Solutions to Combat Contraband Wireless Devices in Correctional Facilities, GN Docket No. 13–111, FCC 17–25 (Report and Order), in which the Commission took important steps to help law enforcement combat the serious threats posed by the illegal use of contraband wireless devices by inmates. Across the country, inmates have used contraband devices to order hits, run drug operations, operate phone scams, and otherwise engage in criminal activity that endangers prison employees, other inmates, and innocent members of the public. In the Report and Order, the Commission streamlined the process of deploying contraband wireless device interdiction systems—systems that use radio communications signals requiring Commission authorization—in correctional facilities. The action will reduce the cost of deploying solutions and ensure that they can be deployed more quickly and efficiently. In particular, the Commission waived certain filing requirements and provided for

immediate approval of the spectrum lease applications needed to operate these systems.

The effectiveness of Contraband Interdiction System (CIS) deployment requires all carriers in the relevant area of the correctional facility to execute a spectrum lease with the CIS provider. Even if the major Commercial Mobile Radio Services (CMRS) licensees negotiate expeditiously and in good faith, if one CMRS licensee in the area fails to engage in lease negotiations in a reasonable time frame or at all, the CIS solution will not be effective. The lack of cooperation of even a single wireless provider in a geographic area of a correctional facility can result in deployment of a system with insufficient spectral coverage, subject to abuse by inmates in possession of contraband wireless devices operating on frequencies not covered by a spectrum lease agreement. While some carriers have been cooperative, it is imperative that all CMRS licensees be required to engage in lease negotiations in good faith and in a timely fashion. Therefore, the Commission adopted a rule requiring that CMRS licensees negotiate in good faith with entities seeking to deploy a CIS in a correctional facility. If, after a 45 day period, there is no agreement, CIS providers seeking Special Temporary Authority (STA) to operate in the absence of CMRS licensee consent may file a request for STA with the Wireless Telecommunications Bureau (WTB), with a copy served at the same time on the CMRS licensee, accompanied by evidence demonstrating its good faith, and the unreasonableness of the CMRS licensee's actions, in negotiating an agreement. The CMRS licensee may then file a response with WTB, with a copy served on the CIS provider at that time, within 10 days of the filing of the STA request.

The supplementary information provided along with the STA application by the CIS provider will be used by WTB to determine whether the CIS provider has negotiated in good faith, yet the CMRS licensee has not negotiated in good faith. The CMRS licensee may use the evidence accompanying the STA application to craft a response. WTB will analyze the evidence from the CIS providers and the CMRS licensee's response to determine whether to issue STA to the entity seeking to deploy the CIS.

The Commission explored whether it should impose a requirement that the community in the vicinity of a correctional facility where a CIS is installed be notified of the installation. The Commission explained that a goal

of the proceeding is to expedite the deployment of technological solutions to combat the use of contraband wireless devices, not to impose unnecessary barriers to CIS deployment. Consistent with that goal, the Commission found that a flexible and community-tailored notification requirement for certain CISs outweighed the minimal burden of notification and furthered the public interest. After careful consideration of the record, the Commission imposed a rule that, 10 days prior to deploying a CIS that prevents communications to or from mobile devices, a lessee must notify the community in which the correctional facility is located, and the Commission amended its spectrum leasing rules to reflect this requirement. The Commission agreed with commenters that support notification of the surrounding community due to the potential for accidental call blocking and the public safety issues involved. The information provided in the notification will put the houses and businesses in the surrounding community on notice that a CIS will be deployed in the vicinity that has the potential for accidental call blocking.

Acknowledging the importance of ensuring the availability of emergency 911 calls from correctional facilities, and the fact that delivering emergency calls to public safety answering points (PSAPs) facilitates public safety services and generally serves the public interest, the Commission amended its rules to require that CIS providers regulated as private mobile radio service (PMRS) must route all 911 calls to the local PSAP. That said, the Commission also acknowledged the important role state and local public safety officials play in the administration of the 911 system. Accordingly, although the CIS provider is required to pass through emergency 911 calls, the PSAPs can inform the CIS provider that they do not want to receive calls from a given correctional facility. By allowing the PSAPs to decline the emergency 911 calls, the Commission recognized the reported increased volume of PSAP harassment through repeated inmate fraudulent 911 calls. The information provided by the PSAP or emergency authority will result in the CIS provider not passing through E911 calls from a particular correctional facility.

Federal Communications Commission.

**Marlene Dortch,**

*Secretary, Office of the Secretary.*

[FR Doc. 2026–02504 Filed 2–6–26; 8:45 am]

**BILLING CODE 6712–01–P**

**FEDERAL COMMUNICATIONS COMMISSION**

[OMB 3060–0844; FR ID 329357]

**Information Collection Being Submitted for Review and Approval to Office of Management and Budget****AGENCY:** Federal Communications Commission.**ACTION:** Notice; request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork burdens, as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal Agencies to take this opportunity to comment on the following information collection. Pursuant to the Small Business Paperwork Relief Act of 2002, the FCC seeks specific comment on how it can further reduce the information collection burden for small business concerns with fewer than 25 employees.

**DATES:** Written comments and recommendations for the proposed information collection should be submitted on or before March 11, 2026.

**ADDRESSES:** Comments should be sent to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function. Your comment must be submitted into [www.reginfo.gov](http://www.reginfo.gov) per the above instructions for it to be considered. In addition to submitting in [www.reginfo.gov](http://www.reginfo.gov) also send a copy of your comment on the proposed information collection to Cathy Williams, FCC, via email to [PRA@fcc.gov](mailto:PRA@fcc.gov) and to [Cathy.Williams@fcc.gov](mailto:Cathy.Williams@fcc.gov). Include in the comments the OMB control number as shown in the **SUPPLEMENTARY INFORMATION** below.

**FOR FURTHER INFORMATION CONTACT:** For additional information or copies of the information collection, contact Cathy Williams at (202) 418–2918. To view a copy of this information collection request (ICR) submitted to OMB: (1) go to the web page <http://www.reginfo.gov/public/do/PRAMain>, (2) look for the section of the web page called “Currently Under Review,” (3) click on the downward-pointing arrow in the “Select Agency” box below the “Currently Under Review” heading, (4) select “Federal Communications Commission” from the list of agencies presented in the “Select Agency” box, (5) click the “Submit” button to the right of the “Select Agency” box, (6) when the list of FCC ICRs currently

under review appears, look for the Title of this ICR and then click on the ICR Reference Number. A copy of the FCC submission to OMB will be displayed.

**SUPPLEMENTARY INFORMATION:** The Commission may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

As part of its continuing effort to reduce paperwork burdens, as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3520), the FCC invited the general public and other Federal Agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission’s burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology. Pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, see 44 U.S.C. 3506(c)(4), the FCC seeks specific comment on how it might “further reduce the information collection burden for small business concerns with fewer than 25 employees.”

*OMB Control Number:* 3060–0844.

*Title:* Carriage of the Transmissions of Television Broadcast Stations: Section 76.56(a), Carriage of qualified noncommercial educational stations; Section 76.57, Channel positioning; Section 76.61(a)(1)–(2), Disputes concerning carriage; Section 76.64, Retransmission consent.

*Form Number:* N/A.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Business or other for-profit entities.

*Number of Respondents and Responses:* 370 respondents and 2,550 responses.

*Estimated Time per Response:* 0.5 to 5 hours.

*Frequency of Response:* On occasion reporting requirement; Third party disclosure requirement.

*Obligation to Respond:* Required to obtain or retain benefits. The statutory

authority for this action is contained in Sections 1, 4(i) and (j), 325, 338, 614, 615, 631, 632, and 653 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i) and (j), 325, 338, 534, 535, 551, 552, and 573.

*Total Annual Burden:* 2,220 hours.

*Total Annual Cost:* No cost.

*Needs and Uses:* Under Section 614 of the Communications Act and the implementing rules adopted by the Commission, commercial TV broadcast stations are entitled to assert mandatory carriage rights on cable systems located within the station’s television market. Under Section 325(b) of the Communications Act, commercial TV broadcast stations are entitled to negotiate with local cable systems for carriage of their signal pursuant to retransmission consent agreements in lieu of asserting must carry rights. This system is therefore referred to as “Must-Carry and Retransmission Consent.” Under Section 615 of the Communications Act, noncommercial educational (NCE) stations are also entitled to assert mandatory carriage rights on cable systems located within the station’s market; however, noncommercial TV broadcast stations are not entitled to retransmission consent.

In 2019, the Commission adopted new rules governing the delivery and form of carriage election notices. Electronic Delivery of MVPD Communications, Modernization of Media Regulation Initiative, MB Docket Nos. 17–105, 17–317, Report and Order and Further Notice of Proposed Rulemaking, FCC 19–69, 34 FCC Rcd 5922(2019) (2019 Report and Order). That decision modernized the carriage election notice rules by moving the process online for most broadcasters and multichannel video programming distributors (MVPDs), but the Commission sought comment on how to apply these updated rules to certain small broadcast stations and MVPDs.

In 2020, the Commission adopted a Report and Order that resolved the remaining issues regarding carriage election notice rules for small broadcast stations and MVPDs. Electronic Delivery of MVPD Communications, Modernization of Media Regulation Initiative, MB Docket Nos. 17–105, 17–317, Report and Order, FCC 20–14, 2020 WL 948697 (rel. Feb. 25, 2020) (2020 Report and Order). Pursuant to that decision, the obligations of certain small broadcasters and MVPDs were slightly modified.

The Commission is seeking an extension without change of this currently approved collection for the full three-year period.

Federal Communications Commission.

**Marlene Dortch,**

*Secretary, Office of the Secretary.*

[FR Doc. 2026-02506 Filed 2-6-26; 8:45 am]

BILLING CODE 6712-01-P

## FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-0906; FR ID 329133]

### Information Collection Being Reviewed by the Federal Communications Commission Under Delegated Authority

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection burden on small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

**DATES:** Written PRA comments should be submitted on or before April 10, 2026. If you anticipate that you will be submitting comments but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all PRA comments to Cathy Williams, FCC, via email [PRA@fcc.gov](mailto:PRA@fcc.gov) and to [Cathy.Williams@fcc.gov](mailto:Cathy.Williams@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information about the information collection, contact Cathy Williams at (202) 418-2918.

### SUPPLEMENTARY INFORMATION:

*OMB Control Number:* 3060-0906.

*Title:* Annual DTV Ancillary/Supplemental Services Report for DTV Stations, FCC Form 2100, Schedule G; 47 CFR 73.624(g).

*Form Number:* FCC Form 2100, Schedule G (formerly FCC Form 317).

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Business or other for-profit entities; Not-for-profit institutions.

*Number of Respondents and Responses:* 35 respondents, 70 responses.

*Frequency of Response:* Recordkeeping requirement, annual reporting requirement.

*Obligation to Respond:* Required to obtain benefits—Statutory authority for this collection of information is contained in sections 154(i), 303, 336 and 403 of the Communications Act of 1934, as amended.

*Estimated Time per Response:* 2-4 hours.

*Total Annual Burden:* 210 hours.

*Total Annual Cost:* \$5,250.

*Needs and Uses:* Each licensee/permittee of a digital television (DTV) station that provides feeable ancillary or supplementary services during the relevant reporting period must file on an annual basis FCC Form 2100, Schedule G. Specifically, required filers include the following (but we generally refer to all such entities herein as a "DTV licensee/permittee"): A licensee of a digital commercial or noncommercial educational (NCE) full power television (TV) station, low power television (LPTV) station, TV translator or Class A TV station. A permittee operating pursuant to digital special temporary authority (STA) of a commercial or NCE full power TV station, LPTV station, TV translator or Class A TV station.

Each DTV licensee/permittee must report the feeable ancillary or supplementary services provided at any time during the reporting cycle. Specifically, a DTV licensee/permittee must include the following in its annual report: a brief description of the feeable ancillary or supplementary services provided; the gross revenues received from such services during the applicable period and the amount of bitstream used to provide such services during the applicable period.

Concurrent with the submission of FCC Form 2100, Schedule G, each DTV licensee/permittee is required to remit a payment to the Commission, via FCC Form 159 (see OMB Control No. 3060-0589), in the amount of five percent of the gross revenues derived from the

provision of its ancillary or supplementary services.

Each DTV licensee/permittee is required to retain the records supporting the calculation of the fees due for three years from the date of remittance of fees. Each NCE licensee/permittee must also retain for eight years documentation sufficient to show that its entire bitstream was used "primarily" for NCE broadcast services on a weekly basis.

Federal Communications Commission.

**Marlene Dortch,**

*Secretary, Office of the Secretary.*

[FR Doc. 2026-02495 Filed 2-6-26; 8:45 am]

BILLING CODE 6712-01-P

## FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-0016, OMB 3060-0466, OMB 3060-1216; FR ID 329288]

### Information Collections Being Reviewed by the Federal Communications Commission

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice; request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection burden on small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

**DATES:** Written PRA comments should be submitted on or before April 10, 2026. If you anticipate that you will be submitting comments but find it difficult to do so within the period of

time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all PRA comments to Cathy Williams, FCC, via email [PRA@fcc.gov](mailto:PRA@fcc.gov) and to [Cathy.Williams@fcc.gov](mailto:Cathy.Williams@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information about the information collection, contact Cathy Williams at (202) 418-2918.

**SUPPLEMENTARY INFORMATION:**

*OMB Control No.:* 3060-0016.

*Title:* FCC Form 2100, Application for Media Bureau Audio and Video Service Authorization, Schedule C (Former FCC Form 346); Sections 74.793(d) and 74.787, LPTV Out-of-Core Digital Displacement Application; Section 73.3700(g)(1)-(3), Post-Incentive Auction Licensing and Operations; Section 74.799, Low Power Television and TV Translator Channel Sharing; Section 74.720, Digital Low Power TV Distributed Transmission Systems.

*Form No.:* FCC Form 2100, Schedule C.

*Type of Review:* Revision of a currently approved collection.

*Respondents:* Business or other for-profit entities; Not for profit institutions; State, local or Tribal government.

*Number of Respondents and Responses:* 910 respondents and 910 responses.

*Estimated Time per Response:* 2 hours-2.5 hours.

*Frequency of Response:* On occasion reporting requirement; third party disclosure requirement.

*Obligation to Respond:* Required to obtain or retain benefits. The statutory authority for this collection is contained in section 154(i), 303, 307, 308 and 309 of the Communications Act of 1934, as amended.

*Total Annual Burden:* 4,090 hours.

*Annual Cost Burden:* \$4,698,511.

*Needs and Uses:* On December 19, 2025, the Federal Communications Commission (Commission) released a Report and Order, FCC 25-84, concerning the advancement of the Class A, Low Power Television (LPTV) and TV translator services (LPTV Service). The Commission adopted a rule that provides that low power television and TV translator stations filing a displacement application (FCC Form 2100—Schedule C) include an exhibit explaining how their facilities were displaced—47 CFR 74.787(a)(4). The Commission also adopted a rule providing that an LPTV or TV translator channel sharee may cease channel sharing and seek to obtain a license for a non-shared channel by filing a major modification (FCC Form 2100, Schedule C) specifying a non-shared channel and

facility—47 CFR 74.799(i). Finally, the Commission adopted a rule—47 CFR 74.793(j)—that requires that applicants seeking to construct facilities that would exceed the permissible interference levels in the rules pursuant to an agreement with the affected parties submit a copy of the agreement with their application. This submission is being made to OMB for approval of these new burdens.

*OMB Control Number:* 3060-0466.

*Title:* Sections 74.783, 74.791, 73.1201 and 74.1283, Station Identification.

*Form Number:* Not applicable.

*Type of Review:* Revision of a currently approved collection.

*Respondents:* Business or other for-profit entities; Not for-profit institutions; State, Local or Tribal Government.

*Number of Respondents and Responses:* 29,146 respondents; 29,146 responses.

*Estimated Time per Response:* 0.166-1 hour.

*Frequency of Response:* On occasion reporting requirement; Recordkeeping requirement; Third party disclosure requirement.

*Obligation to Respond:* Required to obtain or maintain benefits. The statutory authority for this collection of information is contained in 47 U.S.C. 151, 152, 154(i), 303, 307 and 308.

*Total Annual Burden:* 26,884 hours.

*Total Annual Costs:* No costs.

*Needs and Uses:* On December 19, 2025, the Federal Communications Commission (Commission) released a Report and Order concerning the advancement of the Class A, Low Power Television (LPTV) and TV translator services (LPTV Service). The Commission revised its LPTV Service call sign rule—74.791 to require that stations have a call sign that is appropriate for their service designation. Stations without an appropriate call sign will be required to file a call sign change to designate a rule complaint call sign. Grandfathering of existing call signs is allowed for Class A and LPTV stations. This submission is being made to OMB for approval of these new burdens.

*OMB Control No.:* 3060-1216.

*Title:* Media Bureau Incentive Auction Implementation, Sections 73.3700(c), (h)(5) and (h)(6).

*Form No.:* N/A.

*Type of Review:* Revision of a currently approved collection.

*Respondents:* Business or other for-profit entities; Not for profit institutions.

*Number of Respondents and Responses:* 1,236 respondents and 40,686 responses.

*Estimated Time per Response:* .004-15 hours.

*Frequency of Response:* One-time reporting requirement; on occasion reporting requirement; recordkeeping requirement.

*Obligation to Respond:* Required to obtain or retain benefits. Statutory authority for these collections are contained in 47 U.S.C. 151, 154, 301, 303, 307, 308, 309, 310, 316, 319, 325(b), 332, 336(f), 338, 339, 340, 399b, 403, 534, 535, 1404, 1452, and 1454.

*Total Annual Burden:* 6,570 hours.

*Annual Cost Burden:* \$961,800.

*Needs and Uses:* On December 19, 2025, the Commission released a Report and Order, FCC 25-84, concerning the advancement of the Class A, Low Power Television (LPTV) and TV translator services (LPTV Service). The Commission eliminated the requirement in 47 CFR 73.3700(g)(4) that wireless licensees assigned to frequencies in the 600 MHz band under 47 CFR part 27 notify low power TV and TV translator stations of their intent to commence wireless operations and the likelihood of receiving harmful interference from the low power TV or TV translator station to such operations within the wireless licensee's licensed geographic service area. This submission is being made to OMB for approval of these new burdens.

Federal Communications Commission.

**Marlene Dortch,**

*Secretary.*

[FR Doc. 2026-02487 Filed 2-6-26; 8:45 am]

**BILLING CODE 6712-01-P**

**FEDERAL COMMUNICATIONS COMMISSION**

[OMB 3060-1239; FR ID 329603]

**Information Collection Being Reviewed by the Federal Communications Commission Under Delegated Authority**

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice; request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the

Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection burden on small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

**DATES:** Written PRA comments should be submitted on or before April 10, 2026. If you anticipate that you will be submitting comments but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all PRA comments to Cathy Williams, FCC, via email [PRA@fcc.gov](mailto:PRA@fcc.gov) and to [Cathy.Williams@fcc.gov](mailto:Cathy.Williams@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information about the information collection, contact Cathy Williams at (202) 418-2918.

**SUPPLEMENTARY INFORMATION:**

*OMB Control No.:* 3060-1239.

*Title:* Section 97.303(g)(2), Notification Requirement.

*Form No.:* N/A.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Individuals or Households.

*Number of Respondents and Responses:* 1,000 respondents; 1,000 responses.

*Estimated Time per Response:* 10 minutes (0.167 hours).

*Frequency of Response:* Third party disclosure requirement.

*Obligation to Respond:* Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. 154(i), 161, 301, 302, 303(e), 303(f), 303(r), 304, 307 and 332(b).

*Total Annual Burden:* 167 hours.

*Total Annual Cost:* No cost.

*Needs and Uses:* The Commission will submit this information collection to OMB as an extension of a currently approved collection after this 60-day comment period to obtain the full three-year clearance from them.

The Commission will ensure the compatibility of amateur radio operations and Power Line Carrier (PLC) systems that operate in these bands, and

will promote the shared use of these bands. As background, in the larger 9–490 kHz band, electric utilities operate Power Line Carrier (PLC) systems on power transmission lines for communications important to the reliability and security of electric service to the public. The Commission found that the identification of transmission lines are not always readily identifiable and that amateur operators may not be able to determine whether PLC systems operate in the relevant bands on the subject transmission lines. For these reasons, the Commission adopted a notification process to ensure that amateur stations seeking to operate in these bands are located outside of a minimum separation distance.

Specifically, paragraph (g)(1) of Section 97.303 states that amateur stations may operate in the 135.7–137.8 kHz band or in the 472–479 kHz band only at fixed locations that are not within a horizontal distance of one kilometer from a transmission line that conducts a power line carrier (PLC) signal within these bands. Horizontal distance is measured from the station's antenna to the closest point on the transmission line. In paragraph (g)(2) of Section 97.303 states that, prior to commencement of operations in these bands, amateur operators must notify the Utilities Telecom Council (UTC) of their intent by submitting their call signs, intended band or bands of operation, and the coordinates of their antenna's fixed location. Amateur stations will be permitted to commence operations after a 30-day period unless UTC notifies the applicant that its requested location is located within one kilometer of PLC systems operating in the same or overlapping frequencies.

Federal Communications Commission.

**Marlene Dortch,**

*Secretary, Office of the Secretary.*

[FR Doc. 2026-02507 Filed 2-6-26; 8:45 am]

**BILLING CODE 6712-01-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Medicare & Medicaid Services

#### Privacy Act of 1974; Matching Program

**AGENCY:** Centers for Medicare & Medicaid Services (CMS), Department of Health and Human Services (HHS).

**ACTION:** Notice of new matching program.

**SUMMARY:** In accordance with subsection (e)(12) of the Privacy Act of 1974, as

amended, the Department of Health and Human Services (HHS), Centers for Medicare & Medicaid Services (CMS) is providing notice of the re-establishment of a matching program between CMS and the Social Security Administration (SSA). Under this matching program, SSA will provide CMS with information for determining individuals' eligibility for enrollment in a Qualified Health Plan, issuing certificates of exemption, and eligibility redeterminations and renewals. This matching program is titled, "Determining Enrollment or Eligibility for Insurance Affordability Programs Under the Patient Protection and Affordable Care Act."

**DATES:** The deadline for comments on this notice is March 11, 2026. The re-established matching program will commence not sooner than 30 days after publication of this notice, provided no comments are received that warrant a change to this notice. The matching program will be conducted for an initial term of 18 months (from approximately March 9, 2026 to September 8, 2027) and within three months of expiration may be renewed for one additional year if the parties make no change to the matching program and certify that the program has been conducted in compliance with the matching agreement.

**ADDRESSES:** Interested parties may submit comments on the new matching program to the CMS Privacy Act Officer by mail at: Division of Security, Privacy Policy & Governance, Information Security & Privacy Group, Office of Information Technology, Centers for Medicare & Medicaid Services, Location: N1-14-56, 7500 Security Blvd., Baltimore, MD 21244-1850, or by email at [Barbara.demopolos@cms.hhs.gov](mailto:Barbara.demopolos@cms.hhs.gov).

**FOR FURTHER INFORMATION CONTACT:** If you have questions about the matching program, you may contact Anne Pesto, Senior Advisor, Marketplace Eligibility and Enrollment Group, Center for Consumer Information and Insurance Oversight, Centers for Medicare & Medicaid Services, at 443-844-9966, by email at [anne.pesto@cms.hhs.gov](mailto:anne.pesto@cms.hhs.gov), or by mail at 7500 Security Blvd., Baltimore, MD 21244.

**SUPPLEMENTARY INFORMATION:** The Privacy Act of 1974, as amended (5 U.S.C. 552a) provides certain protections for individuals applying for and receiving federal benefits. The law governs the use of computer matching by federal agencies when records in a system of records (meaning, federal agency records about individuals retrieved by name or other personal

identifier) are matched with records of other federal or non-federal agencies. The Privacy Act requires agencies involved in a matching program to:

1. Enter into a written agreement, which must be prepared in accordance with the Privacy Act, approved by the Data Integrity Board of each source and recipient federal agency, provided to Congress and the Office of Management and Budget (OMB), and made available to the public, as required by 5 U.S.C. 552a(o), (u)(3)(A), and (u)(4).

2. Notify the individuals whose information will be used in the matching program that the information they provide is subject to verification through matching, as required by 5 U.S.C. 552a(o)(1)(D).

3. Verify match findings before suspending, terminating, reducing, or making a final denial of an individual's benefits or payments or taking other adverse action against the individual, as required by 5 U.S.C. 552a(p).

4. Report the matching program to Congress and the OMB, in advance and annually, as required by 5 U.S.C. 552a(o)(2)(A)(i), (r), and (u)(3)(D).

5. Publish advance notice of the matching program in the **Federal Register** as required by 5 U.S.C. 552a(e)(12).

This matching program meets these requirements.

#### Barbara Demopolos,

*Privacy Act Officer, Division of Security, Privacy Policy and Governance, Office of Information Technology, Centers for Medicare & Medicaid Services.*

#### Participating Agencies

The Department of Health and Human Services (HHS), Centers for Medicare & Medicaid Services (CMS) is the recipient agency, and the Social Security Administration (SSA) is the source agency.

#### Authority for Conducting the Matching Program

The statutory authority for the matching program is 42 U.S.C. 18081 and 18083.

#### Purpose(s)

The purpose of the matching program is to provide CMS with SSA information which CMS will use to determine individuals' eligibility for initial enrollment in a Qualified Health Plan through an Exchange established under the Patient Protection and Affordable Care Act; for Insurance Affordability Programs (IAPs); for certificates of exemption from the shared responsibility payment; and to make eligibility redeterminations and renewal

decisions, including appeal determinations. IAPs include:

1. Advance payments of the premium tax credit (APTC) and cost sharing reductions (CSRs),
2. Medicaid,
3. Children's Health Insurance Program (CHIP), and
4. Basic Health Program (BHP).

#### Categories of Individuals

The individuals whose information will be used in the matching program are consumers (applicants and enrollees) who receive the eligibility determinations and redeterminations described in the preceding Purpose(s) section.

#### Categories of Records

The categories of records used in the matching program are identity information, citizenship and death/disability indicators, incarceration information, and income information. To request information from SSA, CMS will submit a submission file to SSA that contains the following mandatory specified data elements: last name, first name, date of birth, Social Security Number (SSN), and citizenship indicator. When SSA is able to match the SSN and name provided by CMS and information is available, SSA will provide CMS with the following about each individual, as relevant: last name, first name, date of birth, death indicator, disability indicator, incarceration information, Title II (annual and monthly) income information, and confirmation of attestations of citizenship status and SSN. SSA may also provide Quarters of Coverage data when CMS requests it.

#### Systems of Records

The systems of records that support this matching program are identified below:

##### A. System of Records Maintained by CMS

- CMS Health Insurance Exchanges System (HIX), System No. 09–70–0560, last published in full at 78 FR 63211 (Oct. 23, 2013) and amended at 83 FR 6591 (Feb. 14, 2018).

##### B. Systems of Records Maintained by SSA

- Master Files of SSN Holders and SSN Applications (referred to as the Enumeration System), 60–0058, last fully published at 90 FR 50879 (Nov. 12, 2025);
- Prisoner Update Processing System (PUPS), 60–0269, last fully published at 64 FR 11076 (Mar. 8, 1999) and updated at 72 FR 69723 (Dec. 10, 2007), 78 FR

40542 (July 5, 2013), 83 FR 54969 (Nov. 1, 2018), and 90 FR 53413 (Nov. 25, 2025);

- Master Beneficiary Record (MBR) 60–0090, last fully published at 71 FR 1826 (Jan. 11, 2006), and updated at 72 FR 69723 (Dec. 10, 2007), 78 FR 40542 (July 5, 2013), 83 FR 31250 (July 3, 2018), 83 FR 54969 (Nov. 1, 2018), 89 FR 825 (Jan. 5, 2024), and 89 FR 14554 (Feb. 27, 2024); and

- Earnings Recording and Self-Employment Income System (referred to as the Master Earnings File (MEF)), 60–0059, last fully published at 71 FR 1819 (Jan. 11, 2006) and amended at 78 FR 40542 (July 5, 2013), 83 FR 54969 (Nov. 1, 2018), and 89 FR 825 (Jan. 5, 2024).

[FR Doc. 2026–02472 Filed 2–6–26; 8:45 am]

BILLING CODE 4120–03–P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Health Resources and Services Administration

**Agency Information Collection Activities: Proposed Collection: Public Comment Request; Information Collection Request Title: Rural Health Network Development Planning Program Performance Improvement and Measurement System, OMB No. 0915–0384—Revision**

**AGENCY:** Health Resources and Services Administration (HRSA), Department of Health and Human Services.

**ACTION:** Notice.

**SUMMARY:** In compliance with the requirement for opportunity for public comment on proposed data collection projects of the Paperwork Reduction Act of 1995, HRSA announces plans to submit an Information Collection Request (ICR), described below, to the Office of Management and Budget (OMB). Prior to submitting the ICR to OMB, HRSA seeks comments from the public regarding the burden estimate, below, or any other aspect of the ICR.

**DATES:** Comments on this ICR should be received no later than April 10, 2026.

**ADDRESSES:** Submit your comments to [paperwork@hrsa.gov](mailto:paperwork@hrsa.gov) or mail the HRSA Information Collection Clearance Officer, Room 13N82, 5600 Fishers Lane, Rockville, Maryland 20857.

**FOR FURTHER INFORMATION CONTACT:** To request more information on the proposed project or to obtain a copy of the data collection plans and draft instruments, email [paperwork@hrsa.gov](mailto:paperwork@hrsa.gov) or call Samantha Miller, the HRSA Information Collection Clearance Officer, at (301) 443–3983.

**SUPPLEMENTARY INFORMATION:** When submitting comments or requesting information, please include the ICR title for reference.

*Information Collection Request Title:* Rural Health Network Development Planning Program Performance Improvement and Measurement System, OMB No. 0915–0384—Revision.

*Abstract:* HRSA administers the Rural Health Network Development Planning Program (Network Planning Program), which is authorized under 42 U.S.C. 254c(f), 330A(f) of the Public Health Service Act. The purpose of the Network Planning Program is to promote the planning and development of integrated health care networks to address the following legislative aims: (1) achieve efficiencies; (2) expand access to, coordinate, and improve the quality of basic health care services and associated health outcomes; and (3) strengthen the rural health care system as a whole. The Network Planning Program supports 1 year of planning and brings together key parts of a rural health care delivery system, particularly those entities that may not have collaborated in the past, to establish and/or improve local capacity to strengthen rural community health interventions and enhance care coordination. HRSA currently collects information about the Network Planning Program grants using an OMB-approved set of performance measures and seeks to revise that approved collection. The proposed changes are a result of keeping this instrument relevant and responsive to the Network Planning Program’s needs and to improve clarity and ease of reporting for respondents.

*Need and Proposed Use of the Information:* HRSA developed performance measures to provide data on the Network Planning Program and to enable HRSA to provide aggregate program data required under the Government Performance and Results Act of 1993. Data from this information collection will help support program compliance, inform rural needs, guide the delivery of technical assistance, and shape federal program decisions. The measures cover the principal topic areas of interest to HRSA, such as Capacity/Organizational information and Sustainability. All measures will evaluate HRSA’s progress toward achieving its Network Planning Program goals.

The proposed collection will reduce the total number of measures from 24 to 15. The following sections will be removed: Network Infrastructure, Network Collaboration, and Network Assessment. In the proposed collection, grantees instead complete two sections titled “Capacity/Organizational Information” and “Sustainability.” The “Capacity/Organizational Information” section will include 10 measures, and HRSA will modify the current “Sustainability” section by reducing the number of measures from 10 to five measures.

Although the proposed total number of measures has been reduced, there is a proposed increase in the estimated total burden hours compared to the previous ICR package. There are several contributing factors to the increase in estimated total burden. The increase in burden is to account for a new set of awardees who will be new to this data collection. The new set of awardees

represent a group of organizations who are funded in the 1-year Network Planning Program. These organizations vary in data collection and reporting capacity as well as vary in the number of member organizations it must coordinate with to report this data to HRSA. The amount of time it takes to build processes to coordinate and collect data from network partners will vary. Larger networks with multiple partners across different organizations are anticipated to report higher burdens due to the wait time in between requests. Networks who already have established working relationships with its member organizations may already have existing processes in place to effectively collect data for this program.

*Likely Respondents:* The respondents for these measures are Rural Health Network Development Planning Program award recipients.

*Burden Statement:* Burden in this context means the time expended by persons to generate, maintain, retain, disclose, or provide the information requested. This includes the time needed to review instructions; to develop, acquire, install, and utilize technology and systems for the purpose of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information; to search data sources; to complete and review the collection of information; and to transmit or otherwise disclose the information. The total annual burden hours estimated for this ICR are summarized in the table below.

**TOTAL ESTIMATED ANNUALIZED BURDEN HOURS**

Form name	Number of respondents	Number of responses per respondent	Total responses	Average burden per response (in hours)	Total burden hours
Rural Health Network Development Planning Program Performance Measures .....	25	1	25	11.25	281.25
Total .....	25	1	25	11.25	281.25

HRSA specifically requests comments on (1) the necessity and utility of the proposed information collection for the proper performance of the agency’s functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information

technology to minimize the information collection burden.

**Maria G. Button,**  
*Director, Executive Secretariat.*  
 [FR Doc. 2026–02473 Filed 2–6–26; 8:45 am]  
**BILLING CODE 4165–15-P**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Office of the Secretary**

**Findings of Research Misconduct**

**AGENCY:** Office of the Secretary, HHS.  
**ACTION:** Notice.

**SUMMARY:** Findings of research misconduct have been made against Daniel Andrade, Ph.D., former Assistant

Professor of Research, Department of Obstetrics and Gynecology and Stephenson Cancer Center, University of Oklahoma Health Science Center. Dr. Andrade engaged in research misconduct under 42 CFR part 93 in research included in two (2) grant applications submitted for U.S. Public Health Service (PHS) funds, specifically DP2 OD030789–01 submitted to the Office of the Director (OD), National Institutes of Health (NIH), and R21 CA253956–01 submitted to the National Cancer Institute (NCI), NIH. Administrative actions, including supervision for a period of three (3) years, were implemented and are detailed below.

**FOR FURTHER INFORMATION CONTACT:**

Sheila R. Garrity, JD, MPH, MBA, Director, Office of Research Integrity, 1101 Wootton Parkway, Suite 240, Rockville, MD 20852, (240) 453–8200.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the Office of Research Integrity (ORI) has taken final action in the following case:

*Daniel Andrade, Ph.D., University of Oklahoma Health Science Center (OUHSC):* Based on evidence obtained during a research misconduct investigation conducted by OUHSC and ORI's oversight review of OUHSC's investigation, ORI found that Daniel Andrade, Ph.D. (Respondent), former Assistant Professor of Research, Department of Obstetrics and Gynecology and Stephenson Cancer Center, OUHSC, engaged in research misconduct under 42 CFR part 93 in research included in two (2) grant applications submitted for PHS funds, specifically DP2 OD030789–01 submitted to OD, NIH, and R21 CA253956–01 submitted to NCI, NIH.

ORI found by a preponderance of the evidence that Respondent intentionally and knowingly falsified and/or fabricated data included in two (2) grant applications submitted for PHS funds. ORI found that these acts constitute a significant departure from accepted practices of the relevant research community. The affected grant applications are:

- DP2 OD030789–01, “Exosomes as Liquid Biopsies: Biomarkers for Tumor Heterogeneity and Subclonal Evolution,” submitted to OD, NIH, on August 20, 2020
- R21 CA253956–01, “miRNA signatures that predict chemoradiation response and resistance in cervical cancer using patient-derived organoids and their exosomes,” submitted to the NCI, NIH, on November 18, 2019

Specifically, ORI found by a preponderance of the evidence that Respondent engaged in research misconduct by intentionally and knowingly falsifying and/or fabricating:

- Exosome Nanoparticle Tracking Analysis (NTA) data by relabeling data obtained from a cell line as data derived from cancer Patient-Derived Organoids (PDOs) and reporting the falsely relabeled NTA graph to the Principal Investigator (PI), who included it in Figure 2D of grant application DP2 OD030789–01.
- Western blot data by splicing together blot image panels from separate unrelated experiments on different cell lines to depict a composite image of western blot data derived from exosomes of cancer PDOs and reporting the western blot composite image to the PI, who included it in Figure 2E of grant application DP2 OD030789–01.
- Transmission Electron Micrograph (TEM) image data in Figure 3B of his grant application R21 CA253956–01 by falsely reporting that the TEM image was obtained from patient serum when the image was from another source.

On December 8, 2024, based on the information in the administrative record, ORI proposed a three-year period of supervision under 42 CFR § 93.407(a)(7) and a three-year period of prohibition from PHS advisory service under 42 CFR 93.407(a)(9). HHS provided Respondent the opportunity to contest the proposed administrative actions under 42 CFR part 93 by requesting a hearing before an administrative law judge with the HHS Departmental Appeals Board. Respondent did not contest within the prescribed 30-day notice period. Accordingly, the following administrative actions have been implemented:

- Respondent will have his PHS-supported research activities supervised for a period of three (3) years beginning on January 11, 2026 (the “Supervision Period”). During the Supervision Period, prior to his participation in any capacity in PHS-supported research activities, he must submit a plan for supervision of his duties to ORI for approval. He may only participate in PHS-supported research activities if a supervision plan is approved by ORI and he complies with the approved plan. The requirements for Respondent's supervision plan are as follows:

—*Committee oversight.* The supervision plan must designate a committee of at least two senior researchers at the institution employing Respondent who are familiar with his field of

research and are not his supervisor or collaborators to oversee his PHS-supported research activities during the Supervision Period.

- *Review of primary data.* The supervision plan must provide for the committee to review primary data generated by or for Respondent through PHS-supported research activities on a quarterly basis.
- *Advance reviews.* The supervision plan must provide for the committee to conduct advance reviews of any reporting of PHS-supported research activities in which Respondent is or was involved, including reporting in manuscripts, abstracts, progress reports, or applications or proposals for PHS funding, to ensure his contributions are supported by the primary data. The advance reviews must include discussion with Respondent.
- *Reporting to ORI.* The supervision plan must include a requirement for the committee to submit a report to ORI at 6-month intervals. The report must identify any primary data reviewed, the date of review, and the results of the review. The report also must summarize any advance reviews conducted by the committee. Additionally, the report must verify that Respondent is complying with accepted research practices.

- During the Supervision Period, Respondent must ensure that any institution employing him submits, in conjunction with each application for PHS funds, or each report, manuscript, or abstract involving PHS-supported research activities in which Respondent was involved, a certification to ORI and the funding agency that the data provided by Respondent are based on actual experiments and legitimately derived, and that the data, procedures, and methodology are accurately reported.

- If Respondent does not have a supervision plan approved by ORI during the Supervision Period, Respondent must submit a written statement to ORI at the conclusion of the Supervision Period certifying that he has not participated in PHS-supported research activities during the Supervision Period.

- Respondent is prohibited from serving in any advisory capacity to PHS including, but not limited to, service on any PHS advisory committee, board, and/or peer review committee, or as a consultant for a period of three (3) years, beginning on January 11, 2026.

Dated: February 5, 2026.

**Sheila R. Garrity,**

*Director, Office of Research Integrity, Office of the Assistant Secretary for Health.*

[FR Doc. 2026-02505 Filed 2-6-26; 8:45 am]

**BILLING CODE 4150-31-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### National Institutes of Health

#### Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

*Name of Committee:* Center for Scientific Review Special Emphasis Panel; PAR Panel: Topics in Clinical Care, Disease Management and Health Outcomes.

*Date:* February 24, 2026.

*Time:* 10:00 a.m. to 1:00 p.m.

*Agenda:* To review and evaluate grant applications.

*Address:* National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

*Meeting Format:* Virtual Meeting.

*Contact Person:* Erica Charlot Spears, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 480-3211, [spearsec@csr.nih.gov](mailto:spearsec@csr.nih.gov).

This notice is being published less than 15 days from the meeting date due to exceptional circumstances. As a result of the 43-day government shutdown, due to lapsed appropriations, the above meeting was canceled. This meeting was to assess the scientific and technical merit of NIH grant applications, required by statute to disburse NIH funds. The meeting must take place urgently so that evaluations of biomedical research applications addressing multiple major public health priorities can be submitted to the national advisory councils for timely funding recommendations.

*Name of Committee:* Center for Scientific Review Special Emphasis Panel; Small Business: Innovations for Healthy Living and Technologies for Improving Health.

*Date:* February 24, 2026.

*Time:* 1:00 p.m. to 3:00 p.m.

*Agenda:* To review and evaluate grant applications.

*Address:* National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

*Meeting Format:* Virtual Meeting.

*Contact Person:* Cheryl K. Nordstrom, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, 301-402-6711, [cheryl.nordstrom@nih.gov](mailto:cheryl.nordstrom@nih.gov).

This notice is being published less than 15 days from the meeting date due to exceptional circumstances. As a result of the 43-day government shutdown, due to lapsed appropriations, the above meeting was canceled. This meeting was to assess the scientific and technical merit of NIH grant applications, required by statute to disburse NIH funds. The meeting must take place urgently so that evaluations of biomedical research applications addressing multiple major public health priorities can be submitted to the national advisory councils for timely funding recommendations.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393-93.396, 93.837-93.844, 93.846-93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: February 4, 2026.

**Bruce A. George,**

*Program Analyst, Office of Federal Advisory Committee Policy.*

[FR Doc. 2026-02502 Filed 2-6-26; 8:45 am]

**BILLING CODE 4140-01-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Substance Abuse and Mental Health Services Administration

#### Agency Information Collection Activities: Submission for OMB Review; Comment Request

Periodically, the Substance Abuse and Mental Health Services Administration (SAMHSA) will publish a summary of information collection requests under Office of Management and Budget (OMB) review, in compliance with the Paperwork Reduction Act (44 U.S.C. Chapter 35). To request a copy of these documents, email or call the SAMHSA Reports Clearance Officer at [samhsapra@samhsa.hhs.gov](mailto:samhsapra@samhsa.hhs.gov) or (240) 276-0166.

#### Proposed Project: Program Evaluation for Prevention Contract (PEPC) Evaluation (OMB No. 0930-0377)—Revision

The Substance Abuse and Mental Health Services Administration's (SAMHSA) Center for Behavioral Health Statistics and Quality (CBHSQ) aims to complete a cross-site evaluation of SAMHSA's Strategic Prevention Framework for Prescription Drugs (SPF

Rx). SPF Rx is designed to address nonmedical use of prescription drugs as well as opioid overdoses by raising awareness about the dangers of sharing medications and by working with pharmaceutical and medical communities on the risks of overprescribing. The SPF Rx program grantees also raise community awareness and bring activities related to prescription drug misuse prevention and education to schools, communities, parents, prescribers, and their patients. The SPF Rx program aims to promote collaboration between states, tribes, U.S. territories, and pharmaceutical and medical communities to understand the risks of overprescribing to youth ages 12-17 and adults 18 years of age and older. The program also aims to enhance capacity for, and access to, Prescription Drug Monitoring Program (PDMP) data for prevention purposes.

This request for data collection includes a revision to previously approved OMB instruments to allow for data collection through the end of the grant period with the FY 2021 and FY 2022 grantees. The FY 2021 cohort of grants focused on the dangers of sharing medications; the risks of overprescribing, especially to young adults; community awareness and education; and incorporation of PDMP data into grantees' needs assessments and strategic plans. The FY 2022 cohort of grants focused on raising awareness about the risks of sharing medications, taking fake or counterfeit pills, and overprescribing.

The SPF Rx program's indicators of success are reductions in opioid overdoses, reductions in prescription drug misuse, and improved use of PDMP data. Data collected through the tools described in this statement will be used for the national cross-site evaluation of SAMHSA's SPF Rx program. This request for revision covers continued data collection through FY 2028 (three years), through the end of the grant period for grants awarded in FY 2022 and covering the a year of data collection for an anticipated FY2027 cohort. The Program Evaluation for Prevention Control (PEPC) team will systematically collect and maintain an Annual Reporting Tool (ART) and Grantee and Community Level Outcomes data modules submitted by SPF Rx grantees through the online Data Management System (DMS), and conduct telephone interviews with SPF Rx grantees.

SAMHSA is requesting approval for data collection for the SPF Rx cross-site evaluation with the following instruments:

• *Annual Reporting Tool (ART)*—The ART is a survey instrument collected yearly to monitor state, territory, tribal entity, and community-level performance, and to evaluate the effectiveness of the SPF Rx program. This tool is completed by grantees and subrecipient community project directors and provides process data related to funding use and effectiveness, organizational capacity, collaboration

with community partners, data infrastructure, planned intervention targets, evaluation, contextual factors, and sustainability.

• *Grantee-and Community-Level Outcomes Modules*—These modules collect data on key SPF Rx program outcomes, including opioid prescribing patterns and provider use of PDMP. Grantees will provide outcomes data at the grantee level for their state, tribal

area, or jurisdiction, as well as at the community level for each of their subrecipient communities.

• *Grantee-Level Interview*—This qualitative interview will be administered annually to obtain information from the grantee project directors on their programs, staffing, populations of focus, infrastructure, capacity, lessons learned, and collaboration.

AVERAGE ANNUALIZED DATA COLLECTION BURDEN FOR THE PEPC DATA COLLECTION <sup>a</sup>

Instrument	Average number of respondents	Average number of responses per respondent	Average number of responses	Hours per response	Average burden hours	Hourly wage <sup>c,d</sup>	Annualized data collection burden
ART .....	<sup>b</sup> 107	1	107	1.5	161	\$30.56	\$4,920.16
	<sup>c</sup> 21	1	21	1.5	31	50.85	1,576.35
Total Burden for ART .....	128	.....	128	.....	192	.....	6,496.51
Grantee-Level PDMP Outcomes Module .....	<sup>c</sup> 21	1	21	2.5	52	50.85	2,627.25
Community-Level PDMP Outcomes Module ...	<sup>c</sup> 21	5.2	107	1.25	134.17	50.85	6,822.38
Grantee-Level Interview .....	<sup>c</sup> 21	1	21	1.5	31	50.85	1,576.35
Total Annualized Burden .....	191	.....	277	.....	409.17	.....	17,522.49

<sup>a</sup> *Annualized Data Collection Burden* captures the average number of respondents and responses, burden hours, and respondent cost over the 3 years (FY 2026–FY 2028).

<sup>b</sup> Community subrecipient respondent.

<sup>c</sup> Grantee respondent.

<sup>d</sup> *Grantee Project Director or Evaluator hourly wage* is based on the mean hourly wage for state government managers, as reported in the 2023 Occupational Employment (OES) by the Bureau of Labor Statistics (BLS) found at [https://www.bls.gov/oes/current/naics4\\_999200.htm#11-0000](https://www.bls.gov/oes/current/naics4_999200.htm#11-0000).

<sup>e</sup> *Subrecipient Staff hourly wage* is based on the mean hourly wage for local government counselors, social workers, and other community and social service specialists, as reported in the 2023 OES by the BLS found at [https://www.bls.gov/oes/current/naics4\\_999300.htm](https://www.bls.gov/oes/current/naics4_999300.htm).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

**Carlos Graham,**  
*Social Science Analyst.*

[FR Doc. 2026–02494 Filed 2–6–26; 8:45 am]

BILLING CODE 4162–20–P

**INTERNATIONAL TRADE COMMISSION**

[Investigation Nos. 701–TA–458 and 731–TA–1154 (Third Review)]

**Kitchen Appliance Shelving and Racks From China; Scheduling of Expedited Five-Year Reviews**

**AGENCY:** United States International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** The Commission hereby gives notice of the scheduling of expedited reviews pursuant to the Tariff Act of

1930 (“the Act”) to determine whether revocation of the antidumping and countervailing duty orders on kitchen appliance shelving and racks from China would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time.

**DATES:** January 26, 2026.

**FOR FURTHER INFORMATION CONTACT:**

Juan-Carlos Pena-Flores (202–205–3169), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436.

Hearing-impaired persons can obtain information on this matter by contacting the Commission’s TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its internet server (<https://www.usitc.gov>). The public record for this proceeding may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>.

**SUPPLEMENTARY INFORMATION:**

*Background.*—On January 26, 2026, the Commission determined that the

domestic interested party group response to its notice of institution (90 FR 42443, September 2, 2025) of the subject five-year reviews was adequate and that the respondent interested party group response was inadequate. The Commission did not find any other circumstances that would warrant conducting full reviews.<sup>1</sup> Accordingly, the Commission determined that it would conduct expedited reviews pursuant to section 751(c)(3) of the Act (19 U.S.C. 1675(c)(3)).<sup>2</sup>

For further information concerning the conduct of these reviews and rules of general application, consult the Commission’s Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

*Staff report.*—A staff report containing information concerning the subject matter of the reviews has been placed in the nonpublic record, and will be made available to persons on the

<sup>1</sup> A record of the Commissioners’ votes, the Commission’s statement on adequacy, and any individual Commissioner’s statements will be available from the Office of the Secretary and at the Commission’s website.

<sup>2</sup> Commissioner David S. Johanson voted to conduct full reviews.

Administrative Protective Order service list for these reviews on February 27, 2026. A public version will be issued thereafter, pursuant to § 207.62(d)(4) of the Commission's rules.

**Written submissions.**—As provided in § 207.62(d) of the Commission's rules, interested parties that are parties to the reviews and that have provided individually adequate responses to the notice of institution,<sup>3</sup> and any party other than an interested party to the reviews may file written comments with the Secretary on what determination the Commission should reach in the reviews. Comments are due on or before 5:15 p.m. on March 5, 2026, and may not contain new factual information. Any person that is neither a party to the five-year reviews nor an interested party may submit a brief written statement (which shall not contain any new factual information) pertinent to the reviews by March 5, 2026. However, should the Department of Commerce ("Commerce") extend the time limit for its completion of the final results of its reviews, the deadline for comments (which may not contain new factual information) on Commerce's final results is three business days after the issuance of Commerce's results. If comments contain business proprietary information (BPI), they must conform with the requirements of §§ 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's *Handbook on Filing Procedures*, available on the Commission's website at [https://www.usitc.gov/documents/handbook\\_on\\_filing\\_procedures.pdf](https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf), elaborates upon the Commission's procedures with respect to filings.

In accordance with §§ 201.16(c) and 207.3 of the rules, each document filed by a party to the reviews must be served on all other parties to the reviews (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

**Determination.**—The Commission has determined these reviews are extraordinarily complicated and therefore has determined to exercise its authority to extend the review period by up to 90 days pursuant to 19 U.S.C. 1675(c)(5)(B).

**Authority:** These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is

<sup>3</sup> The Commission has found the responses submitted on behalf of SSW Advanced Technologies ("SSW") and Nashville Wire Products Manufacturing Company ("Nashville Wire") to be individually adequate. Comments from other interested parties will not be accepted (see 19 CFR 207.62(d)(2)).

published pursuant to § 207.62 of the Commission's rules.

By order of the Commission.

Issued: February 5, 2026.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2026–02538 Filed 2–6–26; 8:45 am]

**BILLING CODE 7020–02–P**

## DEPARTMENT OF JUSTICE

### Antitrust Division

#### United States et al. v. RealPage, Inc. et al.; Response of the United States to Public Comments

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b)–(h), that the Response of the United States to Public Comment on the Proposed Final Judgment in *United States of America et al. v. RealPage et al.*, Civil Action No. 24–cv–00710–WLO–JLW, in regards to Defendant Greystar Management Services, LLC., has been filed in the United States District Court for the Middle District of North Carolina, together with the response of the United States to the comments. Copies of the public comment and the United States' Response are available for inspection on the Antitrust Division's website at <http://www.justice.gov/atr>.

**Suzanne Morris,**

*Deputy Director Civil Enforcement Operations, Antitrust Division.*

#### In the United States District Court for the Middle District of North Carolina

*United States of America, et al., Plaintiffs, vs. RealPage, Inc., et al., Defendants.*  
No. 1:24–cv–00710–WLO–JLW

#### Response of Plaintiff United States to Public Comments on the Proposed Final Judgment

Pursuant to the requirements of the Antitrust Procedures and Penalties Act (the "APPA" or "Tunney Act"), 15 U.S.C. 16(b)–(h), the United States submits this response to the five public comments received regarding the proposed Final Judgment as to Defendant Greystar Management Services, LLC (Doc. 152–1).<sup>1</sup>

After careful consideration of the submitted comments, the United States continues to believe that the proposed Final Judgment will provide an effective

<sup>1</sup> The United States has redacted personally identifiable information from the comments. If the Court requests unredacted versions, the United States will provide unredacted comments under seal.

and appropriate remedy for the antitrust violations alleged in the Complaint.

After this Response has been published in the **Federal Register**, pursuant to 15 U.S.C. 16(d), the United States will move the Court to enter the proposed Final Judgment. On December 30, 2025, the Court approved the United States' request to publish the public comments on the Antitrust Division's website due to the expense of publishing the comments in the **Federal Register** and the accessibility to the public of the Division's website.<sup>2</sup> These comments can be accessed at [www.justice.gov/atr](http://www.justice.gov/atr).

#### I. Procedural History

On August 23, 2024, the United States, along with several states ("Plaintiffs"), filed a civil antitrust Complaint against RealPage, Inc. ("RealPage") (Doc. 1). On January 7, 2025, Plaintiffs amended their civil Complaint (the "Complaint") to add Greystar Management Services, LLC<sup>3</sup> ("Greystar") and five other landlords as Defendants (Doc. 47) alleging that Greystar's agreements with RealPage and other landlords to share information and align pricing violate Section 1 of the Sherman Act, 15 U.S.C. 1. The Complaint seeks to enjoin Defendants from sharing and exploiting competitively sensitive data.

On August 8, 2025, the United States filed a proposed Final Judgment (Doc. 152–1) as to Greystar, which is designed to remedy the loss of competition alleged in the Complaint due to Greystar's conduct, and a Stipulation and Proposed Order (Doc. 152), in which Greystar consented to entry of the proposed Final Judgment after compliance with the requirements of the Tunney Act.<sup>4</sup> On August 25, 2025, the United States filed a Competitive Impact Statement describing the proposed Final Judgment as to Greystar. (Doc. 155).

The United States arranged for the publication of the Complaint, proposed Final Judgment, and Competitive Impact Statement in the **Federal Register** on September 9, 2025, see 15 U.S.C. 16(b)–(c); 90 FR 43070 (Sept. 9, 2025), and caused notice regarding the same, together with directions for the

<sup>2</sup> Doc. 166.

<sup>3</sup> The Complaint initially named Greystar Real Estate Partners, LLC, as the defendant. By agreement, Greystar Management Services, LLC, was later substituted as the defendant (see Doc. 143).

<sup>4</sup> The Stipulation and Proposed Order, and the proposed Final Judgment, pertain only to Greystar's conduct. They do not propose to resolve the anticompetitive conduct alleged in the Complaint against any other Defendant. Nor do they resolve the claims of any other Plaintiff besides the United States.

submission of written comments relating to the proposed Final Judgment, to be published in the *Washington Post* and the *Greensboro News and Record* from September 2 to September 8, 2025. The 60-day period for public comment has now ended. The United States received five comments in response, which are described below and attached as Exhibit 1 hereto.

## II. The Complaint and the Proposed Final Judgment

The Complaint alleges that, by unlawfully sharing its confidential and competitively sensitive information with RealPage for use in its and competing landlords' pricing, Greystar violated Section 1 of the Sherman Act, 15 U.S.C. 1. Under their licensing agreements with RealPage, Greystar and competing landlords have provided RealPage with daily, competitively sensitive, nonpublic information for use in RealPage's revenue management software relating to the landlords' leasing businesses, including details like how many leases have been renewed, for what terms, and at what price. The transactional data that Greystar and other landlords have agreed to provide to RealPage includes current, forward-looking, granular, and highly competitively sensitive information. RealPage has used Greystar's competitively sensitive, nonpublic information to influence rental prices and other recommendations across rental properties managed by competing landlords. Greystar's rental prices and related recommendations were likewise influenced by its competitors' competitively sensitive, nonpublic information obtained from RealPage. In each relevant market, RealPage and participating landlords, including Greystar, have sufficient market power, including market and data penetration, to harm renters and the competitive process through this unlawful sharing of confidential and competitively sensitive information. Moreover, Greystar and other landlords can achieve any procompetitive objective of revenue management software without sharing this kind of information.

The Complaint also alleges that Greystar and other landlords, by adopting and using RealPage's revenue management software, agreed with RealPage to align their pricing and thereby violate Section 1 of the Sherman Act, 15 U.S.C. 1. RealPage has entered into agreements with Greystar and its competing landlords relating to how to price rental units, including through the licensing of its revenue management software—AI Revenue Management

(“AIRM”), YieldStar, and Lease Rent Options (“LRO”)—to landlords, and the provision by landlords of their competitively sensitive, nonpublic transactional data to RealPage for training and running its revenue management software. Adoption and use of RealPage's revenue management software by Greystar and other landlords has the likely effect of causing competing landlords to employ the same or very similar strategies, processes, and decisions relating to their pricing of rental units. Greystar and other landlord users understand this likely effect, which here dampens the competitive process that benefits renters.

The proposed Final Judgment imposes several requirements and restrictions on Greystar that address the United States' anticompetitive concerns regarding Greystar's conduct alleged in the Complaint. Specifically:

- i. Greystar must not license or use any revenue management product that uses third-party nonpublic data to recommend or set prices;
- ii. Greystar must not license or use any revenue management product that pools information from Greystar properties that have different owners;
- iii. Greystar must not disclose, solicit, or use competitively sensitive information from competitors that can be used to set rental prices or generate pricing;
- iv. Greystar must cooperate in this civil antitrust proceeding (*United States et al. v. RealPage et al.*);
- v. Greystar must adopt a written antitrust compliance policy and designate a chief antitrust compliance officer who will train Greystar employees on the policy;
- vi. Greystar must allow the United States to inspect its documents and to interview its employees to ensure compliance with the Final Judgment;
- vii. If Greystar uses a revenue management product, Greystar will be subject to a monitor unless Greystar obtains a certification that meets certain requirements, including an affirmation that the product complies with all required limitations regarding use of competitors' competitively sensitive data; and
- viii. If, in the future, the Court finds that Greystar has violated the terms of the proposed Final Judgment, Greystar will be subject to a court-appointed monitor.

Under the terms of the Stipulation and Order, Greystar must abide by and comply with the provisions of the proposed Final Judgment until it is entered by the Court or until the time for all appeals of any Court ruling

declining entry of the proposed Final Judgment has expired.

The United States and Greystar have stipulated that the proposed Final Judgment may be entered by the Court after compliance with the APPA. Entry of the proposed Final Judgment will terminate this action with respect to the United States' claims against Greystar, except that the Court will retain jurisdiction to construe, modify, or enforce the provisions of the proposed Final Judgment and to punish violations thereof by Greystar.

## III. Standard of Judicial Review

The Clayton Act, as amended by the APPA, requires that proposed consent judgments in antitrust cases brought by the United States be subject to a 60-day comment period, after which the Court shall determine whether entry of the proposed Final Judgment “is in the public interest.” 15 U.S.C. 16(e)(1). In making that determination, the Court, in accordance with the Tunney Act as amended in 2004, is required to consider:

- (A) the competitive impact of such judgment, including termination of alleged violations, provisions for enforcement and modification, duration of relief sought, anticipated effects of alternative remedies actually considered, whether its terms are ambiguous, and any other competitive considerations bearing upon the adequacy of such judgment that the court deems necessary to a determination of whether the consent judgment is in the public interest; and
- (B) the impact of entry of such judgment upon competition in the relevant market or markets, upon the public generally and individuals alleging specific injury from the violations set forth in the complaint including consideration of the public benefit, if any, to be derived from a determination of the issues at trial.

15 U.S.C. 16(e)(1)(A) & (B). In considering these statutory factors, the Court's inquiry is necessarily a limited one, as the government is entitled to “broad discretion to settle with the defendant within the reaches of the public interest.” *United States v. Microsoft Corp.*, 56 F.3d 1448, 1461 (D.C. Cir. 1995); *United States v. U.S. Airways Grp., Inc.*, 38 F. Supp. 3d 69, 75 (D.D.C. 2014) (explaining that the “court's inquiry is limited” in Tunney Act settlements); *United States v. InBev N.V./S.A.*, No. 08–1965 (JR), 2009 U.S. Dist. LEXIS 84787, at \*3 (D.D.C. Aug. 11, 2009) (noting that a court's review of a consent judgment is limited and only inquires “into whether the government's determination that the

proposed remedies will cure the antitrust violations alleged in the complaint was reasonable, and whether the mechanism to enforce the final judgment are clear and manageable”); *United States v. Keyspan Corp.*, 763 F. Supp. 2d 633, 637–38 (S.D.N.Y. 2011); see *SEC v. Citigroup Global Markets Inc.*, 673 F.3d 158, 168 (2d Cir. 2012) (“We are bound in such matters to give deference to an executive agency’s assessment of the public interest.”).

As the U.S. Court of Appeals for the District of Columbia Circuit has held, under the APPA, a court considers, among other things, the relationship between the remedy secured and the specific allegations in the government’s complaint, whether the proposed Final Judgment is sufficiently clear, whether its enforcement mechanisms are sufficient, and whether it may positively harm third parties. See *Microsoft*, 56 F.3d at 1458–62; *United States v. Apple, Inc.*, 889 F. Supp. 2d 623, 631 (S.D.N.Y. 2012) (citing *Microsoft*, 56 F.3d at 1458, 1461–62). With respect to the adequacy of the relief secured by the proposed Final Judgment, a court may “not make de novo determination of facts and issues.” *United States v. W. Elec. Co.*, 993 F.2d 1572, 1577 (D.C. Cir. 1993) (quotation marks omitted); see also *Microsoft*, 56 F.3d at 1460–62; *United States v. Alcoa, Inc.*, 152 F. Supp. 2d 37, 40 (D.D.C. 2001); *United States v. Enova Corp.*, 107 F. Supp. 2d 10, 16 (D.D.C. 2000); *InBev*, 2009 U.S. Dist. LEXIS 84787, at \*3. Instead, “[t]he balancing of competing social and political interests affected by a proposed antitrust consent decree must be left, in the first instance, to the discretion of the Attorney General.” *W. Elec. Co.*, 993 F.2d at 1577 (quotation marks omitted). “The court should bear in mind the flexibility of the public interest inquiry: the court’s function is not to determine whether the resulting array of rights and liabilities is one that will best serve society, but only to confirm that the resulting settlement is within the reaches of the public interest.” *Microsoft*, 56 F.3d at 1460 (quotation marks omitted); see also *United States v. Deutsche Telekom AG*, No. 19–2232 (TJK), 2020 WL 1873555, at \*7 (D.D.C. Apr. 14, 2020). More demanding requirements would “have enormous practical consequences for the government’s ability to negotiate future settlements,” contrary to congressional intent. *Microsoft*, 56 F.3d at 1456. “The Tunney Act was not intended to create a disincentive to the use of the consent decree.” *Id.*<sup>5</sup>

The United States’ predictions about the efficacy of the remedy are to be afforded deference by the Court. See, e.g., *Microsoft*, 56 F.3d at 1461 (recognizing courts should give “due respect to the Justice Department’s . . . view of the nature of its case”); *United States v. Iron Mountain, Inc.*, 217 F. Supp. 3d 146, 152–53 (D.D.C. 2016) (“In evaluating objections to settlement agreements under the Tunney Act, a court must be mindful that [t]he government need not prove that the settlements will perfectly remedy the alleged antitrust harms[;] it need only provide a factual basis for concluding that the settlements are reasonably adequate remedies for the alleged harms.”) (internal citations omitted); *United States v. Republic Servs., Inc.*, 723 F. Supp. 2d 157, 160 (D.D.C. 2010) (noting “the deferential review to which the government’s proposed remedy is accorded”); *United States v. Archer-Daniels-Midland Co.*, 272 F. Supp. 2d 1, 6 (D.D.C. 2003) (“A district court must accord due respect to the government’s prediction as to the effect of proposed remedies, its perception of the market structure, and its view of the nature of the case”). In determining whether a proposed settlement is in the public interest, a district court “is not permitted to reject the proposed remedies merely because the court believes other remedies are preferable.” *United States v. Morgan Stanley*, 881 F. Supp. 2d 563, 567 (S.D.N.Y. 2012) (quoting *United States v. Abitibi-Consol. Inc.*, 584 F. Supp. 2d 162, 165 (D.D.C. 2008)). The ultimate question is whether “the remedies [obtained by the Final Judgment are] so inconsonant with the allegations charged as to fall outside of the ‘reaches of the public interest.’” *Microsoft*, 56 F.3d at 1461 (quoting *W. Elec. Co.*, 900 F.2d at 309).

Moreover, the Court’s role under the APPA is limited to reviewing the remedy in relationship to the violations that the United States has alleged in its complaint, and does not authorize the Court to “construct [its] own hypothetical case and then evaluate the decree against that case.” *Microsoft*, 56 F.3d at 1459; see also *U.S. Airways*, 38 F. Supp. 3d at 75 (noting that the court must simply determine whether there is a factual foundation for the government’s decisions such that its conclusions regarding the proposed settlements are reasonable); *United States v. Keyspan Corp.*, 763 F. Supp. 2d

633 637–38 (S.D.N.Y. 2011) (“The Court’s function is not to determine whether the proposed [d]ecree results in the balance of rights and liabilities that is the one that will best serve society, but only to ensure that the resulting settlement is ‘within the reaches of the public interest.’” (quoting *United States v. Alex. Brown & Sons, Inc.*, 963 F. Supp. 235, 238 (S.D.N.Y. 1997)); *InBev*, 2009 U.S. Dist. LEXIS 84787, at \*20 (“the ‘public interest’ is not to be measured by comparing the violations alleged in the complaint against those the court believes could have, or even should have, been alleged”). Because the “court’s authority to review the decree depends entirely on the government’s exercising its prosecutorial discretion by bringing a case in the first place,” it follows that “the court is only authorized to review the decree itself,” and not to “effectively redraft the complaint” to inquire into other matters that the United States did not pursue. *Microsoft*, 56 F.3d at 1459–60. See also *Heckler v. Chaney*, 470 U.S. 821, 832 (1985) (quoting U.S. Const. art. II, § 3) (recognizing that the decision about which claims to bring “has long been regarded as the special province of the Executive Branch.”).

In its 2004 amendments to the APPA, Congress made clear its intent to preserve the practical benefits of using consent judgments proposed by the United States in antitrust enforcement, Public Law 108–237 § 221, and added the unambiguous instruction that “[n]othing in this section shall be construed to require the court to conduct an evidentiary hearing or to require the court to permit anyone to intervene.” 15 U.S.C. 16(e)(2); see also *U.S. Airways*, 38 F. Supp. 3d at 76 (indicating that a court is not required to hold an evidentiary hearing or to permit intervenors as part of its review under the Tunney Act). This language explicitly wrote into the statute what Congress intended when it first enacted the Tunney Act in 1974. As Senator Tunney explained: “[t]he court is nowhere compelled to go to trial or to engage in extended proceedings which might have the effect of vitiating the benefits of prompt and less costly settlement through the consent decree process.” 119 Cong. Rec. 24,598 (1973) (statement of Sen. Tunney). “A court can make its public interest determination based on the competitive impact statement and response to public comments alone.” *U.S. Airways*, 38 F. Supp. 3d at 76 (citing *Enova Corp.*, 107 F. Supp. 2d at 17).

approving or disapproving the consent decree”); *United States v. Gillette Co.*, 406 F. Supp. 713, 716 (D. Mass. 1975) (noting that, in this way, the court is constrained to “look at the overall picture not hypercritically, nor with a microscope, but with an artist’s reducing glass”).

<sup>5</sup> See also *United States v. BNS, Inc.*, 858 F.2d 456, 464 (9th Cir. 1988) (holding that the court’s “ultimate authority under the [APPA] is limited to

#### IV. Summary of Public Comments and the United States' Response

The United States received five public comments from three commenters in response to the proposed Final Judgment. These comments were submitted by private individuals, whom the United States will refer to by each individual's initials: AB ("AB Comment"), DMP ("DMP Comment" and "DMP Supplemental Comment"), and JP ("JP Comment" and "JP Supplemental Comment").<sup>6</sup>

##### a. The AB Comment

AB comments that Greystar and other private equity groups were able to raise prices between 2018 and 2024 by 26% in Denver, Colorado, due to what she characterizes as price-fixing achieved through RealPage.<sup>7</sup> AB does not believe that preventing Greystar from using certain software is enough; rather, she suggests that Greystar should divest the majority of its properties in the United States and pay restitution to Americans.<sup>8</sup> AB adds that price fixing through RealPage should be outlawed.<sup>9</sup>

As the Complaint explains, the claims the United States asserted against Greystar arise from Greystar's sharing of nonpublic data with RealPage and its use of RealPage revenue management software that uses shared nonpublic data from Greystar and its competitors. The alleged violations relating to Greystar, *i.e.*, its use of its competitors' nonpublic data and its alignment of pricing through the use of RealPage's software, are properly remedied through the proposed Final Judgment, which prohibits Greystar's use of nonpublic data and of software that would align Greystar's pricing with competitors.

As to AB's comments related to price-fixing, the United States did not allege in the Complaint that Greystar engaged in price-fixing, and thus price-fixing is outside the scope of Tunney Act review.

##### b. The DMP Comments

DMP is a former employee of Mid-America Apartment Communities, Inc. ("MAAC"), a real estate investment trust. DMP's comment states that the proposed Final Judgment should (1) prohibit manual input of competitor pricing or concessions into revenue management systems; (2) bar

contemporaneous market survey exchanges for pricing; (3) require certifications on data usage in revenue management software; (4) require a monitor be appointed whenever a large landlord uses a commercial revenue management tool like RealPage's software; and (5) prevent landlords like Greystar from retaliating against staff or tenants who raise antitrust or compliance concerns.<sup>10</sup>

The proposed Final Judgment already includes most of these suggested remedies. While the proposed Final Judgment does not prohibit manual input of data into revenue management software, it bars Greystar from using revenue management software that uses any competitor data in either the runtime operation or model training, regardless of whether the data was inputted manually, through a data feed, or any other way.<sup>11</sup>

The DMP Comment also suggests that "market surveys in which rival property managers swap current pricing and occupancy information" should be explicitly prohibited. The proposed Final Judgment also includes this remedy. Section V.A of the proposed Final Judgment prohibits Greystar from disclosing, soliciting, or using nonpublic data from any competing property manager or property owner in setting rental prices or generating pricing recommendations.<sup>12</sup> The restriction applies to nonpublic data obtained through market surveys.<sup>13</sup>

The DMP Comment suggests requiring both software vendors and landlords to certify that relevant software does not use "pricing algorithms or models . . . trained on non-public data from other landlords without each landlord's independent input or consent."<sup>14</sup> The proposed Final Judgment requires Greystar to obtain certifications from its revenue management vendors that the software complies with the agreed upon terms, including not using nonpublic data from competing properties.<sup>15</sup>

The DMP Comment also suggests that a monitor should be implemented "unless and until the vendor provides verifiable certifications of completely siloed data and client demonstrates a compliance program that actively tracks and audits any deviations from

recommended pricing."<sup>16</sup> While the proposed Final Judgment requires that a monitor be appointed only in certain circumstances, it contains alternative mechanisms to ensure compliance, including: (1) an antitrust compliance program and training;<sup>17</sup> (2) certifications from revenue management software vendors;<sup>18</sup> (3) certifications from Greystar's General Counsel regarding compliance with sections of the proposed Final Judgment;<sup>19</sup> and (4) attestations under penalty of perjury from employees engaged in or overseeing Greystar's revenue or property management of multifamily rental properties that they have complied with the prohibitions regarding the use of competitors' nonpublic data.<sup>20</sup> Additionally, the proposed Final Judgment provides the United States with inspection capabilities to ensure compliance with the consent decree.<sup>21</sup> Finally, the proposed Final Judgment requires that a monitor be appointed if Greystar violates any provision in the proposed Final Judgment.<sup>22</sup>

DMP also includes allegations regarding MAAC's conduct. The Complaint does not name MAAC as a defendant or involve MAAC's conduct, and this proposed Final Judgment resolves only the United States' claims against Greystar. Therefore, DMP's comments about MAAC are outside the scope of the Tunney Act review.

##### c. The JP Comments

JP describes himself as a resident of a Greystar property in Atlanta, Georgia. JP alleges that Greystar "systematically perpetrates document forgeries, housing discrimination, denial of due process, environmental and health hazards, financial exploitation, and evidence suppression."<sup>23</sup> Additionally, JP's supplemental comment expresses a concern that the proposed Final Judgment does not address the "public authority fraud where government-owned properties are operated for private profit using these algorithms."<sup>24</sup> JP expresses concern that the "prohibition on algorithmic pricing

<sup>6</sup> The JP Supplemental Comment also includes comments about the proposed Final Judgment between the United States and RealPage, Inc. See Doc. 159-1. The United States will address JP's comments about its proposed Final Judgment with RealPage in the United States' response to the public comments on the RealPage Final Judgment.

<sup>7</sup> AB Comment.

<sup>8</sup> AB Comment.

<sup>9</sup> AB Comment.

<sup>10</sup> DMP Comment at 15-16.

<sup>11</sup> Greystar Proposed Final Judgment § IV.A (Doc. 152-1).

<sup>12</sup> Greystar Proposed Final Judgment § V.A (Doc. 152-1).

<sup>13</sup> Greystar Proposed Final Judgment § V.A (Doc. 152-1).

<sup>14</sup> DMP Comment at 8.

<sup>15</sup> Greystar Proposed Final Judgment § IV.E (Doc. 152-1).

<sup>16</sup> DMP Comment at 8.

<sup>17</sup> Greystar Proposed Final Judgment § VI.A-B (Doc. 152-1).

<sup>18</sup> Greystar Proposed Final Judgment § IV.E (Doc. 152-1).

<sup>19</sup> Greystar Proposed Final Judgment § VI.C (Doc. 152-1).

<sup>20</sup> Greystar Proposed Final Judgment § VI.C (Doc. 152-1).

<sup>21</sup> Greystar Proposed Final Judgment § IX (Doc. 152-1).

<sup>22</sup> Greystar Proposed Final Judgment § VIII.B.2 (Doc. 152-1).

<sup>23</sup> JP Comment at 4.

<sup>24</sup> JP Supplemental Comment at 2-3.

coordination” did not include financial penalties, a victim compensation fund, or an admission of wrongdoing.

Many of JP’s concerns are not relevant to the alleged claims in the Complaint. The Tunney Act applies only to final judgments or decrees in civil proceedings brought by the United States under the antitrust laws. See 15 U.S.C. 16(b). JP’s allegations regarding forgeries, discrimination, denial of due process, environmental and health hazards, financial exploitation, evidence suppression, wrongful eviction actions, and public authority fraud are not relevant to the allegations in the Complaint against Greystar or the proposed Final Judgment and are thus outside the scope of the Tunney Act review.

Restitution is not one of the remedies sought by the United States, and hence it is outside the scope of the Tunney Act review.

JP also comments that the Greystar settlement does not include admission of wrongdoing. The Tunney Act, however, does not require a settlement to include an admission of wrongdoing as a prerequisite to judicial approval. See *United States v. Morgan Stanley*, 881 F. Supp. 2d 563, 568 (S.D.N.Y. 2012). On the contrary, the statute specifically excepts consent judgments from being prima facie evidence or having a collateral estoppel effect in another action or proceeding. See 15 U.S.C. 16(a) (“A final judgment or decree heretofore or hereafter rendered in any civil or criminal proceeding brought by or on behalf of the United States under the antitrust laws to the effect that a defendant has violated said laws shall be prima facie evidence against such defendant in any action or proceeding brought by any other party against such defendant under said laws as to all matters respecting which said judgment or decree would be an estoppel as between the parties thereto: Provided, That this section shall not apply to consent judgments or decrees entered before any testimony has been taken.”) Congress has designed the remedial provisions of the antitrust laws to encourage consent judgments, which allow the government to obtain relief without the “time, expense and inevitable risk of litigation.” *United States v. Armour and Co.*, 402 U.S. 673, 681 (1971). See also *United States v. Nat’l Ass’n of Broadcasters*, 553 F. Supp. 621, 623 (D.D.C. 1982) (“Congress apparently enacted this proviso in order to encourage defendants to settle promptly government-initiated antitrust claims and thereby to save the government the time and expense of further litigation.”). To insist on more is

to impose substantial resource costs on government antitrust enforcement, to risk the possibility of litigation resulting in no relief, and to establish a precedent that could impede enforcement of the antitrust laws in the future.

\* \* \* \* \*

To the extent that commenters wish to raise the possibility of additional unlawful conduct not addressed by the Complaint brought in this matter, members of the public are encouraged to submit information about any antitrust violation, including potentially unlawful exchanges of information between competitors, to the Department of Justice Antitrust Division’s Citizen Complaint Center (<https://www.justice.gov/atr/webform/pcsfcitizen-complaint>).

## V. Conclusion

After careful consideration of the public comments, the United States continues to believe that the proposed Final Judgment provides an effective and appropriate remedy for the antitrust violations alleged in the Complaint and is therefore in the public interest. The United States will move this Court to enter the proposed Final Judgment after the comments and this response are published in a manner approved by the Court, as required by 15 U.S.C. 16(d).

Dated: February 4, 2026.

Respectfully submitted,

By: \_\_\_\_\_

Henry C. Su,  
David A. Geiger,  
Danielle Hauck,  
John J. Hogan,  
Kris A. Perez Hicks,

*Attorneys, United States Department of Justice Antitrust Division, 450 Fifth Street NW, Suite 7100, Washington, DC 20530, Telephone: (202) 307-620, Email: henry.su@usdoj.gov.*

[FR Doc. 2026-02483 Filed 2-6-26; 8:45 am]

**BILLING CODE 4410-11-P**

## DEPARTMENT OF LABOR

### Office of Disability Employment Policy

#### Proposed Revision of Information Collection; Workforce Recruitment Program (WRP)

**AGENCY:** Office of Disability Employment Policy (ODEP), United States Department of Labor (DOL).

**ACTION:** Request for public comments.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance request for comment to provide the general public

and Federal agencies with an opportunity to comment on proposed collections of information in accordance with the Paperwork Reduction Act of 1995. This request helps to ensure that: requested data can be provided in the desired format; reporting burden (time and financial resources) is minimized; collection instruments are clearly understood; and the impact of collection requirements on respondents can be properly assessed. Currently, the Office of Disability Employment Policy, Department of Labor, (ODEP) is soliciting comments on the information collection for the WRP.

**DATES:** All comments must be received on or before April 10, 2026.

**ADDRESSES:** You may submit comment as follows. Please note that late, untimely filed comments will not be considered.

*Electronic Submissions:* Submit electronic comments in the following way:

- *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to <https://www.regulations.gov> will be posted to the docket, with no changes. Because your comment will be made public, you are responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as your or anyone else’s Social Security number or confidential business information.

- If your comment includes confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission.

*Written/Paper Submissions:* Submit written/paper submissions in the following way:

- *Mail/Hand Delivery:* Mail or visit DOL–ODEP, 200 Constitution Ave. NW, Room S-5315, Washington,

- ODEP will post your comment as well as any attachments, except for information submitted and marked as confidential, in the docket at <https://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:**

Colleen Doyle by telephone at 202-693-7863 (this is not a toll-free number) or by email at [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

**SUPPLEMENTARY INFORMATION:** The WRP is a recruitment and referral program that connects students with disabilities to an opportunity for employment. Through participating colleges and universities, WRP creates a database for Federal and select private-sector employers nationwide to find college

students and recent graduates with disabilities who are eager to demonstrate their abilities in the workplace through summer or permanent jobs. Candidates represent all majors, and range from college freshmen to graduate students and law students. Information from these candidates is compiled in a searchable database that is available through this website to Federal Human Resources Specialists, Equal Employment Opportunity Specialists, and other Federal employees and hiring officials in Federal agencies.

Every year, WRP staff approach more than 300 colleges and universities to participate in the WRP recruitment process for the year. WRP School Coordinators at these schools create accounts during which they enter information about characteristics of their institution. Then, they conduct outreach to their school's eligible students and encourage them to apply to participate in the WRP. School Coordinators must be college staff and are usually from the career or disability services office. Candidates that are approved by the School Coordinators and completed the application by the deadline are given the opportunity to have an elective informational interview with a trained volunteer WRP Recruiter from a Federal agency.

To be eligible to register, candidates must be current, full-time, degree-seeking undergraduate or graduate students with a disability, or have graduated within two and a half years of the release of the database each

December. Candidates must be U.S. citizens, must be attending or have graduated from a U.S. accredited college or university, and be eligible under the Schedule A Hiring Authority for persons with disabilities. Candidates must also be approved by a WRP School Coordinator to apply to WRP and participate in an interview.

Candidates are not interviewing for specific positions at specific agencies. They have the opportunity to have an elective informational interview with a Federal recruiter to learn about Federal service and discuss their career path. Candidates are not placed into jobs; they are simply applying to be part of a database of postsecondary students and recent graduates with disabilities that is made available to Federal employers directly and to the private sector through a contractor. Employers will then reach out to candidates directly if they are interested in interviewing or hiring them for a specific position. Candidates should be aware that WRP is not a guarantee of employment and not everyone who participates in WRP is contacted by employers.

ODEP is soliciting comments concerning the proposed information collection related to the WRP. ODEP is particularly interested in comments that:

- Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information has practical utility;
- Evaluate the accuracy of ODEP's estimate of the burden related to the information collection, including the

validity of the methodology and assumptions used in the estimate;

- Suggest methods to enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the information collection on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Documents related to this information collection request are available at <https://regulations.gov>. Questions about the information collection requirements may be directed to the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice.

This information collection request concerns WRP. ODEP has updated the data with respect to the number of respondents, responses, burden hours, and burden costs supporting this information collection request from the previous information collection request.

*Type of Review:* Substantive change to a currently approved collection.

*Agency:* DOL-ODEP.

*OMB Control Number:* 1230-0017.

*Affected Public:* Individuals or households/Colleges or universities.

*Total Estimated Annual Number of Respondents:* 3,100.

*Total Estimated Annual Number of Responses:* 3,100.

*Total Estimated Annual Time Burden:* 2,600 hours.

*Total Estimated Annual Other Costs Burden:* \$0.

**ESTIMATED ANNUAL HOURS OF BURDEN TO PARTICIPANT DATA COLLECTION**

Information collection	Category of respondent	Number of respondents	Participation time	Burden (hours)
Student Participants .....	Individuals or Households .....	2,500	1 hour .....	2,500
School Coordinators .....	Colleges or Universities .....	600	10 minutes .....	100
Totals .....	.....	3,100	.....	2,600

Comments submitted in response to this notice will be summarized in the request for Office of Management and Budget approval of the proposed information collection request; they will become a matter of public record and will be available at <https://www.reginfo.gov>.

*Authority:* 44 U.S.C. 3506(c)(2)(A).

Dated: February 4, 2026.

**Julie Hocker,**

*Assistant Secretary, Office of Disability Employment Policy.*

[FR Doc. 2026-02471 Filed 2-6-26; 8:45 am]

**BILLING CODE 4510-FK-P**

**DEPARTMENT OF LABOR**

**Wage and Hour Division**

**Minimum Wage for Federal Contracts Covered by Executive Order 13658, Notice of Rate Change in Effect**

**AGENCY:** Wage and Hour Division, Department of Labor.

**ACTION:** Notice.

**SUMMARY:** The Wage and Hour Division (WHD) of the U.S. Department of Labor (the Department) is issuing this notice to announce the applicable minimum wage rate for workers performing work

on or in connection with federal contracts covered by Executive Order 13658, Establishing a Minimum Wage for Contractors (the Executive Order or the order), beginning May 11, 2026. The rates announced in this notice apply to certain types of federal contracts entered into between January 1, 2015, and January 29, 2022, that were not renewed or extended (pursuant to an exercised option or otherwise) on or after January 30, 2022. Beginning on May 11, 2026, the Executive Order 13658 minimum wage rate that generally must be paid to workers performing work on or in connection with contracts covered by

Executive Order 13658 will increase to \$13.65 per hour, while the required minimum cash wage that generally must be paid to tipped employees performing work on or in connection with covered contracts will increase to \$9.55 per hour.

**DATES:** These new Executive Order 13658 rates shall take effect on May 11, 2026.

**FOR FURTHER INFORMATION CONTACT:** Daniel Navarrete, Director, Division of Regulations, Legislation, and Interpretation, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue NW, Washington, DC 20210; telephone: (202) 693-0406 (this is not a toll-free number). Alternative formats are available upon request by calling 1-866-487-9243. If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services.

**SUPPLEMENTARY INFORMATION:**

**I. Executive Order 13658 Background**

On February 12, 2014, the President signed Executive Order 13658, establishing an hourly minimum wage for workers performing work on or in connection with covered federal contracts of \$10.10 per hour, beginning January 1, 2015, with annual adjustments thereafter in an amount determined by the Secretary pursuant to the order. *See* 79 FR 9851. The Executive Order directed the Secretary to issue regulations to implement the order's requirements, and the Secretary delegated authority to promulgate these regulations to the Administrator of the WHD. *See* 79 FR 9852; *see also* Secretary's Order 05-2010 (Sept. 2, 2010), 75 FR 55352 (published Sept. 10, 2010).<sup>1</sup> Accordingly, after engaging in notice-and-comment rulemaking, the Department published a final rule on October 7, 2014, to implement the Executive Order. *See* 79 FR 60634. The final regulations, set forth at 29 CFR part 10, established standards and procedures for implementing and enforcing the minimum wage protections of the order.

On May 25, 2018, the President signed Executive Order 13838, "Exemption from Executive Order 13658 for Recreational Services on Federal Lands." 83 FR 25341. Executive Order 13838 amended Executive Order

13658 so as not to "apply to contracts or contract-like instruments entered into with the Federal Government in connection with seasonal recreational services or seasonal recreational equipment rental for the general public on Federal lands," including "river running, hunting, fishing, horseback riding, camping, mountaineering activities, recreational ski services, and youth camps," with the proviso that the exemption did "not apply to lodging and food services associated with seasonal recreational services." *Id.* The Executive Order directed the Secretary to issue regulations to implement the exception. *Id.* Accordingly, the Department implemented Executive Order 13838 through a final rule. 83 FR 48537.

On April 27, 2021, the President signed Executive Order 14026, "Increasing the Minimum Wage for Federal Contractors." 86 FR 22835. Executive Order 14026 established a higher hourly minimum wage of \$15.00 per hour, beginning on January 30, 2022, for the same types of contracts with the Federal Government that are covered by Executive Order 13658, and provided for annual inflation-based adjustments thereafter. Executive Order 14026 superseded Executive Order 13658 "to the extent it is inconsistent with [E.O. 14026]" and applied to contracts with the Federal Government entered on or after January 30, 2022, or that were renewed or extended (pursuant to an exercised option or otherwise) on or after January 30, 2022. 86 FR 22837. Executive Order 14026 also revoked Executive Order 13838 as of January 30, 2022. On March 14, 2025, the President revoked Executive Order 14026 in section 2(d) of Executive Order 14236, "Additional Rescissions of Harmful Executive Orders and Actions." 90 FR 13037.

At this time, Executive Order 13658 remains in effect and generally applies to contracts subject to the Davis-Bacon Act (DBA), 40 U.S.C. 3141 *et seq.*, and the Service Contract Act (SCA), 41 U.S.C. 6701 *et seq.*, awarded between January 1, 2015, and January 29, 2022, and not renewed or extended on or after January 30, 2022. As a result, this notice updates the wage rate applicable pursuant to that order. And although the number of contracts subject to Executive Order 13658 has significantly decreased over the past several years, the Department anticipates that there will be some existing contracts with the Federal Government that would not have qualified as a covered "new contract" for purposes of Executive Order 14026 and that remain subject to the minimum wage requirements of

Executive Order 13658. Executive Order 13658 and its implementing regulations require the Secretary to determine the applicable minimum wage rate for workers performing work on or in connection with covered contracts on an annual basis, beginning January 1, 2016. *See* 79 FR 9851; 29 CFR 10.1(a)(2), 10.5(a)(2), 10.12(a). Accordingly, the Department is announcing the 2026 annual update to Executive Order 13658's minimum wage rates.

**II. Requirements for Determining Annual Increases to the Minimum Wage Rate**

Sections 2(a) and (b) of Executive Order 13658 establish the methodology that the Secretary must use to determine the annual inflation-based increases to the minimum wage rate. *See* 79 FR 9851. These provisions, which are implemented in 29 CFR 10.5(b)(2), explain that the applicable minimum wage determined by the Secretary for each calendar year shall be:

- Not less than the amount in effect on the date of such determination;
- Increased from such amount by the annual percentage increase in the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) (United States city average, all items, not seasonally adjusted), or its successor publication, as determined by the Bureau of Labor Statistics (BLS); and
- Rounded to the nearest multiple of \$0.05.

Once a determination has been made with respect to the new minimum wage rate, Executive Order 13658 and its implementing regulations require the Secretary to notify the public of the applicable minimum wage rate on an annual basis at least 90 days before any new minimum wage takes effect. *See* 79 FR 9851; 29 CFR 10.5(a)(2), 10.12(c)(1). The regulations explain that the Administrator of the Department's Wage and Hour Division (the Administrator) will publish an annual notice in the **Federal Register** stating the applicable minimum wage rate at least 90 days before any new minimum wage takes effect. *See* 29 CFR 10.12(c)(2)(i). Additionally, the regulations state that the Administrator will provide notice of the Executive Order 13658 minimum wage rate on Wage Determinations OnLine (WDOL), <http://www.wdol.gov>, or any successor site;<sup>2</sup> on all wage determinations issued under the DBA and the SCA; and by other means the

<sup>1</sup> Secretary's Order 05-2010 has been superseded by Secretary's Order 01-2014 (Dec. 19, 2014), 79 FR 77527 (published Dec. 24, 2014). Secretary's Order 01-2014 delegates authority and assigns responsibility, including enforcement authority, to the WHD Administrator on matters pertaining to Executive Order 13658.

<sup>2</sup> [WDOL.gov](https://sam.gov/content/wage-determinations) has since moved to <https://sam.gov/content/wage-determinations>. This website is the authoritative and single website for obtaining appropriate Service Contract Act and Davis-Bacon Act wage determinations for each official contract action.

Administrator deems appropriate. See 29 CFR 10.12(c)(2)(ii)–(iv).

Section 3 of Executive Order 13658 requires contractors to pay tipped employees covered by the order performing on or in connection with covered contracts an hourly cash wage of at least \$4.90, beginning on January 1, 2015, provided the employees receive sufficient tips to equal the Executive Order 13658 minimum wage rate under section 2 of the order when combined with the cash wage. See 79 FR 9851–52; 29 CFR 10.28(a). The order further provides that, in each succeeding year, beginning January 1, 2016, the required cash wage must increase by \$0.95 (or a lesser amount if necessary) until it reaches 70 percent of the Executive Order 13658 minimum wage. *Id.* For subsequent years, the cash wage for tipped employees will be 70 percent of the Executive Order 13658 minimum wage rounded to the nearest \$0.05. *Id.* When a contractor is using a tip credit to meet a portion of its wage obligations under the Executive Order, the amount of tips received by the employee must equal at least the difference between the cash wage paid and the Executive Order 13658 minimum wage. If the employee does not receive sufficient tips, the contractor must increase the cash wage paid so that the cash wage in combination with the tips received equals the Executive Order 13658 minimum wage. *Id.*

The Executive Order 13658 minimum wage and the cash wage required for tipped employees are currently \$13.30 and \$9.30 per hour, respectively. The Department announced these rates on September 30, 2024, 89 FR 79641, and the rates took effect on January 1, 2025.

**III. The 2026 Executive Order 13658 Minimum Wage Rate**

Using the methodology set forth in Executive Order 13658 and summarized above, the Department must first determine the annual percentage

increase in the CPI–W (United States city average, all items, not seasonally adjusted), as published by BLS, to determine the new Executive Order 13658 minimum wage rate. In calculating the annual percentage increase in the CPI–W, the Department must compare the CPI–W for the most recent year available with the CPI–W for the preceding year. The Department therefore compared the percentage change in the CPI–W between the most recent year and the prior year. The Department then increased the current Executive Order 13658 minimum wage rate by the resulting annual percentage change and rounded to the nearest multiple of \$0.05.

Consistent with past practice, the Department determined the 2026 Executive Order 13658 minimum wage rate by averaging the CPI–W for the first two quarters of 2025 and the last two quarters of 2024 (*i.e.*, July 2024 through June 2025). This produced an average index level of 311.293. The Department then compared that data to the average CPI–W for the preceding year—303.729—which consists of the first two quarters of 2024 and the last two quarters of 2023 (*i.e.*, July 2023 through June 2024). Based on this methodology, the Department determined that the annual percentage increase in the CPI–W was 2.490 percent  $((311.293 \div 303.729) - 1)$ . The Department then applied that annual percentage increase of 2.490 percent to the current Executive Order hourly minimum wage rate of \$13.30, which resulted in a wage rate of \$13.631  $((\$13.30 \times 0.02490) + \$13.30)$ . Pursuant to the Executive Order, that rate must be rounded to the nearest multiple of \$0.05.

Accordingly, the new Executive Order 13658 minimum wage rate that must generally be paid to workers performing on or in connection with covered contracts beginning May 11, 2026, is \$13.65 per hour.

**IV. The 2026 Executive Order 13658 Minimum Cash Wage for Tipped Employees**

As noted above, section 3 of Executive Order 13658 provides a methodology to determine the amount of the minimum hourly cash wage that must be paid to tipped employees performing on or in connection with covered contracts. Because the cash wage for tipped employees reached 70 percent of the Executive Order 13658 minimum wage beginning on January 1, 2018 (*i.e.*, \$7.25 per hour compared to \$10.35 per hour), future updates to the cash wage for tipped employees must continue to set the rate at 70 percent of the full Executive Order 13658 minimum wage. Seventy percent of the new Executive Order 13658 minimum wage rate of \$13.65 is \$9.555  $(\$13.65 \times 0.70)$ . Because the Executive Order provides that the rate must be rounded to the nearest \$0.05, the new minimum hourly cash wage for tipped workers performing on or in connection with covered contracts beginning May 11, 2026, is therefore \$9.55 per hour.

**V. Appendix**

Appendix A to this notice provides a chart of the CPI–W data published by BLS that the Department used to calculate the new Executive Order 13658 minimum wage rate based on the methodology explained herein. A poster reflecting the new Executive Order 13658 minimum wage rate will be publicly available on the WHD website.

Dated: February 4, 2026.

**Andrew B. Rogers,**  
*Administrator, Wage and Hour Division.*

**Appendix A: Data Used To Determine 2026 Executive Order 13658 Minimum Wage Rate.**

*Data Source:* Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI–W) (United States city average, all items, not seasonally adjusted).

	Quarter 3			Quarter 4			Quarter 1			Quarter 2			Annual average
2023Q3 to 2024Q2	299.899	301.551	302.257	302.071	301.224	300.728	302.201	304.284	306.502	307.811	308.163	308.054	303.729
2024Q3 to 2025Q2	308.501	308.640	309.046	309.358	308.998	309.067	311.172	312.460	313.250	314.243	314.839	315.945	311.293
Annual Percentage Increase .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	2.490%

[FR Doc. 2026–02466 Filed 2–6–26; 8:45 am]

BILLING CODE 4510–27–P

**NATIONAL SCIENCE FOUNDATION**

**Astronomy and Astrophysics Advisory Committee; Notice of Meeting**

In accordance with the Federal Advisory Committee Act (Pub., L. 92–463, as amended), the U.S. National

Science Foundation (NSF) announces the following meeting:

*Name and Committee Code:*  
Astronomy and Astrophysics Advisory Committee (13883) (Virtual).

*Date and Time:* March 6, 2026; 9:30 a.m.–5 p.m.

*Place:* U.S. NSF, Randolph Building, 401 Dulany Street, Alexandria, VA 22314/Virtual.

Members and the public may attend this virtual meeting via Zoom. Attendance information and a meeting registration link will be forthcoming on the AC website: <https://www.nsf.gov/mps/ast/aaac.jsp>.

*Type of Meeting:* Open.

*Contact Person:* Dr. Louise Edwards, Program Director, Division of Astronomical Sciences, U.S. National Science Foundation, 401 Dulany Street, Alexandria, VA 22314; Telephone: 703-292-7597.

*Purpose of Meeting:* To provide advice and recommendations to the U.S. National Science Foundation (NSF), the National Aeronautics and Space Administration (NASA) and the U.S. Department of Energy (DOE) on issues within the field of astronomy and astrophysics that are of mutual interest and concern to the agencies. To prepare the annual report.

*Agenda:* To provide advice and recommendations to the NSF, NASA and DOE on issues within the field of astronomy and astrophysics that are of mutual interest and concern to the agencies. To prepare the annual report.

Dated: February 4, 2026.

**Crystal Robinson,**

*Committee Management Officer.*

[FR Doc. 2026-02460 Filed 2-6-26; 8:45 am]

**BILLING CODE 7555-01-P**

## NATIONAL SCIENCE FOUNDATION

### Proposal Review; Notice of Meetings

In accordance with the Federal Advisory Committee Act (Pub., L. 92-463, as amended), the National Science Foundation (NSF) announces its intent to hold proposal review meetings throughout the year. The purpose of these meetings is to provide advice and recommendations concerning proposals submitted to the NSF for financial support. The agenda for each of these meetings is to review and evaluate proposals as part of the selection process for awards. The review and evaluation may also include an assessment of the progress of awarded proposals. These meetings will primarily take place at NSF's headquarters, 401 Dulany Street, Alexandria, VA 22314.

These meetings will be closed to the public. The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with

the proposals. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act. NSF will continue to review the agenda and merits of each meeting for overall compliance of the Federal Advisory Committee Act.

These closed proposal review meetings will not be announced on an individual basis in the **Federal Register**. NSF intends to publish a notice similar to this on a quarterly basis. For an advance listing of the closed proposal review meetings that include the names of the proposal review panel and the time, date, place, and any information on changes, corrections, or cancellations, please visit the NSF website: <https://nsf.gov/events/proposal-review-panels>.

This information may also be requested by telephoning 703/292-8687.

Dated: February 4, 2026.

**Crystal Robinson,**

*Committee Management Officer.*

[FR Doc. 2026-02461 Filed 2-6-26; 8:45 am]

**BILLING CODE 7555-01-P**

## NUCLEAR REGULATORY COMMISSION

[NRC-2022-0119]

### Regulatory Issue Summary: Personnel Access Authorization Requirements for Non-Immigrant Foreign Nationals Working at Nuclear Power Plants

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice; issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is issuing Regulatory Issue Summary (RIS) 2026-01, "Personnel Access Authorization Requirements For Non-Immigrant Foreign Nationals Working At Nuclear Power Plants," to remind licensees of the NRC requirement that prior to granting or reinstating unescorted access (UA) or certifying unescorted access authorization (UAA) to non-immigrant foreign nationals for the purpose of performing work, licensees shall validate that the foreign national's claimed non immigration status is correct.

**DATES:** The RIS is available as of February 9, 2026.

**ADDRESSES:** Please refer to Docket ID NRC-2022-0119 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2022-0119. Address questions about Docket IDs in *Regulations.gov* to Bridget Curran; telephone: 301-415-1003; email: [Bridget.Curran@nrc.gov](mailto:Bridget.Curran@nrc.gov). For technical questions, contact the individual(s) listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "Begin ADAMS Public Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, at 301-415-4737, or by email to [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov). The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document.

- *NRC's PDR:* The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov) or call 1-800-397-4209 or 301-415-4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

This RIS is also available on the NRC's public website at <https://www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/> (select "2026" and then select "2026-01").

**FOR FURTHER INFORMATION CONTACT:** Brad Baxter, Office of Nuclear Security and Incident Response, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-287-3615; email: [Brad.Baxter@nrc.gov](mailto:Brad.Baxter@nrc.gov).

**SUPPLEMENTARY INFORMATION:** The NRC published notices of opportunity for public comment on this RIS in the **Federal Register** (85 FR 17770 and 87 FR 35798) on March 31, 2020 and June 13, 2022, respectively. The agency received comments from seven commenters. The staff considered all comments, which resulted in the publication of the updated draft RIS on April 18, 2025 (ADAMS under Accession No. ML25083A260). Since the publication of the updated draft RIS on April 18, 2025, and a public meeting on April 28, 2025, staff received additional feedback from licensees regarding the need to address circumstances where results from the Department of Homeland Security's Systematic Alien Verification for

Entitlements program may indicate that an individual is not employment eligible, but where they are still authorized to conduct business. To address these concerns, the staff added an additional footnote to the RIS (Footnote 2 in the final draft) as well as provided a clarifying paragraph for instances where a licensee may identify other methods for validation by “evaluating an accumulation of information.” This includes situations where licensees need to manage exigent circumstances, permitting access through other means available in accordance with NRC regulations.

The evaluation of these comments and the resulting changes to the RIS are discussed in a publicly available document found in ADAMS under Accession No. ML25155A903.

RIS 2026–01, “Personnel Access Authorization Requirements for Non-Immigrant Foreign Nationals Working at Nuclear Power Plants,” is available in ADAMS under Accession No. ML25155B213.

#### Executive Order 12866

The Office of Information and Regulatory Affairs determined that this RIS is not a significant regulatory action under E.O. 12866.

(Authority: 42 U.S.C. 2011 *et seq.*)

Dated: February 4, 2026.

For the Nuclear Regulatory Commission.

#### Brian Benney,

*Acting Chief, Generic Communications and Operating Experience Branch, Division of Reactor Oversight, Office of Nuclear Reactor Regulation.*

[FR Doc. 2026–02482 Filed 2–6–26; 8:45 am]

BILLING CODE 7590–01–P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 52–055; NRC–2025–2161]

### Duke Energy Carolinas, LLC; Belews Creek; Belews Creek Early Site Permit Application

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Acceptance of docketing, opportunity to request a hearing and petition for leave to intervene; order imposing procedures.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) staff has accepted and docketed an application for an early site permit (ESP) submitted by Duke Energy Carolinas, LLC, dated December 30, 2025. In addition, the NRC is providing notice that an uncontested hearing will be held on the ESP

application at a time and place to be set in the future by the presiding officer for the uncontested hearing. This notice also provides the public an opportunity to request a hearing and petition for leave to intervene (*i.e.*, contested hearing) with respect to that application. If the NRC issues an ESP, the applicant, Duke Energy Carolinas, LLC, would be approved for one or more proposed sites for a nuclear power facility, independent of a specific nuclear plant design or an application for a construction permit or combined license. Because the application contains Sensitive Unclassified Non-Safeguards Information (SUNSI), this notice includes an order that imposes procedures to obtain access to SUNSI for contention preparation.

**DATES:** A request for a hearing or petition for leave to intervene must be filed by April 10, 2026. Any potential party as defined in section 2.4 of title 10 of the *Code of Federal Regulations* (10 CFR) who believes access to SUNSI is necessary to respond to this notice must request document access by February 19, 2026.

**ADDRESSES:** Please refer to Docket ID NRC–2025–2161 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC–2025–2161. Address questions about Docket IDs in [Regulations.gov](https://www.regulations.gov) to Bridget Curran; telephone: 301–415–1003; email: [Bridget.Curran@nrc.gov](mailto:Bridget.Curran@nrc.gov). For technical questions, contact the individual(s) listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *NRC’s Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select “Begin ADAMS Public Search.” For problems with ADAMS, please contact the NRC’s Public Document Room (PDR) reference staff at 1–800–397–4209, at 301–415–4737, or by email to [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov). The Belews Creek Early Site Permit Application is available in ADAMS under Package Accession No. ML25364A004.

- *NRC’s PDR:* The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov)

or call 1–800–397–4209 or 301–415–4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

- *NRC’s Public Website:* The ESP application is available under the NRC’s Duke Energy Belews Creek Early Site Permit Application public website <https://www.nrc.gov/reactors/new-reactors/advanced/who-were-working-with/applicant-projects/dukeenergy.html>.

#### FOR FURTHER INFORMATION CONTACT:

Emmanuel Sayoc, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–4084; email: [Emmanuel.Sayoc@nrc.gov](mailto:Emmanuel.Sayoc@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

#### I. Discussion

On December 30, 2025, Duke Energy Carolinas, LLC, filed with the NRC pursuant to Section 103 of the Atomic Energy Act and 10 CFR part 52, “Licenses, Certifications, and Approvals for Nuclear Power Plants,” an application for an ESP for the Belews Creek site located in Stokes County, North Carolina.

A notice of receipt and availability of this application was previously published in the **Federal Register** on January 7, 2026 (91 FR 542) and February 4, 2026. Identical notices of receipt and availability are planned to be published for an additional three consecutive weeks thereafter.

The NRC staff has determined that the Duke Energy Carolinas, LLC ESP application is acceptable for docketing in accordance with 10 CFR 2.101(a) and 10 CFR part 52 and assigned the docket number “52–055” for this application. The application was docketed on February 9, 2025. The NRC staff provided Duke Energy Carolinas, LLC, notice of the acceptance and docketing determination by letter dated February 9, 2026 (ADAMS Accession No. ML26016A624).

The NRC staff will perform a detailed technical review of the application and document its findings in a safety evaluation. Docketing of the application does not preclude the NRC from requesting additional information from the applicant as the review proceeds, nor does it predict whether the Commission will grant or deny the application. The Commission will conduct a hearing in accordance with Subpart L, “Informal Hearing Procedures for NRC Adjudications,” of 10 CFR part 2 and will receive a report on the ESP application from the Advisory Committee on Reactors Safeguards in accordance with 10 CFR

52.23, “Referral to the Advisory Committee on Reactors Safeguards (ACRS).” If the Commission finds that the ESP application meets the applicable standards of the Atomic Energy Act and the Commission’s regulations, and that required notifications to other agencies and bodies have been made, the Commission will issue an ESP, in the form and containing conditions and limitations that the Commission finds appropriate and necessary.

## II. Hearing

Pursuant to the Atomic Energy Act of 1954, as amended, 10 CFR part 2, “Agency Rules of Practice and Procedure,” and 10 CFR part 50, notice is hereby given that an uncontested (*i.e.*, mandatory) hearing will be held, at a time and place to be set in the future by the presiding officer for the uncontested hearing.

## III. Opportunity To Request a Hearing and Petition for Leave To Intervene

Within 60 days after the date of publication of this notice, any person (petitioner) whose interest may be affected by this action may file a request for a hearing and petition for leave to intervene (petition) with respect to the action. Petitions shall be filed in accordance with the Commission’s “Agency Rules of Practice and Procedure” in 10 CFR part 2. Interested persons should consult 10 CFR 2.309. If a petition is filed, the presiding officer will rule on the petition and, if appropriate, a notice of a hearing will be issued.

Petitions must be filed no later than 60 days from the date of publication of this notice in accordance with the filing instructions in the “Electronic Submissions (E-Filing)” section of this document. Petitions and motions for leave to file new or amended contentions that are filed after the 60-day deadline will not be entertained absent a determination by the presiding officer that the filing demonstrates good cause by satisfying the three factors in 10 CFR 2.309(c)(1)(i) through (iii).

A State, local governmental body, Federally recognized Indian Tribe, or designated agency thereof, may submit a petition to the Commission to participate as a party under 10 CFR 2.309(h) no later than 60 days from the date of publication of this notice. Alternatively, a State, local governmental body, Federally recognized Indian Tribe, or designated agency thereof may participate as a non-party under 10 CFR 2.315(c).

For information about filing a petition and about participation by a person not

a party under 10 CFR 2.315, see ADAMS Accession No. ML20340A053 (<https://adamswebsearch2.nrc.gov/webSearch2/main.jsp?AccessionNumber=ML20340A053>) and the NRC’s public website (<https://www.nrc.gov/about-nrc/regulatory/adjudicatory/hearing.html#participate>).

## IV. Electronic Submissions (E-Filing)

All documents filed in NRC adjudicatory proceedings, including documents filed by an interested State, local governmental body, Federally recognized Indian Tribe, or designated agency thereof that requests to participate under 10 CFR 2.315(c), must be filed in accordance with 10 CFR 2.302. The E-Filing process requires participants to submit and serve all adjudicatory documents over the internet, or in some cases, to mail copies on electronic storage media, unless an exemption permitting an alternative filing method, as further discussed, is granted. Detailed guidance on electronic submissions is located in the “Guidance for Electronic Submissions to the NRC” (ADAMS Accession No. ML13031A056) and on the NRC’s public website (<https://www.nrc.gov/site-help/e-submittals.html>).

To comply with the procedural requirements of E-Filing, at least 10 days prior to the filing deadline, the participant should contact the Office of the Secretary by email at [Hearing.Docket@nrc.gov](mailto:Hearing.Docket@nrc.gov), or by telephone at 301-415-1677, to: (1) request a digital identification (ID) certificate, which allows the participant (or its counsel or representative) to digitally sign submissions and access the E-Filing system for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a petition or other adjudicatory document (even in instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on the NRC’s public website (<https://www.nrc.gov/site-help/e-submittals/getting-started.html>). After a digital ID certificate is obtained and a docket created, the participant must submit adjudicatory documents in Portable Document Format. Guidance on submissions is available on the NRC’s public website (<https://www.nrc.gov/site-help/electronic-sub-ref-mat.html>). A filing is considered complete at the time

the document is submitted through the NRC’s E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. ET on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an email confirming receipt of the document. The E-Filing system also distributes an email that provides access to the document to the NRC’s Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the document on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before adjudicatory documents are filed to obtain access to the documents via the E-Filing system.

A person filing electronically using the NRC’s adjudicatory E-Filing system may seek assistance by contacting the NRC’s Electronic Filing Help Desk through the “Contact Us” link located on the NRC’s public website (<https://www.nrc.gov/site-help/e-submittals.html>), by email to [MSHD.Resource@nrc.gov](mailto:MSHD.Resource@nrc.gov), or by a toll-free call at 1-866-672-7640. The NRC Electronic Filing Help Desk is available between 9 a.m. and 6 p.m., ET, Monday through Friday, except Federal holidays.

Participants who believe that they have good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing stating why there is good cause for not filing electronically and requesting authorization to continue to submit documents in paper format. Such filings must be submitted in accordance with 10 CFR 2.302(b)-(d). Participants filing adjudicatory documents in this manner are responsible for serving their documents on all other participants. Participants granted an exemption under 10 CFR 2.302(g)(2) must still meet the electronic formatting requirement in 10 CFR 2.302(g)(1), unless the participant also seeks and is granted an exemption from 10 CFR 2.302(g)(1).

Documents submitted in adjudicatory proceedings will appear in the NRC’s electronic hearing docket, which is publicly available on the NRC’s public website (<https://adams.nrc.gov/ehd>), unless otherwise excluded pursuant to an order of the presiding officer. If you do not have an NRC-issued digital ID certificate as described above, click “cancel” when the link requests certificates and you will be automatically directed to the NRC’s electronic hearing dockets where you

will be able to access any publicly available documents in a particular hearing docket. Participants are requested not to include personal privacy information such as social security numbers, home addresses, or personal phone numbers in their filings unless an NRC regulation or other law requires submission of such information. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants should not include copyrighted materials in their submission.

#### **Order Imposing Procedures for Access to Sensitive Unclassified Non-Safeguards Information for Contention Preparation**

A. This Order contains instructions regarding how potential parties to this proceeding may request access to documents containing Sensitive Unclassified Non-Safeguards Information (SUNSI).

B. Within 10 days after publication of this notice of hearing or opportunity for hearing, any potential party who believes access to SUNSI is necessary to respond to this notice may request access to SUNSI. A "potential party" is any person who intends to participate as a party by demonstrating standing and filing an admissible contention under 10 CFR 2.309. Requests for access to SUNSI submitted later than 10 days after publication of this notice will not be considered absent a showing of good cause for the late filing, addressing why the request could not have been filed earlier.

C. The requestor shall submit a letter requesting permission to access SUNSI to the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, and provide a copy to the Deputy General Counsel for Licensing, Hearings, and Enforcement, Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. The expedited delivery or courier mail address for both offices is: U.S. Nuclear Regulatory Commission, 11555 Rockville Pike, Rockville, Maryland 20852. The email addresses for the Office of the Secretary and the Office of the General Counsel are [Hearing.Docket@nrc.gov](mailto:Hearing.Docket@nrc.gov) and [RidsOgcMailCenter.Resource@nrc.gov](mailto:RidsOgcMailCenter.Resource@nrc.gov), respectively.<sup>1</sup> The request must include the following information:

(1) A description of the licensing action with a citation to this **Federal Register** notice;

(2) The name and address of the potential party and a description of the potential party's particularized interest that could be harmed by the action identified in C.(1); and

(3) The identity of the individual or entity requesting access to SUNSI and the requestor's basis for the need for the information in order to meaningfully participate in this adjudicatory proceeding. In particular, the request must explain why publicly available versions of the information requested would not be sufficient to provide the basis and specificity for a proffered contention.

D. Based on an evaluation of the information submitted under paragraph C, the NRC staff will determine within 10 days of receipt of the request whether:

(1) There is a reasonable basis to believe the petitioner is likely to establish standing to participate in this NRC proceeding; and

(2) The requestor has established a legitimate need for access to SUNSI.

E. If the NRC staff determines that the requestor satisfies both D.(1) and D.(2), the NRC staff will notify the requestor in writing that access to SUNSI has been granted. The written notification will contain instructions on how the requestor may obtain copies of the requested documents, and any other conditions that may apply to access to those documents. These conditions may include, but are not limited to, the signing of a Non-Disclosure Agreement or Affidavit, or Protective Order<sup>2</sup> setting forth terms and conditions to prevent the unauthorized or inadvertent disclosure of SUNSI by each individual who will be granted access to SUNSI.

F. Filing of Contentions. Any contentions in these proceedings that are based upon the information received as a result of the request made for SUNSI must be filed by the requestor no later than 25 days after receipt of (or access to) that information. However, if more than 25 days remain between the petitioner's receipt of (or access to) the information and the deadline for filing all other contentions (as established in the notice of hearing or opportunity for

filing requirements of the NRC's "E-Filing Rule," the initial request to access SUNSI under these procedures should be submitted as described in this paragraph.

<sup>2</sup> Any motion for Protective Order or proposed Non-Disclosure Affidavit or Agreement for SUNSI must be filed with the presiding officer or the Chief Administrative Judge if the presiding officer has not yet been designated, within 30 days of the deadline for the receipt of the written access request.

hearing), the petitioner may file its SUNSI contentions by that later deadline.

G. Review of Denials of Access.

(1) If the request for access to SUNSI is denied by the NRC staff after a determination on standing and requisite need, the NRC staff shall immediately notify the requestor in writing, briefly stating the reason or reasons for the denial.

(2) The requestor may challenge the NRC staff's adverse determination by filing a challenge within five days of receipt of that determination with: (a) the presiding officer designated in this proceeding; (b) if no presiding officer has been appointed, the Chief Administrative Judge, or if this individual is unavailable, another administrative judge, or an Administrative Law Judge with jurisdiction pursuant to 10 CFR 2.318(a); or (c) if another officer has been designated to rule on information access issues, with that officer.

(3) Further appeals of decisions under this paragraph must be made pursuant to 10 CFR 2.311.

H. Review of Grants of Access. A party other than the requestor may challenge an NRC staff determination granting access to SUNSI whose release would harm that party's interest independent of the proceeding. Such a challenge must be filed within 5 days of the notification by the NRC staff of its grant of access and must be filed with: (a) the presiding officer designated in this proceeding; (b) if no presiding officer has been appointed, the Chief Administrative Judge, or if this individual is unavailable, another administrative judge, or an Administrative Law Judge with jurisdiction pursuant to 10 CFR 2.318(a); or (c) if another officer has been designated to rule on information access issues, with that officer.

If challenges to the NRC staff determinations are filed, these procedures give way to the normal process for litigating disputes concerning access to information. The availability of interlocutory review by the Commission of orders ruling on such NRC staff determinations (whether granting or denying access) is governed by 10 CFR 2.311.<sup>3</sup>

I. The Commission expects that the NRC staff and presiding officers (and

<sup>3</sup> Requestors should note that the filing requirements of the NRC's E-Filing Rule (72 FR 49139; August 28, 2007, as amended at 77 FR 46562; August 3, 2012, 78 FR 34247, June 7, 2013) apply to appeals of NRC staff determinations (because they must be served on a presiding officer or the Commission, as applicable), but not to the initial SUNSI request submitted to the NRC staff under these procedures.

<sup>1</sup> While a request for hearing or petition to intervene in this proceeding must comply with the

any other reviewing officers) will consider and resolve requests for access to SUNSI, and motions for protective orders, in a timely fashion in order to minimize any unnecessary delays in identifying those petitioners who have standing and who have propounded contentions meeting the specificity and

basis requirements in 10 CFR part 2. The attachment to this Order summarizes the general target schedule for processing and resolving requests under these procedures.

*It is so ordered.*

Dated: February 5, 2026.

For the Nuclear Regulatory Commission.  
**Carrie Safford,**  
*Secretary of the Commission.*

**Attachment 1—General Target Schedule for Processing and Resolving Requests for Access to Sensitive Unclassified Non-Safeguards Information in This Proceeding**

Day	Event/activity
0	Publication of <b>Federal Register</b> notice of hearing or opportunity for hearing, including order with instructions for access requests.
10	Deadline for submitting requests for access to Sensitive Unclassified Non-Safeguards Information (SUNSI) which contains information: (i) supporting the standing of a potential party identified by name and address; and (ii) describing the need for the information in order for the potential party to participate meaningfully in an adjudicatory proceeding.
60	Deadline for submitting petition for intervention which contains: (i) demonstration of standing; and (ii) all contentions whose formulation does not require access to SUNSI (+25 Answers to petition for intervention; +7 petitioner/requestor reply).
20	U.S. Nuclear Regulatory Commission (NRC) staff informs the requestor of the staff's determination whether the request for access provides a reasonable basis to believe standing can be established and demonstrates the need for SUNSI. (NRC staff also informs any party to the proceeding whose interest independent of the proceeding would be harmed by the release of the information.) If NRC staff makes the finding of need for SUNSI and likelihood of standing, NRC staff begins document processing ( <i>i.e.</i> , preparation of redactions or review of redacted documents).
25	If NRC staff finds no "need" or no likelihood of standing, the deadline for petitioner/requestor to file a motion seeking a ruling to reverse the NRC staff's denial of access; NRC staff files copy of access determination with the presiding officer (or Chief Administrative Judge or other designated officer, as appropriate). If NRC staff finds "need" for SUNSI, the deadline for any party to the proceeding whose interest independent of the proceeding would be harmed by the release of the information to file a motion seeking a ruling to reverse the NRC staff's grant of access.
30	Deadline for NRC staff's reply to motions to reverse NRC staff determination(s).
40	(Receipt +30) If NRC staff finds standing and need for SUNSI, deadline for NRC staff to complete information processing and file motion for Protective Order and draft Non-Disclosure Agreement or Affidavit. Deadline for applicant/licensee to file Non-Disclosure Agreement or Affidavit for SUNSI.
A	If access is granted: issuance of presiding officer or other designated officer decision on motion for protective order for access to SUNSI (including schedule for providing access and submission of contentions) or decision reversing a final adverse determination by the NRC staff.
A + 3	Deadline for filing executed Non-Disclosure Agreements or Affidavits. Access provided to SUNSI consistent with decision issuing the Protective Order.
A + 28	Deadline for submission of contentions whose development depends upon access to SUNSI. However, if more than 25 days remain between the petitioner's receipt of (or access to) the information and the deadline for filing all other contentions (as established in the notice of hearing or notice of opportunity for hearing), the petitioner may file its SUNSI contentions by that later deadline.
A + 53	(Contention receipt +25) Answers to contentions whose development depends upon access to SUNSI.
A + 60	(Answer receipt +7) Petitioner/Intervenor reply to answers.
>A + 60	Decision on contention admission.

[FR Doc. 2026-02521 Filed 2-6-26; 8:45 am]  
BILLING CODE 7590-01-P

**POSTAL REGULATORY COMMISSION**

[Docket Nos. CP2024-260; K2025-305; MC2026-154 and K2026-154; MC2026-155 and K2026-155; MC2026-156 and K2026-156; MC2026-157 and K2026-157; MC2026-158 and K2026-158; MC2026-159 and K2026-159]

**New Postal Products**

**AGENCY:** Postal Regulatory Commission.  
**ACTION:** Notice.

**SUMMARY:** The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning a negotiated service agreement. This notice informs the public of the filing,

invites public comment, and takes other administrative steps.

**DATES:** *Comments are due:* February 12, 2026.

**ADDRESSES:** Submit comments electronically via the Commission's Filing Online system at <https://www.prc.gov>. Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

**FOR FURTHER INFORMATION CONTACT:** David A. Trissell, General Counsel, at 202-789-6820.

**SUPPLEMENTARY INFORMATION:**

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I. Introduction

II. Public Proceeding(s)  
III. Summary Proceeding(s)

**I. Introduction**

Pursuant to 39 CFR 3041.405, the Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to Competitive negotiated service agreement(s). The request(s) may propose the addition of a negotiated service agreement from the Competitive product list or the modification of an existing product currently appearing on the Competitive product list.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (<http://www.prc.gov>). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance

with the requirements of 39 CFR 3011.301.<sup>1</sup>

Section II identifies the docket number(s) associated with each Postal Service request, if any, that will be reviewed in a public proceeding as defined by 39 CFR 3010.101(p), the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each such request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 and 39 CFR 3000.114 (Public Representative). The Public Representative does not represent any individual person, entity or particular point of view, and, when Commission attorneys are appointed, no attorney-client relationship is established. Section II also establishes comment deadline(s) pertaining to each such request.

The Commission invites comments on whether the Postal Service's request(s) identified in Section II, if any, are consistent with the policies of title 39. Applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3035, and 39 CFR part 3041. Comment deadline(s) for each such request, if any, appear in Section II.

Section III identifies the docket number(s) associated with each Postal Service request, if any, to add a standardized distinct product to the Competitive product list or to amend a standardized distinct product, the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. Standardized distinct products are negotiated service agreements that are variations of one or more Competitive products, and for which financial models, minimum rates, and classification criteria have undergone advance Commission review. See 39 CFR 3041.110(n); 39 CFR 3041.205(a). Such requests are reviewed in summary proceedings pursuant to 39 CFR 3041.325(c)(2) and 39 CFR 3041.505(f)(1). Pursuant to 39 CFR 3041.405(c)-(d), the Commission does not appoint a Public Representative or request public comment in proceedings to review such requests.

## II. Public Proceeding(s)

1. *Docket No(s)*.: CP2024-260; *Filing Title*: USPS Request Concerning Amendment One to Priority Mail &

USPS Ground Advantage Contract 229, with Material Filed Under Seal; *Filing Acceptance Date*: February 4, 2026; *Filing Authority*: 39 CFR 3035.105 and 39 CFR 3041.505; *Public Representative*: Elsie Lee-Robbins; *Comments Due*: February 12, 2026.

2. *Docket No(s)*.: K2025-305; *Filing Title*: USPS Request Concerning Amendment Three to Priority Mail & USPS Ground Advantage Contract 440, with Material Filed Under Seal; *Filing Acceptance Date*: February 4, 2026; *Filing Authority*: 39 CFR 3035.105 and 39 CFR 3041.505; *Public Representative*: Almaroof Agoro; *Comments Due*: February 12, 2026.

3. *Docket No(s)*.: MC2026-154 and K2026-154; *Filing Title*: USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 1481 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: February 4, 2026; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative*: Almaroof Agoro; *Comments Due*: February 12, 2026.

4. *Docket No(s)*.: MC2026-155 and K2026-155; *Filing Title*: USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 1482 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: February 4, 2026; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative*: Jennaca Upperman; *Comments Due*: February 12, 2026.

5. *Docket No(s)*.: MC2026-156 and K2026-156; *Filing Title*: USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 1483 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: February 4, 2026; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative*: Jennaca Upperman; *Comments Due*: February 12, 2026.

6. *Docket No(s)*.: MC2026-157 and K2026-157; *Filing Title*: USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 1484 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: February 4, 2026; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative*: Christopher Mohr; *Comments Due*: February 12, 2026.

7. *Docket No(s)*.: MC2026-158 and K2026-158; *Filing Title*: USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage

Contract 1485 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: February 4, 2026; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative*: Kenneth Moeller; *Comments Due*: February 12, 2026.

8. *Docket No(s)*.: MC2026-159 and K2026-159; *Filing Title*: USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 1486 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: February 4, 2026; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative*: Kenneth Moeller; *Comments Due*: February 12, 2026.

## III. Summary Proceeding(s)

None. See Section II for public proceedings.

This Notice will be published in the **Federal Register**.

**Parvaneh Higareda,**

*Alternate Federal Register Liaison.*

[FR Doc. 2026-02512 Filed 2-6-26; 8:45 am]

**BILLING CODE 7710-FW-P**

## SECURITIES AND EXCHANGE COMMISSION

### Sunshine Act Meetings

**TIME AND DATE:** 2:00 p.m. on Thursday, February 12, 2026.

**PLACE:** The meeting will be held via remote means and at the Commission's headquarters, 100 F Street NE, Washington, DC 20549.

**STATUS:** This meeting will be closed to the public.

#### MATTERS TO BE CONSIDERED:

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the closed meeting. Certain staff members who have an interest in the matters also may be present.

In the event that the time, date, or location of this meeting changes, an announcement of the change, along with the new time, date, and/or place of the meeting will be posted on the Commission's website at <https://www.sec.gov>.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(3), (5), (6), (7), (8), 9(B) and (10) and 17 CFR 200.402(a)(3), (a)(5), (a)(6), (a)(7), (a)(8), (a)(9)(ii) and (a)(10), permit consideration of the scheduled matters at the closed meeting.

<sup>1</sup> See Docket No. RM2018-3, Order Adopting Final Rules Relating to Non-Public Information, June 27, 2018, Attachment A at 19-22 (Order No. 4679).

The subject matter of the closed meeting will consist of the following topics:

Institution and settlement of injunctive actions;

Institution and settlement of administrative proceedings;

Resolution of litigation claims; and  
Other matters relating to examinations and enforcement proceedings.

At times, changes in Commission priorities require alterations in the scheduling of meeting agenda items that may consist of adjudicatory, examination, litigation, or regulatory matters.

**CONTACT PERSON FOR MORE INFORMATION:**  
For further information, please contact Vanessa A. Countryman from the Office of the Secretary at (202) 551-5400.

(Authority: 5 U.S.C. 552b.)

Dated: February 5, 2026.

**Vanessa A. Countryman,**  
*Secretary.*

[FR Doc. 2026-02535 Filed 2-5-26; 4:15 pm]

BILLING CODE 8011-01-P

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-104767; File No. SR-CBOE-2026-014]

### Self-Regulatory Organizations; Cboe Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Its Fees Schedule

February 4, 2026.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”)<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on January 29, 2026, Cboe Exchange, Inc. (the “Exchange” or “Cboe Options”) filed with the Securities and Exchange Commission (“Commission”) the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

#### I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend its Fees Schedule to add Russell 2000 Index (“RUT”) options to the GTH Executing Agent Subsidy Program, amend certain quote widths of the GTH Cboe Volatility Index (“VIX”) and VIX

Weekly (“VIXW”) Lead Market-Maker (“LMM”) Incentive Program, add RUT to Fees Schedule Footnotes describing GTH and Curb, and to correct an inadvertent inconsistency within the Fees Schedule. The text of the proposed rule change is provided in Exhibit 5.

The text of the proposed rule change is also available on the Commission’s website (<https://www.sec.gov/rules/sro.shtml>), the Exchange’s website ([https://www.cboe.com/us/options/regulation/rule\\_filings/bzx/](https://www.cboe.com/us/options/regulation/rule_filings/bzx/)), and at the principal office of the Exchange.

#### II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

##### A. Self-Regulatory Organization’s Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

###### 1. Purpose

The Exchange proposes to amend its Fees Schedule, effective February 2, 2026.

###### Amendment to the GTH Executing Agent Subsidy Program

First, the Exchange proposes to amend the GTH Executing Agent Subsidy Program, set forth in the Fees Schedule. The GTH Executing Agent Subsidy Program offers a monthly subsidy to Exchange Trading Permit Holders (“TPHs”) with executing agent operations<sup>3</sup> during the GTH trading session. Pursuant to the current GTH Executing Agent Subsidy Program, a designated GTH executing agent receives the monthly subsidy amount that corresponds to the number of contracts executed on behalf of customers (including professional, public and broker-dealer customers) during GTH in a calendar month, as shown in the table below. Currently, qualifying customer volume is limited

to S&P 500 Index (“SPX”) and VIX options.

GTH Monthly customer SPX and VIX options volume	Subsidy
0–24,999 contracts .....	\$0.00
25,000–49,000 contracts .....	15,000
50,000–74,999 contracts .....	25,000
75,000–99,999 contracts .....	35,000
100,000+ contracts .....	50,000

To become a designated GTH executing agent, a TPH must submit a form to the Exchange no later than 3:00 p.m. on the second to last business day of a calendar month to be designated an GTH executing agent under the program, and thus eligible for the subsidy, beginning the following calendar month. A TPH must include on or with the form information demonstrating it maintains a GTH executing agent operation: (1) physically staffed throughout each entire GTH trading session and (2) willing to accept and execute orders on behalf of customers. The designation becomes effective the first business day of the following calendar month, subject to the Exchange’s confirmation that the TPH’s GTH executing agent operations satisfies these two conditions and will remain in effect until the Exchange receives an email from the TPH terminating its designation or the Exchange determines the TPH’s GTH executing agent operation no longer satisfies these two conditions.

The Exchange proposes to amend the GTH Executing Agent Subsidy Program to add RUT options to qualifying customer volume under the GTH Executing Agent Subsidy Program. As such, the Exchange proposes to add language to its Fees Schedule to reflect that qualifying customer volume under the program includes GTH monthly customer RUT options volume, in addition to SPX and VIX options volume. The proposed amendment is designed to encourage designated GTH executing agents to increase their order flow executed as agents in RUT options that trade during GTH and to meet the volume thresholds and receive the corresponding subsidies. Additionally, the proposed amendment reflects the overall growth of the GTH Executing Agent Subsidy Program and customer demand for RUT options to be added to the program.

###### Amendment to the GTH VIX/VIXW LMM Incentive Program

Next, the Exchange proposes to amend its Fees Schedule in connection with the GTH VIX/VIXW LMM Incentive Program by generally decreasing certain of the VIX quote

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> An executing agent operation is one that accepts orders from customers (who may be public or broker-dealer customers) and submits the orders for execution (either directly to the Exchange or through another TPH).

width requirements. By way of background, the GTH VIX/VIXW LMM Incentive Program provides a rebate to Trading Permit Holders with an LMM appointment to the incentive program that meet certain quoting standards in a month. The Exchange notes that meeting or exceeding the quoting standards (both current and as proposed; described in further detail below) in the VIX and VIXW to receive the applicable rebate (both currently offered and as proposed; described in further detail below) is optional for LMMs appointed to the program. Particularly, an LMM appointed to the incentive program is eligible to receive the corresponding rebate if it satisfies the applicable quoting standards, which the Exchange believes encourages appointed LMMs to provide liquidity in the VIX and VIXW during GTHs. The Exchange may consider other

exceptions to the program's quoting standards based on demonstrated legal or regulatory requirements or other mitigating circumstances. In calculating whether an LMM appointed to the incentive program meets the program's quoting standards each month, the Exchange excludes from the calculation in that month the business day in which the LMM missed meeting or exceeding the quoting standards in the highest number of the VIX and VIXW.

The current GTH VIX/VIXW LMM Incentive Program provides that, if the appointed LMM provides continuous electronic quotes during GTH (*i.e.*, from 7:15 p.m. CST to 8:25 a.m. CST the next day) that meet or exceed the VIX and VIXW basic quoting standards<sup>4</sup> in at least 95% of each of the VIX and VIXW series, 90% of the time in a given month, the LMM will receive a rebate for that month in the amount of \$30,000

for VIX and \$5,000 for VIXW (or pro-rated amount if an appointment begins after the first trading day of the month or ends prior to the last trading day of the month) for that month.

The Exchange proposes to amend the percentage of the time an appointed LMM must provide continuous electronic quotes during GTH that meet or exceed the basic quoting standards in a given month to receive a rebate for that month, from 90% of the time to 85% of the time.

Additionally, the Exchange proposes to adopt a new set of VIX basic quoting standards (below) under the GTH VIX/VIXW LMM Incentive Program. All except one proposed change decreases quote widths (proposed decreased widths are denoted with an asterisk; the proposed increased width is denoted with two asterisks).

Premium level	Expiring		Near term		Mid term		Long term	
	Less than 15 days		15 days to 60 days		61 days to 180 days		181 days or greater	
	Width	Size	Width	Size	Width	Size	Width	Size
<b>VIX Value at Prior to Close &lt;18</b>								
\$0.00–\$1.00 .....	\$0.20	30	\$0.16	40	\$0.20	30	\$0.50	5
\$1.01–\$3.00 .....	* 0.25	20	* 0.20	25	0.25	15	0.70	5
\$3.01–\$5.00 .....	* 0.35	15	** 0.35	15	0.40	10	1.00	5
\$5.01–\$10.00 .....	* 0.60	10	* 0.60	10	* 1.00	10	2.00	5
\$10.01–\$30.00 .....	* 1.20	5	* 1.20	5	* 1.50	5	3.00	3
Greater than 30 .....	* 3.00	3	* 3.00	3	* 3.00	3	5.00	3
<b>VIX Value at Prior Close From 18–25</b>								
\$0.00–\$1.00 .....	0.30	15	0.30	30	0.30	15	* 0.75	5
\$1.01–\$3.00 .....	0.35	10	0.35	20	0.40	10	1.00	5
\$3.01–\$5.00 .....	* 0.40	5	* 0.40	15	* 0.50	5	1.30	5
\$5.01–\$10.00 .....	* 0.75	5	* 0.75	5	* 1.20	5	2.20	5
\$10.01–\$30.00 .....	* 2.00	1	* 2.00	1	2.50	1	5.00	1
Greater than 30 .....	* 4.00	1	* 4.00	1	* 4.00	1	8.00	1
<b>VIX Value at Prior Close From &gt;25</b>								
\$0.00–\$1.00 .....	0.80	10	0.50	10	0.60	10	1.20	5
\$1.01–\$3.00 .....	1.00	10	0.75	10	1.00	10	1.20	5
\$3.01–\$5.00 .....	1.20	5	0.90	10	1.20	5	1.80	5
\$5.01–\$10.00 .....	2.00	5	1.50	5	2.50	5	3.00	3
\$10.01–\$30.00 .....	4.00	1	4.00	1	4.00	1	6.00	1
Greater than 30 .....	* 8.00	1	* 8.00	1	* 8.00	1	10.00	1

**Additional Amendments Within the Fees Schedule**

Next, the Exchange proposes to amend Footnotes 37 and 42 of the Fees Schedule by adding RUT options to the description of GTH and Curb. The GTH session is described in Footnote 37 of the Exchange's Fees Schedule, which currently states that GTH is a trading session for VIX, SPX, S&P 500 Index

Weekly ("SPXW"), and Mini-SPX ("XSP") options from 7:15 p.m. CST to 8:25 a.m. CST. The Curb session is described in Footnote 42 of the Exchange's Fees Schedule, which currently states that Curb is a separate trading session from Regular Trading Hours and GTH, for VIX, SPX, SPXW, and XSP options from 3:15 p.m. CST to 4:00 p.m. CST. The Exchange proposes

to add RUT options to Footnote 37 and 42 in the Exchange's Fees Schedule to reflect that the GTH and Curb trading sessions include RUT. The Exchange notes that RUT has already been added to the GTH and Curb trading sessions in the Exchange's Rulebook under Rule 5.1, Trading Days and Hours,<sup>5</sup> and proposes to add language to the Fees

<sup>4</sup> Located in the "GTH VIX/LMM Incentive Program" table in the Exchange's Fees Schedule.

<sup>5</sup> See Securities Exchange Act Release No. 104228 (November 19, 2025), 90 FR 53013 (November 24, 2025) (SR-CBOE-2025-070).

Schedule to denote that the Exchange will offer RUT during GTH and Curb.

Finally, the Exchange proposes to amend its Fees Schedule to remove an incompatible reference to a Footnote 49 contained in the “Rate Table-All Products Excluding Underlying Symbol List A” (“Rate Table”) of the Fees Schedule. The Rate Table refers viewers to Footnote 49 with regard to the XSP options product. Footnote 49 does not relate to the XSP options product; therefore, the Exchange proposes to remove this incompatible reference from its Fees Schedule.

## 2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the “Act”) and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.<sup>6</sup> Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)<sup>7</sup> requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)<sup>8</sup> requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

In particular, the Exchange believes the proposed amendment to add the GTH Executing Agent Subsidy Program is reasonably designed to encourage GTH executing agents to increase their customer flow in RUT options traded during GTH. The Exchange believes that the proposed change is reasonable because, as discussed above, the proposed amendment reflects the overall growth of the GTH Executing Agent Subsidy Program and customer demand for RUT options to be added to the program. Thus, the proposed change supports the free and open market and a national market system. Further, the proposed changes are designed to encourage executing agents to increase their order flow in RUT options that

trade during GTH, meet the volume thresholds, and to receive corresponding subsidies. The Exchange believes that increased order flow would allow the Exchange to grow participation in the GTH trading session to the benefit of all market participants that trade during GTH by providing greater trading opportunities as a result of increased liquidity, thereby attracting additional order flow from market participants during GTH. The Exchange also believes that adding RUT options to the GTH Executing Agent Subsidy Program is reasonable, given the Exchange wishes to incentivize increased order flow in RUT options, specifically during GTH.

Similarly, the Exchange believes the proposed changes to amend certain of the basic VIX quote width requirements applicable to the GTH VIX/VIXW LMM Incentive Program are reasonable. The proposed quoting standards are overall reasonably designed to continue to encourage LMMs appointed to the incentive programs to provide significant liquidity in these options, which benefits investors overall by providing more trading opportunities, tighter spreads, and added market transparency and price discovery. The proposed changes adopt generally decreased widths for VIX. The Exchange believes that by adopting heightened quoting standards that provide for decreased widths, the proposed rule change offers LMMs appointed to the programs a more challenging opportunity, thus further incentive, to strive to meet the heightened quoting standards in order to receive the additional rebate on their VIX options orders. The proposed change to the percentage of the time an appointed LMM must provide continuous electronic quotes during GTH that meet or exceed the basic quoting standards in a given month to receive a rebate from 90% of the time to 85% of the time also slightly offsets the proposed decreased width for VIX, ensuring the rebates offered by the program remain attainable. As noted above, the proposed quoting standards are overall reasonably designed to continue to encourage LMMs appointed to the incentive programs to provide significant liquidity in these options, which benefits investors overall by providing more trading opportunities, tighter spreads, and added market transparency and price discovery.

The Exchange also notes that the proposed quoting standards for VIX options and the proposed change to percentage of the time required to meet or exceed the basic quoting standards in a given month do not represent a

significant departure from each of the program’s current quote width and size standards and remain generally aligned with the current heightened standards in the programs, as the proposed width sizes and percentage are only marginally changed in order to incentivize an increase in quoting activity.

The Exchange believes the proposed change to add RUT options to the GTH Executing Agent Subsidy Program is equitable and not unfairly discriminatory because the change will uniformly apply to all designated GTH executing agents that participate in the program. Similarly, the Exchange believes that the proposed changes to the GTH VIX/VIXW LMM Incentive Program are equitable and not unfairly discriminatory because the changes to the program will apply equally to any and all TPHs with LMM appointments to the incentive program. To the extent the LMMs appointed to the incentive program receive a benefit that other market participants do not, these LMMs in their role as Market-Makers on the Exchange have different obligations and are held to different standards. For example, Market-Makers play a crucial role in providing active and liquid markets in their appointed products, thereby providing a robust market which benefits all market participants. Such Market-Makers also have obligations and regulatory requirements that other participants do not have. The Exchange also notes that an LMM appointed to the GTH VIX/VIXW LMM Incentive Program may undertake added costs each month to satisfy that heightened quoting standards, such as having to purchase additional logical connectivity.

Finally, the Exchange believes that the proposed amendments to Footnotes 37 and 42 and the proposal to remove the incompatible reference to Footnote 49 from the Rate Table contained in its Fees Schedule are reasonable as these proposed amendments are targeted solely at clarifying the contents of the Fees Schedule and ensuring its alignment with the current offerings of the Exchange. The Exchange believes these proposed amendments will alleviate potential confusion, thereby removing impediments to and perfecting the mechanism of a free and open market and a national market system and protecting investors and the public interest.

## B. Self-Regulatory Organization’s Statement on Burden on Competition

The Exchange does not believe that the proposed rule changes will impose any burden on competition that is not necessary or appropriate in furtherance

<sup>6</sup> 15 U.S.C. 78f(b).

<sup>7</sup> 15 U.S.C. 78f(b)(5).

<sup>8</sup> *Id.*

of the purposes of the Act. Specifically, as discussed above, the Exchange believes that the proposed addition of RUT options the GTH Executing Agent Subsidy Program would encourage the submission of additional liquidity to the floor of a public exchange, thereby promoting market depth, price discovery and transparency and enhancing order execution and price improvement opportunities for all TPHs. As a result, the Exchange believes that the proposed change will foster competition among orders and promote more efficient pricing.

Additionally, the Exchange does not believe the proposed rule changes regarding the GTH VIX/VIXW LMM Incentive Program will impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act because these changes will apply to all LMMs appointed to the program in a uniform manner. As noted above, to the extent the LMMs appointed to the incentive program receive a benefit that other market participants do not, these LMMs in their role as Market-Makers on the Exchange have different obligations and are held to different standards. For example, Market-Makers play a crucial role in providing active and liquid markets in their appointed products, thereby providing a robust market which benefits all market participants. Such Market-Makers also have obligations and regulatory requirements that other participants do not have. The Exchange also notes that an LMM appointed to the GTH VIX/VIXW LMM Incentive Program may undertake added costs each month to satisfy that heightened quoting standards, such as having to purchase additional logical connectivity. As a result, the Exchange believes that the proposed change furthers the Commission's goal in adopting Regulation NMS of fostering competition among orders.

The Exchange also does not believe the proposed amendments to Footnotes 37 and 42 to clarify that the GTH and Curb trading sessions include RUT will impose any burden on competition because these amendments are intended only to clarify and align the Exchange's Fees Schedule with the current offerings of the Exchange. Similarly, the Exchange does not believe the proposed amendment to remove the incompatible reference to a Footnote 49 contained in the Rate Table of the Fees Schedule will impose any burden on competition because the proposed change is merely intended to correct an inadvertent marking error made in a previous rule filing, which will alleviate potential confusion.

Finally, the Exchange does not believe that the proposed rule change will impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act because the proposed rule changes apply only to products exclusively listed on the Exchange.

*C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others*

The Exchange neither solicited nor received comments on the proposed rule change.

**III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action**

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Act<sup>9</sup> and paragraph (f) of Rule 19b-4<sup>10</sup> thereunder. At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

**IV. Solicitation of Comments**

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

*Electronic Comments*

- Use the Commission's internet comment form (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include file number SR-CBOE-2026-014 on the subject line.

*Paper Comments*

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090. All submissions should refer to file number SR-CBOE-2026-014. This file number should be included on the subject line if email is used. To help the Commission process and review your

comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<https://www.sec.gov/rules/sro.shtml>). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-CBOE-2026-014 and should be submitted on or before March 2, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>11</sup>

**Sherry R. Haywood,**  
Assistant Secretary.

[FR Doc. 2026-02474 Filed 2-6-26; 8:45 am]

BILLING CODE 8011-01-P

**SECURITIES AND EXCHANGE COMMISSION**

[Investment Company Act Release No. 35935; File No. 812-15929]

**MSD Investment Corp. and BDT & MSD BDC Management, LLC**

February 4, 2026.

**AGENCY:** Securities and Exchange Commission ("Commission" or "SEC").

**ACTION:** Notice.

Notice of an application under Section 6(c) of the Investment Company Act of 1940 ("Act") for an exemption from Sections 18(a)(2), 18(c), 18(i), and 61(a) of the Act.

**SUMMARY OF APPLICATION:** Applicants request an order to permit certain registered closed-end investment companies that have elected to be regulated as business development companies to issue multiple classes of shares with varying sales loads and asset-based distribution and/or service fees.

**APPLICANTS:** MSD Investment Corp. and BDT & MSD BDC Management, LLC.

**FILING DATES:** The application was filed on October 28, 2025 and amended on January 15, 2026.

**HEARING OR NOTIFICATION OF HEARING:** An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing on any application by emailing the SEC's Secretary at [Secretarys-Office@sec.gov](mailto:Secretarys-Office@sec.gov) and serving

<sup>9</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>10</sup> 17 CFR 240.19b-4(f).

<sup>11</sup> 17 CFR 200.30-3(a)(12).

the Applicants with a copy of the request by email, if an email address is listed for the relevant Applicant below, or personally or by mail, if a physical address is listed for the relevant Applicant below. The email should include the file number referenced above. Hearing requests should be received by the Commission by 5:30 p.m., Eastern time, on March 2, 2026, and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Pursuant to rule 0–5 under the Act, hearing requests should state the nature of the writer's interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested.

Persons who wish to be notified of a hearing may request notification by emailing the Commission's Secretary at [Secretaries-Office@sec.gov](mailto:Secretaries-Office@sec.gov).

**ADDRESSES:** The Commission: [Secretaries-Office@sec.gov](mailto:Secretaries-Office@sec.gov). Applicants: Robert Simonds, MSD Investment Corp., [bsimonds@bdtmsd.com](mailto:bsimonds@bdtmsd.com); with copies to: Steven B. Boehm, Esq., Payam Siadatpour, Esq., and Anne Oberndorf, Esq., Eversheds Sutherland (US) LLP, [stevenboehm@eversheds-sutherland.com](mailto:stevenboehm@eversheds-sutherland.com), [payamsiadatpour@eversheds-sutherland.com](mailto:payamsiadatpour@eversheds-sutherland.com), and [anneoberndorf@eversheds-sutherland.com](mailto:anneoberndorf@eversheds-sutherland.com).

**FOR FURTHER INFORMATION CONTACT:** Trace W. Rakestraw, Senior Special Counsel, at (202) 551–6825 (Division of Investment Management, Chief Counsel's Office).

**SUPPLEMENTARY INFORMATION:** For Applicants' representations, legal analysis, and conditions, please refer to Applicants' application, dated January 15, 2026, which may be obtained via the Commission's website by searching for the file number at the top of this document, or for an Applicant using the Company name search field, on the SEC's EDGAR system. The SEC's EDGAR system may be searched at <https://www.sec.gov/search-filings>. You may also call the SEC's Office of Investor Education and Advocacy at (202) 551–8090.

For the Commission, by the Division of Investment Management, under delegated authority.

**Sherry R. Haywood,**  
Assistant Secretary.

[FR Doc. 2026–02468 Filed 2–6–26; 8:45 am]

**BILLING CODE 8011–01–P**

## TENNESSEE VALLEY AUTHORITY

### Meeting of the Regional Energy Resource Council

**AGENCY:** Tennessee Valley Authority (TVA).

**ACTION:** Notice of meeting.

**SUMMARY:** The TVA Regional Energy Resource Council (RERC) will hold a meeting on February 18, to kickoff the 7th term of the RERC with a member orientation and to receive an update on TVA's Integrated Resource Plan (IRP). The IRP provides strategic direction on how TVA will continue to provide low-cost, reliable, and resilient electricity to the 10 million residents of the Valley region.

**DATES:** The meeting will be held in Chattanooga, Tennessee, at the Westin Chattanooga on Wednesday, February 18, 2026, from 9:00 a.m. to 3:00 p.m. ET. RERC members are invited to attend the meeting in person. The public is invited to view the meeting virtually or attend in person. A one-hour public listening session for the public to present comments virtually or in person will be held February 18, at 11:15 a.m. ET. A link and instructions to view the meeting will be posted on TVA's RERC website at [www.tva.com/lerc](http://www.tva.com/lerc) prior to the meeting.

**ADDRESSES:** The meeting will take place at the Westin Chattanooga at 801 Pine St., Chattanooga, TN 37402. The meeting will also be available virtually to the public. Instructions to view the meeting will be posted at [www.tva.com/lerc](http://www.tva.com/lerc) prior to the meeting. Persons who wish to speak virtually during the public listening session must pre-register by 4:00 p.m. ET Thursday, February 12, 2026, by emailing [bhaliti@tva.gov](mailto:bhaliti@tva.gov). Persons wishing to speak in person are requested to register either at the door between 8:30 a.m. and 9:00 a.m. ET on Wednesday, February 18, 2026, or in advance by emailing [bhaliti@tva.gov](mailto:bhaliti@tva.gov). Persons who are registered to provide comments will be called on during the public listening session to share their views for up to five minutes, depending on number of registrants. Written comments are also invited and may be emailed to [bhailti@tva.gov](mailto:bhailti@tva.gov). Anyone needing special accommodations should let the contact below know at least one week in advance.

**FOR FURTHER INFORMATION CONTACT:** Bekim Haliti, [bhaliti@tva.gov](mailto:bhaliti@tva.gov) or 931–349–1894.

**SUPPLEMENTARY INFORMATION:** The RERC was established to advise TVA on its energy resource activities and the

priorities among competing objectives and values. Notice of this meeting is given under the Federal Advisory Committee Act (FACA), 5 U.S.C. 10.

The meeting agenda includes the following:

#### February 18

1. Welcome and Introductions
2. RERC and TVA Meeting Update
3. Introduction to TVA
4. Public Listening Session
5. IRP Update

Dated: February 4, 2026.

**Amy Edge,**

Designated Federal Officer, Tennessee Valley Authority.

[FR Doc. 2026–02540 Filed 2–6–26; 8:45 am]

**BILLING CODE 8120–08–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Docket No. FAA–2025–3156]

#### Agency Information Collection Activities: Requests for Comments; Clearance of a Renewed Approval of Information Collection: Small Unmanned Aircraft Registration System; Correction

**AGENCY:** Federal Aviation Administration (FAA), U.S. Department of Transportation (DOT).

**ACTION:** Notice and request for comments; correction.

**SUMMARY:** On January 29, 2026, FAA published a notice and request for comments titled “Agency Information Collection Activities: Requests for Comments; Clearance of a Renewed Approval of Information Collection: Small Unmanned Aircraft Registration System”. That notice and request for comments incorrectly stated the docket number. This notice corrects the docket number.

**DATES:** The correction is effective February 9, 2026.

**FOR FURTHER INFORMATION CONTACT:** Shantel Young, Management and Program Analyst, Civil Aviation Registry, Aircraft Registration Branch AFB–710 Aircraft Registration Branch, P.O. Box 25504, Oklahoma City, OK 73125; email [shantel.young@faa.gov](mailto:shantel.young@faa.gov).

**SUPPLEMENTARY INFORMATION:** On January 29, 2026, “Agency Information Collection Activities: Requests for Comments; Clearance of a Renewed Approval of Information Collection: Small Unmanned Aircraft Registration System” was published in the **Federal Register** at 91 FR 3973. After publication, the FAA discovered that

the docket number was incorrect. This was not the FAA's intent. The old docket number FAA-2025-18382 has been removed and replaced by the new docket number FAA-2025-3156.

#### Correction

In the **Federal Register** of January 29, 2026, in FR Doc. 2026-01798, on page 3973, in the third column, docket number "FAA-2025-18382" is corrected to read "FAA-2025-3156".

Issued in Oklahoma City, OK, on February 4, 2026.

**Shantel Young,**

*Management and Program Analyst, Civil Aviation Registry, Aircraft Registration Branch AFB-710.*

[FR Doc. 2026-02469 Filed 2-6-26; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Intent of Waiver With Respect to Land; Extension of Comment Period Indianapolis Downtown Heliport, Indianapolis, IN

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice.

**SUMMARY:** On January 13, 2026, the Federal Aviation Administration (FAA) published a notice seeking further public comment on a proposal to permanently close the Indianapolis Downtown Heliport and change 5.36 acres of land from aeronautical use to non-aeronautical use and to authorize the sale of all heliport property located at the Indianapolis Downtown Heliport (8A4), Indianapolis, Indiana. The comment period for the notice was scheduled to end on February 12, 2026. FAA received a request to extend the comment period. The FAA is extending the comment period for the January 13, 2026, notice by 14 days.

**DATES:** The comment period to the notice published on January 13, 2026, at 91 FR 1371, is extended from February 12, 2026, to February 26, 2026.

**ADDRESSES:** All requisite and supporting documentation will be made available for review by appointment at the FAA Chicago Airports District Office, Melanie Myers, Program Manager, 2300 East Devon Avenue, Des Plaines, IL 60018, Telephone: (847) 294-7525.

Written comments on the Sponsor's request may be submitted using any of the following methods:

- *Federal eRulemaking Portal:* Go to <https://www.regulations.gov>, and follow

the instructions for sending your comments electronically.

- *Mail:* Melanie Myers, Program Manager, Federal Aviation Administration, Chicago Airports District Office, 2300 East Devon Avenue, Des Plaines, IL 60018.

- *Hand Delivery:* Deliver to mail address above between 8 a.m. and 5 p.m. Monday through Friday, excluding Federal holidays.

#### FOR FURTHER INFORMATION CONTACT:

Melanie Myers, Program Manager, Federal Aviation Administration, Chicago Airports District Office, 2300 East Devon Avenue, Des Plaines, IL 60018, Telephone: (847) 294-7525.

**SUPPLEMENTARY INFORMATION:** On January 13, 2026, the FAA published a notice in the **Federal Register** seeking further public comments on the proposed permanent closure of 8A4 and change of 5.36 acres of land from aeronautical use to non-aeronautical use and to authorize the sale of all heliport property located at the Heliport (91 FR 1371). The January 13, 2026, notice stated that the comment period would close on February 12, 2026. The FAA received a request to extend the comment period to ensure the public has an opportunity to fully review the relevant documents. The FAA is granting an extension of the comment period for the notice through February 26, 2026.

Issued in Des Plaines, Illinois, on February 5, 2026.

**Debra L. Bartell,**

*Acting Deputy Director, Airports Division, Great Lakes Region.*

[FR Doc. 2026-02508 Filed 2-6-26; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

**[Docket No.: FAA-2025-1190; Summary Notice No. 2026-05]**

#### Petition for Exemption; Summary of Petition Received; Operation Airdrop, Inc.

**AGENCY:** Federal Aviation Administration (FAA), Department of Transportation (DOT).

**ACTION:** Notice.

**SUMMARY:** This notice contains a summary of a petition seeking relief from specified requirements of Federal Aviation Regulations. The purpose of this notice is to improve the public's awareness of, and participation in, the FAA's exemption process. Neither publication of this notice nor the

inclusion nor omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

**DATES:** Comments on this petition must identify the petition docket number and must be received on or before March 2, 2026.

**ADDRESSES:** Send comments identified by docket number FAA-2025-1190 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov> and follow the online instructions for sending your comments electronically.

- *Mail:* Send comments to Docket Operations, M-30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12-140, West Building Ground Floor, Washington, DC 20590-0001.

- *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC 20590-0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- *Fax:* Fax comments to Docket Operations at (202) 493-2251.

*Privacy:* In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to <http://www.regulations.gov>, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <http://www.dot.gov/privacy>.

*Docket:* Background documents or comments received may be read at <http://www.regulations.gov> at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC 20590-0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Nondie Hemphill, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591, at 202-267-9677.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC.

**Dan A. Ngo,**

*Manager, Part 11 Petitions Branch, Office of Rulemaking.*

#### Petition for Exemption

*Docket No.:* FAA-2025-1190.

*Petitioner:* Operation Airdrop, Inc.

*Section(s) of 14 CFR Affected:* §§ 61.113(a), 61.113(c), and 119.1.

*Description of Relief Sought:* Operation Airdrop, Inc. (Airdrop) petitions for an exemption from 14 CFR 61.113(a), 61.113(c), and 119.1 to permit volunteer pilots acting as pilot in command of flight operations facilitated by Airdrop to provide charitable transportation of relief supplies following natural disasters and to accept and receive reimbursement from a volunteer pilot organization for fuel costs and airport fees, pursuant to § 821(a) of the FAA Modernization and Reform Act of 2012 and § 830(b)(1) of the FAA Reauthorization Act of 2024.

[FR Doc. 2026-02488 Filed 2-6-26; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

[Docket No. FHWA-2026-0133]

#### Agency Information Collection Activities: Request for Comments for a New Information Collection

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice and request for comments.

**SUMMARY:** The FHWA invites public comments about our intention to request the Office of Management and Budget's (OMB) approval for a new information collection, which is summarized below under **SUPPLEMENTARY INFORMATION**. We are required to publish this notice in the **Federal Register** by the Paperwork Reduction Act of 1995.

**DATES:** Please submit comments by April 10, 2026.

**ADDRESSES:** You may submit comments identified by DOT Docket ID Number 0133 by any of the following methods:

*Website:* For access to the docket to read background documents or comments received go to the Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

*Fax:* 1-202-493-2251.

*Mail:* Docket Management Facility, U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590-0001.

*Hand Delivery or Courier:* U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Addison Coley and Christopher Douwes, (202) 366-4000, Office of Environment, Planning, and Realty, Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590. Office hours are from 8 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

#### SUPPLEMENTARY INFORMATION:

*Title:* Transportation Alternatives and Recreational Trails Annual Report.

*Background:* The Transportation Alternatives (TAP) and Recreational Trails Program (RTP) Annual Report is an annual requirement for States to report on applications and selections for TAP and RTP funds. TAP is funded through a set-aside of the Surface Transportation Block Grant Program and provides funding for a variety of generally smaller-scale transportation projects, such as pedestrian and bicycle facilities; construction of turnouts, overlooks, and viewing areas; community improvements such as historic preservation and vegetation management; environmental mitigation related to stormwater and habitat connectivity; recreational trails; safe routes to school projects; and vulnerable road user safety assessments. The RTP is funded through a set-aside from TAP and provides funds to the States for motorized and nonmotorized recreational trail and related projects. Statutory law under 23 U.S.C. 133(h)(8), as amended by section 11109(b)(1)(I) of the Infrastructure Investment and Jobs Act (Pub. L. 117-58), requires that, for each fiscal year, States report the number and cost of TAP applications and number and cost of TAP selections, along with descriptive details about selected projects. The Federal Highway Administration is responsible for sharing this information with the public on its website. Previous reports are posted at [https://www.fhwa.dot.gov/environment/transportation\\_alternatives/annual\\_reports/](https://www.fhwa.dot.gov/environment/transportation_alternatives/annual_reports/).

*Respondents:* The report is prepared by State Departments of Transportation, in coordination with State agencies responsible for managing RTP funds, such as State resource agencies, and with Metropolitan Planning Organizations representing urbanized areas with populations greater than 200,000. The 50 States and the District of Columbia receive TAP funds and therefore must provide an annual TAP report.

*Frequency:* Once per fiscal year.

*Estimated Average Burden per Response:* 40 hours.

*Estimated Total Annual Burden Hours:* 2,040 hours.

*Public Comments Invited:* You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for the FHWA's performance; (2) the accuracy of the estimated burdens; (3) ways for the FHWA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized, including the use of electronic technology, without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

*Authority:* The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended; and 49 CFR 1.48.

Issued on: February 5, 2026.

**Jazmyne Lewis,**

*Information Collection Officer.*

[FR Doc. 2026-02539 Filed 2-6-26; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2026-0100]

#### Parts and Accessories Necessary for Safe Operation; Application for an Exemption From Grote Industries, LLC

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

**ACTION:** Notice of application for exemption; request for comments.

**SUMMARY:** FMCSA requests public comment on an application from Grote Industries, LLC (Grote) for an exemption from the requirement that exterior lighting devices on commercial motor vehicles (CMVs) be steady-burning. The exemption would allow motor carriers to operate CMVs equipped with auxiliary rear or side lamps that flash or strobe when controlled by Grote's Rear-End Collision Warning (RCW) system. FMCSA requests public comment on the applicant's request for exemption.

**DATES:** Comments must be received on or before March 11, 2026.

**ADDRESSES:** You may submit comments identified by Federal Docket Management System (FDMS) Number FMCSA-2026-0100 by any of the following methods:

- *Federal eRulemaking Portal:* [www.regulations.gov](http://www.regulations.gov). See the Public Participation and Request for Comments section below for further information.

- *Mail:* Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Ground Floor, Washington, DC 20590–0001.

- *Hand Delivery or Courier:* West Building, Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, between 9 a.m. and 5 p.m. E.T., Monday through Friday, except Federal holidays.

- *Fax:* (202) 493–2251.

Each submission must include the Agency name and the docket number (FMCSA–2026–0100) for this notice. Note that DOT posts all comments received without change to [www.regulations.gov](http://www.regulations.gov), including any personal information included in a comment. Please see the Privacy Act heading below.

*Privacy Act:* In accordance with 49 U.S.C. 31315(b), DOT solicits comments from the public to better inform its exemption process. DOT posts these comments, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice DOT/ALL–14 FDMS, which can be reviewed at <https://www.transportation.gov/privacy>. The comments are posted without edit and are searchable by the name of the submitter.

**FOR FURTHER INFORMATION CONTACT:** Mr. David Sutula, Chief, Vehicle and Roadside Operations Division, Office of Carrier, Driver, and Vehicle Safety, FMCSA, at (202)–961–1373, or by email at [david.sutula@dot.gov](mailto:david.sutula@dot.gov). If you have questions on viewing or submitting material to the docket, contact Dockets Operations at (202) 366–9826.

**SUPPLEMENTARY INFORMATION:**

**I. Public Participation and Request for Comments**

FMCSA encourages you to participate by submitting comments and related materials.

*A. Submitting Comments*

If you submit a comment, please include the docket number for this notice (FMCSA–2026–0100), indicate the specific section of this document to which the comment applies, and provide a reason for suggestions or recommendations. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so the Agency can contact you if it has questions regarding your submission.

To submit your comment online, go to <https://www.regulations.gov/docket/>

*FMCSA-2026-0100/document*, click on this notice, click “Comment,” and type your comment into the text box on the following screen.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing.

FMCSA will consider all comments and material received during the comment period. Comments received after the comment closing date will be filed in the public docket and will be considered to the extent practicable.

*B. Confidential Business Information (CBI)*

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to the notice contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to the notice, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission that constitutes CBI as “PROPIN” to indicate it contains proprietary information. FMCSA will treat such marked submissions as confidential under the Freedom of Information Act, and they will not be placed in the public docket of the notice. Submissions containing CBI should be sent to Brian Dahlin Chief, Regulatory Evaluation Division, Office of Policy, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590–0001 or via email at [brian.g.dahlin@dot.gov](mailto:brian.g.dahlin@dot.gov). At this time, you need not send a duplicate hardcopy of your electronic CBI submissions to FMCSA headquarters. Any comments FMCSA receives not specifically designated as CBI will be placed in the public docket for this notice.

*C. Viewing Comments and Documents*

To view comments, as well as any documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, insert FMCSA–2026–0100 in the keyword box, select the document tab and choose the document to review. To view comments, click this notice, then click “Browse Comments.” If you do not have access to the internet, you may view the docket by visiting Docket Operations on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., ET Monday through

Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366–9317 or (202) 366–9826 before visiting Dockets Operations.

**II. Legal Basis**

FMCSA has authority under 49 U.S.C. 31136(e) and 31315(b) to grant exemptions from Federal Motor Carrier Safety Regulations (FMCSRs). FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including the applicant’s safety analysis. The Agency must provide an opportunity for public comment on the request.

The Agency reviews the application, safety analyses, and public comments submitted and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level that would be achieved without the exemption, pursuant to the standard set forth in 49 U.S.C. 31315(b)(2). The Agency must publish its decision in the **Federal Register** (49 CFR 381.315(b)). If granted, the notice will identify the regulatory provision from which the applicant will be exempt, the effective period, and all terms and conditions of the exemption (49 CFR 381.315(c)(1)). If the exemption is denied, the notice will explain the reason for the denial (49 CFR 381.315(c)(2)). The exemption may be renewed (49 CFR 381.300(b)).

**III. Applicant’s Request**

Grote, an Indiana-based manufacturer of commercial vehicle lighting and safety equipment, has applied for an exemption from the requirements of 49 CFR 393.25(e), which generally require exterior lamps on CMVs to be steady-burning. Grote requests a five-year exemption to allow motor carriers the use of one or more non-steady-burning auxiliary lamps installed symmetrically about the vertical centerline on the rear or sides of CMVs when used in conjunction with Grote’s RCW system.

Grote states that the RCW system uses rear-facing, long-range radar to calculate time-to-collision (TTC) for vehicles approaching from behind and activates auxiliary warning lamps when a collision risk threshold is reached. The system activates a signal circuit when the TTC is less than or equal to a specific safety threshold—typically between 2.1 and 4.0 seconds—which represents the average time required for a driver and vehicle to react to a hazard.

Under the request, when the RCW system detects an imminent risk, the auxiliary lamps would either be (1) red

in color and flash 4–16 times within four seconds, or (2) amber in color and function as an SAE J595 Class 3 or Class 2 strobe lamp for up to four seconds. Following either initial sequence, the lamps burn steady red for the remaining duration of the warning event as long as the collision risk persists. Once the potential risk has subsided and the TTC exceeds the safety threshold, the signal circuit is deactivated, ending the warning event and turning off the auxiliary lamps.

Grote asserts that similar forward collision warning technologies have been shown by the National Highway Traffic Safety Administration and the Insurance Institute for Highway Safety to reduce rear-end crashes and contends that the RCW system would provide comparable safety benefits by reducing the frequency and severity of rear-end collisions involving CMVs. Grote emphasizes that it is not seeking relief from existing safety requirements, but rather permission to install additional safety equipment beyond that required by the Federal Motor Carrier Safety Regulations, and believes granting the exemption would achieve a level of safety equivalent to or greater than the level of safety achieved without the exemption.

A copy of Grote's application and supporting materials is available for review in the docket for this notice.

#### IV. Request for Comments

In accordance with 49 U.S.C. 31315(b), FMCSA requests public comment from all interested persons on Grote's application for an exemption from the requirements of 49 CFR 393.25(e).

All comments received before the close of business on the comment closing date will be considered and will be available for examination in the docket at the location listed under the **ADDRESSES** section of this notice. Comments received after the comment closing date will be filed in the public docket and may be considered to the extent practicable. In addition to late comments, FMCSA will also continue to file, in the public docket, relevant information that becomes available after the comment closing date. Interested persons should continue to examine the public docket for new material.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2026-02522 Filed 2-6-26; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2025–1282]

#### Electronic Logging Device Requirements: Federation of Professional Truckers; Application for Exemption

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

**ACTION:** Notice of application for exemption; request for comments.

**SUMMARY:** FMCSA requests public comment on the Federation of Professional Truckers' (FOPT) application for an exemption from the electronic logging device (ELD) requirements. FOPT requests an exemption to allow professional drivers the option to record their records of duty status (RODS) manually, instead of using an ELD.

**DATES:** Comments must be received on or before March 11, 2026.

**ADDRESSES:** You may submit comments identified by Docket Number FMCSA–2025–1282 by any of the following methods:

- *Federal eRulemaking Portal:* [www.regulations.gov](http://www.regulations.gov). See the Public Participation and Request for Comments section below for further information.

- *Mail:* Dockets Operations, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Ground Floor, Washington, DC 20590–0001.

- *Hand Delivery or Courier:* 1200 New Jersey Avenue SE, West Building, Ground Floor, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- *Fax:* (202) 493–2251.

Each submission must include the Agency name and the docket number (FMCSA–2025–1282) for this notice. Note that DOT posts all comments received without change to [www.regulations.gov](http://www.regulations.gov), including any personal information included in a comment. Please see the Privacy Act heading below.

*Privacy Act:* In accordance with 49 U.S.C. 31315(b), DOT solicits comments from the public to better inform its exemption process. DOT posts these comments, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice DOT/ALL–14 FDMS (Federal Docket Management System (FDMS)), which can be reviewed

at <https://www.transportation.gov/individuals/privacy/privacy-act-system-records-notices>. The comments are posted without edit and are searchable by the name of the submitter.

**FOR FURTHER INFORMATION CONTACT:** Mr. Richard Clemente, FMCSA Driver and Carrier Operations Division; Office of Carrier, Driver and Vehicle Safety Standards, [richard.clemente@dot.gov](mailto:richard.clemente@dot.gov). If you have questions on viewing or submitting material to the docket, contact Docket Services via telephone at (202) 366–9826.

#### SUPPLEMENTARY INFORMATION:

##### I. Public Participation and Request for Comments

FMCSA encourages you to participate by submitting comments and related materials.

##### A. Submitting Comments

If you submit a comment, please include the docket number for this notice (FMCSA–2025–1282), indicate the specific section of this document to which the comment applies, and provide a reason for your suggestions or recommendations. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so the Agency can contact you if it has questions regarding your submission.

To submit your comment online, go to <https://www.regulations.gov/docket/FMCSA-2025-1282/document>, click on this notice, click “Comment,” and type your comment into the text box on the following screen.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing.

FMCSA will consider all comments and material received during the comment period. Comments received after the comment closing date will be filed in the public docket and will be considered to the extent practicable.

##### B. Confidential Business Information (CBI)

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to the notice contain commercial or financial information that is customarily treated as private, that you actually treat as private, and

that is relevant or responsive to the notice, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission that constitutes CBI as “PROPIN” to indicate it contains proprietary information. FMCSA will treat such marked submissions as confidential under the Freedom of Information Act, and they will not be placed in the public docket of the notice. Submissions containing CBI should be sent to Brian Dahlin Chief, Regulatory Evaluation Division, Office of Policy, FMCSA, 1200 New Jersey Avenue SE, Washington, DC 20590–0001 or via email at [brian.g.dahlin@dot.gov](mailto:brian.g.dahlin@dot.gov). At this time, you need not send a duplicate hardcopy of your electronic CBI submissions to FMCSA headquarters. Any comments FMCSA receives not specifically designated as CBI will be placed in the public docket for this notice.

### C. Viewing Comments and Documents

To view comments, as well as any documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, insert FMCSA–2025–1282 in the keyword box, select the document tab and choose the document to review. To view comments, click this notice, then click “Browse Comments.” If you do not have access to the internet, you may view the docket by visiting Docket Operations on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., ET Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366–9317 or (202) 366–9826 before visiting Dockets Operations.

## II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315(b) to grant exemptions from the Federal Motor Carrier Safety Regulations. FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including the applicant’s safety analysis. The Agency must provide an opportunity for public comment on the request.

The Agency reviews the application, safety analyses, and public comments submitted and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level that would be achieved absent such exemption, pursuant to the standard set forth in 49 U.S.C. 31315(b)(1). The Agency must

publish its decision in the **Federal Register** (49 CFR 381.315(b)). If granted, the notice will identify the regulatory provision from which the applicant will be exempt, the effective period, and all terms and conditions of the exemption (49 CFR 381.315(c)(1)). If the exemption is denied, the notice will explain the reason for the denial (49 CFR 381.315(c)(2)). The exemption may be renewed (49 CFR 381.300(b)).

## III. Applicant’s Request

### Current Regulatory Requirements

Under 49 CFR 395.8(a)(1)(i), drivers required to prepare RODS must do so using an ELD. Under 49 CFR 395.8(a)(1)(iii)(A)(1), a motor carrier may allow its drivers to prepare RODS manually, rather than use an ELD, if the driver is operating a commercial motor vehicle (CMV) “[i]n a manner requiring completion of a record of duty status on not more than 8 days within any 30-day period.”

### Applicant’s Request

The FOPT states that it is a nonprofit advocacy organization whose members are professional drivers and small carriers operating across the United States. FOPT requests an exemption from the ELD requirement in 49 CFR 395.8. The requested exemption would apply to FOPT members and any other professional driver choosing to participate. The exemption would allow drivers to record their RODS manually with a paper logbook, rather than with an ELD. FOPT indicates that drivers operating under the exemption would meet all other hours-of-service (HOS) requirements in 49 CFR part 395.

FOPT argues that paper RODS remain enforceable, are understood by enforcement officers nationwide, and that small carriers face disproportionate financial burdens from the ELD requirements. FOPT further states that “[t]echnical limitations and frequent malfunctions highlight the continued necessity of paper alternatives,” and that Executive Order 12866 requires agencies to avoid unnecessary regulatory burdens when reasonable alternatives exist.

### Applicant’s Equivalent Level of Safety

FOPT believes the exemption would not compromise safety because FOPT would provide members education to ensure accuracy in paper RODS completion. Participating carriers would conduct random internal audits, and “violations of HOS limits by paper RODS users will result in exclusion from the exemption program.”

A copy of the FOPT’s application for exemption is available for review in the docket for this notice.

## IV. Request for Comments

In accordance with 49 U.S.C. 31315(b), FMCSA requests public comment from all interested persons on FOPT’s application for an exemption from the requirement in 49 CFR 395.8(a)(1)(i), that drivers required to prepare RODS must do so using ELDs. All comments received before the close of business on the comment closing date will be considered and will be available for examination in the docket at the location listed under the Addresses section of this notice. Comments received after the comment closing date will be filed in the public docket and will be considered to the extent practicable. In addition to late comments, FMCSA will also continue to file, in the public docket, relevant information that becomes available after the comment closing date. Interested persons should continue to examine the public docket for new material.

Larry W. Minor,

Associate Administrator of Policy.

[FR Doc. 2026–02480 Filed 2–6–26; 8:45 am]

BILLING CODE 4910–EX–P

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA–2026–0265]

### NHTSA Automated Vehicle Safety Public Meeting: March 2026

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Notice of a public meeting.

**SUMMARY:** The National Highway Traffic Safety Administration (NHTSA) will hold a public meeting on March 10, 2026. The event will provide updates and insights into ongoing vehicle automation activities across NHTSA. The meeting will be held in-person and will feature keynote addresses from the DOT leadership and industry executive panel discussions on key Automated Driving Systems (ADS) topics in the morning. The second portion of the meeting will build upon the ADS workshop held November 20, 2025. NHTSA gleaned valuable information from stakeholders on various topics. In this subsequent meeting, NHTSA intends to gather specific input on potential actions, including potential future guidance to the safe domestic

development, testing and deployment of ADS equipped vehicles. NHTSA intends to utilize stakeholder input to better inform the agency's upcoming activities. The event will not be live streamed.

**DATES:** NHTSA will hold the Automated Vehicle Safety public meeting on March 10, 2026. Attendees must register no later than March 5, 2026. The public docket will remain open for comments for 30 days following the public meeting, until April 10, 2026.

**ADDRESSES:** The Automated Vehicle Safety public meeting be held in-person at the DOT Headquarters: 1200 New Jersey Avenue SE, West Building Atrium, Washington, DC 20590.

**Registration:** Attendees must register at <https://www.nhtsa.gov/events/av-public-meeting-2026>. Please follow the registration instructions presented on the registration site.

**Comments:** You may submit comments about either the public meeting or the workshop by any of the following methods:

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- **Mail:** Docket Management Facility: U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.
- **Hand Delivery or Courier:** 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12-140, Washington, DC 20590-0001, between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal Holidays. To be sure someone is there to help you, please call 202-366-9826 before coming.
- **Fax:** 202-366-1767.

**Instructions:** All submissions must include the agency name and docket number. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please see the Privacy Act discussion below.

**Docket:** For access to the docket go to <http://www.regulations.gov> at any time or to 1200 New Jersey Avenue SE, West Building, Ground Floor, Room W12-140, Washington, DC 20590 between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays. Telephone: 202-366-9826.

**Privacy Act:** Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may

review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78), or you may visit <http://www.regulations.gov/privacy.html>.

**Confidential Business Information:** If you wish to submit any information under a claim of confidentiality, you must submit your request directly to NHTSA's Office of the Chief Counsel. Requests for confidentiality are governed by part 512. NHTSA is currently treating electronic submission as an acceptable method for submitting confidential business information to the agency under part 512. If you would like to submit a request for confidential treatment, you may email your submission to Dan Rabinovitz in the Office of the Chief Counsel at [Daniel.Rabinovitz@dot.gov](mailto:Daniel.Rabinovitz@dot.gov) or you may contact him for a secure file transfer link. At this time, you should not send a duplicate hardcopy of your electronic CBI submissions to DOT headquarters. If you claim that any of the information or documents provided to the agency constitute confidential business information within the meaning of 5 U.S.C. 552(b)(4), or are protected from disclosure pursuant to 18 U.S.C. 1905, you must submit supporting information together with the materials that are the subject of the confidentiality request, in accordance with part 512, to the Office of the Chief Counsel. Your request must include a cover letter setting forth the information specified in our confidential business information regulation (49 CFR 512.8) and a certificate, pursuant to § 512.4(b) and part 512, appendix A. In addition, you should submit a copy, from which you have deleted the claimed confidential business information, to the Docket at the address given above.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about the public meeting, please contact Debbie Sweet at [Debbie.Sweet@dot.gov](mailto:Debbie.Sweet@dot.gov) or 202-366-7409.

**SUPPLEMENTARY INFORMATION:** On April 24, 2025, Secretary Duffy announced NHTSA's Automated Vehicle (AV) Framework. The AV Framework is built on three principles:

- Prioritize the safety of ongoing AV operations on public roads
- Unleash innovation by removing unnecessary regulatory barriers
- Enable commercial deployment of AVs to enhance safety and mobility for the American public.

The Agency continues to execute actions to further the AV Framework in support of Administration and DOT priorities. As the next step, NHTSA is holding an Automated Vehicle Safety meeting on March 10, 2026. This

meeting is intended to inform the public and NHTSA stakeholders about the agency's ongoing activities AV safety. DOT executive leadership will discuss recent work and planned future activities.

The second portion of the event will include several workshopping tables to allow NHTSA to hear from stakeholders on a variety of ADS topics, including on NHTSA's intent to provide updated guidance. NHTSA encourages attendees to prepare to provide input on ADS operations and safety. Updates and additional details on the working group topics will be posted at <https://www.nhtsa.gov/events/av-public-meeting-2026> in advance of the event, and NHTSA will notify registrants by email when new information becomes available.

NHTSA seeks public comments on the information presented, as well as input on the agency's AV priorities, need for Federal guidance, and additional gaps or needs the public may believe NHTSA should address. Additionally, NHTSA seeks input on topics for future stakeholder meetings.

Registration is required for anyone planning to attend either or both the public meeting and the ADS workshop. Instructions for registration as well as accessing the docket are found under the **ADDRESSES** heading. Updates on this event will be available at <https://www.nhtsa.gov/events/av-public-meeting-2026> and NHTSA recommends checking back periodically for updates or potential schedule changes.

NHTSA is committed to providing equal access to this event for all participants and accommodation requests may be sent to [NHTSA.Communication@dot.gov](mailto:NHTSA.Communication@dot.gov) by March 2, 2026.

Should it be necessary to cancel or reschedule the meeting due to an unforeseen circumstance, NHTSA will take all available measures to notify registered participants as soon as possible. The event will not be live streamed.

Issued on February 4, 2026.

**Jonathan Morrison,**

*Administrator, National Highway Traffic Safety Administration.*

[FR Doc. 2026-02503 Filed 2-6-26; 8:45 am]

**BILLING CODE 4910-59-P**

**DEPARTMENT OF TRANSPORTATION****Pipeline and Hazardous Materials Safety Administration**

[Docket No. PHMSA–2025–0455]

**Pipeline Safety: Request for Special Permit**

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA); U.S. Department of Transportation (DOT).

**ACTION:** Notice.

**SUMMARY:** PHMSA is publishing this notice to solicit public comments on a request for special permit received from Rockies Express Pipeline, LLC (REX). The special permit request is seeking relief from compliance with certain requirements in the Federal pipeline safety regulations and to supersede and replace two existing waivers, Docket No. 2006–23998 and Docket No. 2022–0044. At the conclusion of the 30-day comment period, PHMSA will review the comments received from this notice as part of its evaluation to grant or deny the special permit request.

**DATES:** Submit any comments regarding this special permit request by March 11, 2026.

**ADDRESSES:** Comments should reference the docket number for this special permit request and may be submitted in the following ways:

- *E-Gov Website:* <http://www.regulations.gov>. This site allows the public to enter comments on any **Federal Register** notice issued by any agency.
- *Fax:* 1–202–493–2251.
- *Mail:* Docket Management System: U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

- *Hand Delivery:* Docket Management System: U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.

**Instructions:** You should identify the docket number for the special permit request you are commenting on at the beginning of your comments. If you submit your comments by mail, please submit two copies. To receive confirmation that PHMSA has received your comments, please include a self-addressed stamped postcard. Internet

users may submit comments at <http://www.regulations.gov>.

**Note:** There is a privacy statement published on <http://www.regulations.gov>. Comments, including any personal information provided, are posted without changes or edits to <http://www.regulations.gov>.

**Confidential Business Information:** Confidential Business Information (CBI) is commercial or financial information that is both customarily and treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 United States Code 552), CBI is exempt from public disclosure. If your comments responsive to this notice contain commercial or financial information that is customarily treated as private, that you treat as private, and that is relevant or responsive to this notice, it is important that you clearly designate the submitted comments as CBI. Pursuant to 49 Code of Federal Regulations (CFR) § 190.343, you may ask PHMSA to give confidential treatment to information you give to the agency by taking the following steps: (1) mark each page of the original document submission containing CBI as “Confidential;” (2) send PHMSA, along with the original document, a second copy of the original document with the CBI deleted; and (3) explain why the information you are submitting is CBI. Unless you are notified otherwise, PHMSA will treat such marked submissions as confidential under FOIA, and they will not be placed in the public docket of this notice. Submissions containing CBI should be sent to Jamie Huff, DOT, PHMSA–PHP–80, 1200 New Jersey Avenue SE, Washington, DC 20590–0001. Any commentary PHMSA receives that is not specifically designated as CBI will be placed in the public docket for this matter.

**FOR FURTHER INFORMATION CONTACT:**

**General:** Ms. Jamie Huff by telephone at 812–677–8809, or by email at [jamie.huff@dot.gov](mailto:jamie.huff@dot.gov).

**Technical:** Mr. Joshua Johnson by telephone at 816–329–3825, or by email at [joshua.johnson@dot.gov](mailto:joshua.johnson@dot.gov).

**SUPPLEMENTARY INFORMATION:**

PHMSA received a special permit request from REX, a subsidiary of Tallgrass Energy, on July 18, 2025, seeking a waiver from the Federal pipeline safety regulations in 49 CFR 192.620(b)(2), (b)(4), (b)(7), (c)(1), (c)(2), (c)(3), (c)(4), (d)(6), (d)(7)(i), (d)(7)(ii), (d)(7)(iii), (d)(9), (d)(11)(ii)(a), and (d)(4)(v) and (d)(7)(iv)(B) to operate at

an alternative maximum allowable operating pressure (AMAOP). The REX Pipeline was constructed under waiver Docket No. PHMSA–2006–23998 as an AMAOP pipeline before the AMAOP regulations under § 192.620 were promulgated. Another special permit under Docket No. PHMSA PHMSA–2022–0044 was later issued to allow for a waiver of class location change requirements under 49 CFR 192.611 for segments originally operated under the 2006 waiver; 49 CFR 192.620(c)(8) allows a Class 1 and Class 2 location to be upgraded one class due to class location changes. This special permit is proposed to supersede and replace both previous special permits to create a unified and consistent approach to pipeline safety, operations, and compliance by aligning the regulatory framework applicable to the REX Pipeline with existing Federal regulations.

The REX Pipeline segment is a 42-inch-diameter natural gas transmission pipeline, 2,866 miles in length from the Cheyenne Compressor Station in Weld County, Colorado, to the Clarington Hub in Monroe County, Ohio. The maximum allowable operating pressure for the REX Pipeline segment is 1,480 pounds per square inch gauge.

The special permit request, proposed special permit with conditions, and draft environmental assessment (DEA) for the above listed REX pipeline segment are available for review and public comment in Docket No. PHMSA–2025–0455. PHMSA invites interested persons to review and submit comments on the special permit request, proposed special permit with conditions, and DEA in the docket. Please submit comments on any potential safety, environmental, and other relevant considerations implicated by the special permit request. Comments may include relevant data.

Before issuing a decision on the special permit request, PHMSA will evaluate all comments received on or before the comments closing date. PHMSA will consider each relevant comment it receives in making its decision to grant or deny this special permit request.

Issued in Washington, DC, on February 4, 2026, under authority delegated in 49 CFR 1.97.

**Linda Daugherty,**

*Acting Associate Administrator for Pipeline Safety.*

[FR Doc. 2026–02476 Filed 2–6–26; 8:45 am]

**BILLING CODE 4910–60–P**

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